



# City of Stayton

*Department of Planning and Development*

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## MEMORANDUM

**TO:** Chairperson Ralph Lewis and Planning Commission Members  
**FROM:** Dan Fleishman, Director of Planning and Development  
**DATE:** November 29, 2021  
**SUBJECT:** Public Hearing on Proposed Amendments Accessory Dwelling Units Standards

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### ISSUE

The issue before the Planning Commission is a public hearing on proposed Code amendment to permit accessory dwelling units when there is a single family dwelling in the High Density Residential zone and repeal the provisions of the Code that are now prohibited by state law.

### BACKGROUND

In 2017 the Land Use and Development Code was amended to permit accessory dwelling units on lots with a single family detached dwelling. The Code allows ADUs on a lot with a single family dwelling in the Low Density Residential and Medium Density Residential zones. It does not list an ADU as permitted if there is a single family dwelling in the High Density Residential zone, presumably because single family dwellings are non-conforming uses in the HD zone.

There are seven single family dwellings on an individual lot in the HD zone. The City has received an inquiry from the owner of one home in the HD zone regarding placing an ADU on the property.

### PROPOSED AMENDMENTS

The proposed amendment would allow an ADU on a lot with a single family detached dwelling in any Residential zone.

In addition, the proposed amendments would repeal to provisions in the Code that the Legislature in 2019 prohibited cities from including in the local regulation of ADUs. The amendment will repeal the owner-occupancy requirement and the requirement for an additional parking space.

### RECOMMENDATION

The staff recommends the Planning Commission forward the proposed Code amendment to the City Council with a recommendation for approval. A draft order doing so is presented to the Planning Commission. There may be changes to the draft order necessary depending on the testimony at the public hearing.

### OPTIONS AND SUGGESTED MOTIONS

**1. Close the hearing and forward the proposed amendments to the City Council for adoption.**

I move to adopt the draft order prepared by staff and forward the proposed amendments to the City Council with a recommendation for adoption.

# City of Stayton

- 2. Close the hearing, make changes to the proposed amendments and forward to the City Council for adoption.**

I move to adopt the draft order prepared by staff, direct staff to make the following changes in the proposed amendments and forward the proposed amendments to the City Council with a recommendation for adoption (list changes).

- 3. Close the hearing, choose to not forward the amendments to the City Council.**

I move to not forward the proposed amendments to the City Council.