

STAYTON PLANNING COMMISSION AGENDA

7:00 pm

Monday, October 25, 2021

HYBRID MEETING

The Stayton Planning Commission will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also either be "attended" virtually or watched on the live stream on the City of Stayton's YouTube account.

City officials request all citizens that are able, to join the meeting online from home. Social distancing is essential in reducing the spread of COVID-19. The City is using technology to make meetings available to the public without increasing the risk of exposure. If you would like to virtually participate in the meeting, please contact the Planning and Development Department at dfleishman@staytonoregon.gov to receive an invitation to the online meeting.

Watch the meeting live streamed on YouTube https://youtu.be/OR_7qzP3kBE

- 1. CALL TO ORDER** **Chair Lewis**
- 2. MEETING MINUTES – September 27, 2021**
- 3. DISCUSSION OF POSSIBLE CODE AMENDMENT REGARDING ACCESSORY DWELLING UNITS**
- 4. DECEMBER MEETING?**
- 5. OTHER BUSINESS**
- 6. ADJOURN**

DATE OF NEXT MEETING: Monday, November 29, 2021

**STAYTON PLANNING COMMISSION
MEETING MINUTES**

Monday, September 27, 2021

On-line Meeting held over Zoom

COMMISSIONERS: Jackie Carmichael, Vice-Chair (absent)
Dixie Ellard
Heidi Hazel
Richard Lewis
Ralph Lewis, Chairman

STAFF MEMBER: Dan Fleishman, Planning & Development Director
Windy Cudd, Office Specialist, Minutes

OTHERS PRESENT: Max Shipuk, Owner, Max Homes LLC

1. **CALL TO ORDER:** Chairman Lewis called the meeting to order at 7:00pm.
2. **APPROVAL OF MINUTES:** Hazel moved and Richard Lewis seconded to approve the minutes from June 28, 2021 as presented. The motion was approved 4:0.
3. **LAND USE FILE #11-09/21 –PUBLIC HEARING Application for Partitioning, Max Homes LLC, 1286 Sierra Ct**

Chairman Lewis opened the hearing and Fleishman recited the opening statement. There were no objections to the notice of the hearing. There were no declarations of conflict of interest or bias. Richard Lewis noted he had visited the site.

Fleishman introduced the application as a request to partition of 1286 Sierra Ct into two parcels. No questions arose. Max Shipuk had nothing to add.

Staff recommendation to approve order. Hazel motioned to approve, Ellard seconded. Approved 4:0.

4. **OTHER BUSINESS** – None.

ADJOURN: Chairman Lewis adjourned the meeting at 7:13pm.



City of Stayton

Department of Planning and Development

362 N. Third Avenue • Stayton, OR 97383

Phone: (503) 769-2998 • Fax (503) 769-2134

dfeishman@ci.stayton.or.us

www.staytonoregon.gov

MEMORANDUM

TO: Chairperson Ralph Lewis and Planning Commission Members
FROM: Dan Fleishman, Director of Planning and Development
DATE: October 25, 2021
SUBJECT: Possible Amendment to Land Use Code – Accessory Dwelling Units in the High Density Residential Zone

ISSUE

The issue before the Planning Commission is the consideration of a possible Code text amendment to permit Accessory Dwelling units when there is a single family dwelling in the High Density Residential zone.

BACKGROUND

In 2017 the Land Use and Development Code was amended to permit accessory dwelling units on lots with a detached single family 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, prompting bringing this issue forward.

I have attached a suggested amendment, that incorporates the above change. In addition, the residential zoning rewrite the Planning commission has been working on included some amendments to bring Stayton's ADU regulations into compliance with the state law – removal of the owner-occupancy requirement and removal of the additional parking space requirement. I have incorporated these changes into this amendment.

ANALYSIS

The Planning Commission has two options:

- Initiate amendment of the Code to allow ADUs on lots with a single family dwelling in the HD zone.
- Take no action

RECOMMENDATION

Staff's recommendation is to initiate a Code amendment. Should the Planning Commission be willing to entertain this amendment, a public hearing will be scheduled for the November 29 meeting.

17.20.240

ACCESSORY DWELLING UNITS

1. **PURPOSE.** The purpose of these standards is to provide for opportunity for the construction or placement of a small dwelling unit that is accessory to and subordinate to the principal dwelling unit on a single family lot without requiring additional lot area for the lot.
2. **LOCATION PERMITTED.** One accessory dwelling unit may be located on a lot with a single family detached dwelling in a ~~the Low Density Residential or Medium Density Residential Zones.~~
3. **TYPES OF ACCESSORY DWELLING UNITS PERMITTED.** An accessory dwelling may be created by any of the following means:
 - a. Division of an existing single family detached dwelling to include an accessory dwelling unit.
 - b. Addition to an existing single family detached dwelling to create an accessory dwelling unit.
 - c. Creation of an accessory dwelling unit in an existing accessory building.
 - d. Construction or placement of an accessory building on the parcel detached from the principal dwelling unit.
4. **SETBACKS.** If attached to the principal dwelling unit, the accessory dwelling unit shall meet the minimum setback requirements of Section 17.16.070.3.a. Detached accessory dwelling units shall meet the setback and height restrictions of Section 17.20.040.
5. **GROSS FLOOR AREA.** The minimum gross floor area permitted for an accessory dwelling unit shall be 250 square feet. The maximum gross floor area permitted for an accessory dwelling unit shall be 800 square feet. Creation of an accessory dwelling unit shall not reduce the gross floor area of the principal dwelling unit below 1,000 square feet.
- ~~6. **OWNER OCCUPANCY REQUIRED.** Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the parcel.~~
- ~~7. **OFF STREET PARKING.** In addition to the off street parking required for the principal dwelling unit by Section 17.20.060.7.a, one off street parking space shall be required for the accessory dwelling unit.~~
- ~~8.~~6. **CODE COMPLIANCE.** The accessory dwelling unit shall meet all applicable structural, electrical, plumbing, fire, and life safety codes.



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TO: Chairperson Ralph Lewis and Planning Commission Members

FROM: Dan Fleishman, Director of Planning and Development

SUBJECT: Date of December meeting.

DATE: October 25, 2021

The Planning Commission traditionally has canceled the December meeting because it always falls between the Christmas and New Year holidays. This year the last Monday of December is the 27th.

I have had contact from an applicant who intends to have an application for site plan review ready to submit in mid-November. This will be too late to provide notice for the November 29 meeting. They expressed concern that having to wait until the January 31 meeting for their hearing could jeopardize their ability to have their site ready for the summer season.

The Planning Commission could either:

- hold the December meeting on the regular last Monday of the month
- hold it early on December 13 (Dec 20 is a City Council meeting and not available)
- hold it late, on January 10 (January 3 is a City Council meeting)
- not hold a December meeting

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STAYTON, OR 97383
(503) 769-2998
FAX (503) 767-2134

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