



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, July 24, 2018

PRESENT: Russell Williams, Vice Chair
Hollie Holcombe
Jeff Dennerline
Steven Hook

ABSENT: Ed Jones, Chair
Les Bick

STAFF: Sarah Selden, Senior Planner
Eric Rutledge, Associate Planner

1. CALL TO ORDER

Vice Chair Williams called the meeting to order at 6:30 PM.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

None.

3. PUBLIC HEARING

a. Application 2018-45-ZC: Amendments to the FMC Related to Accessory Dwelling Units.

Vice Chair Williams recited the Legislative Hearing opening statement.

Senior Planner Selden presented the staff report and review of the proposed amendments. (*Exhibit A*) She referenced the provision of Senate Bill (SB) 1051 that requires all development standards applicable to ADUs be clear and objective. The goal is to encourage and remove barriers to ADU development.

Commissioner Dennerline noted the owner occupancy requirement is not being changed. He requested clarification that the City Council has the authority to regulate on street parking. SP Selden replied yes. He commented residents could manage their own on-site parking and if on-street parking became an issue, the city has the mechanism to manage it.

Commissioner Dennerline asked if in the Village, riparian buffer setbacks are included in lot coverage. AP Rutledge commented the lot coverage in the Village is 60%. SP Selden noted generally any impervious area i.e. structure, driveway, etc. is included in lot coverage; since a riparian buffer is not impervious, would not be included. Commissioner Dennerline remarked theoretically with the right lot; 60% of useable lot could be covered and the other 40% be within the riparian buffer. SP Selden explained there are two code sections the Residential (R) and Village Single Family (VSF). The VSF code could be amended to add the option of an ADU being internal to the primary dwelling. Currently, the VSF allows for over a garage.

Commission supported the front setbacks be a minimum of 10 feet and a maximum of 30 feet, similar to single family dwellings; a Type 1 review process for ADU's; height standards for ADU's located above a garage; and VSF code language to include the option of an ADU within the original structure.

SP Selden suggested the Commission approve the findings as discussed and direct staff to bring the findings back to the Planning Commission for a final review and adoption at the second meeting in August.

Commissioner Dennerline moved to continue the hearing to allow staff to make revisions to the Village Single Family and set back limits and come back with findings and presentation at the second meeting in August.

SP Selden proposed they clarify the hearing is not being continued.

Commissioner Hook moved to close the public hearing and Commissioner Dennerline seconded. The public hearing was closed by unanimous vote.

Commissioner Dennerline amended the motion to not continue the hearing and Commissioner Holcombe seconded. The motion passed unanimously.

Ayes: 5
Noes: 0
Abstained: 0

4. COMMISSION UPDATES

None.

5. STAFF UPDATES

SP Selden reviewed the Planning Commission schedule.

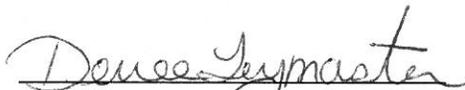
Department of Land Conservation and Development is going to host a planning commissioner training session at Fairview City Hall in mid-September. Will share details as available.

6. TENTATIVE AGENDA – AUGUST 14, 2018

- Continue Public Hearing: Fairview Villas Apartments
- Public Hearing: Environmental Works
- Review Findings for ADU Amendments

7. ADJOURNMENT

Meeting adjourned by consensus at 7:03 PM.


Devree A. Leymaster
City Recorder


Russell Williams
Vice Chair

9/25/18
Date

**PLANNING COMMISSION
PUBLIC HEARING**

2018-45-ZC
Accessory Dwelling Unit
Code Amendments

July 24, 2018



BACKGROUND

- **Some amendments required to implement SB 1051**
 - Allow 1 ADU per detached single-family dwelling
 - Subject to reasonable siting and design standards
 - Apply only clear and objective development standards
- **Additional amendments encouraged to remove barriers to ADU development**



CODE AMENDMENT PROCESS

- **Planning Commission Work Sessions (2)**
 - Background and code concepts
 - Draft code language
- **Planning Commission Public Hearing**
 - Recommendation to City Council
- **City Council Public Hearing Sept. 5**
 - Adopt Ordinance XXXX

AMENDED CODE SECTIONS

FMC 19.30 Residential District



FMC 19.30.110 Special Standards for Certain Uses



FMC 19.30.11(B) Accessory Dwelling



SUMMARY OF ADU REGULATIONS

Amendments Proposed

- Definition of ADU
- Number of units
- Maximum floor area
- Maximum height (for detached)
- Parking
- Village: ADU location
- Review procedure
- NEW ITEM: Remove maximum front setback for R-Zones

No Changes Proposed

- Owner occupancy
- Min. Setbacks (R-Zones: Front: 10 ft. min & 30 ft. max, 15 ft. rear (alley access 2 ft.), 5 ft. interior side)
- Lot coverage

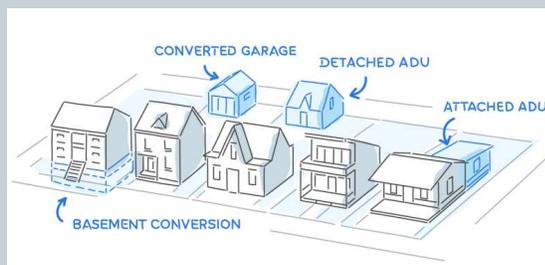
Deletion proposed

- Buffering
- Maximum per block

PROPOSED AMENDMENTS

FMC 19.13 DEFINITIONS

“An interior, attached, or detached dwelling unit that is used in connection with, or that is accessory to, a single-family dwelling.”



(STATE-REQUIRED)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

Amendment 1:

Updates description of “Accessory dwelling” to match the revised definition

(CLEANUP)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

Amendment 2:

Increases the number of ADUs allowed per detached single-family from 1 to 2. Only 1 may be detached.

(STATE-RECOMMENDED)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

Amendment 3:

Removes square footage limitation where entire floors of existing homes are converted to ADU.
Removes redundant language pertaining to detached garages.

(STATE-RECOMMENDED and CLEANUP)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

Amendment 4: (New Alternative)

Retains 20 ft. height limit for all detached ADUs except where ADU is above a detached garage:

- If building is setback more than the minimum required for primary dwelling, max height = height of primary building or 25 ft., whichever is less.

(STATE-RECOMMENDED)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT
Special Standards for Certain Uses

Amendment 5:

Removes discretionary standard that allows a hedge or fence to be required based on subjective privacy and yard enjoyment criteria.

(STATE-REQUIRED for CLEAR & OBJECTIVE)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT
Special Standards for Certain Uses

Amendment 6:

Removes limitation on ADUs to 50% of block. SB 1051 requires ADUs be allowed for every home.

(STATE-REQUIRED)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

Amendment 7:

- Clarifies requirement that an additional parking space is required for each ADU (updated for possibility of 2 ADUs) unless at least 4 on-site spaces are already available
- Prohibits tandem and shared parking with primary dwelling.

(NOT RECOMMENDED)

PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

Amendment 7: (*Alternative/Staff Recommendation*)

- Requires one additional space for each ADU.
- Ensures additional parking is provided, and treats ADUs equally to detached single-family homes
- Meets “reasonable” standards test

(STATE-RECOMMENDED)

ADU PARKING



PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT
Special Standards for Certain Uses

Amendment 8:

Corrects inconsistent reference to maximum lot coverage.

(CLEANUP)

PROPOSED AMENDMENTS

FMC 19.115 VILLAGE SINGLE FAMILY Permitted Uses

Amendment 9:

- Allows one ADU per single single-family residence, instead of per lot.
- Removes requirement that ADUs only be located above garages.

(STATE REQUIREMENT)

PROPOSED AMENDMENTS

FMC 19.422 APPLICABILITY Development Review

Amendment 10: (New)

- Would apply a Type I Development Review procedure to all ADUs, consistent with procedure for detached single-family dwellings.
- Amended standards remove discretionary decision-making & need for public review process.

(NOT REQUIRED. STAFF-RECOMMENDED
PROCESS IMPROVEMENT)

PROPOSED AMENDMENTS

FMC 19.30.030 RESIDENTIAL DISTRICT Building Setbacks

Amendment 11: (New)

A. Front Setbacks.

- a. A minimum setback of 10 feet and a **maximum setback of 30 feet is required**, except that an unenclosed porch may be within eight feet of the right-of-way, as long as it does not encroach into a public utility easement. **These setbacks shall also apply to accessory dwelling units....**

(NOT REQUIRED. STAFF-RECOMMENDED)

PROPOSED AMENDMENTS

FMC 19.30.030 RESIDENTIAL DISTRICT Building Setbacks

Amendment 11: (New): Proposed Amendment

A. Front Setbacks.

- a. A minimum setback of 10 feet and a maximum setback of 30 feet is required, except that an unenclosed porch may be within eight feet of the right-of-way, as long as it does not encroach into a public utility easement. ~~These setbacks shall also apply to accessory dwelling units....~~

(NOT REQUIRED. STAFF-RECOMMENDED)

DECISION-MAKING CRITERIA

FMC 19.413.040(G) Type IV Procedures - Decision Making Considerations

- Statewide planning goals and guidelines
- Comments from applicable federal or state agencies
- Applicable intergovernmental agencies
- Applicable Comprehensive Plan policies

FMC 19.205.020 Criteria

- Amendment not detrimental to general interests of community

CONCLUSION + NEXT STEPS

- Consider draft code amendments with staff-recommended alternatives and agency comments, and make a recommendation to City Council.
- City Council hearing tentatively scheduled for September 5, 2018



FAIRVIEW ADU'S



Historic Fairview

Detached ADU in backyard, accessed by side street



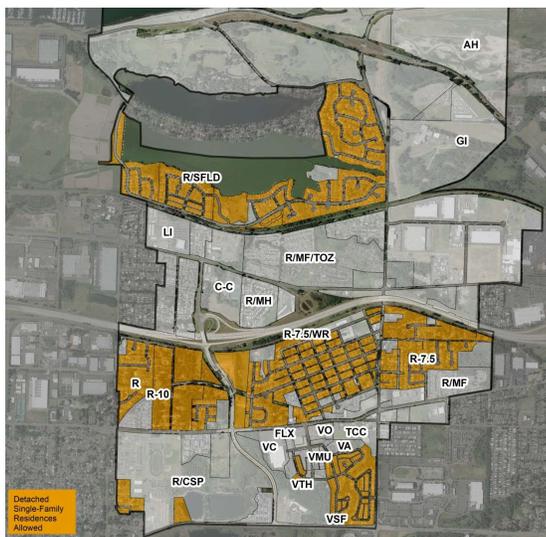
FAIRVIEW ADU'S



The Village

Detached ADU above garage, oriented towards alley

ZONING DISTRICTS ALLOWING SINGLE-FAMILY DETACHED



- Residential (R)
- Residential 7.5
- Residential 10
- Res/South Fairview Lake
- Village Single-Family
- Village Townhouse