



CITY OF MAUPIN

P.O. Box 308
Maupin, OR 97037

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MEETING NOTICE

CITY OF MAUPIN PLANNING COMMISSION MEETING

Tuesday, December 14, 2021

6:00 p.m.

COVID-19 Update: Due to federal and state requests to limit public gatherings, the Planning Commission will hold an online video conference meeting that the public can watch and participate in via Zoom <https://us02web.zoom.us/j/88696740794?pwd=NWtZQkhka05WZmREQzZSZ09ES2FHUT09>

Just click the link above or copy and paste it in your browser. Enter the meeting code and ID below.

Meeting ID: 886 9674 0794

Passcode: 572571

For voice only, instead of a computer, call in from a phone at 1-253-215-8782

Meeting ID: 886 9674 0794

City Hall will not be open to the public during the meeting. For questions on connecting with Zoom, contact City Manager Kevin Lewis at 1-541-370-2429 or citymanager@cityofmaupin.org

AGENDA

- 1) Call Meeting to Order / Roll Call of Commission and Staff / Pledge of Allegiance
- 2) Consent Agenda: Approval of Minutes, November 9, 2021
- 3) Audience Participation. This time is set-aside for public to speak on any subject which does not appear on the agenda. Three minutes per person will be allowed. The maximum time for public comments will be 15 minutes.
- 4) **PUBLIC HEARING:** Text amendment to Residential zones to allow accessory dwelling units with specific provisions.
- 5) Communications
- 6) Next Meeting – Tuesday, January 11, 2022 6:00 PM
- 7) Adjourn

CITY MEETING CALENDAR

MONTH	DATE	DAY	TIME	GROUP	LOCATION
December	15	Wed	6:30 pm	City Council	Zoom
January	11	Tue	6:00 pm	Planning Commission	Zoom

**MINUTES
MAUPIN PLANNING COMMISSION
MEETING
November 9, 2021
6:00 - 7:12 p.m.
Zoom only**

PRESIDING: Suze Riley, Chair

COMMISSION PRESENT: Suze Riley, Michael Jones, Jessy Rose, Andrew Kreipe

COMMISSION ABSENT: Dale Madden

STAFF PRESENT: City Manager Lewis, City Recorder Wolfe, Planner Kirk Fatland

VISTIORS PRESENT: Megan Storey, Ralph & Tammy Wimmer, and Phillip Delamare

CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE.

The meeting was called to order by Chair Riley at 6:00 p.m. Roll Call of Planning Commission was conducted by Recorder Wolfe.

CONSENT AGENDA: Approval of Minutes of September 14, 2021:

It was moved by Commissioner Jones, Seconded by Commissioner Rose, and passed unanimously on a 4 to 0 vote (Ayes: Rose, Kreipe, Riley, Jones, Nays: 0); the Commission approves September 14, 2021 minutes and Consent Agenda as presented.

AUDIENCE PARTICIPATION.

None.

SITE PLAN REVIEW:

Chair Riley opened Public Hearing for Site Plan Review extending use of campground from seasonal to year-round.

City Manager Lewis presented an overview of the site plan. Megan Storey explained their plan to extend the use of campground from six months to yearlong use to help with housing for construction workers during the off season.

There were no proponents

There were no opponents.

Commissioners reviewed and discussed the documentation that was presented for the extension use of campground as submitted.

Commissioner Jones made a motion to approve extending the use of campground from seasonal use to year-round. Commissioner Kreipe second the motion. Motion passed unanimously on a 4 to 0 vote (Ayes: Rose, Kreipe, Riley, Jones, Nays: 0)

LIGHT INDUSTRIAL / COMMERCIAL ZONE REVIEW:

Planner Fatland gave review of his staff report of things to consider with creating a Light Industrial / Commercial Zone. **Permitted uses:** Retail Trade Establishments, which would operate or take place within an enclosed building, outdoor outfitting guide staging areas.

Conditional uses: Retail Trade Establishments which would operate or take place outside an enclosed building, outside storage and display areas with proper screening, restaurants and taverns providing onsite liquor sales, hotel and motel facilities, automotive service station (except in the City's water source protection area). **Dimensional Standards:** Height two and one-half stories or 35 feet. **Area:** Minimum lot size 5,000 s.f. **Parking:** Follow established parking regulations. **Sanitation:** Must be connected to City water and sewer system. **Lighting:**

subdued, not shine or glare and be shielded or hooded to not impact adjoining properties.

Discussion regarding lot size with the idea of 2,500 s.f. may encourage small businesses such as breweries, food carts, small craft makers, etc. that don't fit into the Commercial and Industrial zones. Smaller lot size could fit under Conditional Use. Areas where this zone may work are scattered around the Log Home (Henderson property), River Drifters and Oregon Log Homes and property across Hwy 197.

Process and timeline were discussed. Need the verbiage to be laid out clearly and accepted by Planning Commission, most likely ready in January. Submit to DLCD for their review (up to 35 days), public notice (20 days). Planner Fatland stated that he can submit the draft to DLCD while commissioners continue to fine tune it in December, City Manager Lewis requested clarification, that we can still make changes to this draft after submission to DLCD; Planner Fatland stated yes. Consideration was given to the connectivity of the levels the City sits on. Commissioners agreed lot size should be 2,500 sf.

Based on discussion, Commissioner Rose made a motion to request Planner Fatland to continue to working on this zone ordinance and submit a draft to DLCD. Commissioner Jones second the motion. Motion passed unanimously on a 4 to 0 vote (Ayes: Rose, Kreipe, Riley, Jones, Nays: 0)

DISSUSSION ON FINAL REVIEW OF Accessory Dwelling Units (ADU):

Planner Fatland gave a brief review of his staff report, Accessory Dwelling Units on residential lots

with an update to the definition of a duplex (to clarify, the applicants would specify on application whether it is a duplex or ADU).

Commission discussed the options available that would allow ADUs: outright permitted use or conditional use in residential zones, single family dwelling either attached or detached. Single family homes that can be remodeled into separate unit space with its own bathroom and kitchen and/or with an interior door. Discussion included detached units being converted to ADUs, and should System Development Charges be required if homeowner hooks up to water/sewer separate from main dwelling and parking requirements. This would not allow RVs or tiny homes on wheels. Commissioners requested Planner Fatland to continue to amend/clarify definitions of ADU (connection between dwellings, change to allow rental of extra space i.e., basements, attics, no parking requirements).

DISSUSSION ONGOING AGENDA ITEMS: City Manager Lewis gave commissioners an update regarding ongoing projects with BLM and ODOT. The only update at this time is the Curb Ramp Project, ODOT has been in contact with property owners, the City being one of them with

6th and Deschutes (corner of Kaiser Park). Will have more information after our meeting. Engineering has begun on Donkey Trail with preliminary surveying.

DISSUSSION Delamare application with Planner:

Planner Fatland gave a brief over of Mr. Delamare's application for Comprehensive Plan Map & Zoning Map Amendment requesting to change zone from High Density-Residential to High Density-Residential Commercial. Applicant is proposing a mix-use development with commercial / retail, apartments and house / cabin lots.

Mr. Delamare was asked to present his proposal for the north side of Hwy 197 below the City's water tower. Mr. Delamare showed commissioners a preliminary drawing of a development consisting of afore mentioned use.

Work will begin in the southeast corner of property with a partition and rezone of parcel 2 (Hwy 197 & west of Spey Rd).

Question raised if ODOT will need to do a traffic study. Mr. Delamare stated that he is working with ODOT on access to property off of HWY 197.

Q. Would this development fit into the new Light Industrial / Commercial zone we are working on?

A. Mixed use would work well with this type of development.

Commissioners requested Planner Fatland to work with the applicant and City Manager Lewis to get the staff report out before the next meeting and set a hearing to partition parcel 2 of southeast corner of property along HWY 197 and Spey Rd.

COMMUNICATIONS: NONE

NEXT MEETING: December 14, 2021 AT 6:00 PM

ADJOURN: Chair Riley adjourned the meeting at 7:12 p.m.

Respectfully submitted by
Christine Wolfe
City Recorder

Suze Riley, Chair



City of Maupin
507 Grant Ave.
PO Box 308
Maupin, Oregon 97037

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cityhall@cityofmaupin.org
cityofmaupin.org

NOTICE TO PROPERTY OWNERS

The Maupin Planning Commission will conduct a Public Hearing beginning at 6 p.m. on December 14, 2021, at the Maupin Civic Center. The purpose of the Hearing is to consider a text amendment to the Zoning Ordinance allowing Accessory Dwelling Units (ADUs) in the residential zones with specific provisions. The proposed amendment would allow permanent detached units as well as interior secondary units.

The specific substantive criteria relied on by the City in rendering decisions on the proposed annexation are contained within Article 8 – Amendments, of the Maupin Zoning Ordinance.

Failure to raise a specific issue during the local public hearing process will preclude an appeal to the City Council, based upon that issue.

A copy of the application and all other information related to this proposal is available for review at no cost at the Maupin City Hall, and copies of the application and all other information concerning the application, can be supplied at a reasonable cost. If a staff report is prepared, it will be available for review seven days before the hearing and also can be supplied at a reasonable cost. The public hearing process begins with the staff report, followed by testimony from the applicants and any other supporters of the application. This will be followed by testimony from opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing for a portion of the procedure will then be closed and the Planning Commission will consider the information and testimony received and may render a decision. Written testimony will be received until 3 p.m., December 13, 2021, at the Maupin Civic Center. Oral testimony will be received during the hearing.

All interested are urged to attend. If you have any questions, please contact City Manager Kevin Lewis, at 541-395-2698.

Signed,

Christine Wolfe
City Recorder
12-01-2021



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December 7, 2021

City of Maupin
Planning Commission
507 Grant Avenue
Maupin, Oregon 97037

Reference: Accessory Dwelling Units in the Residential Zone
Staff Report

Report Prepared by: Kirk Fatland, Contract Planner
Applicant: City of Maupin
Procedure Type: Legislative
Decision Date: December 14, 2021

Request: The proposed Zoning Ordinance text amendment would allow accessory dwelling units in the residential zones with specific provisions. The proposed amendment would allow permanent detached units as well as interior secondary units. The proposal does not apply to “tiny homes” on wheels, which will continue to be addressed under existing Recreational Vehicle criteria of the City’s Ordinances.

Background Information: The Housing Needs Analysis completed in Spring 2021 identified the evaluation of accessory dwelling units as a “Key Action” for the City to address. Over the past several months the Planning Commission has reviewed and refined the proposed amendment and determined that allowing accessory dwelling units would help to alleviate the lack of available housing within the City. The specific provisions contained within the ordinance text consider Maupin’s specific needs including amending existing definitions for additional clarity.

Notice: The requisite notices were mailed to affected property owners, posted in public places as well as presented to the Department of Land Conservation and Development.

Comments Received: No public comments were received by the writing of this report.

Recommendation: Planning Staff recommends approval based upon the following findings of fact.

Article 8. Amendments

SECTION 8.1 - FORMS OF AMENDMENTS

There are two types of amendments to this ordinance:

- A. Amendment to the text. (Legislative Revision)
- B. Amendment to the Map. (Legislative Revision or Quasi-Judicial Change)

Finding: The proposed amendment is a text amendment, defining and permitting accessory dwelling units within the residential zones. As the amendment would apply to all properties within the residential zones it is deemed a Legislative Revision and will follow the appropriate procedure.

SECTION 8.2 - LEGISLATIVE REVISIONS

- A. Proposed amendments to this ordinance shall be deemed legislative revisions if:
 - 1. The proposed amendment involves the text of this ordinance, and/or
 - 2. The proposed amendment involves the map, when such an amendment would have widespread and significant impact beyond the immediate area of the proposed amendment.

Finding: The proposed amendment is legislative as the text of the ordinance will be amended.

- B. Legislative revisions shall be initiated by:
 - 1. A majority vote of the City Council; or
 - 2. A majority vote of the Planning Commission; or
 - 3. A request by the City Attorney or City Planner.

Finding: This amendment has been initiated by a majority vote of the Maupin Planning Commission.

SECTION 8.3 – CRITERIA FOR AMENDMENTS

- A. The applicant for an amendment must show that the proposed change conforms with the Comprehensive Plan.

Finding: The proposed change conforms and supports the goals and policies contained in the Comprehensive Plan, specifically:

Overall Goal (4): to provide for community housing, employment, and recreation needs within the financial and natural limitations of the area.

The proposed amendment would specifically allow additional housing options within the City Limits.

Goal X – Housing, Policies X:

2. That a range of housing prices and variety of housing types and locations shall be encouraged.

8. The City supports having affordable housing and continuation of infill development.

The proposed amendment would allow for the development of a second dwelling unit on residential lots within the City. The anticipated effect of this amendment is to increase the variety of housing types and prices in Maupin. ADUs are often more affordable than other types of housing and are a proven tool to add gentle density within existing neighborhoods. The proposed amendment conforms to both the spirit and letter of Goal 10 of the Maupin Comprehensive Plan.

- B. A plan or land use regulation amendment significantly affects a transportation facility if it:
1. Changes the functional classification of an existing or planned transportation facility;
 2. Changes standards implementing a functional classification system;
 3. Allows types or levels of land use that would result in levels of travel or access what are inconsistent with the functional classification of a transportation facility; or
 4. Would reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

Finding: The proposed regulation amendment would not significantly affect a transportation facility as described above.

Article 4. Supplementary Provisions

SECTION 4.21 - Accessory Dwellings

Accessory dwellings, where allowed, are subject to review and approval through an administrative review and shall conform to all of the following standards:

One Unit. A maximum of one Accessory Dwelling is allowed per legal single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).

A. Floor Area.

1. A detached Accessory Dwelling shall not exceed 900 square feet of floor area or 75 percent of the primary dwelling's floor area, whichever is smaller. When the accessory structure has another use (e.g., garage), this criterion only applies the floor area of the structure used as a dwelling.
2. An attached Accessory Dwelling shall not exceed 900 square feet of floor area, or 75 percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than 900 square feet.

B. Other Development Standards Accessory Dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;
2. No off-street parking is required for an Accessory Dwelling;

Definitions (This should be included in the "definitions" section of the zoning ordinance.)

Accessory Dwelling – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

Attached Accessory Dwelling – An additional dwelling unit within a single-family dwelling (e.g., conversion of an existing floor, an addition) that is not accessible to the primary dwelling by an interior door.

Existing definitions to be altered

~~**Dwelling, Single Family** – A structure designed and built exclusively for the occupancy of one family. The structure may be site built, a modular residential structure, or a qualified manufactured or mobile home. Architectural exterior features shown in Section 4.18 are required. Single Family Dwellings include detached dwellings and sustainable housing including Barn'dminiums and cargo containers meeting certain standards listed in Section 4.19~~

Replace with: **Single family dwelling** - means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single family dwellings may be site built, a modular residential structure, or a qualified manufactured or mobile home. Architectural exterior features shown in Section 4.18 are required. Single Family Dwellings include detached dwellings and sustainable housing including Barn'dminiums and cargo containers meeting certain standards listed in Section 4.19

~~**Family** – An individual or two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit. Family shall include two or more persons with a handicap as defined in the Fair Housing Amendments Act of 1998, 42 USC § 3601 and following, living as a single housekeeping unit.~~

~~**Dwelling** – A detached building for and occupied exclusively by one family.~~

Replace with **Dwelling** – means a building, or portion thereof, which contains one or two dwelling units.

Add: **Dwelling unit** - means a single independent unit providing complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. For the purposes of this definition, "independent" means the dwelling unit:

- (a) Is detached from any other dwelling unit or is separated from any other dwelling unit by an approved fire separation as required under the Building Code;
- (b) Includes a kitchen area with a sink and an approved electrical service connection for a stove or range; and
- (c) Does not have a direct interior connection to any other dwelling unit, but may have fire-separated access to a common facility shared with any other dwelling unit

~~**Duplex** – A building containing two dwelling units designed for occupancy by two families.~~

Replace with: **Duplex** - means two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.