

**MINUTES
MAUPIN PLANNING COMMISSION
MEETING
December 14, 2021
6:02 - 7:28 p.m.
Zoom only**

PRESIDING: Suze Riley, Chair

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

COMMISSION ABSENT:

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

VISTIORS PRESENT: Medy Gantz, Ralph & Tammy Wimmer, Mark Roper, John Bildsoe, Rich Sutliff, Donna Henderson, Kathy Middleton

CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE.

The meeting was called to order by Chair Riley at 6:02 p.m. Roll Call of Planning Commission was conducted by Recorder Wolfe.

CONSENT AGENDA: Approval of Minutes of November 9, 2021:

It was moved by Commissioner Rose to approve Consent Agenda as presented, Seconded by Commissioner Jones, and passed unanimously on a 5 to 0 vote (Ayes: Rose, Kreipe, Riley, Jones, and Madden Nays: 0).

AUDIENCE PARTICIPATION.

None.

PUBLIC HEARING Text amendment to Residential Zones to allow Accessory Dwelling Units with specific provisions:

Chair Riley opened Public Hearing for text amendment to Residential Zones to allow Accessory Dwelling Units with specific provisions.

Planner Kirk Fatland presented an overview with a power point presentation (attached to minutes).

Benefits/Goals: Allow for development without public investment. Provide opportunity to create wealth in community as a potential source of income. Allows flexibility to property. Address existing non-conforming units.

Number of Units:

Currently; One detached dwelling unit is allowed per lot.

Proposed; One unit. 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., and addition or the conversion of an existing floor).

What is accepted: conversion of upstairs, basement, garage (attached, detached)

Size: (floor area, detached, attached)

A: Floor area.

1. A detached Accessory Dwelling shall not exceed 900 square feet of floor area or 75% of the primary dwelling floor area, whichever is smaller.(only applies to 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% of the primary dwelling floor area, whichever is smaller. However, units 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 unit would be more than 900 square feet.

Tiny Homes are not allowed under the proposed ordinance, they are only allowed in mobile home parks, they are not regulated by state building codes, they are subject to Federal Motor Vehicle Safety Standards.

Other Development Standards:

B. Accessory Dwellings shall meet all other standards (height, setbacks, lot coverage, etc.) for buildings in the zoning area, except:

1. Conversion of existing legal non-conforming structure is allowed (provided that the conversion does not increase the non-conformity).

2. No off-street parking is required.

Definitions 1:

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

Add: 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.

Definitions 2:

Remove: Dwelling, Single Family – A structure designed and built exclusively for the occupancy of one family. **Replace with:** - means a detached structure on a lot or parcel that is comprised of a single dwelling unit.

Definitions 3:

Remove: Family (definition of)

Remove: Dwelling – A detached building for and occupied exclusively by one family. **Replace with:** Dwelling – A building, or portion thereof, which contains one or two dwelling units.

Definitions 4:

Add: Dwelling unit – 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.

Definitions 5:

Remove: Duplex – A building containing two dwelling units designed for occupancy by two families. **Replace with:** Duplex – Two dwelling units on a lot or parcel in any configuration. Where a development can meet the definition of a duplex and a primary dwelling unit with an accessory dwelling unit, the applicant shall specify at the time of application duplex or primary dwelling unit with an ADU.

Planner Kirk Fatland presented his staff report (attached with minutes).

Criteria for amendments:

A. 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. Goal 2: Range of housing prices and variety of housing types and locations. Goal 8: The City supports having affordable housing and continuation of infill development. Goal 10: Proposed amendment conforms to the Maupin Comprehensive Plan.

B. The proposed amendment would not significantly affect a transportation facility as is described.

Public Hearing was opened by Chair Riley:

Public comments; Q. (John Blidsoe) Why is parking not required? **A.** Parking is addressed inside of zone ordinances. **S.** (Tammy Wimmer) A homeowner converts garage into an ADU, now the home owner is parking on the street, feels this will impact off street parking. **Q.** (Tammy Wimmer) Converting a pole barn into a ADU are they constraint to the 900 square feet. **A.** Yes, that is correct. **Q.** (Tammy Wimmer) Is water & sewer connected through the primary resident? Are they charged a separate water/sewer fee? Will that service stay in the homeowner's name? **A.** Yes, connection is through the primary and when they apply to use an ADU they will be charged for service. Yes, billing will stay with owner. **Q.** (Suze Riley) What would happen if homeowner cannot connect to existing water/sewer lines? **A.** Connection fees would apply. **S.** (Medy Gantz) Clarification to the detached unit must have a foundation. **A.** Yes, it must meet all the requirements and codes any home must meet. **S.** (Kathy Middleton) Understands the commission is putting rules in place before this is opened up. If you have two lots, one can already build with zone ordinances in place.

P.C. Jones commended Community Liaison Wesson for clearing cars off the street and opening up more parking.

Proponents: Everyone present were for the text amendments, but with concerns that the city keep control of ADUs by permitting or other means the city deems necessary, there is concern on lot size changes in the future.

Opponents: There were none.

Public Hearing was closed by Chair Riley:

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Commissioners reviewed and discussed the documentation that was presented for text amendment to Residential Zones to allow Accessory Dwelling Units with specific provisions with the correction with the definition on duplex (revise text by removing “Where a development can meet the definition of a duplex and a primary dwelling unit with an accessory dwelling unit, the applicant shall specify at the time of application duplex or primary dwelling unit with an ADU”).

Commissioner Madden made a motion to take the text amendment to Residential Zones to allow Accessory Dwelling Units with specific provisions with the correction with the definition on duplex to the City Council for their consideration. Commissioner Jones second the motion. Motion passed unanimously on a 5 to 0 vote (Ayes: Rose, Kreipe, Riley, Jones, and Madden Nays: 0).

COMMUNICATIONS: NONE

NEXT MEETING: January 11, 2022 AT 6:00 PM

ADJOURN: Chair Riley adjourned the meeting at 7:28 p.m.

Respectfully submitted by
Christine Wolfe
City Recorder



Suze Riley, Chair