



PLANNING COMMISSION MEETING AGENDA

Tuesday, September 9, 2025, 4:30 p.m.

Held in person at the Maupin Civic Center (507 Grant Ave.) and on Zoom:
<https://us02web.zoom.us/j/88696740794?pwd=NWtZQkhka05WZmREQzZSZ09ES2FHUT09> or
dial 1-253-215-8782 (Meeting ID: 886 9674 0794 Passcode: 572571)

PUBLIC COMMENT: Individuals wishing to address Planning Commission on items not already listed on the Agenda may do so during the Public Comment item on the Agenda. The maximum amount of time for all public comments under the Agenda item will be 15 minutes. Please limit comments from three to five minutes, unless extended by the Commission Chair.

PLEASE NOTE: With the exception of Public Hearings, the Agenda is subject to last minute changes; times are approximate – please arrive early. Meetings are ADA accessible. For special accommodations please contact the City Recorder in advance at 541-395-2698. *Las reuniones son ADA accesibles. Por tipo de alojamiento especiales, por favor póngase en contacto con la registrador de la ciudad 541-395-2698.*

4:30 p.m.	Call to Order / Roll Call of Planning Commission and Staff / Pledge of Allegiance
	Consent Agenda
	Public Comment
4:45 p.m.	Training
	Adjourn



CONSENT AGENDA

Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the Planning Commission to spend its time on significant items and issues. Any Planning Commission member may request that an item be withdrawn from the Consent Agenda and be placed in the business section of the agenda.

DOCUMENTS

No Documents

MOTION

I move to approve the Consent Agenda as presented.



TRAINING

DOCUMENTS

[2024 Oregon SB 1537 – Housing Land Use Adjustments](#)

MOTION

HOUSING LAND USE ADJUSTMENTS

SECTION 37. Sections 38 to 41 of this 2024 Act are added to and made a part of ORS chapter 197A.

SECTION 38. Mandatory adjustment to housing development standards.

(1) As used in sections 38 to 41 of this 2024 Act:

(a) “Adjustment” means a deviation from an existing land use regulation.

(b) “Adjustment” does not include:

(A) A request to allow a use of property not otherwise permissible under applicable zoning requirements;

STAFF COMMENT: Adjustments for “uses” are not allowed.

(B) Deviations from land use regulations or requirements related to accessibility, affordability, fire ingress or egress, safety, local tree codes, hazardous or contaminated site Enrolled Senate Bill 1537 (SB 1537-B) Page 18 clean-up, wildlife protection, or statewide land use planning goals relating to natural resources, natural hazards, the Willamette River Greenway, estuarine resources, coastal shorelands, beaches and dunes or ocean resources;

STAFF COMMENT: City regulations for natural hazard/resource protections are not eligible for adjustment.

(C) A complete waiver of land use regulations or any changes beyond the explicitly requested and allowed adjustments; or

(D) Deviations to requirements related to the implementation of fire or building codes, federal or state air, water quality or surface, ground or stormwater requirements, or requirements of any federal, state or local law other than a land use regulation.

(2) Except as provided in section 39 of this 2024 Act, a local government shall grant a request for an adjustment in an application to develop housing as provided in this section. An application qualifies for an adjustment under this section only if the following conditions are met:

(a) The application is for a building permit or a quasi-judicial, limited or ministerial land use decision;

STAFF COMMENT: Floodplain permits, and other ministerial actions are not included.

(b) The development is on lands zoned to allow for residential uses, including mixed-use residential;

(c) The residential development is for densities not less than those required under section 55 (3)(a)(C) of this 2024 Act;

STAFF COMMENT: Section 55 outlines regulations/requirements for conceptual plans which apply to lands brought into a UGB under the one-time expansion provisions of the Bill.

(d) The development is within an urban growth boundary, not including lands that have not been annexed by a city;

(e) The development is of net new housing units in new construction projects, including:

(A) Single-family or multifamily;

- (B) Mixed-use residential where at least 75 percent of the developed floor area will be used for residential uses;
 - (C) Manufactured dwelling parks;
 - (D) Accessory dwelling units; or
 - (E) Middle housing as defined in ORS 197A.420;
- (f) The application requests **not more than 10 distinct adjustments** to development standards as provided in this section. A “distinct adjustment” means:
- (A) An adjustment to one of the development standards listed in subsection (4) of this section where each discrete adjustment to a listed development standard that includes multiple component standards must be counted as an individual adjustment; or
 - (B) An adjustment to one of the development standards listed in subsection (5) of this section where each discrete adjustment to a listed development standard that includes multiple component standards must be counted as an individual adjustment; and
- (g) The **application states how at least one of the following criteria apply**:
- (A) The adjustments will enable development of housing that is not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations;
 - (B) The adjustments will enable development of housing that reduces the sale or rental prices per residential unit;
 - (C) The adjustments will increase the number of housing units within the application;
 - (D) All of the units in the application are subject to an affordable housing covenant as described in ORS 456.270 to 456.295, making them affordable to moderate income households as defined in ORS 456.270 for a minimum of 30 years;
 - (E) At least 20 percent of the units in the application are subject to an affordable housing covenant as described in ORS 456.270 to 456.295, making them affordable to low income households as defined in ORS 456.270 for a minimum of 60 years;
 - (F) The adjustments will enable the provision of accessibility or visitability features in housing units that are not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations; or
 - (G) All of the units in the application are subject to a zero equity, limited equity, or shared equity ownership model including resident-owned cooperatives and community land Enrolled Senate Bill 1537 (SB 1537-B) Page 19 trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90 years.

STAFF COMMENT: The burden is on the applicant to show that at least one of the above conditions apply. Criteria A, B, and F are subjective. Applications using these criteria as justification for the adjustments should be reviewed with the City Attorney. I’m assuming court decisions will frame exactly how these criteria are interpreted.

(3) A decision on an application for an adjustment made under this section is a limited land use decision. Only the applicant may appeal the decision. No notice of the decision is required if the application is denied, other than notice to the applicant. In implementing this subsection, a local government may:

- (a) Use an existing process, or develop and apply a new process, that complies with the requirements of this subsection; or
- (b) Directly apply the process set forth in this subsection.

STAFF COMMENT: I suggest we process adjustment applications as ministerial permits – decision by Staff. The appeal of Staff’s decision would then go to the City Council (or Planning Commission, if applicable). Since the decision is only appealable by the Applicant, the application could be noticed to surrounding property owners but does not have to be. The City should make a policy decision about noticing.

(4) A local government shall grant an adjustment to the following development standards:

- (a) Side or rear setbacks, for an adjustment of not more than 10 percent.
- (b) For an individual development project, the common area, open space or area that must be landscaped on the same lot or parcel as the proposed housing, for a reduction of not more than 25 percent.
- (c) Parking minimums.

STAFF COMMENT: No limit to adjustments to parking standards.

- (d) Minimum lot sizes, not more than a 10 percent adjustment, and including not more than a 10 percent adjustment to lot widths or depths.
- (e) Maximum lot sizes, not more than a 10 percent adjustment, including not more than a 10 percent adjustment to lot width or depths and only if the adjustment results in:
 - (A) More dwelling units than would be allowed without the adjustment; and
 - (B) No reduction in density below the minimum applicable density.
- (f) Building lot coverage requirements for up to a 10 percent adjustment.
- (g) For manufactured dwelling parks, middle housing as defined in ORS 197A.420, multifamily housing and mixed-use residential housing:

STAFF COMMENT: “g” does not apply to single-family housing.

- (A) Requirements for bicycle parking that establish:
 - (i) The minimum number of spaces for use by the residents of the project, provided the application includes at least one-half space per residential unit; or
 - (ii) The location of the spaces, provided that lockable, covered bicycle parking spaces are within or adjacent to the residential development;
- (B) For uses other than cottage clusters, as defined in ORS 197A.420 (1)(c)(D), building height maximums that:
 - (i) Are in addition to existing applicable height bonuses, if any; and

(ii) Are not more than an increase of the greater of:

(I) One story; or

(II) A 20 percent increase to base zone height with rounding consistent with methodology outlined in city code, if any;

(C) Unit **density maximums**, not more than an amount necessary to account for other adjustments under this section; and

(D) **Prohibitions, for the ground floor of a mixed-use building, against:**

(i) Residential uses **except for one face of the building that faces the street and is within 20 feet of the street**; and

(ii) Nonresidential active uses that support the residential uses of the building, including lobbies, day care, passenger loading, community rooms, exercise facilities, offices, activity spaces or **live-work spaces**, except for active uses in specifically and clearly defined mixed use areas or commercial corridors designated by local governments.

STAFF COMMENT: An adjustment to a requirement for ground-floor commercial uses below residential uses is allowed, except within 20 feet of the street. For jurisdictions with this ground-floor commercial requirement that want to preserve this restriction, I suggest designating certain streets as “commercial corridors” in the Comprehensive Plan.

(5) A local government shall grant an adjustment to design standards that regulate:

STAFF COMMENT: These adjustments apply to all housing types, including single-family homes.

(a) Facade materials, color or pattern.

(b) Facade articulation.

(c) Roof forms and materials.

(d) Entry and garage door materials.

(e) Garage door orientation, unless the building is adjacent to or across from a school or public park.

(f) Window materials, except for bird-safe glazing requirements.

(g) Total window area, for up to a 30 percent adjustment, provided the application includes at least 12 percent of the total facade as window area.

(h) For manufactured dwelling parks, middle housing as defined in ORS 197A.420, multi-family housing and mixed-use residential:

(A) Building orientation requirements, not including transit street orientation requirements.

(B) Building height transition requirements, not more than a 50 percent adjustment from the base zone.

(C) Requirements for balconies and porches.

(D) Requirements for recesses and offsets.



ADJOURN

NEXT MEETING TIME & DATE

Tuesday, October 14, 2025, at 4:30 p.m. in person and virtual

SUGGESTED TOPICS FOR NEXT MEETING

CHAIR ADJOURNS THE MEETING