

**CITY OF SILVERTON  
PLANNING COMMISSION WORK SESSION MINUTES**

**6:00 P.M.**

**March 30, 2021**

The Planning Commission of the City of Silverton met for a work session through the virtual meeting platform Zoom on March 30, 2021 at 6:02 p.m., with Chairman Flowers presiding.

**I. ROLL CALL:**

Present	Absent	
<u>  X  </u>	<u>      </u>	Chairman Clay Flowers
<u>  X  </u>	<u>      </u>	Vice-Chairman Ammon Benedict
<u>      </u>	<u>  X  </u>	Morry Jones
<u>  X  </u>	<u>      </u>	Rich Piaskowski
<u>  X  </u>	<u>      </u>	Tasha Huebner
<u>  X  </u>	<u>      </u>	Peter Matzka
<u>  X  </u>	<u>      </u>	Micole Olivas-

**STAFF PRESENT:**

Community Development Director, Jason Gottgetreu and Planning and Permit Assistant, Kate Schlee.

**CONSULTANTS PRESENT:** Anais Mathez from 3J Consulting, Elizabeth Decker from Jet Planning

**DLCD REPRESENTATIVE:** Sean Edging

**III. AGENDA ITEM**

**3.1 Review Draft Duplex Code Revisions**

Community Development Director, Jason Gottgetreu welcomed everyone and explained the purpose of tonight’s meeting.

Anais Mathez (3J Consulting) reviewed the agenda and recapped the project objectives, which include:

- Revise the development code to allow duplexes in R-1, R-5, RM-10, RM-20 where single-family detached dwellings (SFDDs) are permitted, under the same standards;
  - Explore code concepts to permit triplexes, quadplexes, townhouses and cottage clusters;
- Prepare a Housing Strategy Implementation Plan (HSIP) to identify and prioritize the most promising actions the City can take to address identified housing needs

Anais noted that this is the fourth of six Planning Commission meetings, and the next meeting will be a Planning Commission hearing for the draft duplex code. The deadline for code adoption is June 31, 2021.

**Duplex and ADU Code Updates**

Elizabeth prefaced the duplex code package with a reminder of HB 2001, as well as the on the strategies identified by City Council and in the Housing Needs Analysis. She reviewed the geography of these code

updates across Silverton, noting that they will have diffuse but wide-ranging impacts. The code package regulates duplexes as single-family detached dwellings. The following code concepts include:

- Configuration: Allow detached as well as attached, may include manufactured homes
- Permitted use: Allow in all zones, add to R-1
- Minimum lot sizes: Allow on same size lots (3,000-8,000 SF), eliminate distinction between corner and interior lots
- Density: Count as single unit for parity with single-family density standards.
- Dimensional Standards: No changes
- Design standards: Apply same single-family standards, and re-introduce garage requirement
- Require 1 parking space per unit, total of 2 spaces per duplex: Reduce requirement from 3 total spaces
- Create opportunities for two driveways on a lot:
- Increase minimum spacing between driveways to 22 ft from 6 ft to retain on-street parking
- Explicitly permit conversion of SFDD: Amend nonconforming, lot of record standards

Planning Commission members provided the following questions and comments (*consultant/staff responses in italics*):

- Is it confirmed that a duplex will be counted as the same density as a SFDD? *Yes, for the purpose of calculating compliance for the density standard and keeping the math simple. It ensures the density standards don't get in the way of the duplexes we're trying to permit. ADUs don't count towards density for the same reason.*
- What would happen if a house is grandfathered in on a tiny lot, and we allow a duplex? *There are a few different scenarios. First, if you have an existing home on a tiny lot, the code would allow an internal division, but this is likely a rare occurrence. There could be a case of having a small lot and an existing home that is worth more as a tear-down and the construction of a new duplex. The code makes the lot eligible for this type of development, but the setbacks and other standards might not make it feasible for the developer.*
- Are there cases where a development can have smaller lot sizes? *Yes. Most new development that is happening is through the Planned Unit Development (PUD) process, which allows a variety, including smaller, lot sizes.*
  - DLCD reminded the group that the City retains the ability to control this through a traffic impact analysis and the building permit stage, where proposals must demonstrate how they meet planned infrastructure.
- This might change the City's perception of development going forward, not that there are additional possibilities under one standard. *Silverton's Public Works standards does require one water meter per unit of a duplex, as opposed to only one meter for a SFDD, which is an additional cost and potential further barrier for development. However, it would require a developer to explicitly plan for this type of housing and be up front about what they are developing.*

Elizabeth presented the following Accessory Dwelling Unit (ADU) code concepts:

- Increase allowed size to 60% of dwelling, max 800 SF
- Remove owner-occupancy requirement

- Remove “consistent architectural character” requirement
- Equalize required setbacks for ADUs and accessory buildings, and permit conversion of existing structures
- Remove off-street parking requirement

Planning Commission members provided the following questions and comments (*consultant/staff responses in italics*):

- Do we have to add something about short-term rentals, like Air BnBs? *Currently, short term rentals are regulated by being limited to one bedroom provided they don't provide cooking facilities. Regulating short-term rentals even further is something the City could do as a separate process since the code wasn't developed when this was a thing to consider, and we are opening up more possibilities through this process.*
  - *A nuance does exist in the bill. Siting and design standards don't apply to ADUs that are short-term rentals such as Air BnBs; they aren't under the protections of HB 2001.*
- Can you clarify where the parking requirement came from? *This comes directly from the bill. For the purposes of supporting more ADUs, it would no longer be permissible to require off-street parking and owner occupancy because they were found to be outsize obstacles.*

Elizabeth clarified the differences between duplexes and ADUs, noting that incentives might be stacked for duplexes in that a lot can have two units of the same size, whereas ADUs are capped in size.

### **Discussion Questions**

Elizabeth presented three code refinement questions for discussion with the Planning Commission.

1. How should the code address the possibility of manufactured homes being used as ADUs or detached duplexes? Options include:
  - State legal precedent unclear, overlap
  - Explicitly permit manufactured homes, apply standards
  - Implicitly permit manufactured homes

The Planning Commission agreed that the City needs to be very restrictive about manufactured homes. Sean Edging, DLCD Representative, shared an example of an Oregon community that went through the process of creating a very specific definition of a manufactured home that complies with state and federal regulations. The Planning Commission expressed support for this option and requested that this example be shared and incorporated into the draft code package.

2. Should covered parking be required for SFDDs and duplexes, and how much? Options include:
  - No garage requirement, retain current code
  - Require garage with one-car capacity
  - Require all required parking to be covered
  - *Consider whether front driveway space should be counted as required parking*

The Planning Commission agreed that the garage requirement is essential to making this type of project successful and requested that it be re-introduced into the draft code package. The Committee also agreed that it was reasonable to count front driveway spaces as required parking, noting that variance and performance standards should go along with the garage requirements.

3. Should driveway spacing be expanded from 6 ft to 22 ft to create opportunity for two driveways per lot (single-family and duplex)?

The Planning Commission agreed that expanding the driveway spacing provides more options and flexibility and lends to a duplex development that looks more like two individual homes.

Elizabeth thanked the group for their discussion and asked if the Planning Commission would be in support of the draft code package, with the revisions identified during the meeting. The Planning Commission agreed that they would be in support of the code package with the revisions as discussed.

### **Next Steps**

The next Advisory Committee Meeting will be scheduled as a Planning Commission Hearing. The date was discussed and moved from April 27<sup>th</sup> to May 11<sup>th</sup>, with a City Council Hearing on the code package scheduled for June 7<sup>th</sup>.

Anais reminded the Planning Commission that a second public meeting will be hosted on Thursday, April 1<sup>st</sup>. The objectives of the public meeting will be to provide education around HB2001, present the draft duplex code package, and gather input on the priority strategies from the draft HSIP. She noted an online survey will accompany the public meeting and be live by the end of the week. Planning Commission members emphasized the importance of placing the code discussion in the context of the greater story of housing, as it pertains to Silverton, for the broader community.

## **I. REPORTS AND COMMUNICATIONS**

Chairman Flowers stated that he will not be at the April 13<sup>th</sup> Planning Commission meeting. Vice-Chairman Benedict will preside.

## **II. ADJOURNMENT**

Chairman Flowers adjourned the meeting at 7:53 p.m.

Respectfully submitted,

/s/ Kate Schlee,  
Planning and Permit Assistant