



**CITY OF ADAIR VILLAGE
PLANNING COMMISSION AGENDA**

City Hall: 6030 William R. Carr Avenue – Adair Village, Oregon

AUGUST 17, 2021– 6:00 PM

ROLL CALL and PLEDGE TO THE FLAG:

1. PRIOR MINUTES:

- a) July 20, 2021 PC Minutes (Attachment A) Pat Hare
Action: Approve

2. PUBLIC COMMENT: (Please limit comments to 3 minutes)

3. NEW BUSINESS

- a) **Public Hearing – Development Code Amendment –** Pat Hare
New Residential Zone (R-4) and Corresponding Use Standards
Comprehensive Plan Amendment – SECTION 9.500 - LAND USE
(Attachment B, B1, B2, & B3)

Action: Discussion/Recommendation

4. OLD BUSINESS:

- a) Current and Upcoming Planning Projects Pat Hare
Action: None

5. ADJOURNMENT: Next meeting – Tuesday, September 14, at 6:00 PM

The Community Center is accessible to person with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 72 hours before the meeting by calling City Offices at 541-745-5507 or e-mail "kedmaiston@adairvillage.org", or Oregon Relay Services by dialing 7-1-1. The City of Adair Village is an Equal Opportunity Employer. The order in which items on the Agenda are addressed by Planning Commission may vary from the order shown on the Agenda.

PLANNING COMMISSION MINUTES-Draft

6030 NE William R. Carr Avenue

Tuesday, July 20, 2021 – 6:00 PM

Agenda Item	Action
<p>1. Roll Call: Planning Commission Members present: Lower, Vogt and Harris were present. City Planner Pat Depa was present. Finance Clerk Karla McGrath was present and recorded the meeting. CA Hare was present.</p>	<p>The meeting was called to order at 6:04 PM and the flag salute was commenced.</p>
<p>2. Prior Minutes: (Agenda Item 2a). <ul style="list-style-type: none"> • May 18, 2021 PC Minutes. </p>	<p>Commissioner Lower moved to approve the April 20, 2021 Minutes. Commissioner Harris seconded. Unanimous Approval (3-0).</p>
<p>3. Public Comment:</p>	<p>No public present.</p>
<p>4. New Business: Public Hearing – PC21-03-5 _ Development Code Amendments – New Residential Zone R04 & Cottage Cluster Standards</p> <p style="margin-top: 20px;">Portland State University 2021 Population Projections, Exhibit A</p>	<p>Commissioner Vogt opened the Public Hearing at 6:05 p.m.</p> <p>Pat Depa provided a Staff Report explaining the amendment.</p> <p>Commissioner Vogt asked if there were any conflicts of interest or exparte contacts. Commissioners Lower and Harris had nothing to declare.</p> <p>No member of the public was present. Commission Vogt ended the Public Hearing at 6:11 p.m.</p> <p>The Commission tabled any action on the R-4 amendments pending further clarification and the necessary corresponding Comp Plan Amendments.</p> <p>Pat Depa explained Exhibit A, PSU Population Projections. No action was required.</p>
<p>4. New Business:</p>	<p>None</p>
<p>9. Adjournment: Next meeting –August 17, 2021 at 6 PM</p>	<p>Commissioner Vogt adjourned the meeting at 7:13 p.m.</p>

Chair's Approval

Date



STAFF REPORT

Date:	August 17, 2021
Applicant:	City of Adair Village
Nature of Application(s):	Development Code Amendments – New Residential Zone - R-4 & Corresponding Use Standards. Comprehensive Plan Amendment – Land Use Chapter
Property Location:	City Wide
Applicable Criteria:	Section 2.700, 3.200(2) & 3.520
Staff Contact	Patrick Depa, Associate Planner

BACKGROUND

In 2019, Oregon House Bill 2001 (2019) (HB 2001) passed a lot of requirements for “Large Cities” (defined as cities with a population of 25,000 or more and each county or city within a metropolitan service district) and “Medium Cities” (defined as cities with a population of more than 10,000 and less than 25,000 that are not within Metro’s jurisdiction). Even though Adair Village is not subject to these large sweeping mandatory amendments, there are many other propositions in the bill that deal with affordable housing, mobile home parks, higher density developments and middle housing options; all of which must have clear and objective standards for development including single family residential dwellings.

Middle housing, which HB 2001 defines as duplexes, triplexes, quadplexes, cottage clusters, and townhouses, provides an opportunity to increase housing supply in developed neighborhoods and can blend in well with detached single-family dwellings. With HB 2001 came some model code that address these types of developments. The City evaluated both the large and medium city model codes and researched and reviewed multiple municipality codes from cities that are similar in size and makeup as Adair Village to put together what is before you.

Creating this new district will provide another housing option to the City when certain parcels are annexed. In addition, by adopting these specific use standards we can address and regulate siting and design for middle housing options, specifically cottage clusters. These use standards will help balance concerns about neighborhood compatibility and other factors against the need to address Oregon’s housing shortage by removing barriers to development. Following HB 2001, these regulations do not, individually or cumulatively, discourage middle housing development through unreasonable costs or delay.

DECISION CRITERIA

Decision Criteria. All requests for an amendment to the text or to the Zoning/ Comprehensive Plan Map of this Code may be permitted upon authorization by the City Council in accordance with the following findings:

(a) The proposed amendment is consistent with the intent of the Comprehensive Plan.

These amendments are appropriate to provide housing options outlined in the comprehensive plan to address new data, growth, and legislative changes. The purpose of this Code is to establish standards and procedures for the orderly development of land within the City of Adair Village in conformance with the Adair Village Comprehensive Plan to support protection of property rights, provide due process of law and to promote the public health, safety and welfare of the Citizens of Adair Village. Multiple sections of the Comprehensive Plan support these amendments.

SECTION 9.490 HOUSING GOALS & OBJECTIVES

1. To provide a housing policy plan that seeks to increase opportunities for all citizens to enjoy affordable, safe, energy efficient housing.
2. The City recognizes the need for an adequate supply of housing that includes a variety of types and designs that are responsive to community needs.

POLICIES & RECOMMENDATIONS

General

1. The City shall support through implementation of the Adair Village Land Use Development Code housing types and programs that address the needs of all its citizens.
2. The City shall provide a variety of housing opportunities for its citizens through implementation of the Adair Village Land Use Development Code.

Housing Types

1. The City shall support and encourage a range of lot sizes, housing types and densities within the locational criteria of the Adair Village Land Use Development Code.

SECTION 9.590 LAND USE GOALS & POLICIES

2. The City shall encourage higher density compact residential development to provide more efficient land utilization and to reduce the cost of housing, public facilities and services.
3. A variety in lot sizes, housing types and street patterns shall also be encouraged.
9. To guarantee the widest range of housing opportunities, the City shall create residential categories that provide development choices.

SECTION 9.890 GROWTH MANAGEMENT GOALS & POLICIES

9. Ensure efficient urban development through compact pedestrian friendly development within the natural environment that includes neighborhoods that with a mix of housing types and lot sizes.

- (b) There is a need for the proposed amendment to comply with changing conditions or new laws.**

These amendments directly follow and are updated based on HB 2001 (2019).

- (c) The amendment will not have an undue adverse impact on adjacent areas or the land use plan of the City.**

These amendments will have a positive impact on addressing land use decisions more accurately and ensuring compatibility of already developed areas.

- (d) The amendment will not have an undue adverse environmental impact.**

None of the proposed amendments intersect with or change any environmental policies or goals.

- (e) The amendment will not have an undue adverse impact on public facilities.**

All of the proposed amendments will provide a better and positive analysis of the City's public facilities and not adversely impact future needs. The City's existing municipal sewer and water system will continue to improve and assist in mitigating any impact on the City's growth potential.

- (f) **The amendment will not have an undue adverse impact on transportation.**

All the amendments address data and areas of development that are specific to transportation goals outlined to accommodate future growth. These amendments address the spatial relationship between the development and adjacent streets to create better access management.

- (g) **The amendment will not have an undue adverse impact on the economy of the area.**

All of the amendments will impact the City's economy in a positive manner by addressing current housing needs allowing the City to make better informed land use decisions on its residential zoned lands.

- (h) **The amendment is consistent with the intent of the applicable Statewide Planning Goals.**

Goal 10 requires incorporated cities to encourage the availability of an adequate number of needed housing types in price and rent ranges commensurate with the financial capabilities of its households. Cottage cluster housing, townhouses or condominiums will create many more options when dealing with infill development. The amendments support Goal 10 and are consistent with providing more diverse housing styles to meet the needs of a growing population.

Goal 2 reads in part: "to establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions". These amendments and the process by which they can be applied have been prepared to address this goal.

Goal 9 is addressed by the current economic patterns driving a housing shortage with the introduction of these housing options to satisfy the needs of our community and surrounding areas by providing housing choices in proximity to large commercial and industrial hubs that need people to fill jobs.

CONCLUSIONS

The material and hearing before you address the Development Code and Comprehensive Plan amendments needed to anticipate growth in a proactive fashion. Good codes and policies are the foundation upon which great communities are built. The development code is intended to be a responsive document that follows policy adopted in the Comprehensive Plan. These proposed code amendments will guide the growth of the City

of Adair Village while also responding to necessary change through improvement and refinement.

These new sections of the development code represent a set of development regulations to better accommodate the future needs of the City's housing patterns. This new code will be the framework that regulates an innovative way to create more housing diversity.

The R-4 District and Cottage Development supports the following principles:

1. Encourages the creation of more usable open space for residents of the development through flexibility in density and lot standards;
2. Supports the growth management goal of more efficient use of urban residential land;
3. Provides development standards to ensure compatibility with surrounding land uses; and,
4. Allows diversity of land uses as well as establishes smaller lot sizes and creative residential development within residential zones.

The housing principles begin with a primary goal to ensure that all implementing ordinances established through the Comprehensive Plan are in full compliance with all State policies and rules. We believe that all of the proposed amendments are in full compliance with all applicable state policies and rules.

If acceptable, we respectfully recommend that the Planning Commission may wish to consider recommending approval to City Council.

RECOMMENDED MOTION

"I move that the findings under the decision criteria in the staff report be adopted as presented and the Planning Commission recommend approval to City Council for the proposed Development Code and Comprehensive Plan amendments."

SECTION 9.530

LAND USE NEEDS & PLANNING

The designation of future land uses was based upon the findings and needs identified in all the elements of the Comprehensive Plan and the citizen participation achieved through reviews during the public hearings process.

The general criteria that guided the selection of lands for each future use were:

1. The need to maintain an adequate supply of land for future urban development.
2. The existing land use patterns and growth trends of the area.
3. The natural environmental constraints including topography, geology, soils, water resources, natural vegetation, wildlife and air resources.
4. The accessibility to existing and proposed transportation systems.
5. The availability of existing and proposed community facilities, utilities and services.
6. The locational suitability for each land use classification with respect to available natural amenities.

In addition to the general criteria, the recommendations for future residential land use were guided by the need to accommodate a variety of living environments in response to meeting the future housing needs of Adair Village.

Adair Village Land Use Districts

To facilitate Planning and development of the City, **seven** **eight** land use districts were established.

Primary Zoning Districts

Residential	R-1	10,000 sf minimum lot size.
Residential	R-2	8,000 sf minimum lot size.
Residential	R-3	6,500 sf minimum lot size.
Residential	R-4	4,000 sf minimum lot size.
Limited Commercial	C-1	
Limited Industrial	M-1	
Educational Facilities	E-1	
Public Use	P-1	
Conditional Zoning		
Planned Development	PD	

SECTION 4.114**RESIDENTIAL ZONE - R-4** (Amended ORD 2021-??)

- (1) **Purpose.** To provide for middle housing development in areas zoned for residential use that allow for the development of detached single family dwellings, du-plexes, row housing and cottage clusters and to provide areas suitable and desirable for higher density single-family residential use at a density of sixteen (16) dwelling units per net residential acre. A net residential acre is 43,560 square feet of residentially designated buildable land excluding areas used, or intended for use, of public street right-of-ways, restricted hazard area, public open spaces and resource protected areas. Higher densities may be provided under the provisions of **Code Section 7.200, Planned Development** that can include a mixture of housing types and densities.
- (2) **Permitted Uses.** In an R-4 Zone, the following uses and their accessory uses are permitted subject to the standards, provisions and exceptions set forth in this Code:
 - (a) One single-family dwelling or manufactured dwelling per legal lot.
 - (b) New duplexes and those created through conversion of existing detached single family dwellings.
 - (c) New triplexes, quadplexes, row housing and townhouses, and those created through conversion of existing detached single family dwellings or duplexes, on lots or parcels subject to **Section 6.104 Multiple Family Standards**.
 - (d) Cottage Clusters on lots or parcels subject to **Section 6.106 Cottage Cluster Standards**.
 - (e) Residential Care Homes for 5 or less people. As provided in ORS 197.660 - 670 and **Code Section 6.102**.
 - (f) Group Child Care Home for 12 or less children as provided in the applicable provisions of ORS 657 A and **Code Section 6.102**.
 - (g) Accessory buildings subject to the following standards:
 1. Accessory buildings shall not be used for dwelling purposes.
 2. Accessory buildings shall not be placed in a front or street side yard and shall be setback at least 5 feet from an adjacent side or rear property line.
 3. Accessory buildings are limited to one story and 800 square feet unless submitted for approval under the Site Plan Review provisions of **Code Section 2.400**.
 4. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the Conditional Use provisions of **Code Section 2.500** and the home occupation standards of **Code Section 6.101**.

5. Boats, trailers, detached campers, recreation vehicles and similar recreational equipment may be stored on-site on a driveway or an improved surface, except in a front or side yard setback. Such vehicles shall not be used for human habitation. Temporary use of a Recreation Vehicle for guests is allowed for no more than four (4) consecutive days (as per 43.230 of the City's "Parking and Standing Vehicles" Code), Without a City Permit.
6. Oversized vehicles including trucks, bus, motor home, campers or trailers utilized for personal use shall not be parked on a city street or right-of-way for more than 4 consecutive days without a city permit and commercial or vending vehicle street parking is not permitted, all in conformance with City Ordinance 2013-01.

(3) **Conditional Uses.** In an R-4 Zone, the following uses and their accessory uses may be permitted in conformance with the conditional use provisions of **Code Section 2.500** and the applicable Use Standards of **Code Article 6** or **Code Section 7.200**.

- (a) Multiple-family mixed housing types and higher density housing may be approved as a Conditional Use under **Code Section 7.200, Planned Development**.
- (b) Home occupation in conformance with **Code Section 6.101**.
- (c) Residential Care Facility for 15 or less people as provided in ORS 197.660 - 670 and **Code Section 6.103**.
- (d) Group Child Care Center for 13 or more children as provided in the applicable provisions of ORS 657 A670 and **Code Section 6.103**.
- (e) Public or semi-public uses.
- (f) Agricultural Use in conformance with **Code Section 6.401**.

(4) **Development Standards.**

- (a) Lots shall have a minimum lot size of 4,000 square feet unless approved under the Planned Development provisions of **Code Section 7.200** as a Conditional Use.
- (b) Cottage Cluster developments shall be reviewed under **Code Section 6.106**
- (c) Exterior street front yards shall have a minimum depth of 20 feet.
- (d) Exterior street side yards shall have a minimum depth of 10 feet.

- (e) Interior side yards shall have a minimum width of 5 feet.
For multiple family or row housing the Planning Commission may approve zero side yard setbacks under (3) (a) above.
- (f) Rear yards shall have a minimum depth of 15 feet.
- (g) Maximum building height shall be 35 feet.
- (h) Manufactured Dwellings placed on individual lots outside of a Manufactured Dwelling Park shall comply with the standards of **Code Section 6.113**.

SECTION 6.106 COTTAGE CLUSTER STANDARDS

Cottage Cluster housing is allowed in the R-4 residential zone in accordance with the Planned Development Provisions of **Section 7.200** provided municipal water and sewer service is available.

A. Development Standards

1. Applicability. Cottage clusters shall meet the standards in subsections (1) through (9) of this section (A).

- (1) Minimum Lot Area - One Acre
- (2) Maximum Density - 16 Units per Acre unless approved by the Planning Commission.
- (3) Access shall be from a designated arterial or collector street.
- (4) Setbacks and Building Separation.

a. Setbacks. Cottage clusters shall meet the minimum setback standards that apply to detached single family dwellings if individual parking is proposed or a minimum setbacks for dwellings that utilize shared parking:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

b. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

- (5) **Average Unit Size.** The maximum average floor area for a cottage cluster is 1,000 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.
- (6) **Building Height.** The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.
- (7) **Off-Street Parking.** Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is one (1) space per unit. Spaces may be provided for individual cottages or in shared parking clusters.
- (8) On-site bicycle storage facilities, bicycle paths and pedestrian ways shall be provided for developments exceeding six dwelling units.

B. DESIGN STANDARDS

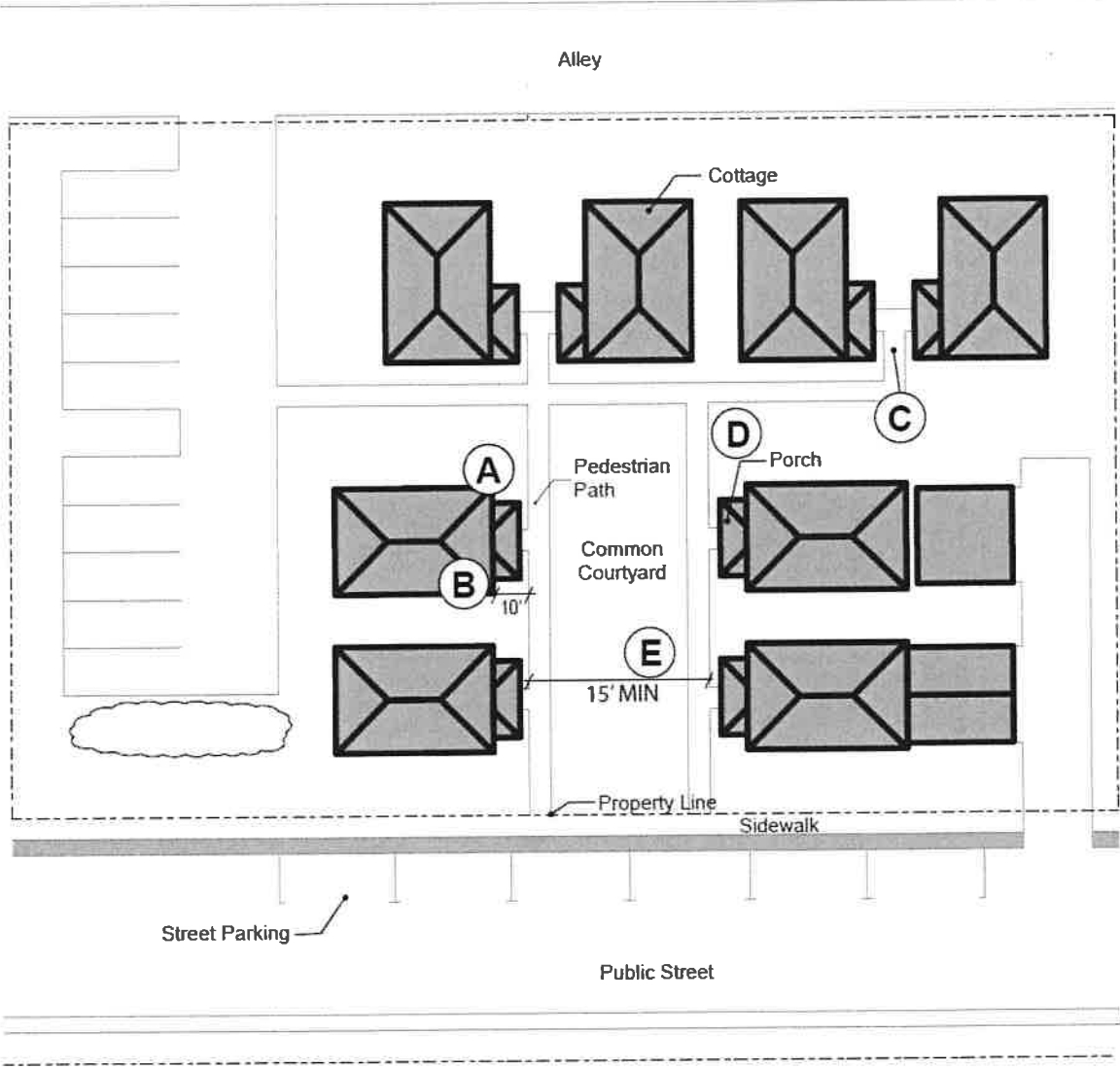
Cottage clusters shall meet the design standards in subsections (1) through (8) of this section (B). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (B).

1. **Cottage Orientation.** Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):
 - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard;
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. **Common Courtyard Design Standards.** Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 1):
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (B)).
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common

courtyard shall not exceed 75 percent of the total common courtyard area. OAR 660-046 Exhibit B – Large Cities Middle Housing Model Code 30 of 33.

f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard’s minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard. *Cottage Cluster Orientation and Common Courtyard Standards* OAR 660-046 – Large Cities Middle Housing Model Code 31 of 33.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



- A** A minimum of 50% of cottages must be oriented to the common courtyard.
- B** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- C** Cottages must be connected to the common courtyard by a pedestrian path.
- D** Cottages must abut the courtyard on at least two sides of the courtyard.
- E** The common courtyard must be at least 15 feet wide at its narrowest width.

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (A)(5).

b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 1,000 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

4. Pedestrian Access.

a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:

- i. The common courtyard;
- ii. Shared parking areas;
- iii. Community buildings; and
- iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.

b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.

6. Parking Design (see Figure 2).

a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:

- i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
- ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
- iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
- iv. Clustered parking areas may be covered.

b. Parking location and access.

- i. Off-street parking spaces and vehicle maneuvering areas shall not be located: OAR 660-046 Exhibit B – Large Cities Middle Housing Model Code 32 of 33

- Within 20 feet from any street property line, except alley property lines;
- Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.

ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.

c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

d. Garages and carports.

i. Garages and carports (whether shared or individual) must not abut common courtyards.

ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

iii. Individual detached garages must not exceed 400 square feet in floor area.

iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

7. **Accessory Structures.** Accessory structures must not exceed 400 square feet in floor area.

8. **Existing Structures.** On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:

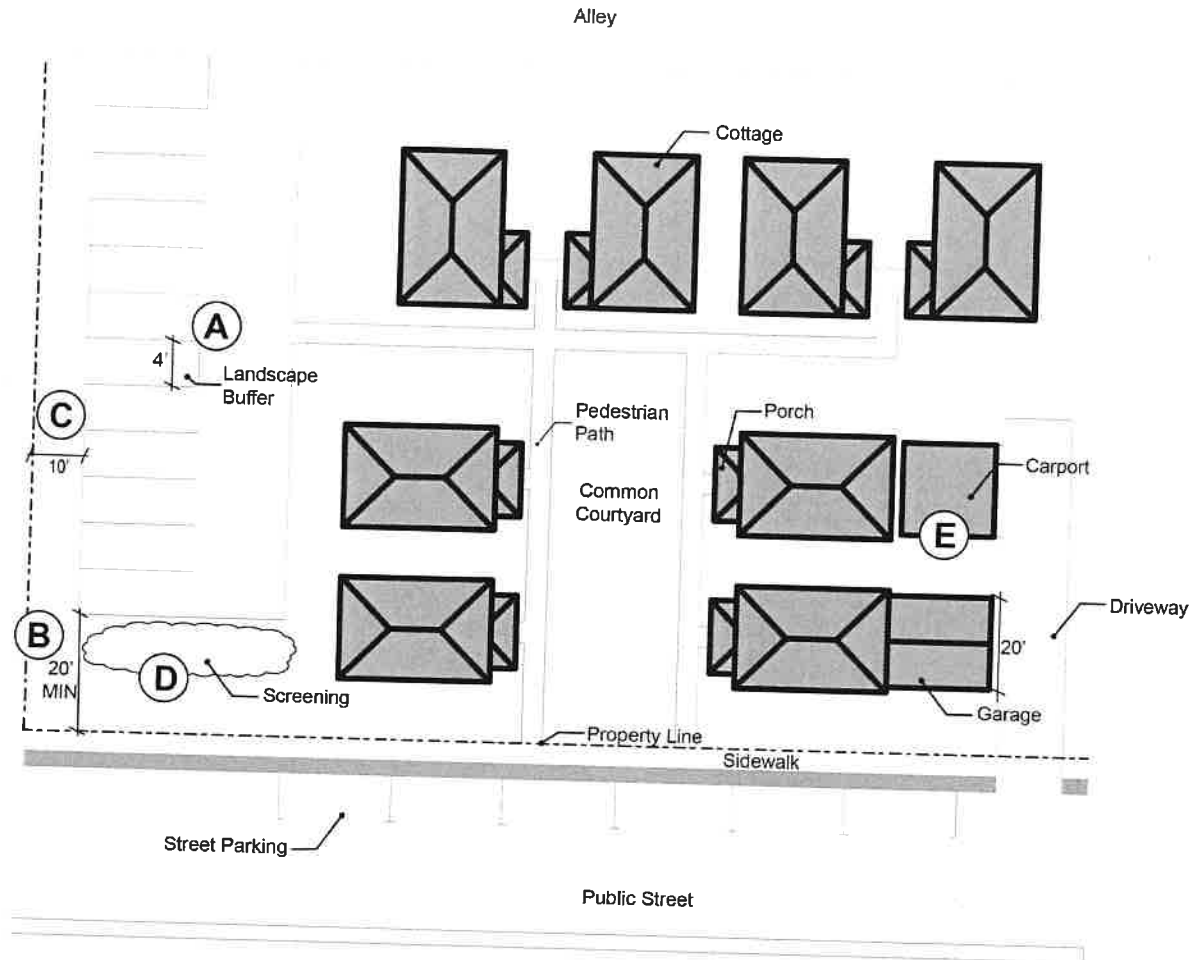
a. The existing dwelling may be nonconforming with respect to the requirements of this code.

b. The existing dwelling may be expanded up to the maximum height in subsection (A)(6) or the maximum building footprint in Chapter 1, subsection (A)(5); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.

c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.

d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (C). OAR 660-046 Exhibit B – Large Cities Middle Housing Model Code 33 of 33.

Figure 2. Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.