



# Marion County

## OREGON

### PLANNING COMMISSION MINUTES

#### PLANNING COMMISSION

Carla Mikkelson – Chair  
Dennis Person – Vice Chair  
Stanley Birch  
George Grabenhorst  
Mike Long  
Rick Massey  
Gary Monders  
(vacant)  
(vacant)

**DATE:** April 4, 2017  
**TIME:** 6:30 p.m.  
**PLACE:** Senator Hearing Room, 555 Court St. NE, Salem

Present: Stanley Birch, Carla Mikkelson, Rick Massey, George Grabenhorst, Dennis Person and Gary Monders  
Absent: Mike Long

Chair Mikkelson called the meeting to order and explained the hearing process.

#### 1. Public Hearing:

SUB 17-001. Application of the Thomas Kay Company for conceptual and detailed approval to subdivide 3.30 acres of a 4.24 acre parcel into 14 lots and an adjustment to permit a block length of 760+ feet, where 600 feet maximum is allowed, in a UD (Urban Development) zone with automatic rezoning to RS (Single Family Residential) on property located in the 3,000 block of Hollywood Drive NE, Salem. (T7S; R2W; Section 18AC; tax lot 2000).

Mr. Person informed the Chair that he had contact with an adjacent property owner at 2231. He visited the property to look at water easements and he wanted to access her property so he knocked on her door to let her know. He spoke with her but it was a general conversation. Chair Mikkelson asked if the conversation had anything to do with the application and Mr. Person replied it was about her property line and a pin put down for a survey.

Joe Fennimore, Principal Planner, reviewed the staff report with the PC. PC members asked about street improvement for Hollywood Dr. and the interior streets and John Rasmussen, Public Works Engineering, provided the information. He also clarified the hyphen in the condition regarding width is a typo. Ms. Mikkelson asked if the conditions aren't met, the proposal won't go forward and Mr. Fennimore replied that was correct. Mr. Person asked what the City of Salem would do differently, based on staff comments? Mr. Rasmussen replied it is regarding the bend in the ditch, which the City would not allow but the county does not have as a similar standard. The City has indicated that is acceptable. Discussion followed on the current status of the ditch and possible erosion and Mr. Person suggested PW monitor that situation if the request is approved. Mr. Person asked about the discussion of having the property annexed to the City? Mr. Fennimore replied the City had a policy that a property must be annexed if providing sewer and water. The applicant challenged that requirement and the City chose not to pursue the issue.

Norm Bickell, applicant's representative, 2232 42<sup>nd</sup> Ave SE, #771, Salem, testified he has listened to the staff report and recommendations and has no objections. With regard to the

issue of annexation, the applicant prefers not to “run this through the City” and that he felt the City had over-reached in attempting to require the annexation. The requirement was challenged and the City chose not to pursue annexation at this time. Mr. Bickell, when asked, indicated the applicant has no issue with any of the conditions required by staff.

There being no further testimony, a motion was made by Mr. Monders to close the public hearing. The motion was seconded and approved, 6-0. Mr. Grabenhorst made a motion to grant conceptual and detail approval of the subdivision request subject to the conditions of approval outlined in the staff report, including a ninth condition requiring the rezoning to RS. The motion was seconded and passed, 6-0.

2. Work Session:

- Continued discussion on accessory dwelling units (ADUs) in urban growth boundary areas.

Brandon Reich, Senior Planner, indicated this is a continued discussion on ADUs. He continued that the cities that are using design standards is because they already have a process in place. Marion County does not have design standards and it would be difficult and very time-consuming for staff to start that whole process just for ADUs. Brandon indicated the City of Salem probably will not be requiring the owner to live on the property and reviewed the information he received from the city staff, including issues with financing and how to enforce this requirement. The PC discussed this option, different scenarios that might apply, etc. The PC generally agreed to go with option 1 on the spreadsheet.

Brandon continued with the current process and standards being considered by the City of Salem, which are in line with direction the PC is taking. For setbacks, staff is recommending the same as existing accessory structures and the members concurred. Discussion returned to design standards and Mr. Fennimore explained the issue with staff making judgement calls on what is aesthetics. Discussion followed on how these might work with the desire to have any ADU blend in with an existing neighborhood. The general consensus of the PC was not to have design standards. Parking requirements were discussed next on whether to require none, one or two. PC members asked about current requirements, what is happening in most neighborhoods, and how the issue is occupancy – is the ADU adding one or two people or more? Discussion followed on adding an ADU without additional parking which forces residents to then park on the street and how that impacts the rest of the neighborhood. PC members discussed that adding a room above a garage for an older child of the family is different than adding a tiny home in the backyard for new residents. PC discussed making one requirement for an internal ADU and another requirement for a new ADU. Mr. Grabenhorst suggested if it is an attached to a dwelling the requirement is one parking space and if the ADU is detached the requirement is two parking spaces. The remaining members concurred. When asked about stormwater detention, Brandon replied he did not know what requirements there might be for ADUS but will ask other PW staff and advise the PC at the next meeting.

There was no discussion on lot area coverage, entrance, utility connections, and addressing. Brief discussion followed on SDCs, which is covered by another section of Public Works, and not part of the change in requirements at this time. For rental duration, the PC discussed the issues with air b&b's and renting out rooms, which are not regulated by the Planning Division. The PC expressed concern with allowing ADUs to be used as short-term air b&b style rentals and requiring a minimum of 30 day rental. All members concurred. Brandon explained the

purpose of the Urban Transition zones found in the urban areas outside cities. The question for the UT zone is whether to allow ADUs, which might make it harder to redevelop the large parcel when it is annexed into a city? The PC discussed briefly and all agreed ADUs should not be allowed in the UT zone. Brandon asked about attached or interior and the PC all agreed that would be ok. Brandon asked if the PC members felt an ADU request should be done through a land use decision or, if a request meets the standards, the property owner can just apply for a building permit? The PC all agreed these should not be approved through a land use decision.

Brandon concluded that he will take this information and the PC “soft” recommendations to the Board of Commissioners for review. He will ask the Board for direction on the next steps – coming back to the PC for a public hearing, moving forward as-is, etc. He will let the PC know the outcome.

3. Adjournment.

There being no further business, the meeting was adjourned.