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STAFF REPORT

TO: City of Aumsville City Council
FROM: Ron Harding, City Administrator
Date: January 10, 2022 City Council Meeting
SUBJECT: Development Ordinance Changes

RECOMMENDATION: Approve repealing Ordinance 703 and replacing with Ordinance 705.

BACKGROUND: Language in the development ordinance did not include references to our Public Works Design Standards as they were out of date and not applicable. With our updated Public Works Design Standards recently approved, we want to reference these standards as part of approval requirements. We also are updating to reference Oregon Fire Code standards as part of approval requirements.

SUMMARY AND FINDINGS:

Section 1.00 Definitions

- Dwelling, Multiple-Family: A residential building or group of buildings on a single lot designed containing three or more dwelling units.
- Dwelling, Single-Family: A detached residential dwelling unit.
- Dwelling, Single-Family Attached: A residential dwelling unit that is attached by a common wall to another dwelling unit at the lot line to a similar unit on a separate lot.
- Dwelling, Duplex: A residential building containing two dwelling units.
- Dwelling Unit: One or more rooms constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease, physically separated from any other room or dwelling units which may be in the same

structure and containing independent cooking and sleeping facilities that meet city design standards.

FINDINGS: Definitions for housing were updated to remove references to family or family sizing as per recent changes in regulations (HB2583) prohibiting occupancy limitations. While our old definition didn't specifically restrict number of people it could've been implied to as it specified "family" as opposed to the type of unit.

- Wrecking or Junk Yard: A lot used for the storage or sale of used automobile parts or for the storage, dismantling, or abandonment of junk, obsolete automobiles, trailers, trucks, machinery, garbage, and misc. metals or parts.

FINDINGS: Definition was updated to include garbage and misc. metals or parts.

Section 5.00, RS-Residential Single-Family

- 5.10 General Requirements: Single-family dwellings, Accessory Dwelling Units, and manufactured homes shall meet the following requirements:
 - (A) It is required that the owner of the property and of the owner of the ADU be the same person(s).
 - (B) Dwelling units except for ADU shall be not less than 1000 sq ft.

FINDINGS: Requirement regarding ownership was updated to prevent selling an ADU separately from the main dwelling. Also square footage was added to differentiate an ADU from a main dwelling unit.

Section 7.00, CL-Commercial

- 7.07 Yard Requirements:
 - (A) Front: 3 feet or facing any street (See Section 22);
- 7.10 Business District:
 - (B) 9. Fencing shall be either black chain link, wrought iron, or similar. Other fences shall be permitted only through site development review and consistent with design standards

FINDINGS: Added facing any street to define the front yard. Updating fencing in the business district for scrivener's error.

Section 10.00, ID-Interchange Development Zone

- 10.03 Conditional Uses:
 - (H) 3. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and meet the design standards.
- 10.04 Prohibited Activities:
 - (L) Storage warehouses. Storage rooms or buildings except as needed to support an approved use.

- 10.14 Site Development Review Required: All new structures and change in use and any expansion of existing structures or uses shall be subject to a site development review.

FINDINGS: Required that the conditional use design must meet design standards. Updated Storage warehouses to allow for storage as a supportive use in approved uses. Added change in use as a requirement for a site development review in the ID Zone.

Section 12.00, Administrative Procedures

- 8. Notice of Decision:
(b) Any person who submits a written request to receive notice or provides comments during the application review period.

FINDINGS: Removed a comma so that both persons who request and persons who provide comments will receive the notice of decision.

Section 15.00, Amendments

- 15.05 Criteria of Recommending and Amendment:
(I) That the amendment complies with the Urban Growth Boundary and Policy Agreement existing between the City and Marion County.

Section 16.00, Zone Change

- 16.05 Action by the Commission:
(D) That there is no other appropriately zoned property in the city that could be used.

FINDINGS: Clarified that zone changes be in relation to a lack of appropriately zoned property in the city.

Section 18.00, Off-Street Parking and Loading

- 18.03 Parking Location, Shared Parking, and Driveways:
(D) Credit for On-Street Parking. ... On-street parking is not intended to replace off-street residential requirements.

18.08, Parking and Loading Development Standards:
(C) Surfacing for Residential Uses.

FINDINGS: Clarified that on-street parking is not intended to replace off-street requirements. Clarified Surfacing to apply to all residential uses, not just single family.

Section 20.00, Land Divisions

- 20.17 Decision Criteria:
(B) Public facilities are available to serve the existing and newly created parcels at maximum zoned density.

(D) The application complies with the city's adopted public works design standards for any public improvement required by the development. For example, where streets are required, the application shall comply with Division 2, Streets; for storm water improvements, the application shall comply with Division 3, Stormwater Management.

- 20.26 Decision Criteria:

(E) The application complies with the city's adopted public works design standards for any public improvement required by the development. For example, where streets are required, the application shall comply with Division 2, Streets; for storm water improvements, the application shall comply with Division 3, Stormwater Management.

(F) The application complies with the most recent version of the Oregon Fire Code, including Appendix C and Appendix D.

FINDINGS: Clarified that public facilities need to be available for development to approve. Added criteria to comply with adopted public works design standards and Oregon Fire Code.

Section 21.00, Site Development Review

- 21.03 Applicability of Provisions:

5. Interior modification within an existing building that meets all of the following:

(a) A modification (modification of any size in commercial zone requires a building permit) when the change requires less than a 25% net increase in the number of parking spaces required (not existing) for the current use; and

(b) A modification or change in use when the change generates less than an average of 100+ trips per day per 1,000 gross square feet of building as documented in the Trip Generation Manual of the Institute of Transportation Engineers or other qualified source; and

(c) The modification or change in use does not create any additional daily shipping and delivery trips by vehicles over 20,000 pounds gross vehicle weight.

FINDINGS: Clarified that modifications must meet all the criteria instead of one of the criteria.

- 21.06 Site Development Review-Approval Criteria:

(H) Public health and safety factors;

(K) The application complies with the city's adopted public works design standards for any public improvement required by the development. For example, where streets are required the application shall comply with Division 2, Streets; for storm water improvements, the application shall comply with Division 3, Stormwater Management.

(L) The application complies with the most recent Oregon Fire Code, including Appendix C and Appendix D.

FINDINGS: Added criteria to comply with adopted public works design standards and Oregon Fire Code.

22.00, Supplementary Zone Regulations

- 22.08 Outside Storage:

(B) Non-residential Zones. Outdoor storage of materials, junk, parts, equipment is prohibited unless the materials or merchandise is approved through site development review, material use in the approved business and shall be screened with a solid, durable structure that is architecturally related to the building, complying with adopted design standards. ...

FINDINGS: Updated to allow for outside storage if approved through site development review and the material use in the approve business shall be screened, fits design standards.

Council Proposed Motions:

MOTION:

A. APPROVE the first reading by title only of Ordinance No. 705 repealing and replacing Ordinance No. 703 as presented, adopting findings contained in the staff report.

B. APPROVE the first reading by title only of Ordinance No. 705 repealing and replacing Ordinance No. 703, adopting findings contained in the staff report with modified findings and/or language.

C. Remand the Ordinance back to staff with directions

If first reading is unanimously approved, the ordinance can now be read the second time:

A. APPROVE the second reading by title only and ADOPT Ordinance 705 repealing and replacing ordinance 703 as presented, adopting findings contained in the staff report.

B. APPROVE the second reading by title only and ADOPT Ordinance No. 705 repealing and replacing Ordinance No. 703, adopting findings contained in the staff report with modified findings and/or language.