



**BEFORE THE TALENT PLANNING COMMISSION
STATE OF OREGON, CITY OF TALENT**

IN THE MATTER OF PLANNING COMMISSION FILE NO. DCA 2018-)
001, AMENDMENTS TO THE TALENT ZONING AMENDING TITLE 8,)
CHAPTER 3, DIVISION L, ARTICLE 5 ACCESSORY DWELLING)
UNITS, AMENDING TITLE 8, CHAPTER 3, DIVISION B, ARITCLE 1,)
DEFINITIONS, AND AMENDING TITLE 8, CHAPTER 3, DIVISION C,) ORDER
ARTICLES 1-4, THE CITY OF TALENT PLANNING COMMISSION)
FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on May 8, 2018;
2. The Planning Commission requested that the Community Development Director present a staff report and a proposed final order with code language, findings and recommendations;
3. The proposed text amendments are consistent with the Talent Comprehensive Plan and Senate Bill 1051.
4. At the public hearing evidence was presented by the Community Development Director and the public was given an opportunity to comment;

IT IS HEREBY ORDERED THAT based on the information presented in the staff report and the following findings of fact, the Talent Planning Commission recommends approval of the amendments to the Talent Zoning amending Title 8, Chapter 3, Division L, Article 5, Accessory Dwelling Units, amending Title 8, Chapter 3, Division B, Article 1, Definitions, and amending Title 8, Chapter 3, Division C, Articles 1-4, residential zoning uses.

In the following, any text quoted directly from City codes appears in *italics*; staff findings appear in regular typeface.

8-3M.160(G) Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

1. *The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197 (for Comprehensive Plan amendments only);*

FINDING: Not applicable as this is not a Comprehensive Plan amendment. A development code amendment is presumed to enact policies in the Comprehensive Plan; the findings validating that presumption are outlined below. **The provisions of this section are not applicable.**

2. *Comments from any applicable federal or state agencies regarding applicable statutes or regulations;*

FINDING: The City sent the full text of the proposed amendment to the Department of Land Conservation and Development (DLCD), which has exclusive oversight of code amendments to ensure compatibility with State Goals, Statutes and Administrative Rules. DLCD's Urban Planning Specialist stated that *"they (DLCD) were thrilled to hear that there was a community outside of Metro (Portland) that is more progressive on ADUs than any city within Metro, including Portland..."* Staff would note that all proposed changes are consistent with the provision of SB 1051. **The provisions of this section have been met.**

3. *Any applicable intergovernmental agreements; and*

FINDING: No intergovernmental agreements were found to be applicable to the proposed ordinance amendments. **The provisions of this section are not applicable.**

4. *Any applicable Comprehensive Plan policies and provisions of the Talent Zoning Code that implement the Comprehensive Plan. Compliance with Section 160 of this Article shall be required for Comprehensive Plan Amendments, Zoning Map, and Text Amendments.*

FINDING: All applicable Comprehensive Plan policies and provisions of the Talent Zoning Code have been addressed. **The provisions of this section have been met.**

ELEMENT G: HOUSING

GOALS:

1. *Provide an adequate supply of residential land and encourage land use regulations that allow a variety of housing types that will be able to meet the housing needs of a range of age groups, income levels, and family types.*
2. *Encourage efficient land development patterns that minimize service and infrastructure costs.*
3. *Encourage land use patterns that provide livable neighborhoods; allow mixed uses, and allow a variety of housing types.*
4. *Encourage land use patterns that protect and enhance Talent's natural resources.*
5. *Facilitate new housing starts to ensure there is adequate opportunity and choice to acquire safe, sanitary, and affordable housing.*
6. *Maintain an attractive residential community in an appealing rural setting.*

POLICY 2: Opportunity for Development of a Range of Housing Types: *Provide opportunities for development of a range of housing types that are affordable to households at all income levels as described in the Talent Housing Needs Analysis. These housing types include (but are not limited to): single-family detached housing, accessory dwellings, cottage housing, manufactured housing, townhouses, duplexes, and apartments.*

HUD sets a Median Family Income (MFI) for each county in the nation based on information from the U.S. Census' American Community Survey. The MFI is meant to provide information about the income of an average family. In 2016, Jackson County's MFI was \$53,000.

Objective 2.1: *Provide opportunity for and support the development of housing affordable to low-income households, including government-assisted housing. HUD defines low-income households as households with less than 60% of MFI (about \$32,000 in 2016).*

FINDING: The development of a flexible ADU ordinance that allows multiple ADUs not only benefit those looking for below market rate rentals, but they often serve as additional rental income that helps homeowners meet the burden of high housing expenses. The allowance of ADUs in more areas and under more circumstances provides a greater variety of unit sizes and therefore a greater variety of rents versus neighborhoods without ADUs.

ADUs can create affordable housing, but not in the usual institutional way. The affordable housing ADUs create is unlike the product of the affordable housing industry. Constructing ADUs is voluntary and unguaranteed and are certainly not the entire solution to the affordable housing challenge. However, ADUs are extremely economical to construct per unit, cost the City very little or nothing to allow and given the number of large, underutilized parcels in Talent – could be incredibly abundant once a simplified, low cost approval process is developed. The proposed amendments allow for single or multiple ADUs as well as attached or detached units. The amendments also focus on the lot coverage requirements for each zone and allow property owners that choose to build multiple units a larger lot coverage allowance. Additionally, parking standards, which have been a barrier to the development of ADUs have also been amended to allow for less required parking, provided the existing parking is brought to current standards.

The Development of standards that are flexible, easy to understand in addition to reduced costs for permits and system development charges **The provisions of this section have been met.**

Implementation Strategy 2.1c: Revise ordinances to encourage the development of accessory dwelling units or other similar small-scale dwellings on existing and proposed lots to provide a source of affordable housing, such as standardizing the development review process rather than requiring a public hearing.

Implementation Steps: (1) Develop standards and streamline the review process for developing accessory dwelling units or other similar small-scale dwellings in Talent and (2) adopt the revised regulations through a public process.

FINDING: The draft amendments have been developed to encourage the construction of accessory dwellings to support affordable housing to low-income households. The process being proposed standardizes the process and allows this to be a ministerial action rather than a Planning Commission action. Additional regulations prohibit short-term rentals within an ADU or within a primary dwelling associated with the ADU. These provisions are being recommended to promote the construction and use of ADUs as long-term affordable ownership or rental properties. **The provisions of this section have been met.**

Implementation Strategy 2.1d: Evaluate methods for the reduction of systems development charges for dwelling units based on the square footage of the unit.

Implementation Steps: Provide optional methods to calculate system development charges for dwelling units based on the square footage of the unit.

Implementation Steps: Adopt new system development charge fees specific to the development of accessory dwelling units or other similar small-scale dwellings.

FINDING: As proposed, the draft amendments include provisions that base a System Development Charge for an ADU on the square footage of the unit as it relates to the primary dwelling. These provisions are being recommended to reduce the cost of an ADU and to

encourage the use of ADUs as long-term affordable ownership or rental properties. **The provisions of this section have been met.**

Dave Pastizzo
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date