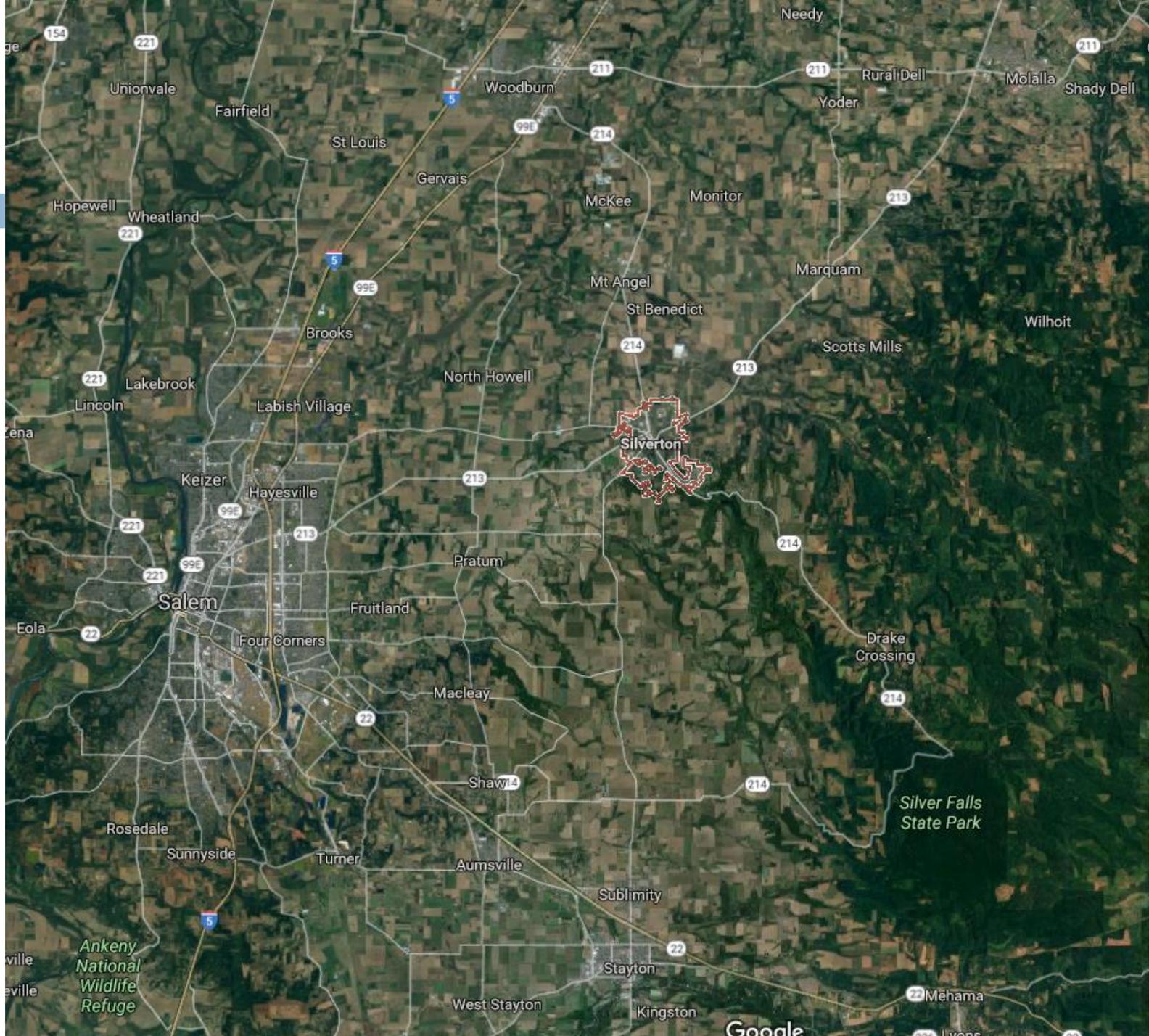


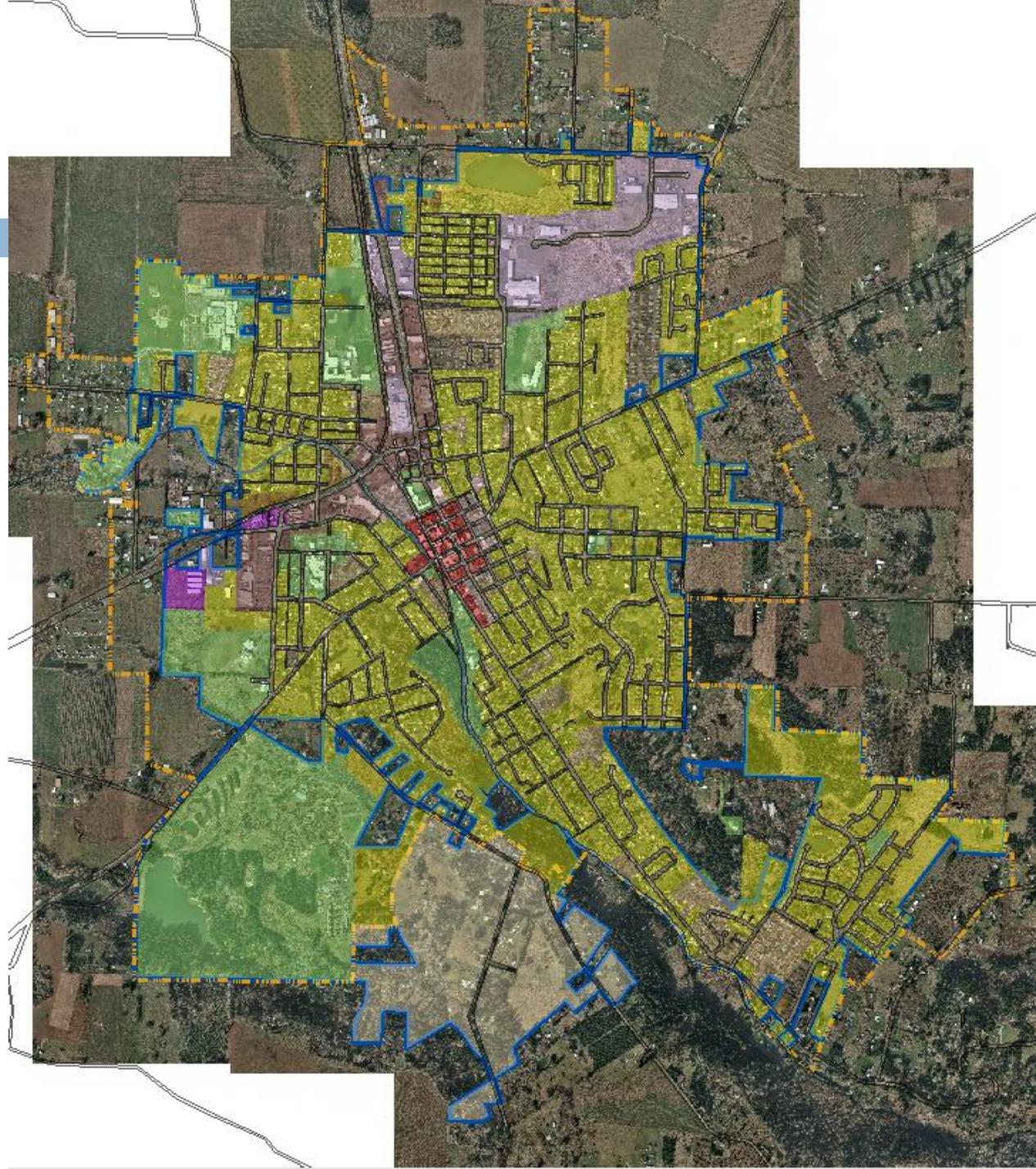


SUMMARY OF RECENT MULTI-FAMILY DEVELOPMENTS IN SILVERTON

September 22, 2016



- 9,590
- 3.4 sq. mi.
- Avg. 60 SFD per yr.
- Historic DT
- Silverton Hospital
- Oregon Garden



Two Recent MF Developments

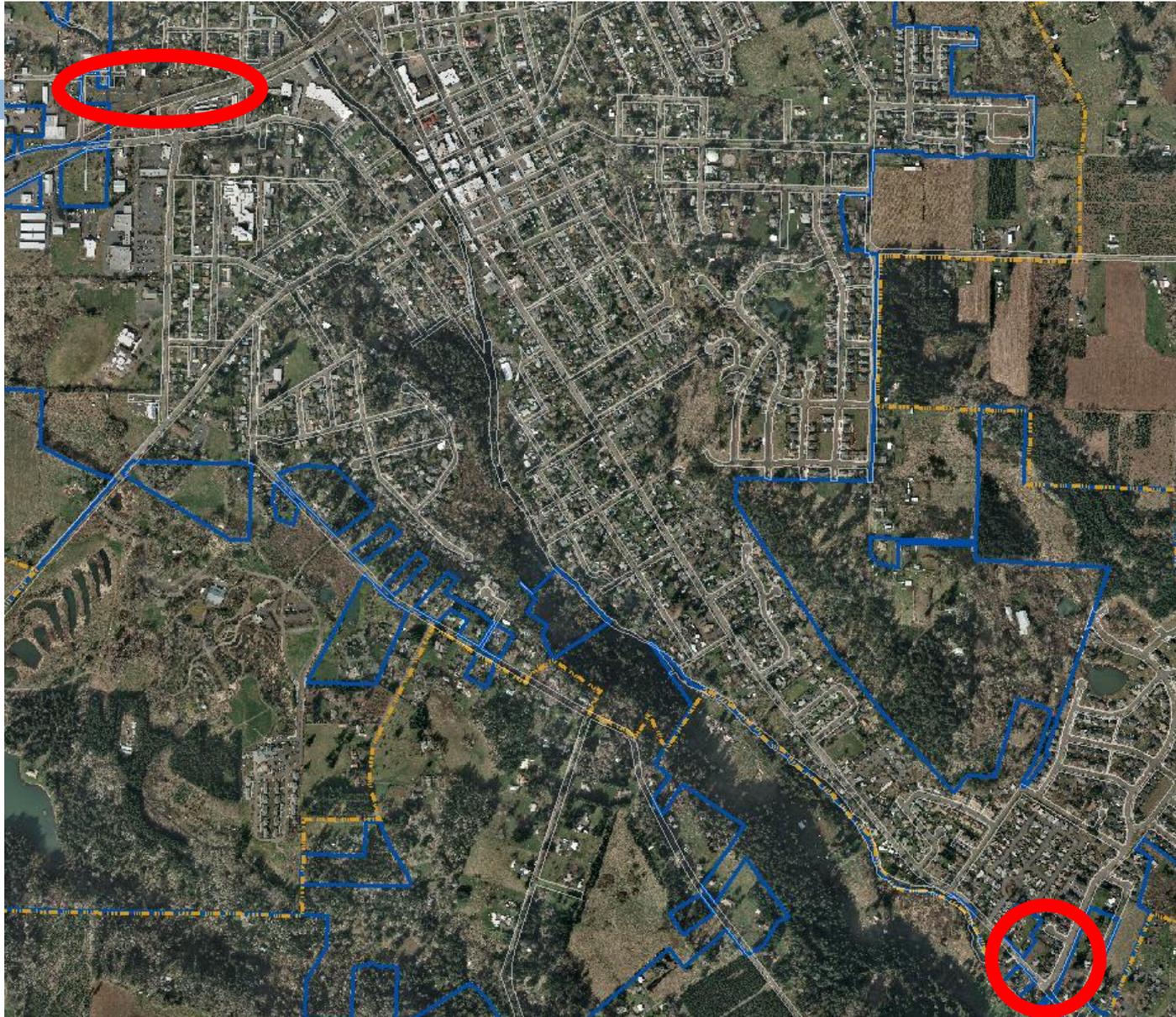


- Silverplace

- 329 Fossholm Street

- Garden City

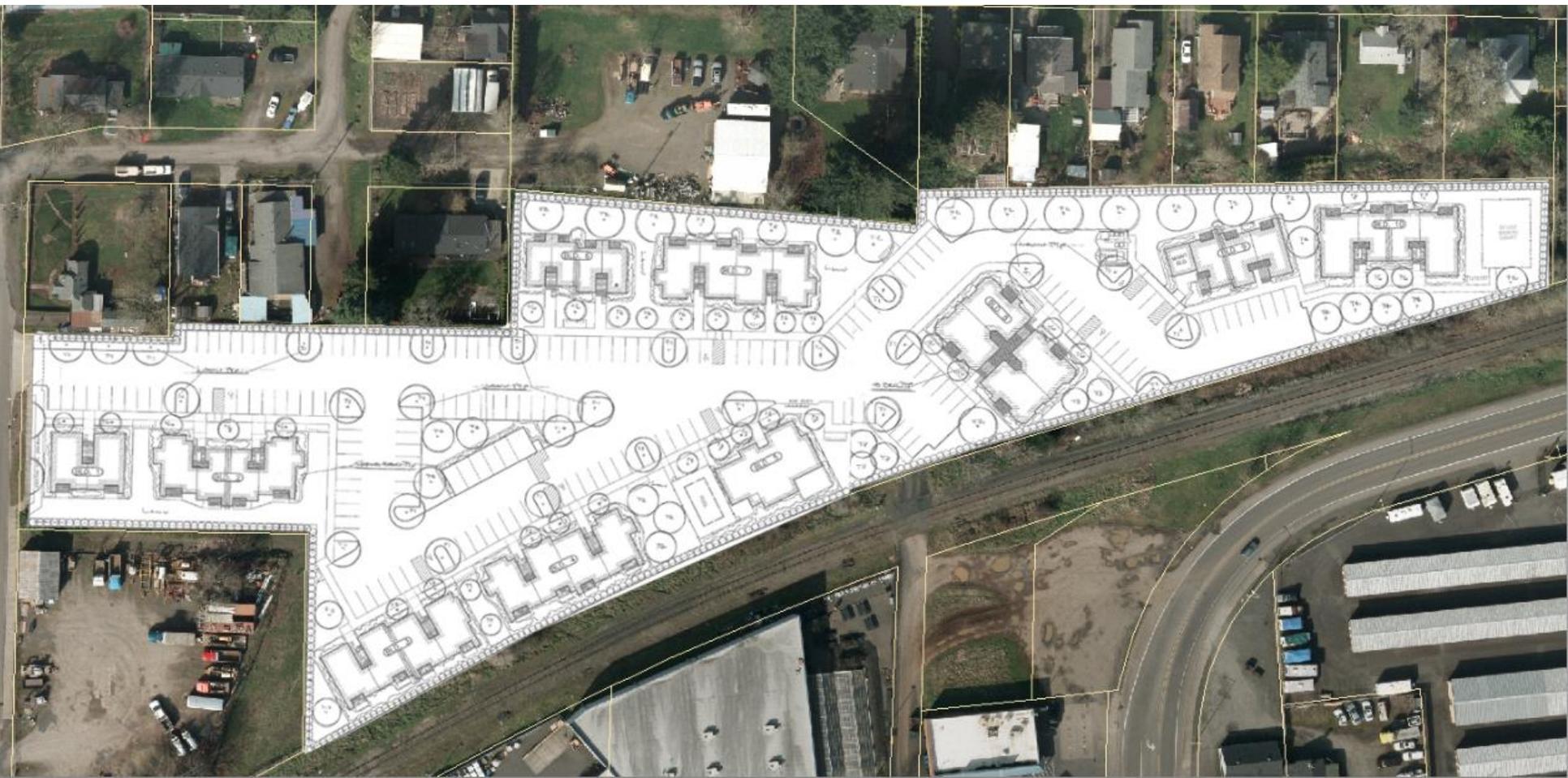
- 1335 S Water Street







Silverplace – 93 units on 4.6 acres



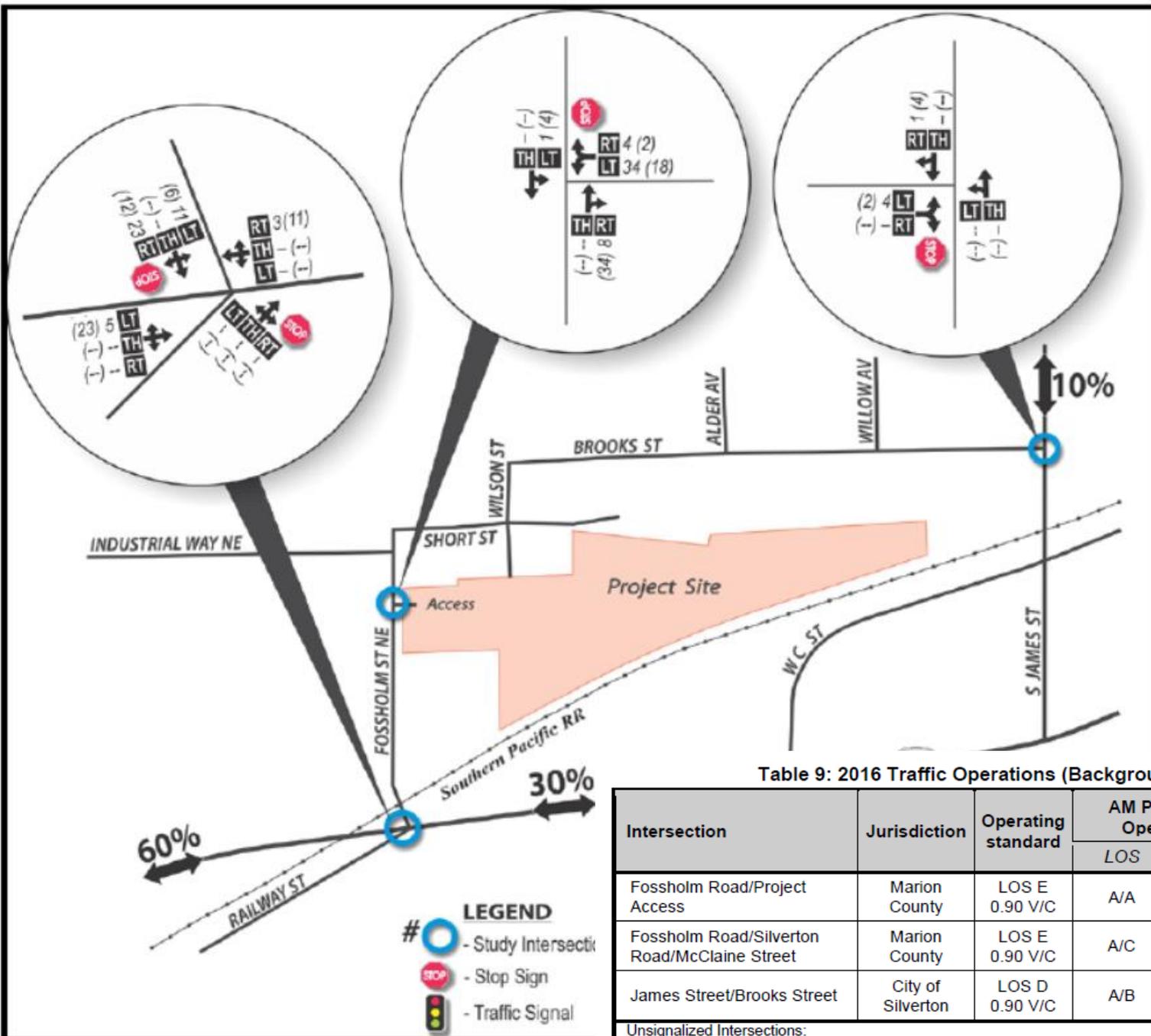


Figure 5: Trip Distribution

Table 9: 2016 Traffic Operations (Background with Project)

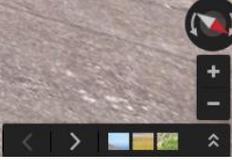
Intersection	Jurisdiction	Operating standard	AM Peak Hour Operations		PM Peak Hour Operations	
			LOS	V/C	LOS	V/C
Fossilholm Road/Project Access	Marion County	LOS E 0.90 V/C	A/A	0.04	A/A	0.02
Fossilholm Road/Silverton Road/McClaine Street	Marion County	LOS E 0.90 V/C	A/C	0.15	A/D	0.19
James Street/Brooks Street	City of Silverton	LOS D 0.90 V/C	A/B	0.03	A/B	0.03

Unsignalized Intersections:

LOS = Level of Service of Major Street/Minor Street
 V/C = Volume-to-Capacity Ratio of Worst Movement



Google



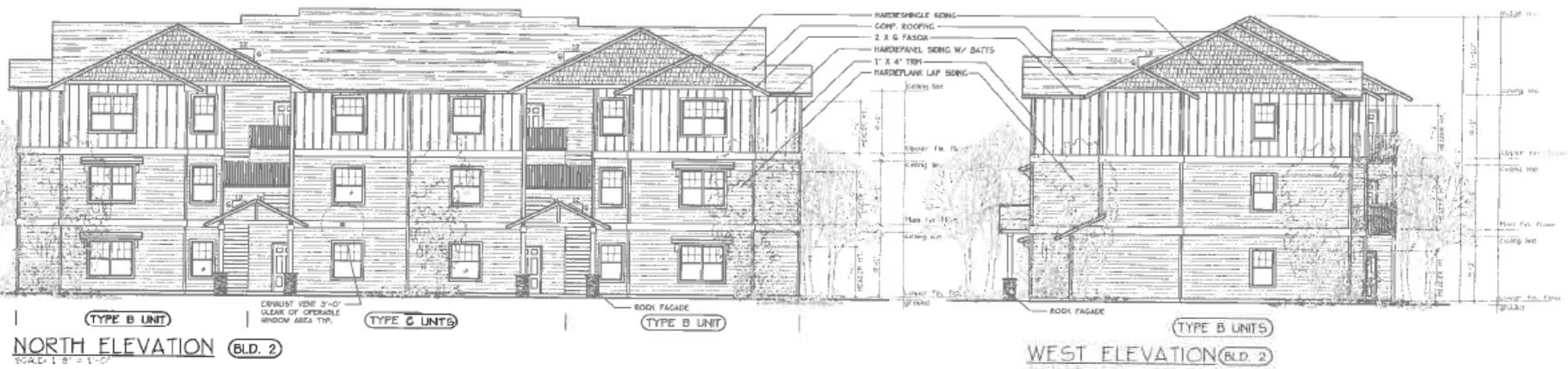


Table 2.2.120.A – Development Standards for Residential Districts

Standard	R-1	R-5	RM-10	RM-20
Building/Structure Height				
See also: SDC 2.2.130 , Residential districts – Setback yards – Exceptions, reverse frontage lots and flag lots; 2.2.200(A), Accessory Dwellings (Attached, Separate Cottage, or Above Detached Garage); 3.1.200(N), Vision Clearance; 3.2.500, Fences and walls.				
Standard maximum height	35 ft.	35 ft.	35 ft.	35 ft.
Side Setbacks				
One-story structures	5 ft.			
Two-story structures	7 ft.			
Accessory structure	5 ft.			
Exceptions:				
Alley minimum setback	5 ft.			
Common walls when allowed	0 ft.			
Rear Setbacks				
One-story structure	20 ft.			
Two-story structures	20 ft.			
Accessory structures	5 ft.			
Porches, decks and similar structures	May encroach into rear yard setback 10 ft.			

Building Height Measurement. The vertical distance from the grade plane to the average height of a pitched (gable or hip) roof, or the top of a mansard or flat roof including the parapet walls.

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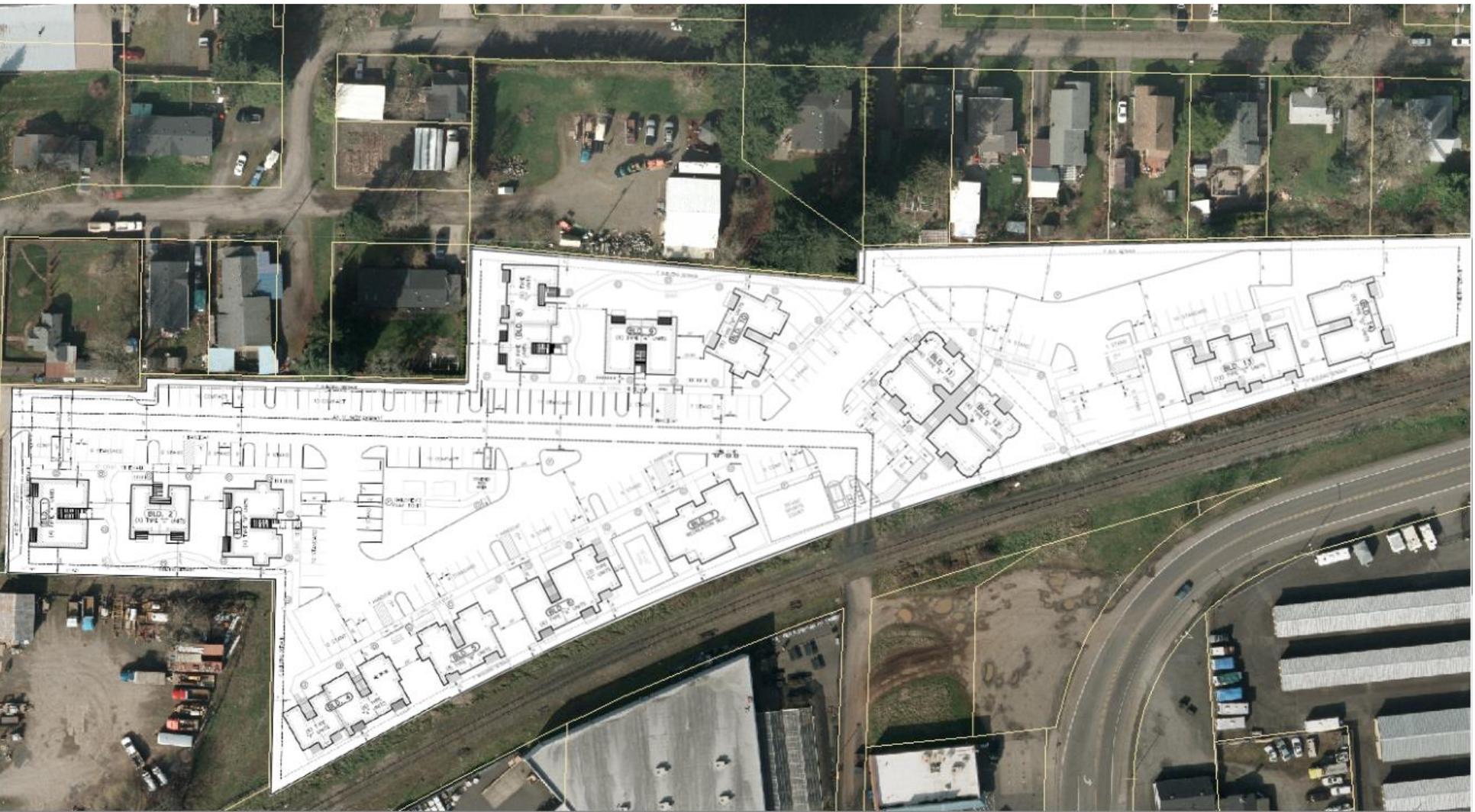
303 Pioneer Dr NE, Silverton, OR
97381

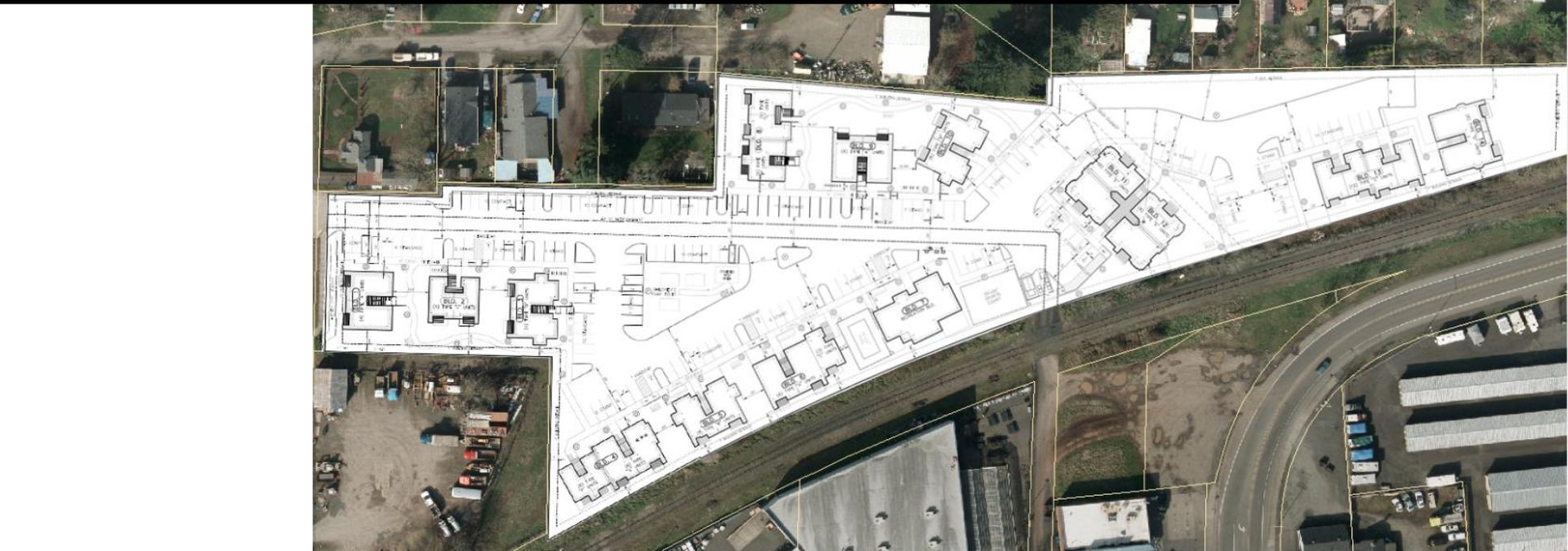
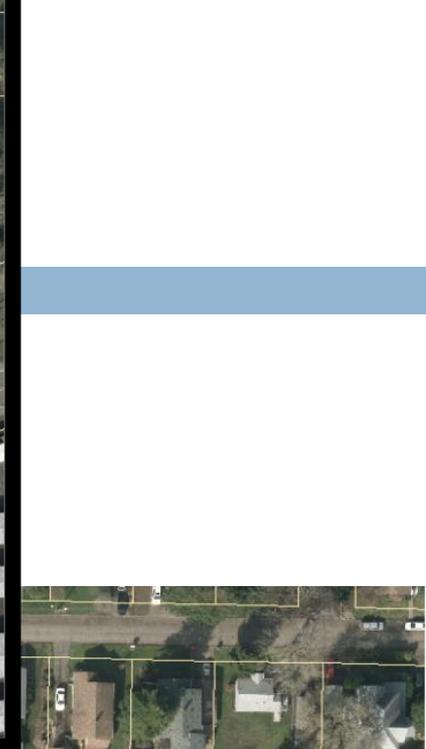


Pioneer Dr NE

Pioneer Dr NE

to this image





PC – Denied the application

- Commissioner said it does not meet Code for connectivity and is not compatible with the adjoining neighborhood. Community Development Director Gottgetreu indicated compatibility is not a review criterion on which the application can be denied. He said there are sidewalks on the frontage of the site, so the issues would be the connection to Wilson Street which could be conditioned. He noted the connectivity to Fossholm Street could be done if it is practicable, after considering cost, existing technology and overall purpose. Commissioner said his motion is based on lack of connectivity to adjoining neighborhoods. The Commission asked about the purpose statements. Community Development Director said the listed design standards are used to implement a specific purpose statement. Chairman Flowers clarified the character of the existing neighborhood is purpose statement, not a Code requirement. Community Development Director Gottgetreu said yes.
- **FOLLOWING DISCUSSION, THE MOTION TO DENY THE APPLICATION AS WRITTEN BECAUSE IT DOES NOT MEET CONNECTIVITY REQUIREMENTS, BUILDING HEIGHT, AND BUILDING COMPATIBILITY CARRIED THREE TO TWO. COMMISSIONER APPLETON AND CHAIRMAN FLOWERS OPPOSED. COMMISSIONER PELLETIER ABSTAINED.**

Denial

- Planning Commission found an ambiguity in the code and made an interpretation that three story structures are not allowed.
- The code does not list a maximum amount of stories and does not define what a story is.
- Planning Commission is allowed to interpret the code, unless the needed housing statute at ORS 197.307 applies to the proposed multi-family development.
- ORS 197.307(4) provides that a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land.
- The fact that the PC had to interpret the code in order to determine if 3 stories is permitted means that it is not a clear and objective standard.

Needed housing

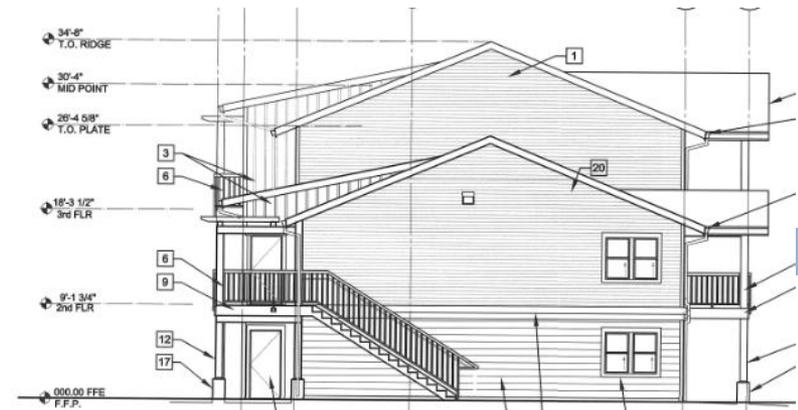
- A key issue in this appeal is whether the needed housing statute at ORS 197.307 applies to the proposed multi-family development
- “Needed housing” is a very broadly defined term.
- Relying on an absence in the setback requirement for three-story to deny or condition an application for multi-family housing that is otherwise allowed likely does not meet the “clear and objective” standards requirement and therefore will run afoul of ORS 197.307(4)

Three story

- Six of the seven Council members were in attendance at the meeting. Motions to reverse and to uphold the Planning Commission decision were 3-3.
- The Applicant appealed the decision to LUBA. The Council member that was not in attendance submitted a request to withdraw the application from LUBA proceedings for reconsideration, which was approved by Council.
- The reconsideration was held in December 2015 with direction to staff to draft findings to reverse the Planning Commission denial and approved the application.
- Findings were drafted and unanimously approved at a January 2016 meeting. No further appeals were filed.

Garden City – 20 units on 1 acre





□ Reviewed the day after the Council reconsideration



Silverton Mobile Estates

Pioneer Dr NE

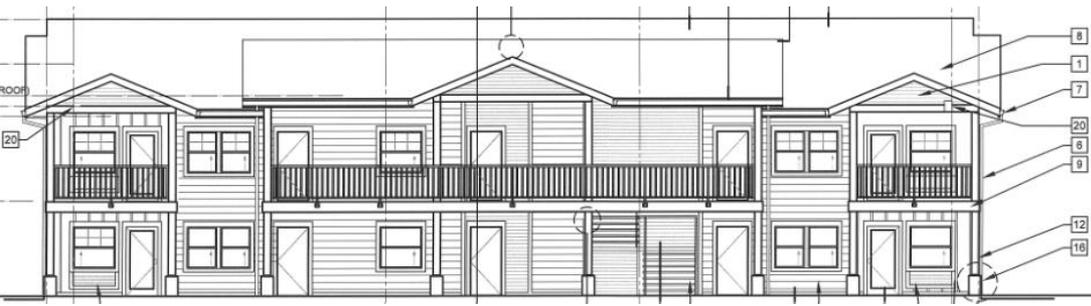
Wagon Wheel Ct

Dr NE

S Water

214

214



- Casa of Oregon
- 20 unit farm worker housing

3 Story

- Have updated the Development Code to regulate the amount of stories allowed.
 - 3 in the RM-10 & 20 Zoning District
 - 9' side yard setback
- New interest in increasing setback for three story structures.

Issues

- Scale
- Compatibility
- Traffic
- Neighborhood Character
- Neighborhood Age