

**NOTICE OF PUBLIC MEETING  
LAFAYETTE PLANNING COMMISSION**

**DATE & TIME:** Thursday, May 16, 2024 – 6:30 p.m.

**PLACE:** Council Chambers, 486 Third Street, Lafayette, OR 97127

**AGENDA**

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1. CALL TO ORDER
2. FLAG SALUTE
3. ROLL CALL
4. CITIZEN INPUT ON NON-AGENDA ITEMS
5. APPROVAL OF MINUTES
  - a. April 18, 2024 Planning Commission Meeting Minutes
6. WORK SESSION
  - a. Planning Commission Discussion to Identify Topics for the June 20 Joint Meeting with the City Council
7. NEW BUSINESS
  - a. None
8. COMMISSIONER COMMENTS
9. Next Meeting
  - a. June 20, 2024
10. ADJOURNMENT

*The Council Chambers is accessible. If you need an accommodation to attend or participate in a meeting or wish to participate remotely, please notify the City at (503) 864-2451 at least 24 hours prior to the meeting.*

**City of Lafayette**  
**Planning Commission Meeting Minutes**  
**Thursday April 18, 2024, at 6:30 p.m.**

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1. **CALL TO ORDER:** Chairperson Ronald Kerr called the meeting to order at 6:33p.m.
2. **FLAG SALUTE:** Chairperson Ronald Kerr led the flag salute.
3. **ROLL CALL:** Chairperson Ronald Kerr called the Roll:  
*Present:* Ronald Kerr, Jon Meola, Stephan Belding, Roger Webb, Scott Adamson, David Rogers  
*City Staff Present:* Jasmine Garcia, City Development Clerk; Kennedee Richardson, City Recorder; Jim Jacks, City Planner  
*Others:* Russell Burrows
4. **CITIZEN INPUT ON NON-AGENDA ITEMS:**  
No citizen input.
5. **APPROVAL OF MINUTES**
  - a. March 21, 2024, Planning Commission Meeting Minutes  
Commissioner Belding moved to approve the minutes from the March 21, 2024, planning commission meeting; Commissioner Meola seconds. Motion passed unanimously.
6. **WORK SESSION**
  - a. Housing Legislative Amendments (LA 2024-01)  
City Planner Jacks goes over the city development code starting with definitions on page 8 of the Housing Legislative Amendments (LA 2024-01).  
Discussion is had about the purpose of RA zoning and if it is worth removing the language. Jacks continues to review the additions to the Lafayette Zoning and Development Ordinance (LZDO). He goes over adding Duplexes as a permitted use in all residential areas. Commissioner Webb asks if the LZDO has clickable links to each section within the Ordinances, and if not is that something the city plans on updating. City Planner Jacks went over the current website design and explained the LZDO is uploaded as a PDF. Community Development Clerk Garcia stated she will speak with the City Administrator regarding his request.

Commission Chair Kerr brings up the topic of duplexes, discussion is had about the change in density and the lots that would be affected. Commissioner Belding asks about the average square footage of residential lots, Jack says most are 8,000sqft.

Commission Chair Kerr comments on setbacks requirements (pg. 18 from staff report) Commission Chair Kerr has concerns that the way the garage set back is written could cause confusion changing wording to “setback X amount of feet from garage door”. Commission Chair Kerr also asks about setbacks being the 10ft in both R1 and R2. Discussion is had about this building verses zoning code and City Planner Jack explains why R1 and R2 have different garage setback lengths.

City Planner Jack mentions several lines starting at the bottom of page 19 of his staff report that a house bill has decided should be deleted. The deleted lines refer to affordable housing being allowed on property of a house of worship, this wording is being moved to a different Oregon Revised Statute (ORS).

Commission Chair Kerr asks City Planner Jack a couple of questions about accessory structures setbacks. Community Development Clerk Garcia stated the minimum requirement setbacks on accessory structures under 200 square feet is 3feet. City Planner Jack explains the intent of setback requirements.

Chair Kerr and Jim Jacks discuss fire walls for accessory structures.

Commissioner Adamson state he would like the wording regarding garage setbacks to be changed to add “door” to “garage.”

Commission Chair Kerr question, on page 22 states no accessory structure can be higher than primary building, he stated he does not see a problem with it. City Planner Jack references 2.9.010 from the LDZO regarding accessory structures and the height of a structure. Commissioner Meola stated he agrees with the current code regarding the height restrictions, his opinion is based off the impact of a large accessory structure blocking a neighbor’s view/natural light.

City Planner Jacks states on page 28 of his staff report section 38 references house bill 1537 and goes into detail as to the new verbiage regarding adjustments processes. Jacks states that this ordinance sunsets in 2032 and will not be required

by the State. Jacks adds that if the City of Lafayette does not amend their code to include this adjustment process then they do not have to but if someone requests an adjustment the City would have to apply the law directly and then it all goes away in 2032.

Discussion is had about wording added for Accessory Dwelling Units (ADU's) after it was discussed during last month's meeting.

## **7. NEW BUSINESS**

City Planner Jacks provides a modified staff report discussing single room occupancy (SRO). Mark ups start on page 9, City Planner Jacks goes over the provided documents. Discussion is had about the requirements to qualify as an SRO and the requirements that can be adjusted. The Planning Commission discussed the potential parking issues that may arise due to SROs in residential areas. After discussion on whether the lot size requirements should be lowered Commission Belding asked if there was any known interest with SROs in Lafayette. Community Development Clerk Garcia stated there is one on Bridge. Commissioners suggested continuing this discussion in the May meeting. Discussion regarding vision as a planning commission has for the future of Lafayette to present in June work session with City Council. Commissioner Adamson shares that the Budget Committee approved the financial side of future Planning Commission projects; he also mentions that the commission should be looking forward to what they want Lafayette to look like in the next 30 years.

## **8. COMMISSIONER COMMENTS**

Commissioner Webb shares update from the Willamette Valley River committee meetings.

## **9. Next Meeting**

- a. May 16, 2024

## **10. ADJOURNMENT:**

Commissioner Moela moved to adjourn; Commissioner Webb seconded the motion, which passed unanimously. No further discussion.

Minutes approved on the 16 day of May 2024.

CERTIFIED:

ATTESTED:

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Ronald Kerr, Chairperson

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Jasmine Garcia, City Development Clerk

DRAFT

# City of Lafayette

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TO: LAFAYETTE PLANNING COMMISSION

FROM: JIM JACKS, CITY PLANNER

SUBJ: WORK SESSION: PREPARATION FOR JOINT MEETING WITH CITY COUNCIL ON JUNE 20, 2024.

DATE: MAY 16, 2024

The purpose of this memo is to present information regarding the Oregon Statewide Planning Program. The information will provide a basis for understanding the Statewide program and how to accomplish local land use planning efforts that the Planning Commission may identify as topics to discuss at the June 20 joint meeting with the City Council.

The Planning Commission's charge is, at the end of its May 16 work session meeting, to have a short-list of topics to be discussed with the City Council on June 20.

## I. INTRODUCTION

The following is a brief description of the State's program taken from a recent email from the Oregon Department of Land Conservation and Development (LCDC):

*Oregon's statewide land use planning program - originated in 1973 under Senate Bill 100 - protects farm and forest lands, conserves natural resources, promotes livable communities, facilitates orderly and efficient development, helps coordination among local governments, and enables community engagement.*

*The land use planning program affords Oregonians predictability in the development process and the ability to plan and invest in the long-range by allocating land for industrial, commercial, and housing development, as well as transportation and farm and forest lands. Under the program, all cities and counties have adopted comprehensive plans that meet mandatory state standards. The standards are based on the [19 Statewide Planning Goals](#) that deal with land use, development, housing, transportation, and conservation of natural resources. Technical assistance in the form of expertise and grants for local jurisdictions are key elements of the program.*

Oregon is unique in how it addresses growth, development, urban infrastructure, agriculture, forestry, industry and natural resources. The Statewide Planning Goals apply to all cities and counties in Oregon. The State's interest in land use planning is set forth in Oregon Revised Statute (ORS) 197.010, Policy.

Oregon's cities and counties are required to prepare, adopt and amend comprehensive plans consistent with the Statewide Planning Goals. City plans and their implementing regulations are required to be coordinated with the county and State agencies.

Each city and county comprehensive land use plan is a policy document (the Comprehensive Plan - the "Comp Plan"), and it is implemented with zoning regulations (the Development Code – the zoning provisions). Other local regulations implement the Comp Plan such as an Urban Renewal Plan (a public infrastructure financing document), a Downtown Development Plan and other specific plans. Each city must plan for and provide an inventory of buildable land to accommodate growth within the city limits and within the urban growth boundary (UGB).

The UGB is an important land use planning tool. It is a line outside of, and around, each city that is established by the city, in coordination with the county, to accommodate the projected future growth. The area outside the city limits, but inside the UGB, is "urbanizable," meaning over time it will be annexed into the city limits and developed at urban densities. Cities are also required to adopt plans for water, sewer and transportation systems to accommodate the projected growth.

## II. SENATE BILL 100

In 1973 the Legislature passed Senate Bill 100 which created the Oregon land use planning program.

The Bill created the Land Conservation and Development Commission (LCDC) which is a volunteer 7-member citizen commission. The Commission provides policy direction and oversees the Land Conservation and Development Department (LCDD), see below. The LCDC members are appointed by the Governor and confirmed by the State Senate. The terms are 4-years with a limit of two terms. The Commission's authorities are set forth in Oregon Revised Statute, Chapter 197.

The Bill also created the Department of Land Conservation and Development (DLCD) which is a State agency. It administers the State's land use program in partnership with local governments following State statutes and policy direction from the LCDC. The LCDC appoints the Department's Director. The Department works at the direction of the Commission and works with other State Departments, local governments and special interest groups to address land use issues.

As part of its several functions, consistent with the Legislature's funding, DLCD provides limited Technical Assistance Grants to cities and counties to update their Plans and implementing regulations and to prepare special studies. Visit the DLCD website at <https://www.oregon.gov/lcd/pages/index.aspx> for more information.

## III. STATEWIDE PLANNING GOALS

Senate Bill 100 required the LCDC to adopt Statewide Planning Goals. In 1974 – 1976 LCDC adopted 19 Goals through the Oregon Administrative Rule process which included public hearings around the State.

The Goals can be placed in four categories.

Process:	Goals 1 and 2.
Conservation:	Goals 3 – 8 and 13 – 15.
Development:	Goals 9 – 12 and 14.
Coastal:	Goals 16 – 19.

ORS 197.015 defines Goals as "...mandatory statewide planning standards..." and the Guidelines as "...suggested approaches designed to aid cities and counties in preparation, adoption and implementation of comprehensive plans in compliance with the goals..."

The purpose of the Goals is to set minimum State guidance for the preparation of Comprehensive Land Use Plans and their implementing regulations. Once a city has prepared its Comprehensive Land Use Plan and implementing regulations and received acknowledgement (approval) from LCDC, the Goals do not come into play again unless the City proposes changing its Comprehensive Land Use Plan or implementing regulations. Logically, if the initial adoption of the Plan and regulations must be consistent with the Goals, then any changes must also be consistent with the Goals.

The daily, weekly and monthly decisions on development applications are by a City Administrator, Planning Commission or City Council. DLCD is not involved in development applications such as subdivisions, partitions, variances, conditional uses, site development reviews, home occupations, etc.

The following is the list of the Goals showing the primary Goal statement. Each Goal includes more language, but it is not included here. The full language can be read at the DLCD website. Overall, the Goals are general statements of principles for a land use planning program. For example, a basic tenant of land use planning is to involve citizens (Goal 1).

**GOAL 1. Citizen Involvement.**

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

**GOAL 2. Land Use Planning.**

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

**GOAL 3. Agricultural Lands.**

To preserve and maintain agricultural lands.

**GOAL 4. Forest Lands.**

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

**GOAL 5. Open Spaces, Scenic and Historic Areas and Natural Resources.**

To protect natural resources and conserve scenic and historic areas and open spaces.

**GOAL 6. Air, Water and Land Resources Quality.**

To maintain and improve the quality of the air, water and land resources of the state.

**GOAL 7. Areas Subject to Natural Disasters and Hazards.**

To protect people and property from natural hazards.

**GOAL 8. Recreation Needs.**

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

**GOAL 9. Economy of the State.**

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.



GOAL 10. Housing.

To provide for the housing needs of citizens of the state.

GOAL 11. Public Facilities and Services.

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

GOAL 12. Transportation.

To provide and encourage a safe, convenient and economic transportation system.

GOAL 13. Energy.

To conserve energy.

GOAL 14. Urbanization (urban growth boundary).

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The goal statement for the following “Willamette River Greenway” Goal is not included here because it applies only to jurisdictions along the Willamette River.

GOAL 15. Willamette Greenway.

The goal statements for the following “coastal goals” are not included here because they apply only to coastal jurisdictions.

GOAL 16. Estuarine Resources.

GOAL 17. Coastal Shorelands.

GOAL 18. Beaches and Dunes.

GOAL 19. Ocean Resources.

#### IV. HOW THE STATEWIDE PLANNING PROGRAM WORKS

The State program works to protect two significant elements of the State’s economy, i.e., agricultural land for farming (Goal 3) and forest land for timber production (Goal 4). Additionally, the State program supports urban development within city limits where urban services such as public water, sewer and streets can support the higher development densities in cities. The Goals prevent “leapfrog” residential, commercial and industrial development, and instead provide for planned incremental development.

The primary element of the State’s program to accommodate growth is the urban growth boundary (UGB) (Goal 14 and the Goal 14 Oregon Administrative Rule). A UGB is a line almost always outside the city limits which identifies the area that over time will be annexed into the city limits and developed at urban densities.

A UGB would be extended for two basic purposes, i.e., to accommodate (1) projected future residential growth and (2) projected future commercial and industrial growth.

A UGB expansion can accommodate other uses such as public uses, i.e., land for schools, a City Hall, the Public Works Department's shops and parks.

To justify a UGB expansion for residential development, a Housing Needs Analysis (HNA) and Buildable Land Inventory (BLI) must be prepared in accordance with Goals 10 (Housing) and 14 (UGB) and their Administrative Rules. The HNA includes an inventory of the existing housing types and their density and it forecasts the needed number of housing units at different densities and the acres needed to accommodate the projected population.

The BLI includes an inventory of the buildable residential land within the existing UGB. A shortage of buildable residential land within the existing UGB would support a UGB expansion.

Consistent with Goal 3, Agricultural Land, the lowest priority of land to be added to a UGB is agricultural land where counties apply an "exclusive farm use" (EFU) zone to properties with high value soils.

To justify a UGB expansion for jobs, i.e., commercial and industrial development, an Economic Opportunities Analysis (EOA) must be prepared in accordance with Goal 9 and its Administrative Rule. The EOA includes an inventory of the existing commercial and industrial zoned lands, the amount of such land absorbed over the years by those uses, the number of employees in the various economic sectors, and it forecasts the needed acres to accommodate the projected land need for those uses.

To justify extending the UGB for jobs (commercial and industrial development) consistent with Goal 9, Economy, and its Administrative Rule, the document is an Economic Opportunity Analysis (EOA).

New public uses are usually not needed on a frequent basis. For example, in a growing community a new school is needed only every 15 - 20 years. Similarly, a new city park is not needed every year. Generally, when new public uses are needed and there is no suitable land within the existing city limits or UGB, a UGB expansion can be justified for the specific public use.

As part of a UGB expansion, the provision of urban infrastructure would also need to be planned in accordance with Goal 11, Public Facilities, and its Administrative Rule. The planning documents for Goal 11, are a Water Master Plan, Sewer Master Plan and Storm Drain Master Plan.

Goal 12, Transportation, and its Administrative Rule, must also be considered. The planning document for Goal 12 is a Transportation Systems Plan (TSP).

Other Goals such as the natural resources portion of Goal 5 and the natural hazards provisions of Goal 7 must also be considered. Typically, the riparian corridors along creeks and rivers are not considered developable, and when a property with them is included in a UGB expansion, they are protected in accordance with Goal 5. Even though development can occur in floodplain areas (subject to the standards of the National Flood Insurance Program) some cities determine that development in a floodplain is inappropriate for urban densities and choose not to include floodplain properties in the UGB.

### III. STAFF RECOMMENDATION

Staff recommends the Commission review the staff report and identify and discuss possible topics.

The Planning Commission's charge is, at the end of its May 16 work session meeting, to have a short-list of topics to be discussed with the City Council on June 20.