



Community Development
925 S. Main Street
Lebanon, Oregon 97355

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NOTICE OF DECISION
Planning File No. AR-20-08
(Administrative Review)

June 15, 2020

I. BACKGROUND

APPLICANT: Joshua Ahn

PROPERTY LOCATION: The subject property is generally located on the east side of S. 16th Street, at the intersection of S 16th Place. The current property address is 595 S. 16th Street, and the County Assessors map identification is within Township 12 South, Range 2 West, Section 9DA, Tax Lot 5500.

PARCEL SIZE: The project area is approximately 0.2 acres.

ZONING: Residential Low Density (Z-RL).

EXISTING DEVELOPMENT: There is an existing single-family residence located on the property.

ADJACENT ZONING AND LAND USES: Surrounding properties to the north, south, east and west are zoned Residential Low Density (Z-RL) and consist of single-family residences.

PROJECT SUMMARY/REVIEW CRITERIA: The Applicant is requesting approval of the construction of an Accessory Dwelling Unit.

- Section 16.05.040 of the Lebanon Development Code requires an application for an Administrative Review for an accessory dwelling unit.
- Section 16.05.150.A of the LDC sets forth the standards for an accessory dwelling unit, including: a maximum floor area of 40% or 1,000 square feet, whichever is less; a maximum height of 25 feet in the RL zone; and conformance with all setback requirements in the RL zone. In accordance with Oregon HB 2001, parking may not be required for accessory dwelling units. As proposed, the accessory dwelling unit would be incorporated as an attached unit to the primary dwelling. The primary dwelling would be 1,668.64 square feet, and the accessory dwelling would be 40% of the primary dwelling at 667 square feet. The building would maintain or exceed the required setback, including a 20 foot front setback, 9-12 foot side setbacks, and a 34 foot rear

setback. (Decision Criteria #2.a in Section 16.20.040).

- The site is accessed from an existing driveway on S 16th Street. A concrete paved area in front of the house would be maintained to provide the required 2 parking spaces for the primary dwelling. No new off-site improvements are required for the construction of the accessory dwelling unit; repair to existing driveway and sidewalk is required prior to occupancy. (Criteria #2.b in Section 16.20.040).
- There are no parking requirements for an accessory dwelling in a residential zone. (Criteria #2.c in Section 16.20.040)
- The subject property is a single-family residence, which is exempt from landscape standards found in Chapter 16.15. (Criteria #2.d in Section 16.20.040)
- There are no public facility improvements triggered for an accessory dwelling unit. (Criteria #2.e in Section 16.20.040)
- The site is not located in a hazard area or overlay zone. (Criteria #2.f in Section 16.20.040)
- The accessory dwelling complies with the code requirements for accessory dwelling units as cross referenced in Section 16.19.010. (Criteria #2.g in Section 16.20.040)

The City's review criteria for an Administrative Review in Chapter 16.20 – Review and Decision-Making Procedures. The Project summary above provides the data for the basis of review and the decision criteria. Based on the proposal, the project complies with the required development standards per Chapter 16.05 of the Development Code, and all required findings can be met.

II. PUBLIC NOTIFICATION

The City issued a public notification in compliance with the Lebanon Development Code and State regulations on February 19, 2020. The public comment period remained open until 5:00pm on Wednesday, March 4, 2020. The City received no public comment letters on the proposed application.

III. DECISION AND CONDITIONS OF APPROVAL

Based on the project summary and the record, the Administrative Review meets all the required development criteria set forth in Chapter 16.05, and the required decision criteria in Chapters 16.20 of the Lebanon Development Code. City staff concludes the proposal complies with the provisions for an Administrative Review and **APPROVES** the application subject to the following Conditions:

- A. A residential site plan shall be submitted with building permit submittal. Any deteriorating or damaged sidewalks/driveway approaches will need to be corrected prior to occupancy. A right-of-way permit will be required for any work in the public right-of-way.
- B. Compliance with these conditions, and the applicable requirements of the Lebanon Development Code, City Public Works Standards, Lebanon Fire District requirements and adopted building code, shall be the sole responsibility of the property developer.

IV. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Lebanon land use and review and approval process does not take the place of, relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use approval herein does not remove, alter or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

V. APPEALS

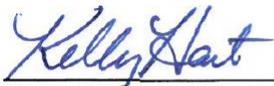
This action is final unless appealed to the Lebanon Planning Commission within fifteen (15) calendar days from the date of this notice. **The appeal must be submitted to the Community Development Department by 5:00 PM on Tuesday, June 30, 2020.** Only the applicant and/or a party receiving a copy of this decision may appeal this land use decision. The appeal must state the purpose of the appeal, identifying specific criteria which the application fails to meet, and include the required appeal fee of \$250.00.

Should you wish to appeal this action, or have any questions regarding this project, please contact the Lebanon Planning Division at (541) 258-4906, for further information.

VI. RECORD

The City's case file and record can be viewed in the Community Development Department at Lebanon City Hall, located at 925 S. Main Street, Lebanon, OR 97355 during regular business hours.

Respectfully,



Kelly Hart
Community Development Director

June 15, 2020

Date