

1. 10:00 A.M. Agenda

Documents:

[2023-04-11 Planning Commission Work Session Agenda.pdf](#)

2. Meeting Material

Documents:

[Mar 2, 2023 Presentation 1.Pdf](#)

[Yachats HIP - PMT 2.Pdf](#)

[Yachats HIP - Appendices.pdf](#)



CITY OF YACHATS
PLANNING COMMISSION WORK SESSION
Tuesday, April 11, 2023, at 10:00 am
To Be Held Via Zoom & In Person Located at:
Commons Bldg., Civic Meeting Room 1
441 Hwy 101 N., Yachats OR 97498

Join Zoom Meeting

<https://us02web.zoom.us/j/85827094803>

Meeting ID: 858 2709 4803

One tap mobile

+12532158782,,85827094803# US (Tacoma)

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Work Session

I. Draft Housing Implementation Plan

This meeting is open to the public and all interested persons are invited to attend the ZOOM Meetings. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. The minutes of this meeting are the Audio Tape which will added to the packet after the meeting within 24 hours. In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541- 547-3565 or Oregon Relay 1- 800-735-2900 (TDD) two days in advance. POSTED 03/31/2023 By: Kimmie Jackson, Deputy City Recorder



Draft Housing Strategies

Yachats Housing Implementation Plan

March 2, 2023



01

Welcome and Overview

2:00 – 2:15 pm

02

Draft Housing Strategies

2:15 – 3:05 pm

03

Q&A, Discussion, Polling

3:05 – 3:25 pm

04

Next Steps

3:25 – 3:30 pm

Overview

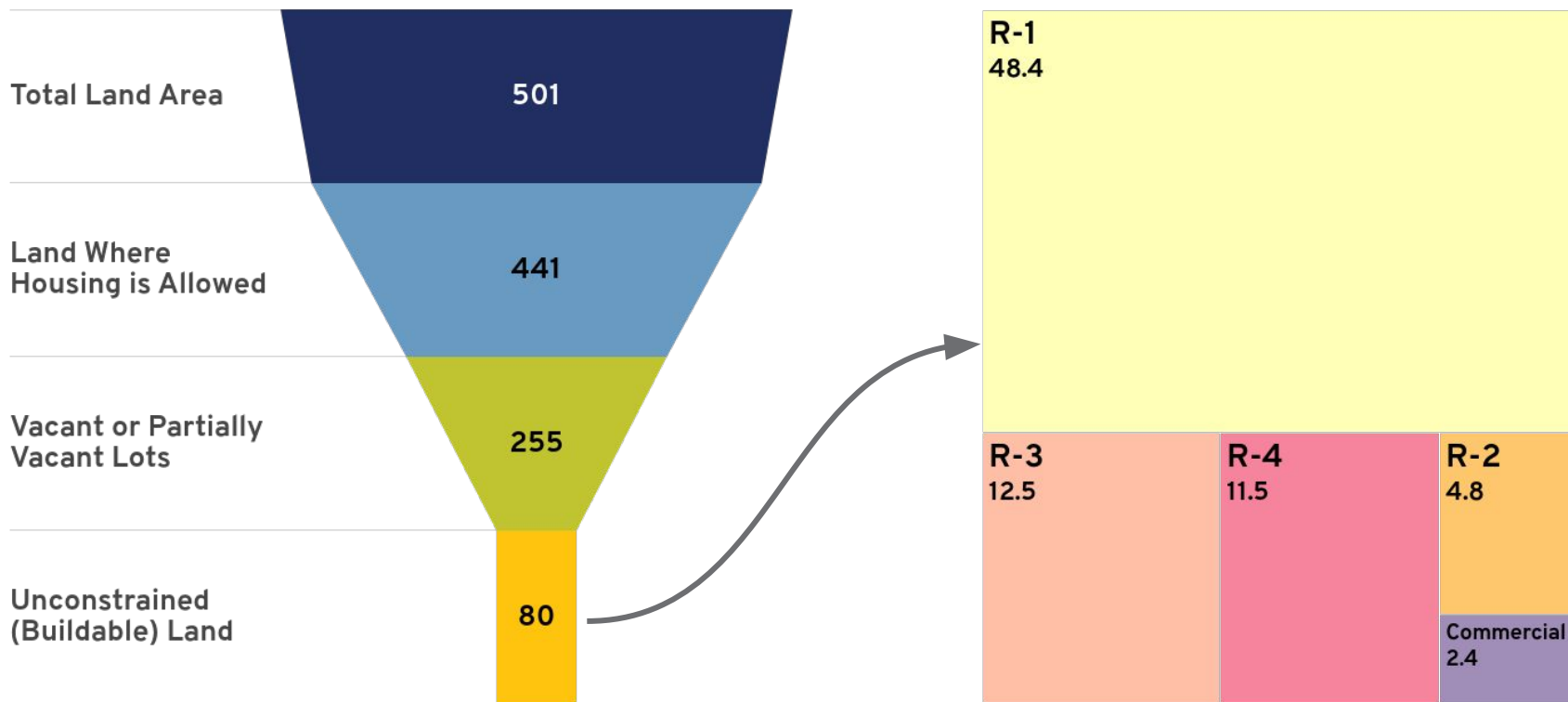
Review of Housing Needs Analysis and Overview of Housing Implementation Strategies

Background and Purpose

- The purpose of the **Housing Needs Analysis (HNA)** is to quantify 20-year housing need and help the city to identify actions and solutions to facilitate development of housing that is needed.
- The purpose of the **Housing Implementation Plan (HIP)** is to identify actions the city can take to address housing needs based on the findings of the HNA.
- The purpose of today's meeting is to present and share findings related to tools and strategies being considered for inclusion in the HIP and to get your feedback on them.
- This is the first of 3 work sessions we will be doing with the Council and/or Planning Commission between now and the end of June.

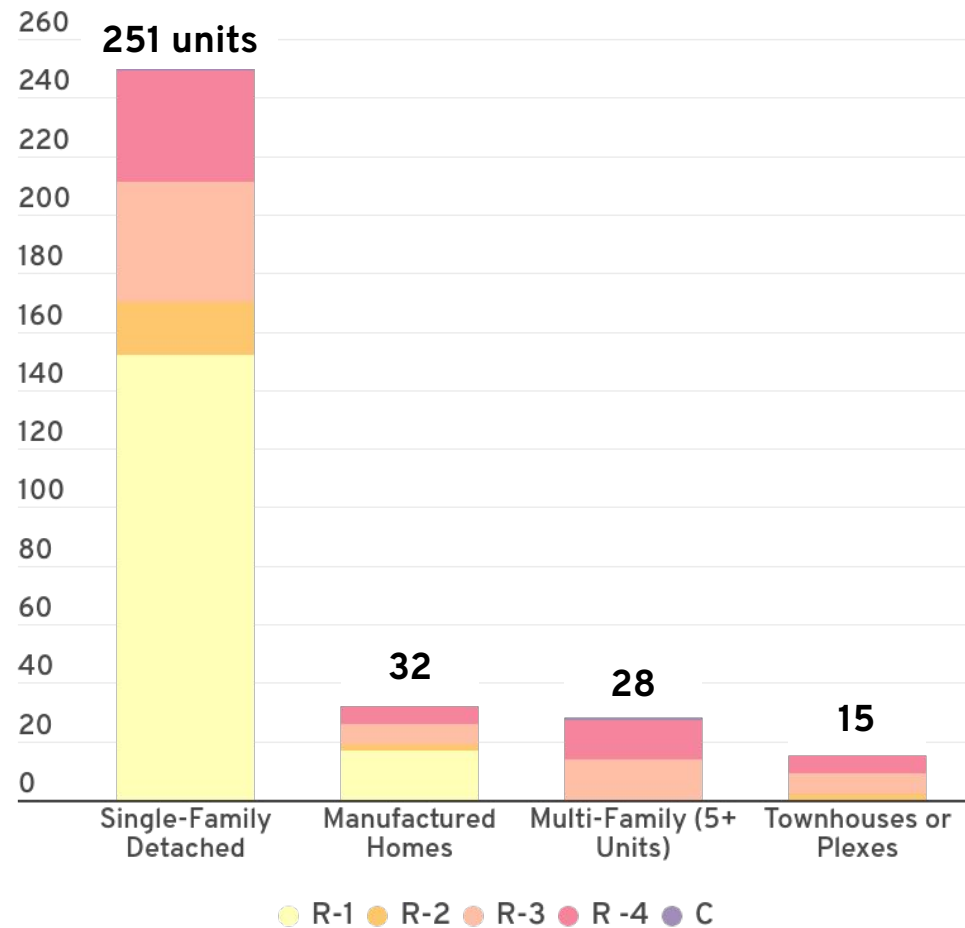


Summary of Buildable Land Inventory Results (Acres)

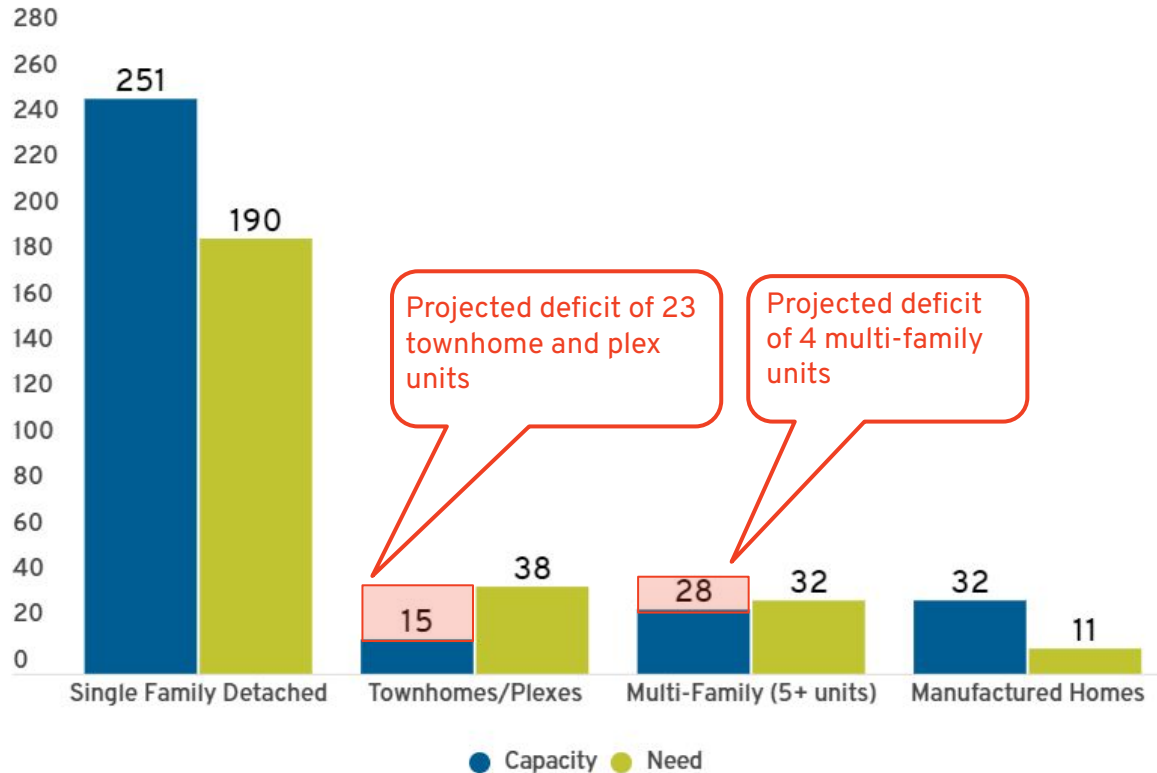




Housing Capacity by Housing Type and Zone District



20-Year Housing Need vs. Estimated Capacity by Housing Type



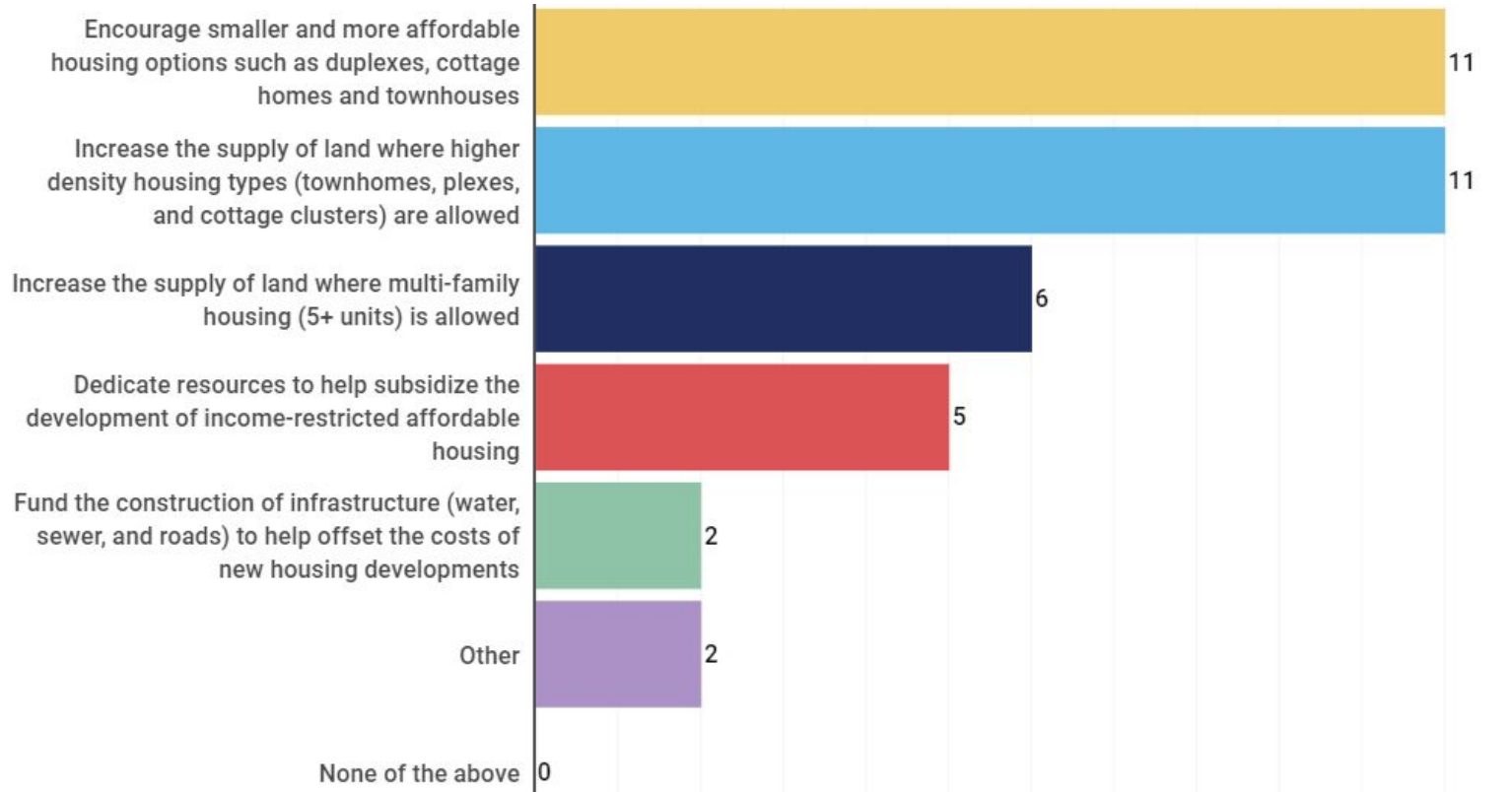
Evaluating housing capacity by housing type highlights a potential deficit of land for townhomes, plexes and multi-family housing.

Draft Housing Strategies

Review of Draft Strategies Being Considered for Inclusion in the
Housing Implementation Plan

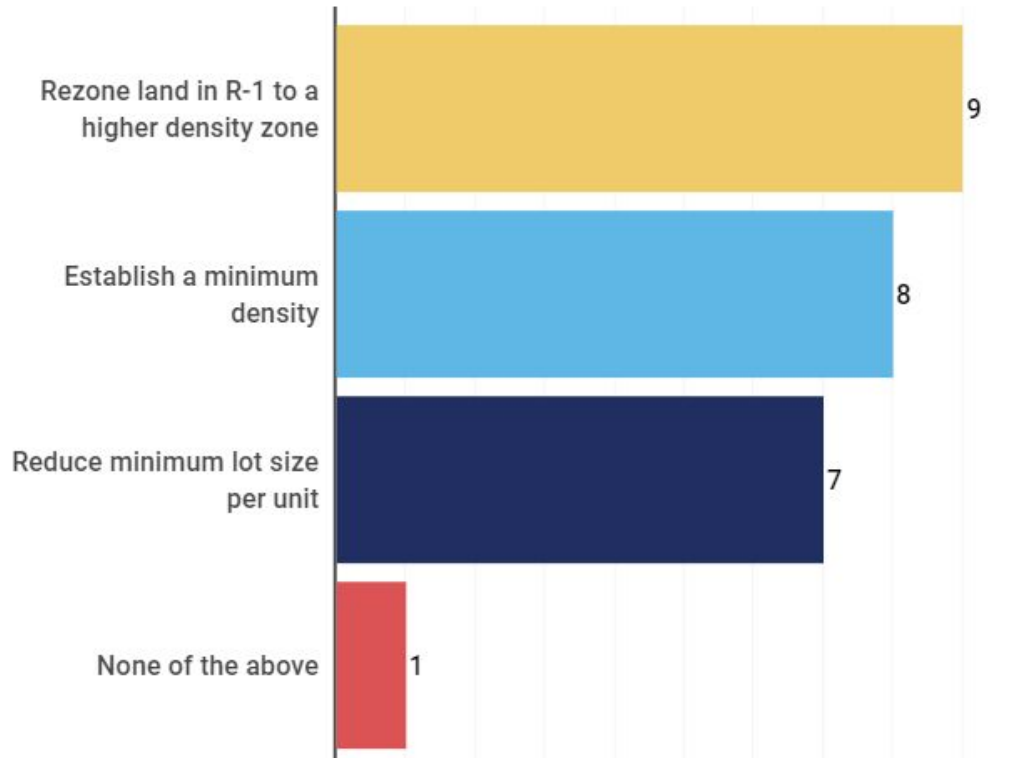
Polling from Previous Work Session (September 13, 2022)

What are some things the City can do to help meet housing needs? Choose up to 3.



Polling from Previous Work Session (September 13, 2022)

Of the three potential zoning changes, which do you support? Choose up to 3.



Overview of Recommended Regulatory Strategies

The following 7 regulatory strategies are recommended for consideration in the HIP. The strategies are targeted to the key housing needs that are not being fulfilled by recent development.

Townhomes, Plexes and Multi-Family Housing

- 1 Rezone land in the R-1 Zone to higher density zone
- 2 Establish a minimum density standard in R-3, R-4, and C zones
- 3 Reduce minimum lot size per unit

All Housing

- 4 Define and allow a wider range of housing types
- 5 Identify and remove unnecessary regulatory barriers
- 6 Reduce parking requirements (for certain housing types)

Manufactured Housing

- 7 Bring code into compliance with state requirements for manufactured housing and parks

Recommended Zoning Changes

Zoning changes recommended to address lack of supply for multifamily housing, townhouses, and plexes.

1. Rezone Land in the R-1 Zone to a Higher Density Zone
2. Establish a Minimum Density in the R-3, R-4, and C Zones
3. Reduce Minimum Lot Size Standards for Multi-Unit Housing

REZONE LAND IN THE R-1 ZONE TO HIGHER DENSITY ZONE

Background

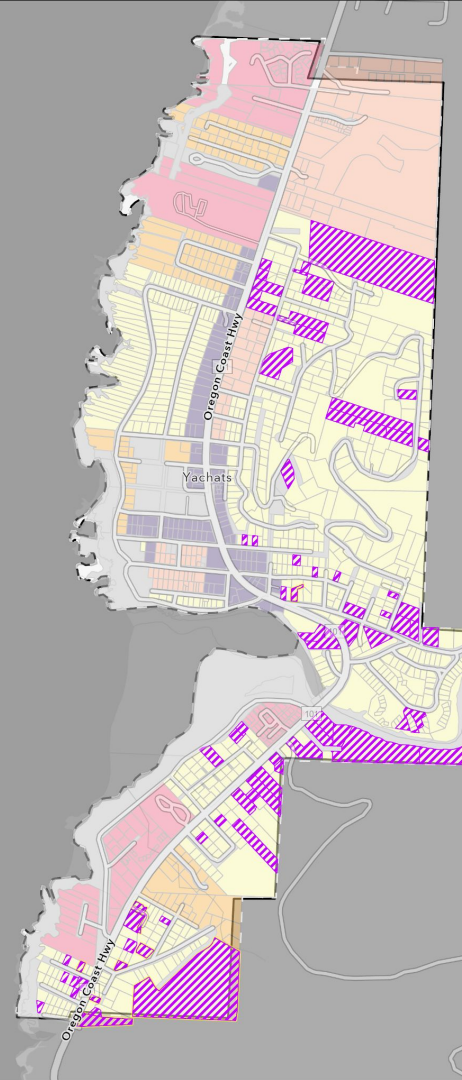
The majority of the city's residential land supply (over 60 percent) is located in the R-1 zone. The Residential Land Needs Analysis (RLNA) indicates an estimated surplus of single family housing capacity and a potential deficit of land for townhomes, plexes and multi-family housing. Strategically rezoning areas of the R-1 zone to one of the city's higher density residential zones is a way to facilitate additional capacity for development of townhomes, plexes and multi-family housing.

Strategy

Rezone an area of the R-1 zone to one of the city's higher density residential zones that allow townhomes, plexes and multi-family housing, such as R-3 or R-4.

Benefits and Effectiveness

Increasing the supply of land where higher density housing types are allowed removes a major barrier to developing these types of housing.



ESTABLISH A MINIMUM DENSITY IN R-3, R-4, AND C ZONES

Background

4 out of 5 homes built in Yachats since 2000 have been single family detached, and all of the housing built in the R-4 zone since 2000 has been single family detached housing. Establishing a minimum density standard in higher density zones would preserve buildable land in these zones for needed townhomes, plexes and multi-family housing.

Strategy

Set a minimum density standard in R-3, R-4, and C zones. This would incentivize development of needed types of housing to be built in addition to single family homes in these areas, while still allowing for development of higher density single family housing (on smaller lots).

Accessory dwelling units are not typically included in density calculations but could be included to meet minimum density requirements.



REDUCE MINIMUM LOT SIZE STANDARDS FOR MULTI-UNIT HOUSING AND ELIMINATE MAX DENSITY

Background

Less than 10% of the overall supply of housing built in Yachats since 2000 has been townhouse, plex, or multi-family housing, but one quarter of needed housing over the next 20 years consists of these housing types. Minimum lot sizes currently required to develop multiple-unit housing in Yachats often make these projects infeasible to build on existing lots.

Strategy

Reduce minimum lot size standards in all zones and set minimum lot size standards in accordance with existing lot sizes.

Benefits and Effectiveness

Reducing minimum lot size standards and setting them in accordance with existing lot sizes would allow land to be used more efficiently and would increase the capacity for townhomes, plexes and multi-family housing in the areas where this strategy is applied.

Yachats Minimum Lot Size Standards (sq. ft.)

Zone	Single Fam	Duplex	3+ Units
R-1	7,500	X	X
R-2	6,000	7,500	X
R-3	6,000	7,500	6,000+ 2,500/du
R-4	6,000	7,500	5,000+ 2,500/du
C	6,000	2,500/du	2,500/du

Additional Regulatory Strategies

Zoning and regulatory changes that may help to remove barriers to development of a wider variety of housing types and meet key housing needs.

1. Define and Allow a Wider Range of Housing Types
2. Identify and Remove Unnecessary Regulatory Barriers
3. Reduce Minimum Parking Requirements
4. Bring Code into Compliance with Requirements for Manufactured Housing

DEFINE AND ALLOW A WIDER RANGE OF HOUSING TYPES

Background

Nearly every residential zone in Yachats excludes some housing types which may otherwise be appropriate and compatible in the district. Unnecessary restrictions on housing types can worsen housing shortages and affordability challenges. Increasing the supply of land where higher density housing types are allowed removes a major barrier to developing lower cost housing.

Strategy

- Allow duplexes in the R-1 zone.
- Allow up to triplex in the R-2 zone.
- Define and allow ADUs and cottage clusters in all zones.
- Bring factory built and manufactured dwelling and park standards into compliance with state law.



Housing Types

	R-1 Single Family Residential	R-2 Single Family & Duplex	R-3 Single Family, Duplex, & Multi-Family	R-4 Single Family, Duplex, Multi-Family & Motel	
Single-family detached					 Currently permitted
Accessory dwelling unit					 Recommended to be Permitted
Cottage cluster					
Duplex / 2-Unit Townhouses					 Currently not permitted
Triplex / 3-Unit Townhouses					
Quadplex / 4-Unit Townhouses					
Multifamily (5+ Units)					
Manufactured Dwelling					
Manufactured Dwelling Park					 Required to be Permitted per state law

*Commercial zone allows all uses allowed in residential zones

IDENTIFY AND REMOVE UNNECESSARY REGULATORY BARRIERS

Background

Many communities set their maximum lot size, lot coverage, building height, setback, landscaping and open space regulations more or less arbitrarily and require discretionary review for certain housing types. This can create regulatory barriers.

Strategy

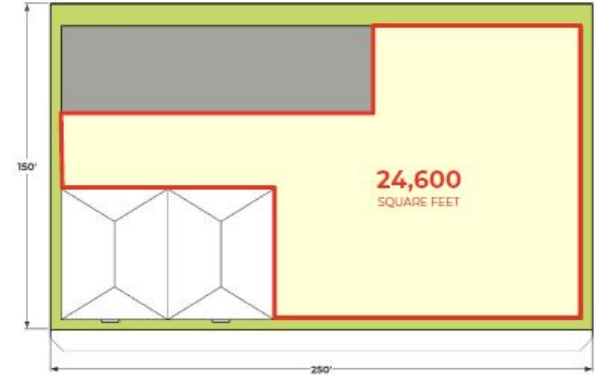
Align code standards such as setbacks and lot coverage requirements with existing development patterns. Replace subjective design or conditional use criteria with objective standards.

R5 ZONE 12-UNIT MULTIPLEX

Due to the minimum lot size requirement, 66% of the lot is underutilized.

This land area is worth about \$172,000.

A developer may choose to increase the size of units (and use more of the lot), but that will only result in more expensive homes.



Parking Regulations - Reduce Parking Requirements

Strategy

Reduce parking requirements to reduce barriers to development to and to be consistent for all types of multiple unit housing.

Housing Type	Current Requirement	Recommended
Single Family	2.0	2.0
Duplex or 2-Unit Townhouses	4.0	3.0
Triplex or 3-Unit Townhouses	5.0	5.0
Quadplex or 4-Unit Townhouses	6.0	6.0
Multifamily (5+ Units)	1.5/unit ¹	1.5/unit
ADU	—	None
Cottage Cluster	—	1.5/unit
Affordable Housing Project		0.75/unit

¹Rounded up to the nearest whole number

BRING CODE INTO COMPLIANCE WITH STATE REQUIREMENTS FOR MANUFACTURED HOUSING

Many of the city's current standards for manufactured housing are out of compliance with state statute (ORS 197.314)

- ~~The manufactured home shall be multi-sectional and enclose a space of not less than one thousand (1,000) square feet. A manufactured home shall not be considered multi-sectional (double-wide or larger) by virtue of having a tip-out section.~~
- ~~The manufactured home shall be placed on an excavated and backfilled foundation, enclosed at the perimeter with a skirting of concrete, concrete block, or masonry. Where the building site has a sloped grade, no more than twelve (12) inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement or a garage, the twelve (12) inch limitation will not apply.~~
- The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required by single-family dwellings constructed under the state building code as defined in ORS 455.010.
- ~~The manufactured home shall bear an insignia, issued not earlier than three (3) years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
- ~~If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
- Manufactured homes shall be subject to all of the restrictions in the residential zone where situated related to signs, lot sizes, yards, height of buildings, lot coverage and other applicable restrictions under the City's zoning and other ordinances.
- ~~The manufactured home shall have a pitched roof not less than a nominal three (3) feet in height for each twelve (12) feet in width.~~



Additional Strategies and Tools

Non-regulatory strategies and tools the City could implement to address housing needs and facilitate housing production. They fall into three categories:

1. Financial Incentives
2. Land-Based Strategies
3. Investments and Funding

Financial Incentives

1. Calibrate and Reform System Development Charges
2. Offer a Property Tax Exemption for Key Housing Needs
3. Consider a Vacant Housing Tax

CALIBRATE AND REFORM SYSTEM DEVELOPMENT CHARGES

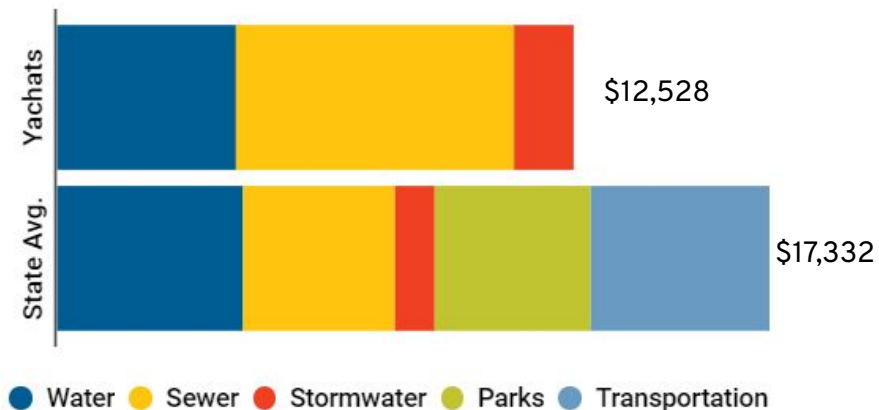
Background

The impact of system development charges (SDCs) on development costs can be lessened by providing reductions, waivers, and financing options. Fees can be scaled by the square footage of the unit or the number of bedrooms. Scaled fees can incentivize development of smaller units, which are usually more affordable than larger units.

Strategy

Conduct an SDC rate study to evaluate potential changes to the methodology. Refer to OHCS Oregon SDC Study (2022) as a reference.

Typical SDCs for Single Family Dwelling



OFFER A PROPERTY TAX EXEMPTION FOR KEY HOUSING NEEDS

Background

Property tax exemptions can be structured to incentivize development of specific needed housing types in specific locations, such as affordable housing, conversions of existing structures, and homes targeting first-time homebuyers. Cities can control which projects are eligible and cap the total amount of tax abatement annually.

Strategy

Consider creating a property tax exemption for housing projects that provide certain benefits and may otherwise not be economically feasible, such as income restricted and workforce housing.



Examples of cities that offer property tax exemptions for affordable or market rate housing:

- Beaverton
- Bend
- Eugene
- Florence
- Gresham
- Hillsboro
- Milwaukie
- Newport
- Portland
- Redmond
- Salem

VACANT PROPERTY TAX

Background

Vacant property taxes, when implemented, allow jurisdictions to incentivize development on vacant lots and activate empty unused structures. In an example from Oakland, CA a property is deemed “vacant” if it is in use less than fifty (50) days in a calendar year. Additionally, this type of tax comes with several exceptions such as not being applied to nonprofit organizations, vacant land in the midst of construction, or if the owner is considered very low-income.

Strategy

Explore the feasibility of implementing a vacant property tax in Yachats.



Examples of cities that have implemented a vacant property tax:

- Oakland, CA
- Vancouver, BC

Land-Based Strategies

1. Utilize Excess Public Land for Housing
2. Assist with Land Acquisition and Banking
3. Form Partnerships with Land Trusts
4. Form Partnerships with Institutional Land Owners

UTILIZE EXCESS PUBLIC LAND FOR HOUSING

Background

By prioritizing the use of surplus land to meet housing needs, public entities can directly support a reduction of development costs in the form of land and/or low cost lease.

Strategy

Adopt a land disposition policy that states the City will prioritize selling or dedicating any surplus publicly-owned land to meet housing needs. The policy could specifically prioritize surplus land to be used to meet high priority housing needs and/or state that the City will offer the right of first refusal to a land bank, land trust, or non-profit affordable housing developer. The policy could be adopted jointly in partnership with the County, school district, or other public agencies, in order to broaden its impact to include other surplus lands.



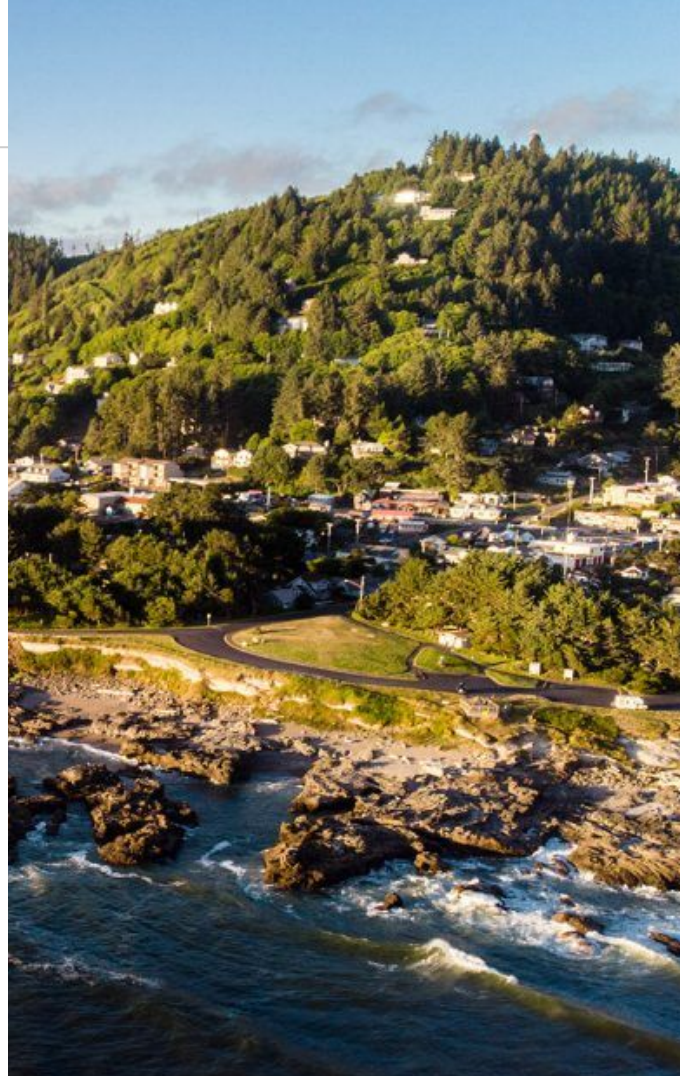
ASSIST WITH LAND ACQUISITION AND BANKING

Background

Land banks are public authorities or non-profit organizations created to acquire, hold, manage, and sometimes redevelop property in order to return properties to productive use and/or meet community goals, such as increasing supply of affordable housing or stabilizing property values. Land banking can greatly lower project development costs and is a powerful building block that can be paired strategically with other tools to make priority projects pencil. Jurisdictions may manage their own land banks or partner with non-profits to do so. Jurisdictions may also donate, sell, or lease publicly owned land for development even without a formal land bank organization.

Strategy

Explore opportunities for partnering with non-profits(s) to establish a local land bank .



FORM PARTNERSHIPS WITH LAND TRUSTS

Background

Community land trusts are nonprofit, community-based organizations designed to ensure community stewardship of land. They can be used for many types of development (including commercial and retail) but are primarily used to ensure long-term housing affordability. By separating the ownership of land from housing, this approach prevents market factors from causing prices to rise significantly, and hence guarantees that housing will remain affordable for future generations.

Strategy

Support a land trust by helping to convene local housing organizations, charities, foundations, or other stakeholders that may be interested in founding a local land trust or expanding an existing land trust to Yachats. The City can additionally support a land trust by creating an inventory of suitable sites for housing development. A separate inventory may also be created for older, distressed properties that may be targeted for acquisition by a non-profit affordable housing operator.



FORM PARTNERSHIPS WITH INSTITUTIONAL LAND OWNERS

Background

Non-profits and faith-based organizations (FBO) may have surplus land that could be sold or donated to be developed for high priority housing needs, including affordable housing. These organizations may also be eligible for specialized funding sources and fundraising mechanisms to build housing that could target homeless and very low-income populations.

Strategy

Engage with local FBOs to understand long-term plans for their sites and encourage partnerships to explore housing development opportunities.



Investments and Funding

1. Target Infrastructure Improvements to Support Housing
2. Target Urban Renewal Investments to Support Housing
3. Establish a Construction Excise Tax (CET)

TARGET INFRASTRUCTURE IMPROVEMENTS TO SUPPORT HOUSING

Background

Strategic infrastructure improvements can reduce costs of housing development and enable development on sites that would otherwise not be viable.



Strategy

Whenever planning for capital improvements, consider how the improvements will affect housing development opportunities in the area and, where feasible, modify project designs or prioritization to better improve conditions for housing development.



TARGET URBAN RENEWAL INVESTMENTS TO SUPPORT HOUSING

Background

Urban Renewal (UR) funds can be invested in projects and programs that support housing development, including financial incentives, infrastructure improvements, land acquisition.



Strategy

The City of Yachats Urban Renewal Plan includes a general project for development and redevelopment , which includes below market interest rate loans, financial incentives, write down of land acquisition costs and assistance in providing utilities and infrastructure. The City should explore allocating funds to targeted housing development and redevelopment projects and/or offsetting the costs of housing development incentives with UR funds.

ESTABLISH A CONSTRUCTION EXCISE TAX (CET)

Background

Oregon cities have the option to adopt a construction excise tax levied on the value of residential, commercial, and industrial improvements. A local jurisdiction can levy a CET of up to 1 percent of the permit value on residential construction. There is no cap to the tax rate for commercial and industrial construction. Funds from CET are tied to required allocations under state statute, primarily benefiting housing development incentives.

Strategy

Explore the feasibility of implementing a CET in Yachats.

Examples of jurisdictions that have adopted CETs to fund affordable housing programs

- Portland (1%)
- Milwaukie (1%)
- Bend (0.3%)
- Eugene (0.33-0.50%)
- Hood River (1%)
- Hood River County (1%)
- Tillamook County (1%)
- Cannon Beach (1%)
- Newport (1%)
- Corvallis (1-1.5%)
- Medford (.033%)

Discussion, Q&A, Polling

POLL QUESTION

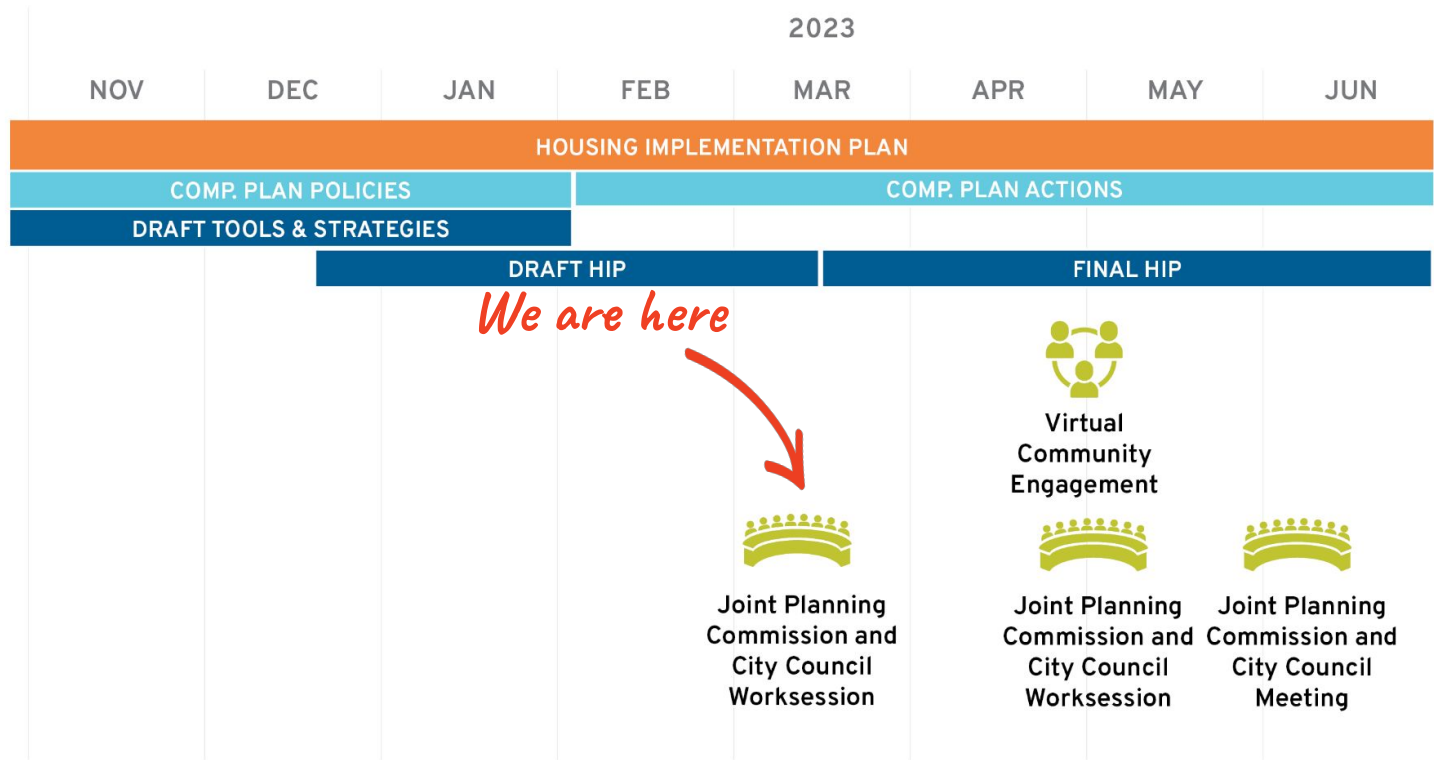
Which set of strategies would you like to focus a future worksession on? Choose 1.

1. Regulatory Strategies
2. Financial Incentives
3. Land-Based Strategies
4. Investments and Funding Tools

Next Steps

Next Steps

Contact rachel@cascadia-partners.com with questions or comments





PMT #2

Yachats Housing Implementation Plan

March 28, 2023



01

Welcome and Minimum Lot Size Review

3:00 – 3:10 pm

02

Draft HIP

3:10 – 3:50 pm

03

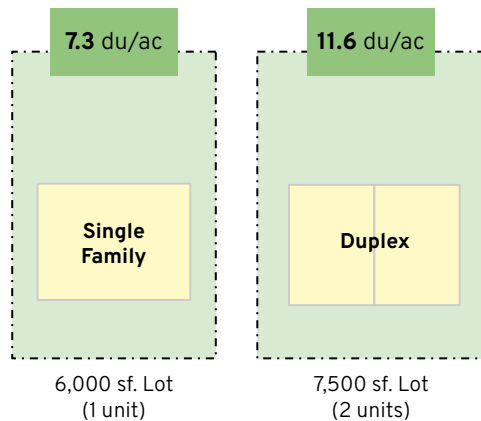
Next Steps

3:50 – 4:00 pm

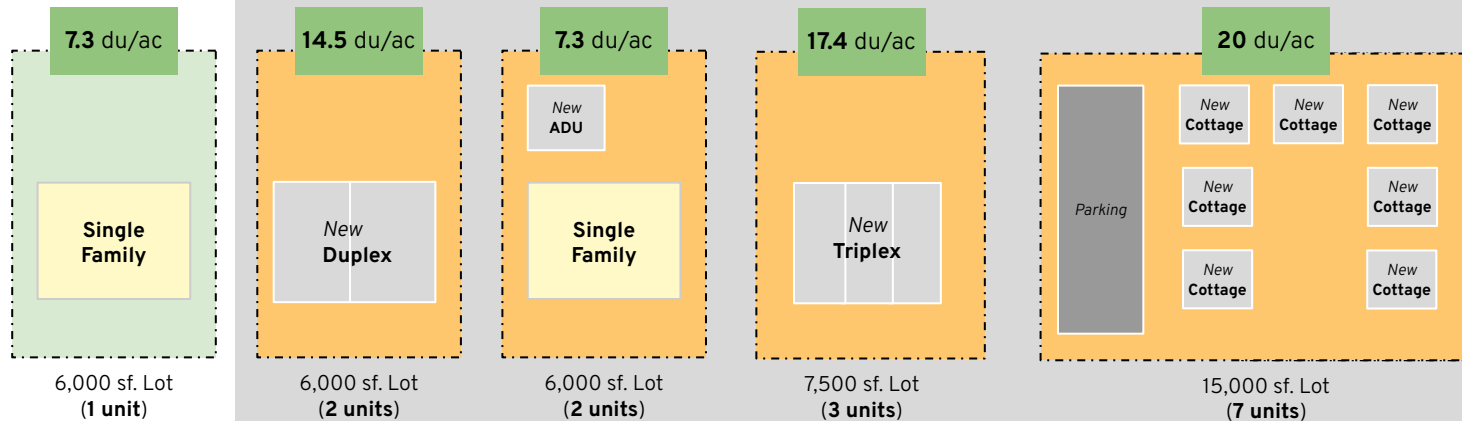
R-2 ZONE

Single-Family & Duplex

Existing Code



Recommended Code



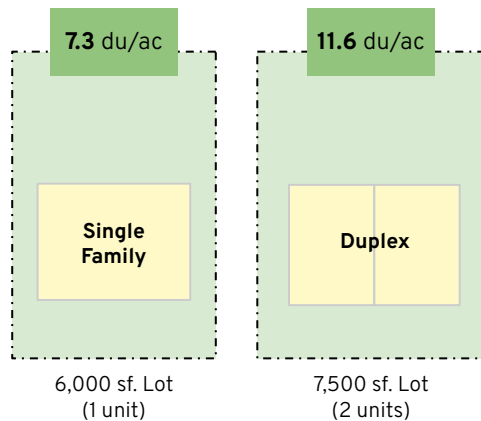
Recommended Code Changes:

- 6,000 sf. lot size for Duplexes
- Allow Triplexes and 3-unit Townhouses
- Require 7,500 min. lot size for Triplex/3-unit TH
- Allow ADUs
- Allow Cottage Clusters
- Require 15,000 min. lot size for cottage clusters

R-3 ZONE

Single-Family, Duplex, Multi-Family

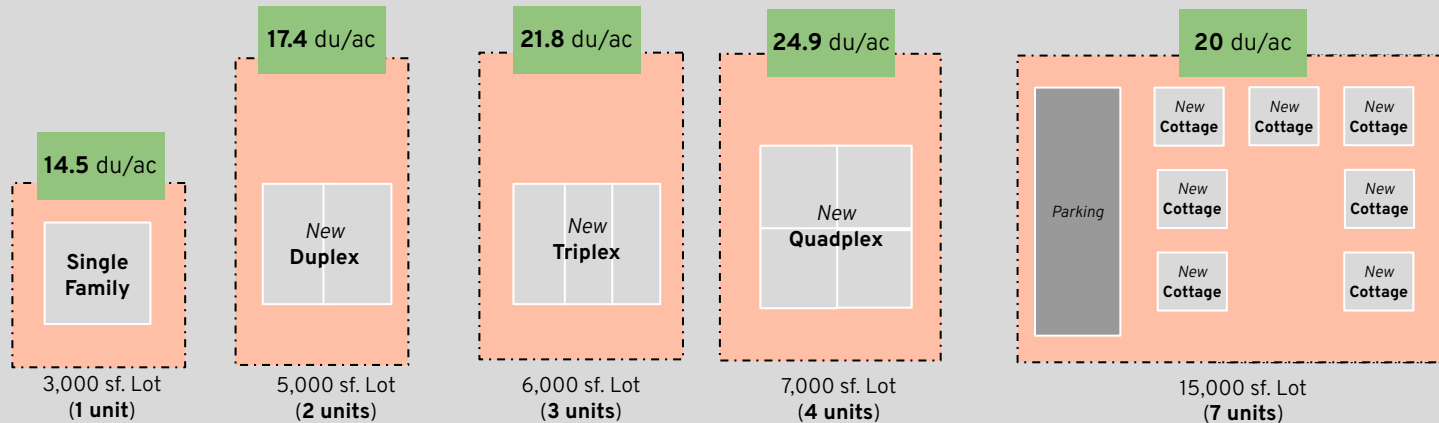
Existing Code



Recommended Code Changes:

- 3,000 sf. lot size for Single-Family
- 5,000 sf. lot for Duplex
- 6,000 sf. lot for Triplex
- 7,000 sf. lot for Quadplex
- Allow ADUs and count them toward density
- Allow Cottage Clusters
- Require 15,000 min. lot size for cottage clusters

Recommended Code



Housing Examples

Duplex

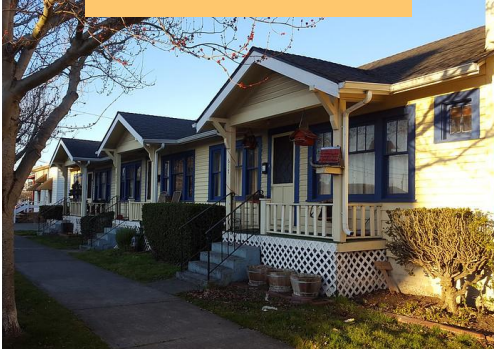


Small Lot Single-Family



Middle Housing Examples

Triplex



ADU



Cottage Cluster



Vacant Property Tax

A vacant property tax is a tax imposed by a local government on real estate properties that are deemed vacant or unused for a certain period of time. The aim of the tax is to encourage property owners to either use the property or to sell it to someone who will use it. Vacant property taxes can be imposed on both residential and commercial properties.

The specifics of a vacant property tax can vary from location to location, but generally, the tax is imposed as a fixed amount or as a percentage of the property's assessed value. The tax can be imposed on a yearly or monthly basis, depending on the jurisdiction.

Typically, vacant property taxes are intended to address issues of blight and urban decay by encouraging property owners to take action to improve their properties or to put them back into use. They can also generate revenue for local governments that can be used to fund services and initiatives that benefit the community.

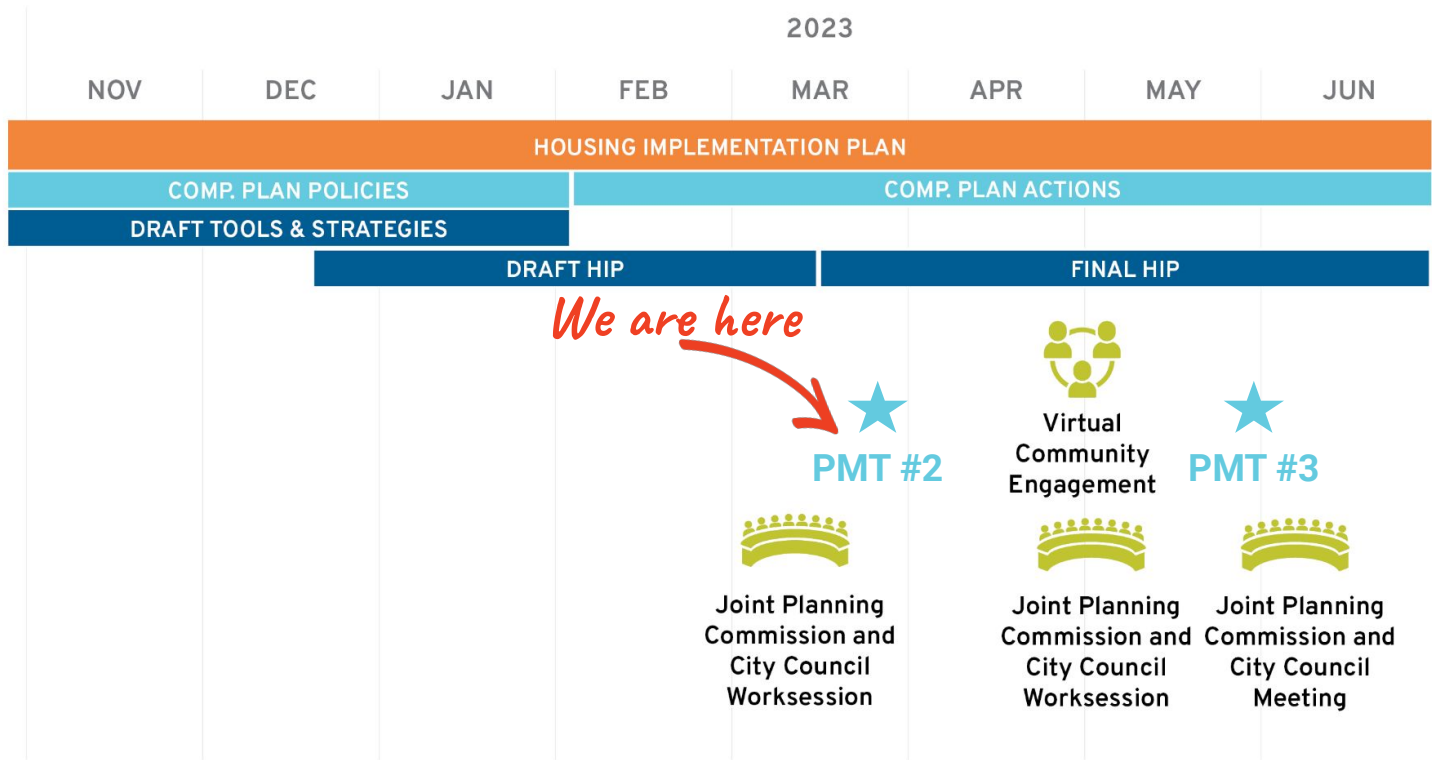


Vacant Property Tax

Locality	Definition of “Vacant Property”	Total Amount of the Tax / Rates	link
Oakland,CA	A property is considered “vacant” if it is “in use less than fifty (50) days in a calendar year,” and not subject to any of ten (10) exemptions.	\$6,000 per parcel	here
Dayton, Ohio	“Vacant” shall mean unoccupied or unauthorized human inhabitants.	Residential: 35% of total value multiplied by .081539096 Commercial: 35% of property value multiplied by .105983792	here
Newburgh, New York	Any condition that, on its own or combined with other conditions present, would lead a reasonable person to believe that the property is vacant.	In Newburgh, vacant properties are subject to a tax of \$10,000 per year.	here
Washington, DC	The Nuisance Properties Abatement and Real Property Classification Emergency Amendment Act of 2006 made several changes to the Class 3 tax classification program. This act defined the roles that DCRA and the Office of Tax and Revenue (OTR) have in the identification and processing of vacant properties.	The Class 3 property tax rate is for vacant commercial and residential properties. The Class 3, vacant property, is taxed at \$5.00 per \$100 of assessed value The Class 4 tax rate for blighted properties in the District of Columbia. A Class 4, blighted property, is taxed at \$10.00 per \$100 of assessed value.	here

Next Steps

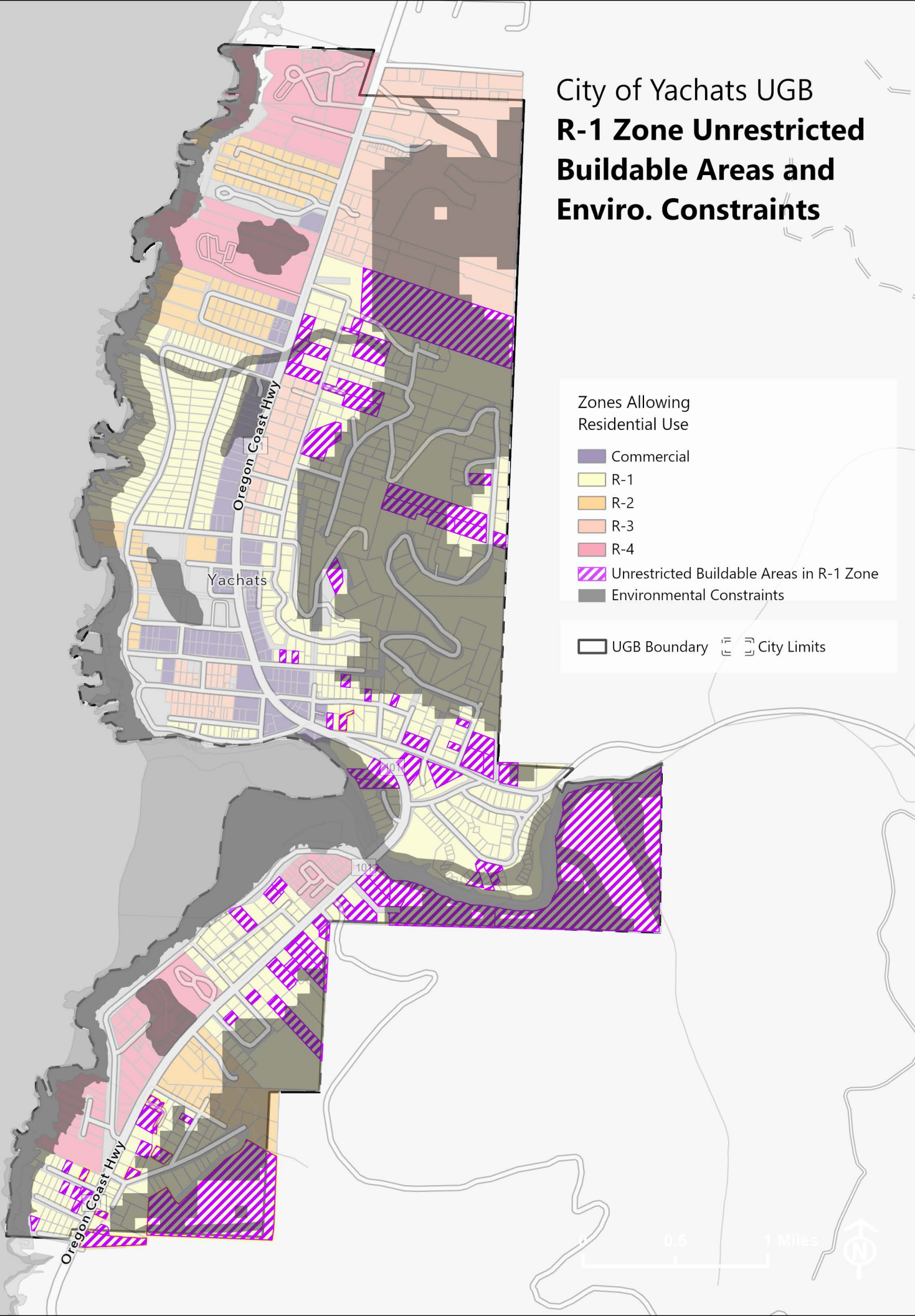
Next Steps



Appendix A

Areas for Potential Upzoning

City of Yachats UGB R-1 Zone Unrestricted Buildable Areas and Enviro. Constraints



Appendix B

Model Code for Cottage Clusters and ADUs

Cottage Cluster Definitions

“Common courtyard” means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

“Cottage” means an individual dwelling unit that is part of a cottage cluster.

“Cottage cluster” means a grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet, located on a single lot or parcel that includes a common courtyard. Cottage cluster may also be known as “cluster housing,” “cottage housing,” “bungalow court,” “cottage court,” or “pocket neighborhood.”

“Cottage cluster project” means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

“Sufficient Infrastructure” means the following level of public services to serve new Cottage Cluster development:

- Connection to a public sewer system capable of meeting established service levels.
- Connection to a public water system capable of meeting established service levels.
- Access via public or private streets meeting adopted emergency vehicle access standards to a city’s public street system.
- Storm drainage facilities capable of meeting established service levels for storm drainage.

Chapter XX. Cottage Clusters

Sections:

- A. Permitted Uses and Approval Process**
- B. Development Standards**
- C. Design Standards**

A. Permitted Uses and Approval Process

1. Permitted Use. Cottage cluster projects are permitted outright wherever they are allowed as provided in [relevant permitted uses sections].
2. Approval Process. Cottage cluster projects are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures. Alternatively, an applicant may choose to submit an application for a cottage cluster project subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a cottage cluster development application.

B. Development Standards

1. Applicability.
 - a. Cottage clusters shall meet the standards in subsections (2) through (7) of this section (B).
 - b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):

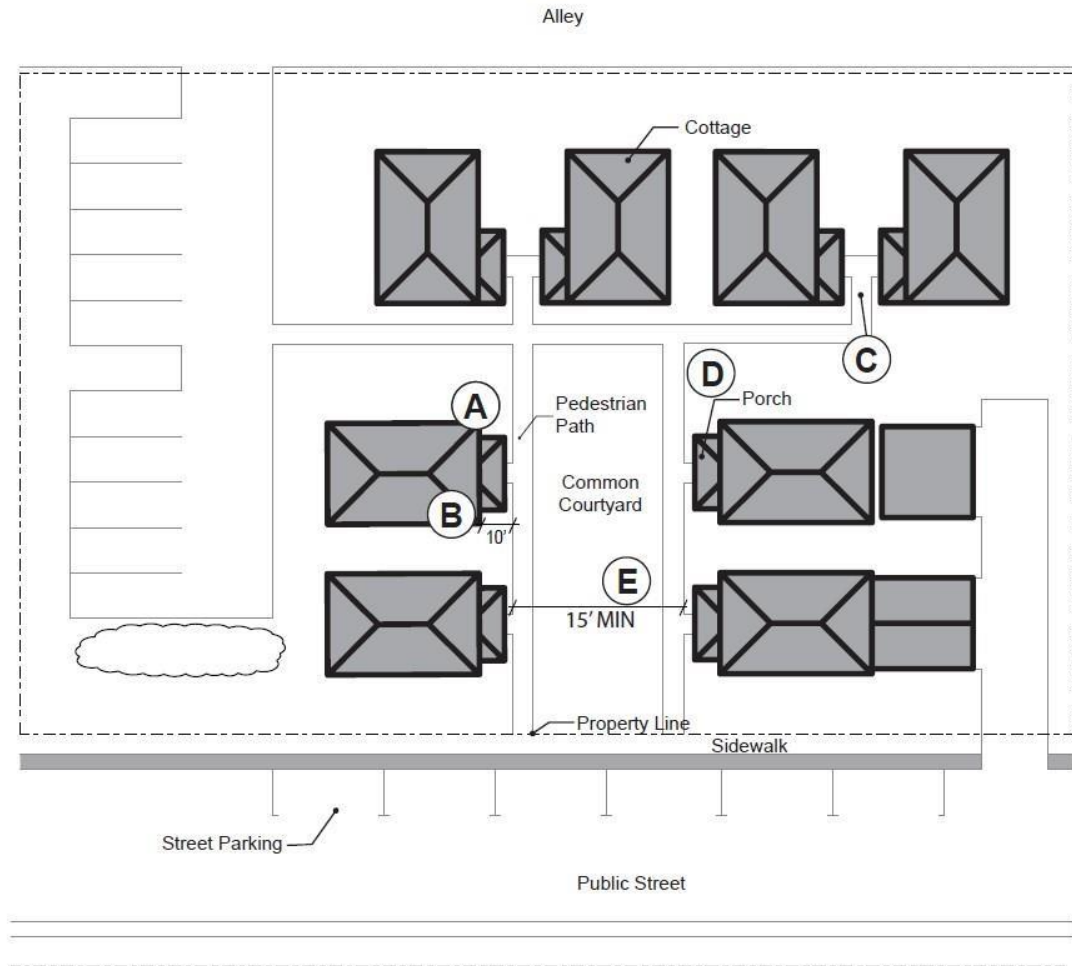
- Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).
 - Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the siting or design of dwellings.
 - The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.
2. Minimum Lot Size and Dimensions. Cottage clusters shall require a minimum lot size of 15,000 sf. and meet the width and depth standards that apply to detached single family dwellings in the same zone.
 3. Maximum Density. The jurisdiction's pre-existing density maximums do not apply.
 4. Setbacks and Building Separation.
 - a. Setbacks. Cottage clusters shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone, except that minimum setbacks for dwellings in excess of the following are invalid:
 - Front setbacks: 10 feet
 - Side setbacks: 5 feet
 - Rear setbacks: 10 feet
 - b. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
 5. Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.
 6. Building Height. The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.
 7. Off-Street Parking.
 - a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).
 - b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
 - iii. The space must be a minimum of 22 feet long; and
 - iv. The space must not obstruct a required sight distance area.

C. Design Standards

Cottage clusters shall meet the design standards in subsections (1) through (8) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (C).

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):
 - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 1):
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
 - f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

3. **Community Buildings.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
 - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (B)(5).
 - b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded

against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

4. Pedestrian Access.

- a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - i. The common courtyard; ii. Shared parking areas; iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.

6. Parking Design (see Figure 2).

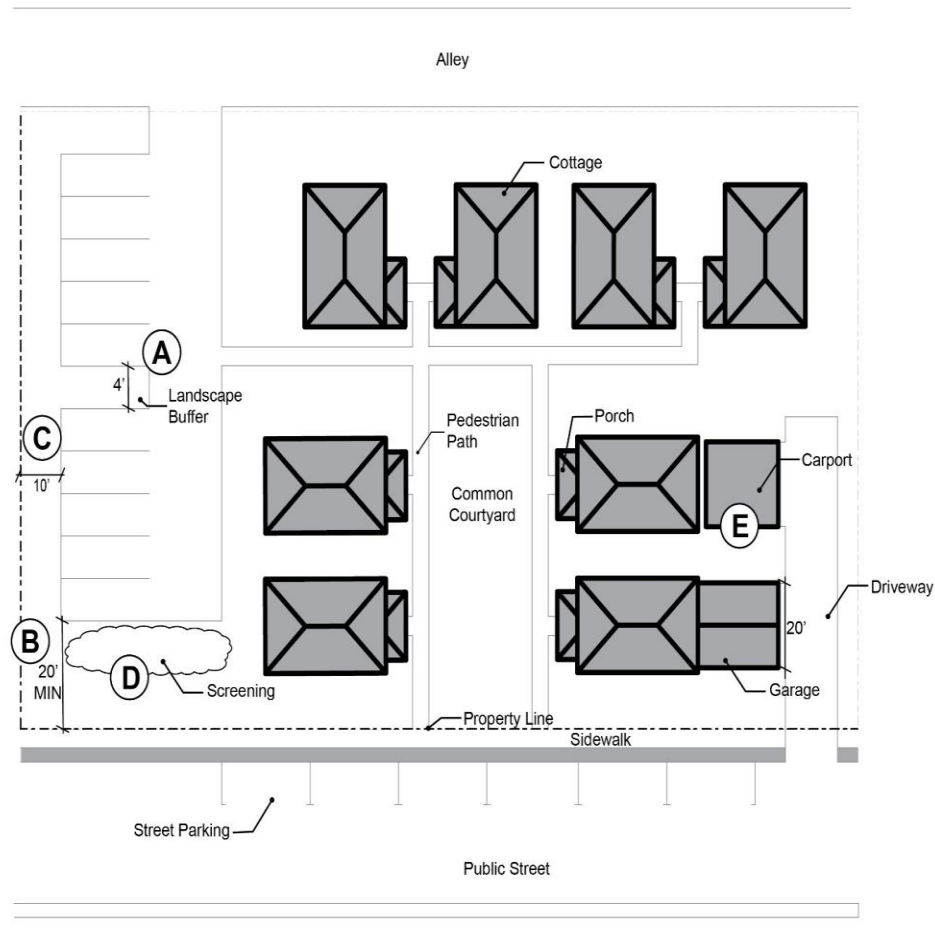
- a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces. ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
 - iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
 - iv. Clustered parking areas may be covered.
- b. Parking location and access.
 - i. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
 - ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets. d. Garages and carports.
 - i. Garages and carports (whether shared or individual) must not abut common courtyards.
 - ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - iii. Individual detached garages must not exceed 400 square feet in floor area.
 - iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.

8. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:

- i. The existing dwelling may be nonconforming with respect to the requirements of this code.
- ii. The existing dwelling may be expanded up to the maximum height in subsection (B)(4); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
- iii. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
- iv. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (C).

Figure 2. Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

Accessory Dwellings (model code)

Note: ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone within an urban growth boundary that allows detached single-family dwellings. The statute does not allow local jurisdictions to include off-street parking nor owner-occupancy requirements. Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. They provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with single-family detached dwellings. Requirements that accessory dwellings have separate connections to and pay system development charges for water and sewer services can pose barriers to development. Concerns about neighborhood compatibility and other factors should be considered and balanced against the need to address Oregon's housing shortage by removing barriers to development.

The model development code language below provides recommended language for accessory dwellings. The italicized sections in brackets indicate options to be selected or suggested numerical standards that communities can adjust to meet their needs. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.

Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure[, pursuant to Section _____.] and shall conform to all of the following standards:

[A. One Unit. *A maximum of one Accessory Dwelling is allowed per legal single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).*

/

A. Two Units. *A maximum of two Accessory Dwellings are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).]*

B. Floor Area.

- 1. A detached Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller.*
- 2. An attached or interior Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than [800-900] square feet.*

C. Other Development Standards. Accessory Dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

- 1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;*

2. No off-street parking is required for an Accessory Dwelling;
3. Properties with two Accessory Dwellings are allowed [10-20%] greater lot coverage than that allowed by the zone in which they are located; and
4. Accessory dwellings are not included in density calculations.

Definition (This should be included in the “definitions” section of the zoning ordinance. It matches the definition for Accessory Dwelling found in ORS 197.312)

Accessory Dwelling – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

Appendix C

Recommended Comp. Plan Amendments

1. The City shall ensure that sufficient vacant and redevelopable buildable land shall be designated for residential uses to accommodate the projected increases in year-round and part-time populations and to provide a choice of housing location, type and price, to meet the needs of the community identified in the Housing Needs Analysis.
2. The City shall encourage development of small vacant and partially vacant parcels with policies that support development of infill housing types, especially in areas with existing urban services.
3. The City shall encourage new and innovative housing types that meet the evolving needs of Yachats households and expand housing choices in all neighborhoods. These housing types include but are not limited to single-family dwelling units; duplexes; multi-family dwelling units; accessory dwelling units; small units; prefabricated homes such as manufactured, modular, and mobile homes; and cottage cluster housing.
4. The City shall monitor and regulate short-term rentals to mitigate their impact on availability and long-term affordability of housing.