

1. 10:00 A.M. Agenda

Documents:

[2024-12-10 Planning Commission Work Session Agenda.pdf](#)

2. Meeting Material

Documents:

[HIP Appendix A.pdf](#)

[HIP Appendix B.pdf](#)

[HIP Appendix C.pdf](#)

[Planning Commission Issues List.pdf](#)



CITY OF YACHATS
PLANNING COMMISSION WORK SESSION
Tuesday, December 10, 2024, 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/87461950197>

Meeting ID: 874 6195 0197

Work Session

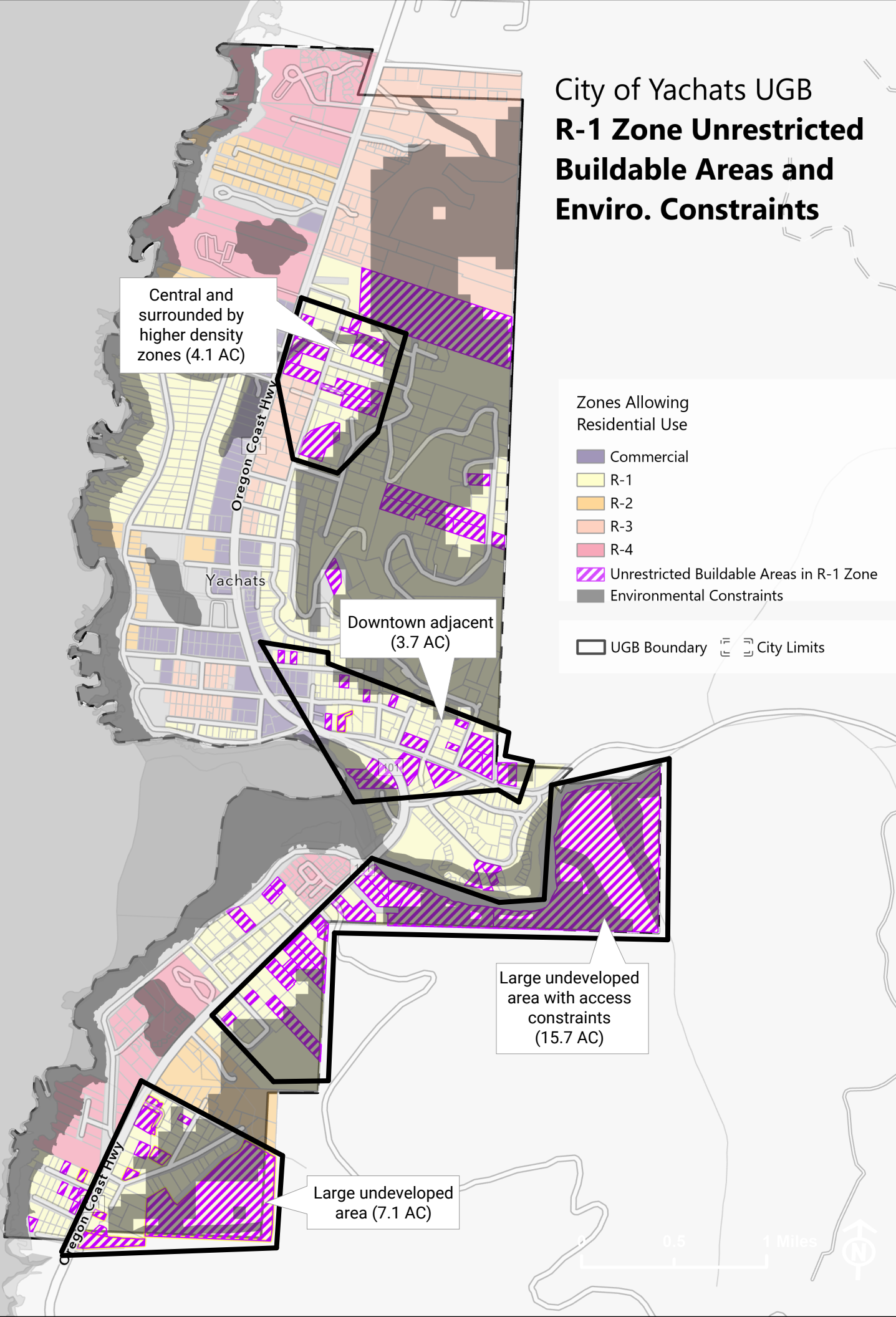
- I. Review Comp Plan Discussion
- II. Issues List (Informational)

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 12/05/2024 By: Kimmie Jackson, Recorder

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; DLCD Tiny Homes Brief

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):

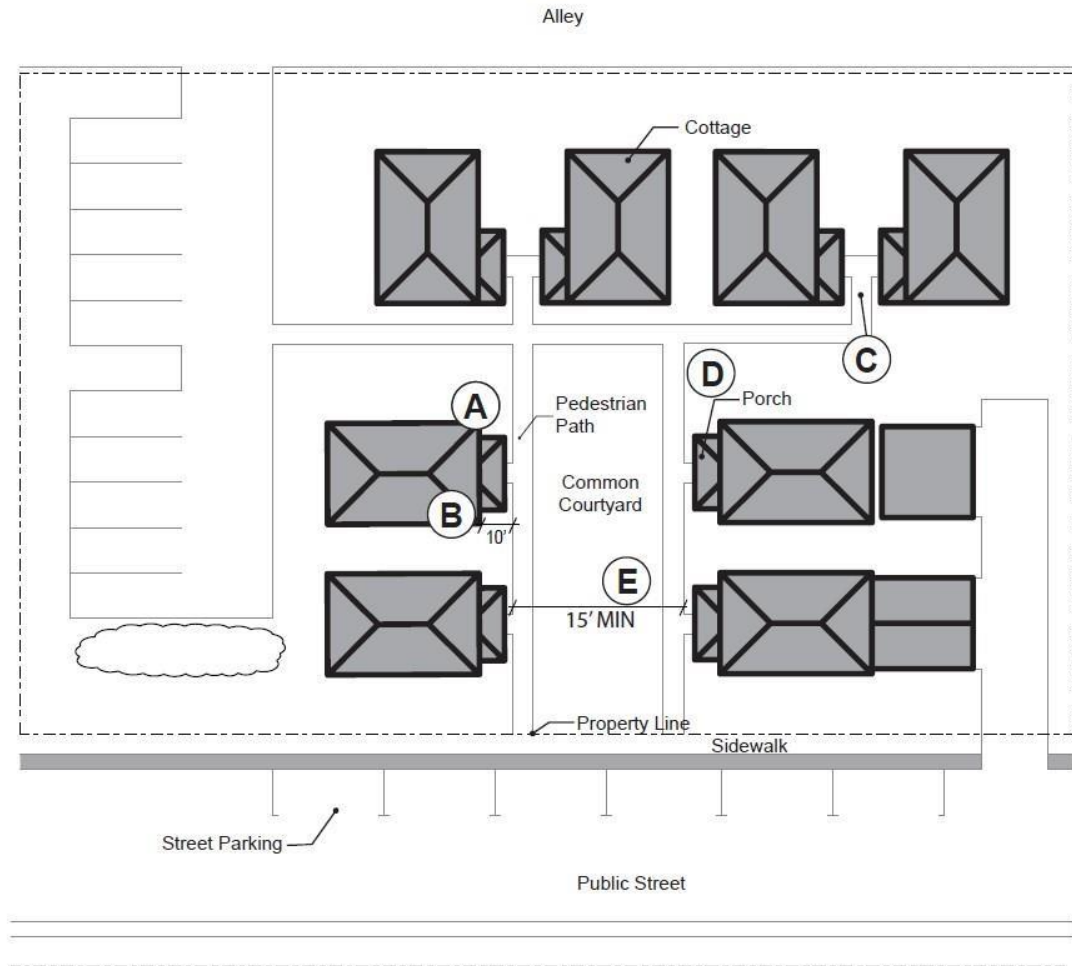
- Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).
 - Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the 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).

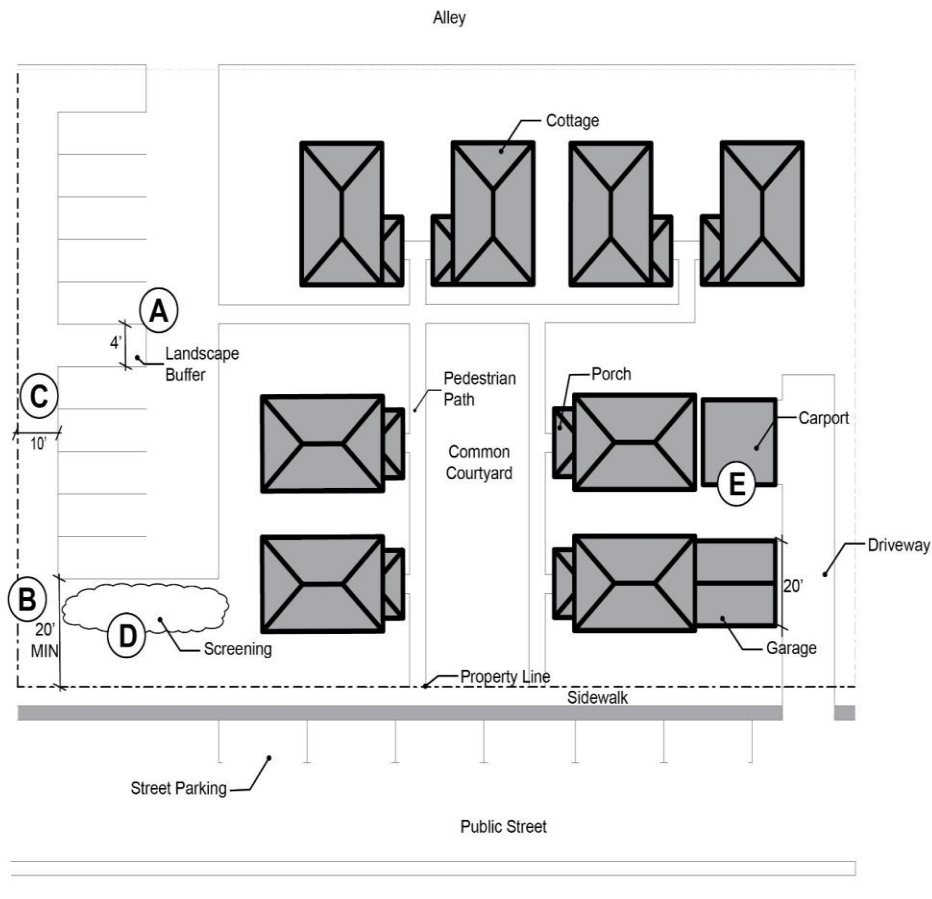
- a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces. ii. Cottage cluster projects with 16 cottages or more are 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.



LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

TINY HOME REGULATION

BACKGROUND BRIEF

“Tiny home” is an umbrella term for structures designed to provide low-cost or minimally sized housing options for consumers. Tiny homes are subject to building codes and licensing standards that govern their construction and installation, zoning codes that dictate where they can be sited, and titling and registration or trip requirements for temporary tiny homes.

BUILDING CODES AND LICENSING

Construction regulations for tiny homes can be grouped into one of three categories based on their intended use: permanent, temporary, or transitional. Each category prioritizes different outcomes. Builders, developers, and consumers should select the regulatory path that aligns with their priorities.

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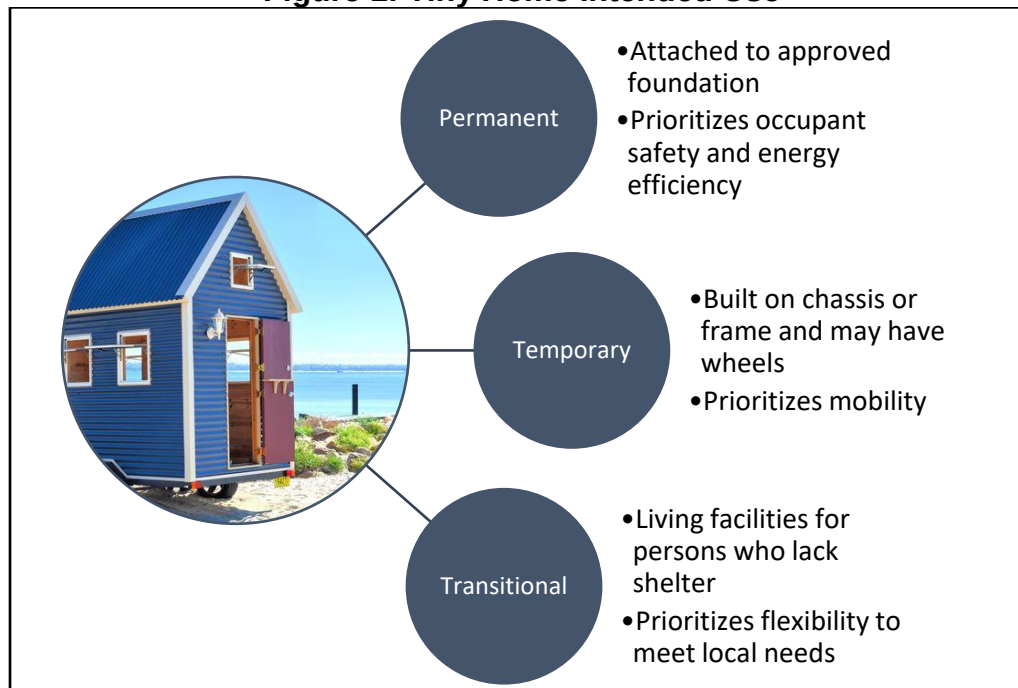
**BUILDING CODES AND
LICENSING**

ZONING

**TEMPORARY TINY HOME
TITLING AND REGISTRATION**

STAFF CONTACT

Figure 1: Tiny Home Intended Use



Source: Legislative Policy and Research Office

Permanent Dwelling

Permanent tiny homes are attached to an approved foundation and prioritize occupant safety and energy efficiency at the expense of mobility. Permanent tiny homes must meet Oregon's state building code or federal standards. The regulatory model for permanent homes is well-established; builders, developers, and consumers may find this the easiest path to legally site and occupy a tiny home.

Oregon Residential Specialty Code (ORSC).¹ The ORSC currently allows one sleeping loft per tiny home; a ladder may be used as the primary means of access to the sleeping loft in tiny homes under 600 square feet.² Tiny homes that contain a sleeping loft must have an automatic fire sprinkler system.³ Plan reviews, permits, and inspections are mandatory and provided by the local building inspection program.⁴ Builders, electricians, and plumbers who work on an ORSC tiny home must be licensed by the state.⁵

Oregon Small Home Specialty Code (OSHSC).⁶ As of October 1, 2019, single-family residences up to 400 square feet may be built to the Small Home Specialty Code (SHSC), which allows for the use of sleeping lofts accessed by ladders as long as the structure contains fire protection approved by the municipal building official. The SHSC is adopted in statute, may not be amended by DCBS, and sunsets January 1, 2026. OSHSC tiny homes are subject to the same plan review, permit, inspection, and contractor licensing requirements as ORSC tiny homes.

U.S. Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards.⁷ HUD standards do not explicitly allow for the use of lofts and ladders, but manufacturers can seek permission from HUD to pursue innovative designs.⁸ Manufacturers must have their designs, manufacturing plants, and quality assurance manuals certified by a federally approved inspection agency before beginning production.⁹ Dealers and installers are certified by the state.¹⁰ Tiny homes built under HUD standards are installed on-site with a local permit.¹¹

¹ Dept. of Consumer and Business Services (DCBS), Building Codes Division. *Residential Structures Code Program*. <<https://www.oregon.gov/bcd/codes-stand/Pages/residential-structures.aspx>>, visited October 29, 2018.

² Dept. of Consumer and Business Services, Building Codes Division. *Amendments to the 2017 Oregon Residential Specialty Code*. <<https://www.oregon.gov/bcd/codes-stand/Documents/res-R329-dwellingunits-lofts-amendment.pdf>>, visited November 2, 2018.

³ *Id.*

⁴ ORS 455.148, ORS 455.150.

⁵ ORS 701.021, ORS 479.620, ORS 693.030.

⁶ [House Bill 2423 \(2019\)](#).

⁷ U.S. Dept. of Housing and Urban Development. *Office of Manufactured Housing Programs*. <https://www.hud.gov/program_offices/housing/rmra/mhs/mhshome>, visited October 29, 2018.

⁸ U.S. Dept. of Housing and Urban Development. *Alternate Construction*. <https://www.hud.gov/program_offices/housing/rmra/mhs/acintro>, visited October 29, 2018.

⁹ 24 C.F.R. § 3282.

¹⁰ ORS 446.671, OAR 918-515-0005.

¹¹ ORS 446.252.

Temporary Dwelling

Tiny homes attached to a frame or chassis (which may or may not have wheels attached) are considered temporary dwellings. Temporary dwellings prioritize mobility and allow for the use of space-saving features like sleeping lofts and ladders.

Temporary dwellings may not be permanently affixed to land for use as a permanent dwelling unless located in a mobile home park.¹² As of January 1, 2020, the State Building Code will no longer regulate the construction of temporary dwellings including recreational vehicles, park model recreational vehicles, or tiny homes on wheels.¹³ Builders, developers, and consumers will need to work with municipalities to ensure their temporary tiny home can be legally sited and occupied.

Mobile tiny homes are designed for regular movement on public highways and subject to the Federal Motor Vehicle Safety Standards adopted by the National Highway Traffic Safety Administration (NHTSA).¹⁴ This includes standards for brakes, lights, wheels, tires, rear impact guards, and VIN numbers.¹⁵ Oregon limits the maximum width of mobile tiny homes to eight and one-half feet.¹⁶ Temporary tiny homes not designed for regular movement on public highways can be transported under a [trip permit](#) or an [over-dimension permit](#).

Recreational Vehicle (RV). An RV tiny home is a vehicle with or without motive power, that is designed for use as temporary living quarters and which is not wider than eight and one-half feet.¹⁷ The Oregon Department of Transportation (ODOT) provides certificate of title and registration for RV tiny homes.¹⁸

Park Model Recreational Vehicle (PMRV). A PMRV tiny home is an RV that:¹⁹

- Is designed for use as temporary living quarters;
- Is built on a single trailer or chassis mounted on wheels;
- Has a gross trailer area that does not exceed 400 square feet;
- Is more than eight and one-half feet wide; and,
- Complies with manufacturing standards and other requirements adopted by ODOT.

As of January 1, 2020, ODOT will provide certificate of title for PMRV tiny homes.²⁰

¹² [House Bill 2333, sect. 2, 4 \(2019\)](#).

¹³ [Senate Bill 410 \(2019\)](#).

¹⁴ 49 U.S.C. § 301, 49 C.F.R. § 571.

¹⁵ National Highway Traffic Safety Administration. *Regulations* <https://www.nhtsa.gov/laws-regulations/fmvss> (last visited October 15, 2019).

¹⁶ ORS 818.080, ORS 818.090.

¹⁷ [House Bill 2333, sect. 6 \(2019\)](#), ORS 801.565.

¹⁸ ORS 801.565, ORS 803.045, ORS 803.300-445.

¹⁹ [House Bill 2333, sect. 2 \(2019\)](#).

²⁰ *Id.*

Transitional Housing

Local governments can establish transitional housing units within their urban growth boundary to provide seasonal, emergency, or transitional living facilities for persons who lack permanent or safe shelter and cannot be placed in low-income housing.²¹

Transitional housing units can include yurts, cabins, fabric structures, and other similar accommodations. Transitional housing units are established and regulated at the local government level. The 2017 Oregon Transitional Housing Standard contains suggested construction standards for municipalities to consider when establishing transitional housing units.²² This standard is a service to local government and has no regulatory impact until adopted by local government.

ZONING

Zoning codes determine where builders, developers, and consumers can site their tiny homes. Zoning codes for housing must be clear and objective and may not discourage the development of housing through unreasonable cost or delay.²³

Permanent

Permanent tiny homes generally offer the easiest path to legal siting and occupation. Permanent tiny homes can be sited as single-family residences or accessory dwelling units (ADUs).

Accessory Dwelling Units (ADUs). A city with a population greater than 2,500 or a county with a population greater than 15,000 must allow for the development of at least one ADU for each detached single-family dwelling within the urban growth boundary.²⁴ Developers and consumers should work with municipalities to ensure their tiny home ADUs can be legally sited and occupied. The City of Portland has published a [guide](#) designed to help citizens legally construct and site an ADU.²⁵

Cottage Clusters. A “cottage cluster” is a group of four or more detached housing units not larger than 900 square feet that share a common courtyard.²⁶ By June 30, 2021, the Portland Metropolitan area and cities with a population greater than 25,000 must allow cottage clusters on land zoned for residential use within the urban growth boundary.

Oregon Residential Specialty Code (ORSC). Tiny homes built to the ORSC are detached single-family dwellings and can be built on land zoned for that purpose.²⁷

²¹ ORS 446.265 (1)-(2).

²² OAR 918-020-0390, Dept. of Consumer and Business Services, Building Codes Division. *2017 Oregon Transitional Housing Standard*.
<https://digital.osl.state.or.us/islandora/object/osl%3A99143/datastream/OBJ/download/2017_Oregon_transitional_housing_standard.pdf>, visited October 15, 2019.

²³ ORS 197.307 (4).

²⁴ ORS 197.312 (5), [Chap. 15, Oregon Laws 2018](#).

²⁵ City of Portland, Bureau of Development Services. *Accessory Dwelling Units*.
<<https://www.portlandoregon.gov/bds/index.cfm?a=68689>>, visited October 29, 2018.

²⁶ [House Bill 2001 \(2019\)](#).

²⁷ OAR 660-008-0005 (3).

ORSC tiny homes may be subject to other zoning standards, including minimum size requirements.

HUD Standard. Cities and counties must allow for the siting of HUD Standard tiny homes on all land zoned for single-family residential use within the urban growth boundary.²⁸ Cities and counties may adopt standards for HUD Standard tiny homes, including minimum size, foundation construction methods, roof slope, siding material, energy efficiency, the inclusion of a garage or carport, and any other standard to which an ORSC single-family dwelling on the same lot is subject.²⁹ HUD Standard tiny homes can also be sited in manufactured dwelling parks, which are discussed below.

Temporary

Manufactured dwelling, mobile home, and RV parks are places where multiple temporary structures are sited.³⁰ State and local government may not prohibit siting or occupying a temporary tiny home located in one of these parks and lawfully connected to utilities.³¹ Outside of these parks, municipalities regulate where and how long temporary tiny homes may be sited. The City of Portland has deprioritized enforcement of the city's zoning code to allow the siting of temporary tiny homes in specified locations.³²

Transitional

Local governments can establish transitional housing units within their urban growth boundary to provide seasonal, emergency, or transitional living facilities for persons who lack permanent or safe shelter and cannot be placed in low-income housing.³³ Transitional housing units are established and regulated by local government.

TEMPORARY TINY HOME TITLING AND REGISTRATION

Mobile tiny homes are temporary tiny homes designed for movement on public highways. As noted above, mobile tiny homes are subject to the motor vehicle safety standards adopted by the NHTSA, including standards for brakes, lamps, wheels, tires, rear impact guards, and VIN numbers.³⁴ Oregon limits the maximum width of mobile tiny homes to eight and one-half feet.³⁵

Registration or a trip permit is required to move a tiny home on Oregon roads.³⁶ Mobile tiny homes not wider than eight and one-half feet, and not used for commercial or business purposes, must be registered as travel trailers with the Oregon Department of

²⁸ ORS 197.314 (1), ORS 446.003 (24).

²⁹ ORS 197.307 (8).

³⁰ ORS 446.003 (23), ORS 446.003 (30), ORS 446.310 (9).

³¹ ORS 197.493.

³² City of Portland, Bureau of Development Services. *City to allow RVs, tiny homes on wheels on private property with conditions*. <<https://www.portlandoregon.gov/bds/article/659268>>, visited October 31, 2018.

³³ [House Bill 2916 \(2019\)](#).

³⁴ 49 U.S.C. § 301, 49 C.F.R. § 571.

³⁵ ORS 818.080, ORS 818.090.

³⁶ ORS 803.300, ORS 803.305 (18).

Transportation (ODOT).³⁷ Unregistered mobile tiny homes must obtain a [trip permit](#) before moving on Oregon roads, and tiny homes exceeding the maximum width must obtain an [over-dimension permit](#).

As of January 1, 2020, ODOT will provide titling documents for temporary tiny homes not exceeding 400 square feet, regardless of width, that meet standards adopted by ODOT.³⁸ Titling documents should help owners to obtain financing and insurance for their temporary dwellings.

STAFF CONTACT

Tyler Larson
Legislative Policy and Research Office
tyler.larson@oregonlegislature.gov

Please note that the Legislative Policy and Research Office provides centralized, nonpartisan research and issue analysis for Oregon's legislative branch. The Legislative Policy and Research Office does not provide legal advice. Background Briefs contain general information that is current as of the date of publication. Subsequent action by the legislative, executive, or judicial branches may affect accuracy.

³⁷ ORS 801.565.

³⁸ [House Bill 2333 \(2019\)](#).

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.

PLANNING COMMISSION ISSUES LIST as of 11/20/24

Item #	Description	Assigned	Due Date	Status
1	Schedule next training session	KG		03/12: KG to talk to Hui about guidance on best practices to update Comp Plan. 02/23: Coordinate with Hui on next topic(s) and date.
2	Complete Wetland Inventory	KG		11/19: BP and KG met with DSL week of 11/11. No additional info required. No completion date given. 10/28: BP and KG met with DSL and Pacific Habitat to answer questions about inventory. All questions answered. 10/08: State Lands reviewing some minor discrepancies. 09/16: City Mgr. has contact in state govt and is escalating. 08/19: Mayor using state contact to escalate. 05/21: KG contacted by State Lands. We are next in line for review. 04/16: KG sent email to State for update. 04/09: No update. 03/12: No update from ODSD. Link to State Lands Inventory to be added to links page. 02/23: Pending response from ODSD.
5	Amend Title 9 for Housing Implementation Plan			11/18: Had kickoff meeting. See meeting minutes. 10/15: Selected MS and MA for PMT. City conducting workforce housing survey. Will provide results. 10/08: Reviewed Statement of Work. Discussed various aspects of how project will proceed. Will discuss members of PMT at next meeting. 06/11: Cascadia Partners to start in the fall. 05/21: Will start review of Plan for new commissioner in 06/11 meeting. 05/14: Funding for implementation approved by state. Waiting to see review scope of work document from Cascadia Partners. Will review plan with PC. 03/12: Waiting to see if 2024 State budget contains money to fund another round of grants. KG to check if what other communities. 02/23: Determine if there will be a next round of DLCD funding. Contact Cascadia Partners to get estimate of cost of hiring them to complete task. have made changes for HIP.
6	Revise/update City Comprehensive Plan			11/18: Identified Goal G as one to focus on. Cascadia Partners offered assistance of their urban planner. Developing questions to ask them. Located proposed updates in Housing Plan appendix. 10/08: Identified Goals that may need updating. 09/17: Will start review of plan with next work session. 03/12: PC to wait on #1, #5 or #8 before proceeding. 02/23: Commissioners to review existing and prioritize which section(s) to work on.

7	Update application fees	KG	10/28: Review completed. to present new fees to City Council in Nov. 10/08: City Mgr reports continued progress on review. 09/17: City Mgr review almost complete. 06/11: Now part of general review of all city fees. 03/12: Bobbie committed to meet with KG soon. 02/23: KG to meet with Bobbi to set fees.
8	Ordinance for ADU's		11/18: Discussed with Cascadia Partners in kickoff meeting. They will emphasize this in their updates to regs. 09/17: Discussed definition of ADU. Will defer until Cascadia Partners. 08/20: Have agreement with most major policy decisions. Will continue at next meeting. 07/09: Began review of various approaches to regulation. If time permits, will continue review 07/16. 06/11: Commissioners to research documentation and laws in other cities. To discuss in 07/09 meeting. 05/14: On hold to see if can be included with HIP. Collecting information from various sources. 04/09: Present concept in public forum prior to writing ordinance. 03/12: KG to look at getting copies of Waldport ordinance as well as relevant parking ordinances.
11	Consolidate minor updates to ordinances		06/11: On hold until after completion of #4. 04/16: Minor error in Fences and Hedges standard pointed up need to identify and consolidate into one list other minor changes/corrections to ordinances. KG to retrieve existing list for review.

12	Content for city social media			10/22: Sent email to TD asking if interested in writing for e-newsletter. 10/08: Need to identify resource on commission to provide content.
13	Include updates to Title 9 in city document			11/19: Followup to make sure that changes approved by City Council are added in writing to Title 9.
14	Create Folder for Cascadia Partners Document	KG		11/19: KG to create folder on website to store all documents.

CLOSED PLANNING COMMISSION ISSUES

9	Add to Urban Growth Boundary			4/09: State passed legislation allowing for increase of UGB up to 50 acres with reduced requirements. Should city pursue? With no expressed need to expand, decided not to pursue. CLOSED
10	Credit at COG			05/14: With state funding for HIP and money in budget from planning consultation, will not need COG. CLOSED. 04/09: City has credit at COG for possible consultant. Could we use for HIP? Bobbi to look into this. May not be that straightforward.
3	Continue Implementation of Yachats Parking Mgmt Plan	LD		10/08: Public Works reports that all projects in plan that can be completed have been completed. Closed. 06/11: Continuing to make progress on various projects. 05/14: Public works to provide city with update. 04/16: LD to meet with Public Works tomorrow for update. 03/19: LD sent email and will meet with Public Works to discuss. 03/12: Public Works will probably implement portions of the plan at a time. LD to meet with Public Works to discuss next steps.
4	Obtain City Council approval of updates to Title 9			11/20: Approved unanimously by City Council. Closed. 10/26: 1st public hearing with City Council held. No major issues. Second public hearing in Nov. 10/08: On schedule to present at next City Council meeting on 10/23. 09/12: Update from KG that with delay of review by DLCD and internal issues may not make City Council agenda until Nov. 06/11: Reviewed and approved changes to building height calculation. KG to send update to DLCD with approved changes. 5/21: Final draft approved by commission. KG to advise DLCD of changes. 05/14: At DLCD for review. Completed review of draft with PC today. Final review 05/21. Postponed public meeting to 07/16. 04/09: Waiting on marked up version. Review in 05/14 Work Session. Present in public meeting 06/18. 03/12: PC members to review and familiarize themselves with content. Need review schedule added to application. KG to put out marked up version. 02/23: Need review by DLCD.