



City of Yachats
441 N. Hwy 101, Civic Meeting Room 1
Tuesday, May 19, 2026, 2:00 PM

To Be Held In-Person & Via Zoom

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Meeting ID: 889 3045 1065

Planning Commission Work Session and Regular Meeting

Work Session

- Call to order & Roll Call
- Code Adoption Project Overview

Regular Session

- I. Call to Order**
- II. Announcements & Correspondence**
- III. Citizens' Concerns** (limited to items not on the Agenda, 5-minute limitation per person)
- IV. Public Hearing**
- V. Ongoing Business**
 - a. Noxious Weed Ordinance
 - b. Tree Ordinance
 - c. Review Current Draft of Proposed Code Amendments
- VI. New Business**

- a. Discuss Adoption of Housing Needs Analysis via Comprehensive Plan Update

VII. Reports

- a. Commission Chairs' Meeting
- b. Planner's Report
- c. Meeting Summary
- d. Issues List

VIII. Other Business

- a. From Commission
- b. From Staff

IX. Adjourn

This meeting is open to the public and interested citizens are invited to attend. This meeting will be audio/video taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. 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 May 18, 2026By: Kimmie Jackson, Recorder

These are questions the City of Yachats has received and answered regarding the Proposed Housing Code Amendments, compiled in one location for all.

Q: What changes in the proposed draft housing code amendments are required by the State, and which are not? Is our population part of the State requirement for the changes included?

A: Because we operate within an Urban Growth Boundary (UGB), Oregon law requires us to update our codes to ensure land is used efficiently to meet housing needs—regardless of our current population size.

Certain updates are legally required under the Oregon Revised Statutes (ORS) and are not up for debate.

These include:

- Allowing Single Room Occupancy (SRO) housing where other residential uses are permitted.
- Removing limits that could discriminate based on family relationships.
- Implementing streamlined administrative approvals for affordable projects.
- Standards for manufactured homes, tiny homes (prefabricated structures), and long-term RV occupancy in designated parks must align with state law.
- Yachats has flexibility on Optional Changes. This is where community feedback will shape our final amendments.

Optional updates:

- Middle Housing: Allowing plexes, townhomes, and cottage clusters in residential zones (different allowances for different zones, R-1 through R-4).
- ADUs: Permitting Accessory Dwelling Units in all locations that allow detached single-unit homes.
- Mixed Use: Exploring residential and commercial combinations in the C-1 zone.
- Design & Standards: Adjusting parking requirements, lot coverage, and design standards for developments with 3+ units.

[Link to informational handout](#)

Q: With new Oregon regulations, beginning in 2027, will they supersede/be the final legal say, even if there are HOA covenants? So, for instance, will the 16-ft height limits that currently exist in some of those covenants no longer apply, and will 30 ft of building height become possible?

A: We consulted with our City attorney on this. Our key takeaway from his response in relation to the HB 2138 restrictions is: State law prevents a neighborhood association or CC&Rs from prohibiting the development of an ADU, so language restricting development to a single dwelling unit would no longer be enforceable. If other provisions of the CC&Rs (such as height limits) are not seen as obstacles to ADUs, those provisions would still stand.

The City cannot enforce private deed restrictions such as CC&Rs. Because the City does not enforce private contracts, the responsibility for upholding CC&R standards falls to the "impacted parties" (other property owners in the subdivision or planned development).

This becomes a private matter between the parties to the CC&Rs. The question would be resolved in accordance with the dispute mechanisms within the CC&Rs.

Q: Are there height restrictions on ADUs?

A: [In the draft reviewed on April 15th](#), an internal conversion would be subject to the same height restrictions as the primary residence (30 feet, or less if dictated by CC&Rs).

A detached ADU may not exceed 12 feet in height if it is within 5 feet of a rear or side property line. A detached ADU without a reduced rear or side setback would be subject to the same height restrictions as the primary dwelling.

So, for example, a detached ADU with a 10-foot rear and 10-foot side setback could be up to 30 feet in height.

The Planning Commission's intent was to place a more restrictive height limit on detached ADUs, and that can still be done in the draft stage.

Q: Does the code prevent short-term rentals of ADUs?

A: The land-use code itself does not regulate short-term usage; it focuses strictly on the physical development of the property. Instead, the City Council will update [Title 4, "Business License and Regulation,"](#) to align with the new land-use standards, and we will do so in conjunction with the adoption of the updated code.

This update to Title 4 is where the Council will establish specific eligibility requirements, including: Prohibiting ADUs (or properties containing an ADU) from being eligible for vacation rental licenses and possibly prohibiting the issuance of vacation rental licenses to multiplexes.

Starting in July (coinciding with the new fiscal year), the City will implement a new software system designed to automatically scrub the internet for unlicensed vacation rentals. It will issue formal letters to property owners requiring them to cease advertising without a proper license. It will also conduct ongoing surveillance of these properties, with fines issued for continued non-compliance.

Beyond enforcement, it would be beneficial to identify additional strategies to encourage these property owners to transition from short-term rentals to long-term housing solutions, supporting the broader goal for housing availability.

Q: Does the code restrict vacation rentals of 31 days or more for ADUs?

A: Stays of 31 consecutive days or more fall under standard landlord-tenant laws and are not subject to the City's vacation rental ordinances ([Chapter 4.08](#)), which specifically target rentals of "less than thirty days."

Q: Is it safe to assume that the city can only approve more housing if the infrastructure supports it? Example: the wastewater treatment facility can only handle X number of homes. So these new amendments don't mean unlimited additional housing; they are just guidelines for any new proposed building permits? I can't imagine Yachats' small-town infrastructure can handle tons of new development.

A: The most important protection for the City is that housing approvals are almost always contingent on the availability of City services, such as water and sewer.

Even if the zoning says you *can* build an ADU, the City can deny a specific building permit if the wastewater plant is at its legal capacity or if the specific sewer line serving that street is undersized. If the City reaches a point where new homes would exceed its DEQ-permitted discharge limits, development effectively pauses until the plant is upgraded.

Here's a piece from our [2022 Wastewater System Facilities Plan](#) that addresses how we sized the last upgrade:

"The population in Yachats in 2020 is about 780. Based on United States census data, the population was 533 in 1990, 617 in 2000, 690 in 2010, and 994 in 2020.

Therefore, the historical data show a steady increase in population over the last 30 years. This trend is expected to continue during the planning period. In June of 2017, population projections for Lincoln County were prepared by the Portland State University Population Research Center.

These projections estimate the 2040 population of Yachats to be 1,061 and are based on an average annual growth rate of 1.4% from 2020-2035 and 0.9% from 2035-2067.

These projections will be used for planning purposes in order to conform to state-wide planning goals. As noted elsewhere in this document, the study period ends in 2041. Therefore, the 2040 population was extrapolated for one additional year for the preparation of this document. Adding an additional year of growth at a rate of 0.9% to the 2040 population of 1,061 results in a 2041 population of 1,070."

The "new" WWTP has been online for 17 years and is operating at 35-45% capacity.

Q: Will we have enough water?

A: The short answer is **yes**: Yachats has the water capacity to support these amendments; it also requires a proactive, long-term strategy and thinking, which the City is currently pursuing by following our [25-year Masterplan](#) and through regional connections.

While the draft [code amendments](#) allow for more homes, the actual impact on water demand is manageable. The majority of water, especially during the drier summer months, is used outdoors - smaller homes on smaller lots, more lot coverage, and a denser use of the land is actually an environmental plus.

Yachats typically uses about 250,000 gallons per day during peak summer months. Our contract with South Lincoln Water District is for 100 gallons per minute; there are 1,440 minutes in a day, which equals 144,000 gallons per day. Add this to our lowest drought flow of 200 gpm / 288,000 gallons a day = 432,000 gallons a day of water supply available during our peak season.

This essentially doubles our available supply during lean months. This ensures we aren't solely dependent on the flows of Reedy and Salmon Creeks when they dip in August and September.

Even if total annual rainfall stays the same, hotter summers could mean our creeks reach "emergency levels" sooner. This is when our agreement would kick in, and we would purchase water from SLWDPUD.

The City is currently moving forward with projects to secure our future:

The 1.5-Million-Gallon Reservoir: We are investigating a site above the water plant for a new, seismically resilient reservoir. This will replace our 1-million-gallon reservoir and add 500,000 gallons to our current water storage capacity.

The City is investigating purchasing our water source land through grants and partially forgivable loans, which would add security to our water future. Replanting the clear-cut area would allow the trees' root systems to keep more moisture in the soil, giving us more drinking water later in the summer.

We continue to work with the Lincoln County Water Systems Alliance to look at water sustainability as far out as 50-years and how we can act regionally together for a sustainable future.

In summary, we have enough water because we've secured a "backup" through Southwest Lincoln and are actively investing millions into storage and pipe replacement. The code amendments represent a controlled growth that fits within these engineered limits.

Q: What about parking?

A: [Current parking requirements](#) will **not** change for the following existing types of housing:

- Single Dwelling Units
- Triplexes
- Quadplexes
- Commercial and Mixed-Use Buildings

Current parking requirements for duplexes change from 4 to 3 per duplex.

Current parking requirements for multi-unit housing (5 or more units) change from 1.5 spaces per unit, rounded up to the nearest whole number to 2 spaces per unit.

[Parking requirements for new types of housing:](#)

- ADU's: One space per unit with a possible on-street parking allowance in some areas
- Cottage Clusters: 1.5 spaces per unit, rounded up
- SRO's: For 6 or fewer units, 2 spaces for every 3 units. For 7 or more units, 1.5 spaces for every 3 units.

Q: What about traffic?

A: If there is more affordable housing for the local workforce, such as hospitality professionals, city and postal employees, they will be able to walk or ride bicycles to work, lessening traffic and the need for parking.

Q: What about our views?

A: It is a common concern, but it is important to clarify that [current zoning](#) already allows owners to build on nearly every lot in Yachats, and nearly every lot is owned by someone. There are tools, such as strategic acquisitions and easements, available to those who want to ensure specific lands remain undeveloped.

Q: What about green spaces?

A: This is a similar answer to the view question. It is important to clarify that [current zoning](#) already allows owners to build on nearly every lot in Yachats, and nearly every lot is owned by someone. There are tools like strategic acquisitions and easements available for those who want to ensure specific lands remain undeveloped.

*There are no taxes being proposed that would be imposed on unbuilt lots.

**Current lot coverages in residential zones range from 30% in the R1 zone to 45% in the R4 zone. Proposed lot coverages would range from 40% in the R1 zone to 50% in the R4 zone, guaranteeing that at least half of each buildable lot would be left as open space.

Q: What about the 60% of homes in Yachats that are second homes?

A: The high percentage of secondary residences is a significant challenge for coastal communities. Because these are privately owned properties, the City's ability to "control " ownership is limited. However, we are monitoring how other regions address this.

Cities like Vancouver (B.C.), New York, and San Francisco have recently implemented "vacancy taxes." These typically target homes left unused for the majority of the year (e.g., 80% or more).

Because these taxes are relatively new, they are facing significant legal scrutiny regarding property rights. Additionally, the administrative cost for a small city to monitor and enforce "occupancy days" can be extremely high.

While this concept has been discussed, the City is not pursuing a vacancy tax at this time. We are currently monitoring legal outcomes and success rates in larger cities to determine whether such a tool would be feasible or effective for a community of our size.

Q: Is there any mechanism to address the cost of rent in these proposed additions? Is the assumption that workers can afford to build? Or that landowners will refrain from setting rents at market value that would still preclude workers?

The proposed code updates only make it *possible* to build a variety of homes. To ensure that those homes are actually *guaranteed* for people like local EMTs, city staff, or hospitality professionals (the 80–120% AMI "Missing Middle"), the City would have to step beyond zoning into incentives or direct oversight through ownership.

There are several ways that the City can incentivize without subsidizing. These options could include a tiered schedule for system development charges based on square footage, utility rate structures based on actual usage, and similar measures. However, these are policy issues, not part of the zoning code proposals.

Q: Does Yachats really need middle-income housing? Do we even have people working in the community earning these wages? Do service employees make enough anyway?

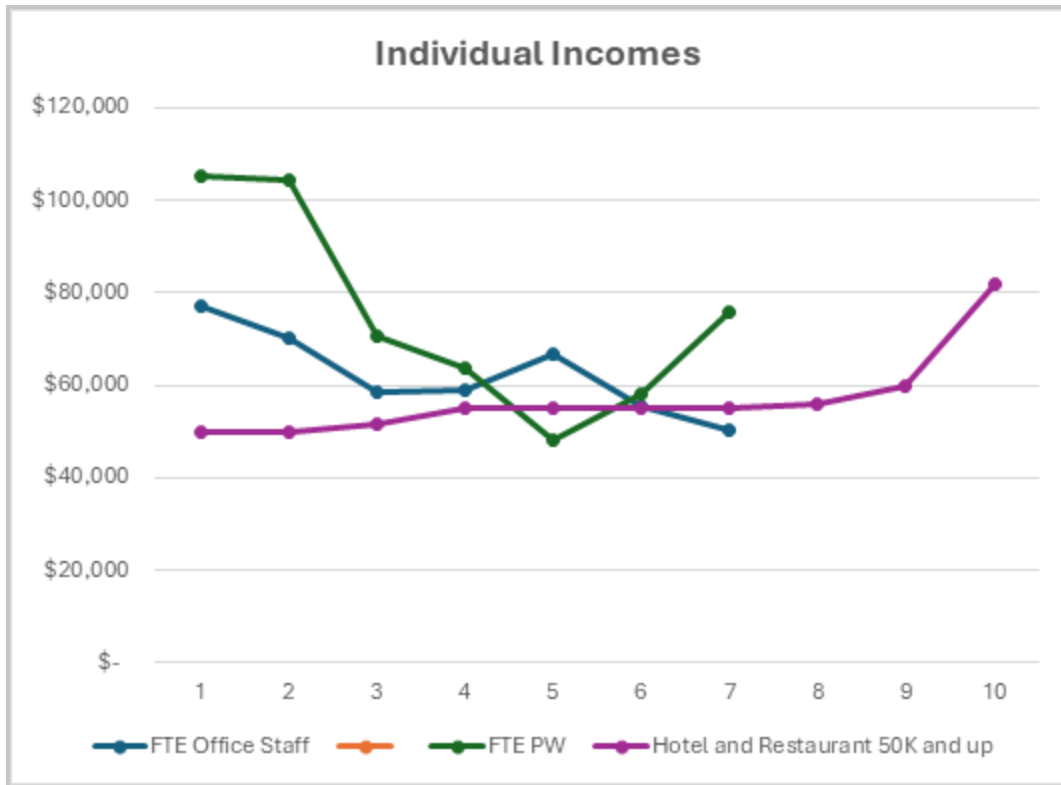
A: While the initial presentation used teachers and police as general examples, the need for middle housing in Yachats is driven by people living and working in our community.

Yachats is home to active nurses, firefighters, EMTs, and career educators. Furthermore, our city staff, including public works and administrative teams, earn salaries that fall within the "middle housing" bracket.

Contrary to the assumption that all service roles are low-wage, [our data](#) shows that **one-third of local service workers** earn enough to qualify for middle housing.

Housing eligibility isn't just based on one person's paycheck. Most households rely on **two incomes**, which, combined, make purchasing or renting a middle housing option viable.

Every resident's financial situation is different. Factors such as student loans, interest rates, household composition, and personal savings vary widely. The city's goal is not to judge individual finances but to ensure that those who serve our community have the opportunity to live here.



Q: What developer is behind this?

A: There are no developers behind this. Workforce and affordable housing options were brought forward by the community, solidified as a need in a [2024 Resident Sentiment](#) survey, and became goals of the City Councils in 2025 and 2026.

The City received a [grant](#) from the Department of Land Conservation and Development in 2024 to continue work with Cascadia Partners, building on the 2022 Housing Needs Analysis, then the Housing Implementation Plan, and now the Code amendments.

Q: If the consultant is from Portland, can they possibly understand a small coastal community like Yachats?

A: Local insight was a priority for this project. While the firm is Portland-based, the primary consultant assigned to Yachats has roots in our region:

The lead consultant is a resident of Newport and a frequent visitor to Yachats, and lives every day with the same coastal challenges and charms that we do.

The firm has successfully completed similar housing projects for several other small coastal communities in Oregon.

The final report isn't a "big city" template; it reflects local data and an understanding of life on the coast.

Q: Who stands to benefit from this?

A: Property owners will gain more flexibility in the housing options they choose to put on their privately owned lots.

Q: What is the process for adopting the proposed code amendments?

A: Disclaimer: This schedule is preliminary and subject to change based on progress made by the Planning Commission and City Council, as well as feedback received during public hearings. All [agendas and minutes](#) are posted here. Sign up for [Notify Me](#) to receive a notice when new meeting materials are posted in your area of interest.

Phase 1: Further review and refinement

May 19: Planning Commission Meeting. Opportunity for public comment.

May 20 (Joint Meeting): City Council & Planning Commission Work Session. Here, the updated draft code will be reviewed after receiving feedback from the recent survey, community engagement, and the recent review with Planning and Council (April 2 and April 15).

Note: This work session is for deliberation; while the public is welcome to listen in person or via the City's website, no public comment will be taken during this specific session.

May 20 (Regular Meeting): City Council Meeting. Public comment will be heard during the regular session following the joint work session.

Phase 2: Draft Refinement & State Review

June 16: Planning Commission Meetings. Continued review of the latest draft. Public comment is welcome.

June 17: City Council Meeting. Opportunity for public comment.

Review Period: Once the Planning Commission is satisfied with a draft, it is sent to the **Department of Land Conservation and Development (DLCD)** for a mandatory 35-day state review. Measure 56 notices are sent to all property owners 20 days in advance of the July public hearing.

July 15: City Council Meeting. Regular meeting, public comment accepted.

Phase 3: Formal Public Hearings

July 21: Planning Commission Public Hearing. This is the official start of the public record. Formal testimony is recorded, and the Commission may recommend further edits based on this

testimony. Subsequent public hearings may be scheduled for further testimony and deliberation, if needed. Otherwise, an official recommendation will be made to the City Council to form an ordinance. Measure 56 notices will be sent to all property owners 20 days in advance of the August public hearing.

Phase 4: Final Review

August 19: City Council Meeting (First Reading). If the Planning Commission has issued a formal recommendation, the Council will hold its first Public Hearing for the draft ordinance and hear testimony.

- If the City Council were to decide to put this out as a Measure to vote on, once they have an official ordinance to review, that is when the deliberation could take place.

September 16: City Council Meeting (Second Reading & Vote). The Council holds a second Public Hearing. If satisfied, the Council may vote to officially adopt or not adopt the ordinance.

Important Procedural Notes

Measure 56 Notice: In accordance with state law, the City will mail a formal notice to every property owner in Yachats at least 20 days prior to the first official Public Hearing by the Planning Commission or Council.

Parallel Policy Tracking: The Council will review several related policies alongside this code update, including short-term rental regulations, tree protections, and impervious surface limits.

Public testimony is when the Planning Commission and City Council hear from the public, whether this reflects what the community believes is the right thing to do. Through this public testimony, both bodies have the opportunity to further refine what they have or move forward.

Q: How do we give input?

A: Input can be given at any of the public meetings or public hearings via oral or written testimony.

If anyone has questions, the City Manager and City Planner welcome them, either via a meeting or by email. Please contact City Hall to set up a meeting.

Q: Why isn't a vote being held?

A: Under Oregon land-use law, code amendments are a legislative process handled by the City's elected and appointed officials rather than a general ballot. Here is the breakdown of why the process follows this path:

- The state requires specific procedures for land-use changes, including public notice (Measure 56), evidentiary hearings, and review by the **Department of Land**

Conservation and Development (DLCD). This ensures the code remains consistent with state-wide housing goals and legal standards.

- *The City Council cannot legally vote on or "refer" an ordinance to a public vote until a final version has been fully vetted.* The City Council has not yet received a formal recommendation from the Planning Commission.
- **Public Voice through Hearings:** This is where the council hears the voices of the people through public hearings. Residents have multiple opportunities to provide formal testimony that becomes part of the official record, which the Planning Commission and City Council must consider before taking any final action.

The City Council will begin its formal deliberations and public hearings once the Planning Commission recommends a final ordinance. This process ensures the new code is legally sound and reflects community input gathered over several months.

Q: What is the process and cost to the City if they decided to put this on the ballot as a Measure?

A: In Oregon, a referral is the process where the City Council itself decides to send a measure—such as a levy, charter amendment, or ordinance—to the voters. Unlike a citizen-led initiative, a Council referral does not require gathering signatures. It is a more streamlined administrative path to the ballot and is referred to in the [City Charter](#) and [State Statutes](#).

The process follows a strict legal sequence:

1. The Council identifies the need and directs staff and the City Attorney to draft the specific ballot language.
2. The Council passes a resolution or ordinance during a public meeting. This must include the Ballot Title (the caption, the question, and a summary) and the intended election date.
3. The City submits the "Notice of Measure Election" and an explanatory statement to Lincoln County Elections.
4. There is a brief window where the public can legally challenge the ballot title to ensure it is neutral and accurate.
5. The City submits an explanatory statement, and community groups may submit arguments for or against the measure.
6. Lincoln County conducts the vote entirely by mail.

Planning must begin early. To meet legal deadlines:

- 90–120 days before the election: The measure must be filed.
- 60–75 days before the election: Voters' pamphlet materials must be finalized.
- Election Dates: Measures are typically held during May (Primary) or November (General) elections, though special elections occur occasionally.

Costs for a small city (population under 2,000) generally range from \$6,500 to \$18,000, with most falling between \$7,000 and \$10,000 if outreach is minimal.

Expense Category	Low Estimate	High Estimate
County Election Cost (Based on voter count)	\$4,000	\$7,000
Legal Drafting (City Attorney review)	\$500	\$2,500
Pamphlet/Filing Fees	\$0	\$500
Internal Staff Time	\$1,000	\$3,000
Public Outreach (Optional mailers/open houses)	\$1,000	\$5,000
TOTAL ESTIMATED COST	~\$6,500	~\$18,000

Once the City submits the paperwork, the County administers the entire election. Because Yachats has a smaller voter count, our election costs are lower than those of larger cities like Newport or Lincoln City.

Q: What is the process and cost to the City if the people put forth a referendum on a ballot Measure?

A: In the State of Oregon, the power of referendum is a constitutional right. If the City of Yachats passes an ordinance that residents oppose, the process is governed by both state statutes ([ORS Chapter 250](#)) and [the City Charter](#).

Phase 1: The Petition Filing

The clock starts the moment the City Council adopts an ordinance. In Oregon, most ordinances do not take effect for 30 days, providing a window for citizens to act.

1. A chief petitioner (an elector) files a Prospective Petition with the City Recorder (the local elections official).

2. The City Recorder, often consulting with the City Attorney, must ensure that the petition complies with the "full text" rule and pertains to a legislative (not administrative) matter.
3. The City Attorney drafts a neutral ballot title that includes a caption, a question, and a summary.

Cost to City: Primarily staff time (City Recorder) and legal fees. A City Attorney may spend 2–5 hours on the initial review and drafting, costing the city roughly \$500–\$1,500, depending on the ordinance's complexity.

Phase 2: Signature Gathering

Once the ballot title is approved and the 7-business-day challenge period ends, the petitioner can begin gathering signatures.

1. For a City referendum, petitioners typically must gather signatures equal to 10% of the total votes cast in the city for all candidates for Governor at the last election.
2. Once submitted, the City Recorder and County Clerk must verify the signatures. In Lincoln County, the City often coordinates with the Lincoln County Clerk to use their voter registration database for verification.

Cost to City: If the City Recorder performs verification, it is a significant internal labor cost. If outsourced to the County Clerk, the County may charge a per-signature verification fee (usually around \$1.00–\$2.00 per signature). For Yachats, with its small population, this is a modest direct cost, likely under \$500.

Phase 3: The Election

If the petition is successful, the City Council has two choices: repeal the ordinance immediately or refer it to the voters.

1. The measure is typically placed on the next available primary or general election date. If the City wants a Special Election, the costs skyrocket.
2. Lincoln County Election Fees: Lincoln County charges the City a pro-rata share of election costs.
 - Scheduled Election: If the measure is on a May or November ballot alongside other items, the cost is shared. For a small city like Yachats, this might range from \$1,500 to \$3,000.
 - Special Election: if no other items are on the ballot, the City may bear the full cost of printing and mailing ballots to its residents, which can exceed \$5,000+.

The City may also incur costs to print and distribute information in the County Voters' Pamphlet.

Phase 4: Implementation or Repeal

The Vote: If the majority votes "No," the ordinance is rejected and never takes effect. If "Yes," the ordinance becomes law 30 days after the election.

MEMORANDUM

TO: Planning Commission and City Council | City of Yachats
FROM: Rachel Cotton and Rhey Haggerty | Cascadia Partners
DATE: May 15, 2026
PROJECT: Yachats Housing-Related Code Update
RE: Code Amendments Adoption Draft

The City of Yachats (City) has been collaborating with Cascadia Partners (CP) over the course of a multi-year contract to identify and amend local land use regulations that pose barriers to the development of a variety of housing types, or that require updates to comply with housing-related state statutes.

On April 15th, CP met with the Planning Commission and City Council to review community feedback on the Public Review Draft and discuss refinements that were proposed in response to that input.

At the upcoming Work Session on May 20, we will review the amendments that are proposed for inclusion in the Adoption Draft, as well as the process and schedule for adoption.

Adoption Draft Refinements

CP has further refined the proposed amendments into an Adoption Draft (**Attachment A**). The Adoption Draft incorporates feedback from the Project Management Team and the Advisory Committee. Key refinements are highlighted in document comments and include:

- **Clarity for Tiny Homes:** Updates the definition for “Detached single-unit” to include tiny homes that meet the building code standards.
- **Removal of Townhouse Project** allowance in the **R-1 zone**.
- **Height Limit and Setback Reduction for Detached Accessory Dwelling Units (ADUs):** A 15 foot height limit has been added for detached ADUs. Setbacks have been modified to allow ADUs (not exceeding 15 feet) in the front setback in the R-1 and R-2 zones and in the side and rear setbacks in all zones.

- **Lot Coverage Bonus Eligibility:** A 10% lot coverage bonus for ADUs, and for SROs and middle housing with heights of 24 feet and under has been added to all residential zones.
- **Minimum Density Standard in R-3 and R-4 zones:** A minimum density standard is proposed for the R-3 and R-4 zones, equivalent to 1 unit per 5,000 sqft. lot. ADUs can be counted toward this density minimum.
- **Height Limit for Cottages:** A 24 foot height limit has been added for cottages.
- **Bringing Approval Paths into Compliance:** Procedural regulations have been updated to comply with HB 4037 (2026), which streamlines hearings, appeals, noticing, and review processes for housing applications.

Attachment B provides an overview of the amendments included in the Adoption Draft and distinguishes between legally required and optional policy-driven amendments.

During the Work Session, we will review and answer any questions about the refinements proposed for inclusion in the Final Adoption Draft.

Adoption Process and Timeline

The Project Management Team has proposed to adopt the 2022 Housing Needs Analysis (HNA) by reference into the Comprehensive Plan, concurrently with adoption of the code amendments.

The HNA is the foundational document identifying local land deficits for middle and multi-unit housing types. However, it cannot be formally adopted without concurrently adopting “land use efficiency measures” to respond to the identified deficits. The proposed code amendments serve as the land use efficiency measures, creating opportunities for developing a wider range of housing options in Yachats. Adopting the HNA and Comprehensive Plan amendments concurrently with the code amendments achieves several outcomes:

- Ensures consistency across the City’s planning documents.
- Honors the iterative nature of the City’s housing work and years of community engagement that shaped the HNA (2022), the Housing Implementation Plan (2023), and the proposed code amendments.
- Importantly, fulfills the legal requirement of implementing “land use efficiency measures” concurrently with HNA adoption, given the identified deficits.

The Project Management Team recommends that the full set of code amendments in the Adoption Draft be adopted as part of a single ordinance, rather than splitting them into multiple ordinances. A unified approach ensures technical cohesion, as overlapping

development standards—such as those for ADUs and middle housing—are best managed within a single, comprehensive ordinance.

The City will follow a public review process for adoption. The purpose of the May 20th Work Session is to review the Adoption Draft, answer clarifying questions, and build a shared understanding of the package. Please note that formal deliberation will not take place until the scheduled public hearings outlined below:

- Following a 35-day post-acknowledgment plan amendment (PAPA) notice to the Department of Land Conservation and Development and required property owner notifications, the **Planning Commission** will hold a formal hearing in July to deliberate and issue a recommendation.
- The **City Council** will then review this recommendation during a first reading in August and deliberate.
- The **City Council** will vote on adoption in September.

This timeline ensures a transparent and deliberate transition from identifying housing needs to implementing functional solutions.

Attachment A. Yachats Code Update

ADOPTION DRAFT

ADOPTION DRAFT CODE AMENDMENTS

The proposed amendments are shown in legislative format (deleted text with strikethrough **red**-font and new text with **underlined red font**). Commentary is shown in *purple italics font*, preceding the text to which it is referring. Provisions presently that do not appear herein, are not intended to be amended, and are shown by [...].

General Commentary: The amendments are primarily intended to remove barriers to housing production in residential and commercial zones.

- *Accessory dwelling units are proposed to be allowed in all locations that allow a detached single-unit dwelling.*
- *A wider range of middle housing types (e.g. plexes, townhomes, and cottage clusters) is proposed to be allowed in R-1, R-2, R-3, and R-4 Residential zones.*
- *Single room occupancy housing has been added as an allowance in accordance with state requirements.*
- *Mixed use (non-residential and residential on the same lot) is proposed to be allowed in the Retail Commercial (C-1) zone as an outright use.*
- *New development standards (including lot area and lot coverage) and parking standards are included to reduce barriers for ADUs, middle housing, and multi-unit housing.*
- *New design standards are proposed for residential development of 3 or more units.*
- *A number of additional amendments are proposed to implement clear and objective standards for housing development. These are specifically related to ORS 197A.400, which requires local governments to adopt clear and objective standards, conditions, and procedures.*

Chapter 9.04 Commentary: *The proposed amendments ensure consistency with state housing law and encourage and facilitate housing production, affordability, and choice as provided in ORS 197A.025.*

- *The primary intent of these amendments is to clearly define accessory dwelling units, single room occupancy, and middle housing types, and to provide definitions pertaining to design standards for residential development.*
- *Allowing prefabricated structures in manufactured dwelling parks is also required by state law, and changes to definitions have been made accordingly.*
- *Updates to definitions are proposed to remove occupancy limits that may discriminate based on family relationships, in accordance with state law.*

CHAPTER 9.04
GENERAL PROVISIONS AND DEFINITIONS

[...]
§ 9.04.030. Definitions.

[...]
“Accessory Dwelling Unit” – see “Housing Type.”

[...]
~~“Apartment house” means a building or portion thereof designed, built, rented, leased, let or hired out to be occupied, or which is occupied or is the home or residence of three or more families living independently of each other and doing their own cooking in the building, and shall include flats and apartments.~~

[...]
~~“Bed and breakfast facility” means a single-family detached single-unit dwelling containing rooms for rent in accordance with Section 9.72.050.~~

[...]
“Building footprint” means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.

[...]
“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 walkways, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

[...]
“Common wall” means a wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.

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

“Cottage cluster” – see “Housing Type.”

“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.

[...]

“City Manager” means the city manager or the city manager’s designated representative.

[...]

“Detached single-unit” – see “Housing Type.”

[...]

“Driveway approach” means the edge of a driveway where it abuts a public right-of-way.

~~“Dwelling” means a building or portion thereof which is occupied in whole or in part as a residence or sleeping place, either permanently or temporarily by one or more families, but excluding hotels, motels and tourist courts.~~

~~Dwelling, Multifamily. “Multifamily dwelling” means a building containing three or more dwelling units.~~

~~Dwelling, Single Family. “Single family dwelling” means a building designed or used exclusively for the occupancy of one family and having kitchen facilities for only one family.~~

~~Dwelling, Two-Family. “Two family dwelling” means one building containing two dwelling units (duplex).~~

“Duplex” – see “Housing Type.”

“Dwelling unit” means one or more rooms designed for permanent occupancy by one family and having not more than one kitchen facility. A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units or accessory dwelling units, as applicable, unless the additional cooking facilities are clearly accessory to the primary use, such as an outdoor grill or wet bar.

[...]

“Façade” means the vertical wall face of a building, or the sum of multiple vertical faces, facing the street.

“Facade, front” means all of the wall area shown on the front elevation of the building plans.

[...]

~~Factory built dwelling” means a dwelling unit built substantially or entirely at a place other than the residential site, meeting County and State building code requirements, and including prefabricated or modular homes and excluding manufactured dwellings.~~

[...]

~~“Family” means an individual or two or more persons related by blood, marriage, adoption or legal guardianship, living together as one housekeeping unit using one kitchen, and providing meals or lodging to not more than two additional persons; or a group of not more than three unrelated persons, living together as one housekeeping unit using one kitchen.~~

~~“Family day care provider” means a day care provider who provides day care in the provider’s home in the family living quarters to no more than 12 children including children of the provider, regardless of full-time or part-time status. a day care (child care) provider who resides in the home and regularly provides day care in the provider’s home to no more than 16 children (or as specified otherwise by ORS 657A.280), including children of the provider, regardless of full-time or part-time status.~~

[...]

“Frontage” means the portion of a lot or parcel that abuts a street.

[...]

“Hard surfaced,” in the context of pedestrian walkways, means built with a durable, solid material that provides a firm, stable, and smooth walking surface, which may include concrete, asphalt, or pavers or bricks set in mortar or compacted base.

[...]

“Housing Type” means one of the following. (In instances where a development can meet the definition of more than one housing type, the applicant shall specify the housing type on the development application.)

1. “Accessory Dwelling Unit” means an interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a primary dwelling.
2. “Cottage cluster” means a grouping of detached dwelling units on a lot or parcel that share a common courtyard and that each have a small footprint or floor area.
3. “Detached single-unit” or “DSU” means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single-units may be constructed on-site or off-site (e.g., manufactured homes or prefabricated structures). A dwelling unit that is part of a duplex, triplex, fourplex, or cottage cluster, whether attached or detached, is not a single-unit dwelling.
4. “Duplex” means two dwelling units in any configuration. Both units of a duplex must be built on a single lot or parcel, or located on two child lots created through a middle housing land division.
5. “Middle housing” means housing that consists of duplexes, triplexes, quadplexes, cottage clusters, or townhouses.
6. “Multi-unit housing” means a residential structure containing five or more dwelling units sharing common walls or floors and ceilings, built on a single lot or parcel.
7. “Quadplex” means four dwelling units in any configuration. All four units must be built on a single lot or parcel, or located on four child lots created through a middle housing land division.
8. “Townhouse” means a dwelling unit constructed in a row of 2 or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.
9. “Triplex” means three dwelling units in any configuration. All three units must be built on a single lot or parcel, or located on three child lots created through a middle housing land division.

[...]

“Lot” means a unit of land that is created by a subdivision of land, or “lot or parcel” means any lawfully established unit of land, as defined in ORS 92.010. Lot may also be used generically to refer to units of land created through partitions.

[...]

“Lot coverage” means the amount of area covered by building(s) on a lot expressed as a percentage of the total lot area. Lot coverage includes open structures, such as pole barns; building features such as patio covers, roofed porches, and decks; or similar features with a surface height of more than 18 in above average grade. Lot coverage does not include eaves.

[...]

Lot, Parent / Lot, Child. Parent lot means a lot of record or a lot in a middle housing land division which is developed, or proposed to be developed, with two or more middle housing units, and which may

Commented [RC1]: Definition updated for clarity. This definition includes tiny homes that meet the building code standards required for prefabricated structures.

therefore be further divided to allow individual ownership of each dwelling unit. Child lot refers to the unit(s) of land created from a parent lot. A child lot created through a middle housing land division is also referred to as a middle housing lot. Only one dwelling unit is permitted on each resulting middle housing lot.

[...]

“Main entrance” means the entrance to a building that is designed to facilitate ingress and egress for the highest volume of building users. Generally, each building has one main entrance, but if design features do not make it possible to determine which entrance is the main entrance, all entrances providing the same capacity of ingress and egress shall be treated as main entrances.

[...]

"Manufactured dwelling" means:

1. A residential trailer, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962;
2. A mobile home, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction;
3. A manufactured home, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

"Manufactured dwelling" does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.

"Manufactured dwelling park" means any place where four or more manufactured dwellings or prefabricated structures, as defined in ORS 446.003~~455.010~~, are located within 500 feet of one another on a lot, ~~tract~~ or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of the facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the City under an ordinance adopted pursuant to ORS 92.010 to 92.190.

"Manufactured dwelling space" means a plot of ground within a manufactured dwelling park that is designed for the accommodation of one manufactured dwelling.

"Manufactured Home. See subsection 3 of the definition of "Manufactured dwelling.

"Manufactured Home" – see subsection 3 of the definition of "Manufactured dwelling."

[...]

"Middle housing" – see "Housing Type."

"Middle housing land division" (MHL) means an expedited land division of a lot or parcel on which middle housing is developed or proposed.

[...]

"Mixed Use Development" means the combination on a site of residential uses with commercial uses.

[...]

“Multi-unit housing” – see “Housing Type.”

[...]

“Quadplex” – see “Housing Type.”

[...]

“Reviewing Body” means the person or group who is assigned to make decisions on land use reviews, whether initially or on appeal. Reviewing Body includes the City Planner or their designee, City Manager, Hearings Officer, Planning Commission, or the City Council.

Commented [2]: Added definition

“Single Room Occupancy” (SRO) means a residential development with no fewer than four attached or detached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.

[...]

“Site” has different meanings depending on the housing type, as provided below. “Development site” has the same meaning as “site.”

1. For detached single-unit, duplex, triplex, quadplex, and cottage cluster, “site” means a single lot on which the housing unit or units is proposed.
2. For townhouse and multi-unit housing, “site” refers to a property (or group of abutting parcels or lots under the same ownership) that is subject to a development application.

“Site area” means the total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way and/or designation of private rights-of-way.

[...]

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

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

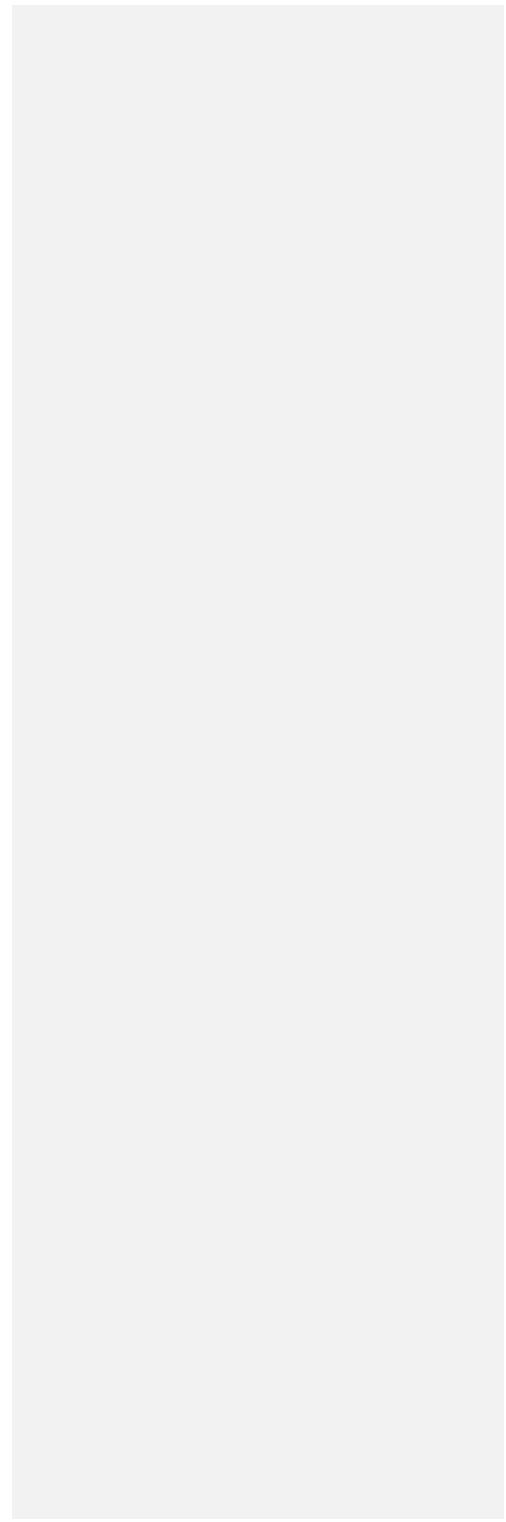
[...]

“Town house” means an attached, single-family dwelling, usually with two or more stories, living and dining areas on the first floor, and bedrooms on the upper floors.

“Townhouse” – see “Housing Type.”

“Townhouse project” means one or more townhouse structures constructed, or proposed to be

constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property. For developments with a mix of housing types or uses, the amount of commonly owned property attributed to the townhouse project shall be prorated based on the square footage of development sharing the property.
[...]
“Triplex” – see “Housing Type.”



Chapter 9.12 Commentary:

- The proposed amendments update permitted uses to allow for accessory dwelling units, SROs, and a wider range of middle housing types.
- No more than two units per lot are being recommended in the R-1 zone.
- Up to six SRO units must be allowed on each lot or parcel zoned to allow for the development of a detached single-unit dwelling after the passage of HB 2138 (2025).
- Proposed amendments also revise development standards, including minimum lot area, setbacks, and minimum lot coverage, to reduce barriers to middle housing and ADU development.
- Design standards contained in Chapter 9.50 will apply to all middle housing except duplexes.
- Some requirements for manufactured dwellings must be removed because they are not clear and objective or are in excess of the requirements for detached single-unit dwellings.

CHAPTER 9.12
R-1 RESIDENTIAL ZONE

§ 9.12.010. Purpose.

The R-1 residential zone is intended to provide a quality environment for low density, urban, **single-family** residential uses and other compatible land uses determined desirable and/or necessary. In an R-1 zone the following regulations shall apply.
(Ord. 73E § 2.010, 1992; Ord. 73I, 1994; Ord. 175, 1995)

§ 9.12.020. Permitted uses.

In an R-1 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

- A. One **single-family detached single-unit** dwelling per **tax** lot.
- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. ~~A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction; See Chapter 9.68;~~
- C. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use;
- D. **Accessory Structures. See Chapter 9.52.025: Accessory buildings and uses to the extent necessary and normal in a residential neighborhood;**
- E. **One accessory dwelling unit per legal detached single-unit dwelling. See Chapter 9.51;**
- F. **One duplex per lot.**
- G. **One cottage cluster per lot. See Chapter 9.50.040;**
- H. **One single room occupancy development per lot, with a maximum of six single room occupancy units;**

Commented [3]: Townhouse projects have been removed from allowed uses in the R-1 zone.

Commented [RC4]: Name has been changed from "Residential Accessory Structures" to "Accessory Structures" to reduce confusion with ADUs

Commented [RC5]: Use allowance has been updated to accommodate detached forms of SROs and match the definition.

- I. Planned unit development. (P.U.D.) except for a manufactured home P.U.D. See Chapter 9.60;
- J. Family day care provider;
- K. Residential home;

~~L. Factory built dwelling;~~

L. ~~Single family m~~Manufactured homes on individual lots subject to the following restrictions:

~~1. The manufactured home shall be multi-sectional and enclose a space of not less than 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.~~

~~2. 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 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 12-inch limitation will not apply.~~

1. 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 unit dwellings constructed under the state building code as defined in ORS 455.010.

~~2. The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~

~~3. If the manufactured home has a garage or carport, it shall be constructed of like materials.~~

2. Manufactured homes shall be subject to all of the restrictions that apply to detached single-unit dwellings 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.

~~4. The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~

(Ord. 73E § 2.010(1), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 267, Amended, 02/12/2007; Ord. 309, Amended, 12-08-11)

[...]

§ 9.12.040. Standards.

Except as provided in Chapters 9.44, 9.48, 9.52 and 9.72, in an R-1 zone the following standards shall apply:

A. Lot Size and Dimensions. The minimum lot size and dimensions in an R-1 zone shall be as follows:

1. The minimum lot area shall be ~~7,500~~ 7,000 square feet for a one-family single-unit dwelling, duplex, and single room occupancy, and 14,000 square feet for a cottage cluster when the lot is served by both a public water supply and public sewage system.

2. ~~The minimum lot area shall be 20,000 square feet when a lot is served by a public water supply system, but cannot be practically served by a public sewage disposal system. The minimum lot area shall be 7,500 square feet for a single-unit dwelling with or without one accessory dwelling unit and 15,000 square feet for a duplex, when the lot is served by a public water supply system, but cannot practically be served by a public sewage disposal system. Other housing types are prohibited where sufficient infrastructure does not exist.~~
 3. The minimum lot width ~~at the front building line~~ shall be 60 feet for an interior lot and 65 feet for a corner lot when a lot is served by both a public water supply and sewage disposal system.
 4. The minimum lot width ~~at the front building line~~ shall be 70 feet for an interior lot and 75 feet for a corner lot when a lot is served by a public water supply system, but not by a public sewage disposal system.
 5. The minimum lot depth shall be 80 feet.
 6. Landfill of dirt and rock only.
 7. Hazard areas:
 - a. Hill-side building sites, see Chapters 9.44 through 9.52;
 - b. Flood-prone areas, see Chapter 9.54.
 8. Undersize lots, see Chapter 9.76.
- B. Yards. The minimum yard requirements in the R-1 zone shall be as follows:
1. Front yard shall be a minimum of 20 feet.
 2. Each side yard shall be a minimum of either five feet or one foot for each three feet of building height, whichever requirement is the greater. Corner side yards shall not be used for clothes lines, incinerators, permanent storage of trailers, boats and recreational vehicles nor shall said yard be used for the regular or constant parking of automobiles or other vehicles.
 3. The street side yard shall be a minimum of 20 feet.
 4. The rear yard shall be a minimum of 10 feet, except that on a corner lot it shall be a minimum of either five feet or one foot for each three feet of building height, whichever requirement is the greater.
 5. All patio structures and swimming pools shall be a minimum of five feet from any side or rear property line.
 6. ~~No structure shall be located closer than 60 feet from the center line of any state highway, nor 45 feet from the center line of any collector or arterial street.~~
 7. A fence, wall, or sight-obscuring fence may be established and maintained immediately adjacent to an abutting property line provided it is no more than six feet in height (except where the clear-vision area would be impaired as defined in YMC Section 9.64.010), or no more than eight feet in height when permitted by conditional use in accordance with Chapter 9.80 of the YMC. When such a fence, wall, or sight-obscuring fence is placed on top of a retaining wall, the combined height of the wall and fence shall not exceed eight feet.
- C. Building Height. No building in the R-1 zone shall exceed a height of 30 feet from finished grade or from natural grade, see Chapter 9.52.180.

D. Lot Coverage. ~~Structures, including, but not limited to buildings, porches and decks shall not occupy more than 30% of the total lot area. The maximum lot coverage of structures shall be as follows:~~

1. ~~Total lot coverage shall be no more than 40% of the total lot area for detached single-unit dwellings with an accessory dwelling unit and for residential uses with a height of 24 feet and under of the following types: single room occupancy and middle housing.~~
2. ~~Total lot coverage shall be no more than 30% of the total lot area for all other uses.~~

E. Off-Street Parking. Refer to Chapter 9.48 – Off-Street Parking and Loading for parking requirements.

F. General Criteria. The vehicle and pedestrian access to the site ~~can be safely and efficiently provided shall meet:~~

1. ~~All applicable City standards for vehicle and pedestrian access;~~
2. ~~All applicable County standards for emergency vehicle access; and~~
3. ~~The necessary utility systems and public facilities are available with sufficient supply and distribution capacity in accordance with the requirements of Title 8 (Public Services).~~
4. ~~If not provided by the City, it shall be the responsibility of the developer to insure these standards are met. Where City facilities or services are not available or have insufficient capacity, the developer shall be responsible for all costs associated with:~~
 - a. ~~Design and engineering of required improvements;~~
 - b. ~~Construction of required facilities;~~
 - c. ~~Dedication of easements or rights-of-way as necessary; and~~
 - d. ~~Obtaining all necessary permits and approvals from City, State, and Federal agencies.~~

(Ord. 73B, 1983; Ord. 73E § 2.010(3), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 215, Amended, 08/15/2003; Ord. 267, Amended, 02/12/2007; Ord. 277, Amended, 10/10/2008; Ord. 314, Amended, 07/12/12; Ord. 372, 8/16/2024)

Commented [6]: A lot coverage bonus is provided for ADUs and for SROs and middle housing with heights 24 feet and under.

Chapter 9.16 Commentary:

- *The proposed amendments update permitted uses to allow for accessory dwelling units, SROs, and a wider range of middle housing types.*
- *No more than three units per lot are being recommended in the R-2 zone.*
- *Up to six SRO units must be allowed on each lot or parcel zoned to allow for the development of a detached single-unit dwelling after the passage of HB 2138 (2025).*
- *Proposed amendments also revise development standards, including minimum lot area, setbacks, and minimum lot coverage, to reduce barriers to middle housing and ADU development.*
- *Design standards contained in Chapter 9.50 will apply to all middle housing except duplexes.*
- *Some requirements for manufactured dwellings must be removed because they are not clear and objective or are in excess of the requirements for detached single-unit dwellings.*

**CHAPTER 9.16
R-2 RESIDENTIAL ZONE**

§ 9.16.010. Purpose.

This residential zone is intended to provide a quality environment for medium density, urban, ~~single-family~~ residential uses and other compatible land uses determined to be desirable and/or necessary. In an R-2 zone the following regulations shall apply.
(Ord. 73E § 2.020, 1992; Ord. 73I, 1994; Ord. 175, 1995)

§ 9.16.020. Permitted uses.

In an R-2 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

- B. One ~~single-family detached single-unit~~ dwelling per ~~tax~~ lot;
- C. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. ~~A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction; See Chapter 9.68;~~
- D. Recreational Vehicle. See Chapter 9.68;
- E. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use;
- F. Planned unit development. (P.U.D.) except for a manufactured home P.U.D. See Chapter 9.60;
- G. Townhouse planned unit development (P.U.D.). See Chapter 9.62;
- H. ~~Accessory Structures. See Chapter 9.52.025; Accessory buildings and uses to the extent necessary and normal in a residential neighborhood;~~
- I. ~~One accessory dwelling unit per legal detached single-unit dwelling. See Chapter 9.51;~~
- J. ~~One duplex per lot;~~

- K. ~~One triplex per lot. See Chapter 9.50.020;~~
- L. ~~One cottage cluster per lot. See Chapter 9.50.040;~~
- M. ~~One townhouse project, with no more than three units, per lot. See Chapter 9.50.030;~~
- N. ~~One single room occupancy development per lot, with a maximum of six single room occupancy units;~~
- O. ~~Two-family dwelling;~~
- P. Family day care provider;
- Q. Residential home;
- R. ~~Factory-built dwelling. See Definitions;~~
- S. ~~Single-family m~~Manufactured homes on individual lots subject to the following restrictions:

Commented [RC7]: Use allowance has been updated to accommodate detached forms of SROs and match the definition.

- ~~1. The manufactured home shall be multi-sectional and enclose a space of not less than 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.~~
- ~~2. 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 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 12-inch limitation will not apply.~~
- 1. 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 unit dwellings constructed under the state building code as defined in ORS 455.010.
- ~~2. The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
- ~~3. If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
- 4. Manufactured homes shall be subject to all of the restrictions that apply to detached single-unit dwellings 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.
- ~~5. The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~

(Ord. 73E § 2.020(1), 1992; Ord. 731, 1994; Ord. 175, 1995; Ord. 267, Amended, 02/12/2007; Ord. 301, Amended, 9/8/2011; Ord. 302, Amended, 9/8/2011; Ord. 309, Amended, 12-08-11)

[...]

§ 9.16.040. Standards.

Except as provided in Chapters 9.44, 9.48, 9.52 and 9.72, in an R-2 zone the following standards shall apply:

I. Lot Size and Dimensions. The minimum lot size and dimensions in an R-2 zone shall be as follows:

1. The minimum lot area shall be 6,000 square feet for a ~~one-family and 7,500 square feet for a two-family dwelling, and single-unit dwelling, duplex, or single room occupancy; 7,500 square feet for a triplex; and 12,000 square feet for a cottage cluster~~ when the lot is served by both a public water supply and public sewage system.
2. The average lot area for townhouses in a townhouse project shall be a minimum of 2,500 square feet when the lot is served by both a public water supply and public sewage system.
3. The minimum lot area shall be 7,500 square feet for a ~~one-family~~ single-unit dwelling with or without one accessory dwelling unit and 15,000 square feet for a ~~two-family dwelling~~ duplex, when the lot is served by a public water supply system, but cannot practically be served by a public sewage disposal system. Other housing types are prohibited where sufficient infrastructure does not exist.
4. The minimum lot width ~~at the front building line~~ shall be 50 feet for an interior lot and 55 feet for a corner lot when a lot is served by both a public water supply and sewage disposal system.
5. The minimum lot width ~~at the front building line~~ shall be 70 feet for an interior lot and 75 feet for a corner lot when a lot is served by a public water supply system but not a public sewage disposal system.
6. The minimum lot depth shall be 80 feet.
7. Landfill of dirt and rock only.
8. Hazard areas:
 - a. Hill-side building sites, see Chapters 9.44 through 9.52;
 - b. Flood prone areas, see Chapter 9.54.
9. Undersize lots, see Chapter 9.76.

J. Yards. The minimum yard requirements in the R-2 zone shall be as follows:

1. Front yard shall be a minimum of 20 feet.
2. Each side yard shall be a minimum of either five feet or one foot for each three feet of building height, whichever requirement is the greater. Corner side yards shall not be used for clothes lines, incinerators, permanent storage of trailers, boats and recreational vehicles nor shall said yard be used for the regular or constant parking of automobiles or other vehicles. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.
3. The street side yard shall be a minimum of ~~20~~ 10 feet.
4. The rear yard shall be a minimum of 10 feet, except that on a corner lot it shall be a minimum of either five feet or one foot for each three feet of building height, whichever requirement is the greater.
5. All patio structures and swimming pools shall be a minimum of five feet from any side or rear property line.

- ~~6. No structure shall be located closer than 60 feet from the center line of any state highway, nor 45 feet from the center line of any collector or arterial street.~~
7. A fence, wall, or sight-obscuring fence may be established and maintained immediately adjacent to an abutting property line provided it is no more than six feet in height (except where the clear-vision area would be impaired as defined in YMC Section 9.64.010), or no more than eight feet in height when permitted by conditional use in accordance with Chapter 9.80 of the YMC. When such a fence, wall, or sight-obscuring fence is placed on top of a retaining wall, the combined height of the wall and fence shall not exceed eight feet.
- K. Building Height. No building in the R-2 zone shall exceed a height of 30 feet from finished grade or from natural grade see Chapter 9.52.180.
- L. Lot Coverage. ~~Structures, including, but not limited to buildings, porches and decks shall not occupy more than 35% of the total lot area. The maximum lot coverage of structures shall be as follows:~~
1. ~~Total lot coverage shall be no more than 45% of the total lot area for detached single-unit dwellings with an accessory dwelling unit and for residential uses with a height of 24 feet and under of the following types: single room occupancy and middle housing.~~
 2. ~~Total lot coverage shall be no more than 35% of the total lot area for all other uses.~~
 3. ~~For townhouses, this standard applies to the townhouse project and not to each townhouse.~~
- M. Off-Street Parking. Refer to Chapter 9.48 - Off-Street Parking and Loading for parking requirements.
- N. General Criteria. The vehicle and pedestrian access to the site ~~can be safely and efficiently provided meet:~~
1. ~~All applicable City standards for vehicle and pedestrian access;~~
 2. ~~All applicable County standards for emergency vehicle access; and~~
 3. ~~The necessary utility systems and public facilities are available with sufficient supply and distribution capacity in accordance with the requirements of Title 8 (Public Services).~~
 4. ~~If not provided by the City, it shall be the responsibility of the developer to insure these standards are met. Where City facilities or services are not available or have insufficient capacity, the developer shall be responsible for all costs associated with:~~
 - a. ~~Design and engineering of required improvements;~~
 - b. ~~Construction of required facilities;~~
 - c. ~~Dedication of easements or rights-of-way as necessary; and~~
 - d. ~~Obtaining all necessary permits and approvals from City, State, and Federal agencies.~~

Commented [8]: A lot coverage bonus is provided for ADUs and for SROs and middle housing with heights 24 feet and under.

(Ord. 73E § 2.020(3), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 215, Amended, 08/15/2003; Ord. 243, Amended, 12/18/2003; Ord. 267, Amended, 02/12/2007; Ord. 277, Amended, 10/10/2008; Ord. 314, Amended, 07/12/12; Ord. 372, 8/16/2024)

Chapter 9.20 Commentary:

- *The proposed amendments update permitted uses to allow for accessory dwelling units, SROs, and a wider range of middle housing types.*
- *The density maximum is proposed to be removed in favor of regulating density through minimum lot size.*
- *The proposed amendments implement a minimum gross density of 8.7 units per acre for residential development.*
- *Proposed amendments also revise development standards, including minimum lot area, setbacks, lot width, and minimum lot coverage, to reduce barriers to middle housing and ADU development.*
- *Design standards contained in Chapter 9.50 will apply to all middle housing except duplexes.*
- *Some requirements for manufactured dwellings must be removed because they are not clear and objective or are in excess of the requirements for detached single-unit dwellings.*

**CHAPTER 9.20
R-3 RESIDENTIAL ZONE**

§ 9.20.010. Purpose.

The R-3 residential zone is intended to provide a quality environment for high density, urban, residential uses together with other compatible land uses determined to be desirable and/or necessary. In an R-3 zone the following regulations shall apply.
(Ord. 73E § 2.030, 1992; Ord. 73I, 1994; Ord. 175, 1995)

§ 9.20.020. Permitted uses.

In an R-3 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

- A. ~~One single-family~~ detached single-unit dwelling per ~~tax~~ lot;
- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. ~~A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction; See Chapter 9.68;~~
- C. Recreational Vehicle. See Chapter 9.68;
- D. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use;
- E. Planned unit development. (P.U.D.) ~~except for manufactured home P.U.D.~~ See Chapter 9.60;
- F. Townhouse planned unit development (P.U.D.). See Chapter 9.62;
- G. Accessory Structures. See Chapter 9.52.025; Accessory buildings and uses to the extent necessary and normal in a residential neighborhood;~~Two-family dwelling;~~
- H. One accessory dwelling unit per legal detached single-unit dwelling. See Chapter 9.51;
- I. One duplex per lot;

- J. One triplex per lot. See Chapter 9.50.020;
- K. One quadplex per lot. See Chapter 9.50.020;
- L. One cottage cluster per lot. See Chapter 9.50.040;
- M. One townhouse project per lot. See Chapter 9.50.030;
- N. Multifamily dwelling; Multi-unit housing. See Chapter 9.50.050;
- O. Single Room Occupancy;
 - ~~Factory built dwelling. See Definitions;~~
- P. Family day care provider;
- Q. Residential home;
- R. Residential facility;
- S. ~~Single-family m~~Manufactured homes on individual lots subject to the following restrictions:
 - ~~1.—The manufactured home shall be multi-sectional and enclose a space of not less than 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.~~
 - ~~2.—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 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 12-inch limitation will not apply.~~
 - 1. 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 detached single-unit dwellings constructed under the state building code as defined in ORS 455.010.
 - ~~2.—The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
 - ~~5.—If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
 - 2. Manufactured homes shall be subject to all of the restrictions that apply to detached single-unit dwellings 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.
 - ~~7.—The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~
- T. Manufactured dwelling park, manufactured dwelling subdivision and manufactured dwelling P.U.D.

(Ord. 73E § 2.030(1), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 267, Amended, 02/12/2007; Ord. 301,

Amended, 9/8/2011; Ord. 302, Amended, 9/8/2011; Ord. 309, Amended, 12-08-11)

§ 9.20.030. Conditional uses.

In an R-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 9.44, 9.48, 9.52 and 9.72 where applicable:

- A. Governmental structure or use of land; and public utility facility;
- B. Home occupation. See Definitions;
- C. Temporary real estate office offering residential property in the immediate vicinity for sale;
- D. Church, nonprofit religious or philanthropic institution;
- E. Community center;
- F. Nursery school, kindergarten or similar facility;
- G. Hospital, nursing home, retirement home, or similar facility;
- H. Private noncommercial recreation club such as tennis, swimming or archery club, but excluding commercial amusement or recreation enterprises;
- I. Park, playground, swimming pool, or similar recreation area;
- J. School or private school offering curricula similar to public schools;
- K. Parking areas;
- L. Bed and breakfast facility;

~~M.—Manufactured dwelling park, subdivision and P.U.D.~~

(Ord. 73E § 2.030(2), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 301, Amended, 9/8/2011)

§ 9.20.040. Standards.

Except as provided in Chapters 9.44, 9.48, 9.52 and 9.72, in an R-3 zone the following standards shall apply:

- A. Lot Size and Dimensions. The minimum lot size and dimensions in the R-3 zone shall be as follows:
 - 1. The minimum lot area shall be ~~6,000~~ 5,000 square feet for a ~~one-family dwelling; 7,500 square feet for a two-family dwelling; 6,000 square feet for the first dwelling unit and 2,500 square feet for each additional unit in a multifamily dwelling single-unit dwelling, single room occupancy, or duplex; 6,000 square feet for a triplex; 7,000 square feet for a quadplex or cottage cluster; and 1,500 square feet per unit for multi-unit housing~~ when the lot is served by both a public water supply and public sewage system. ~~However, the maximum density in the R-3 zone shall not exceed 12 dwelling units per acre.~~
 - 2. The average lot area for townhouses in a townhouse project shall be a minimum of 1,500 square feet when the lot is served by both a public water supply and public sewage system.
 - 3. The minimum lot area shall be 7,500 square feet for a single-unit dwelling with or without one accessory dwelling unit and 15,000 square feet for a duplex, when the lot is served by a public water supply system, but cannot practically be served by a public sewage disposal system. Other housing types are prohibited where sufficient infrastructure does not exist.

4. The minimum lot width ~~at the front building line~~ shall be ~~50~~ 30 feet for an interior lot and ~~55-35~~ feet for a corner lot when a lot is served by both a public water supply and sewage disposal systems.
 5. The minimum lot width at the front building line shall be 70 feet for an interior lot and 75 feet for a corner lot when a lot is served by a public water supply system but not a public sewage disposal system.
 6. The minimum lot depth shall be 80 feet.
 7. Landfill of dirt and rock only.
 8. Hazard areas:
 - a. Hillside building sites, see Chapters 9.44, 9.48 and 9.52;
 - b. Floodprone areas, see Chapter 9.54
 9. Undersize lots, see Chapter 9.76.
- B. Yards. The minimum yard requirements in the R-3 zone shall be as follows:
1. Front yard shall be a minimum of ~~20~~ 10 feet.
 2. Each side yard shall be a minimum of ~~either five feet or one foot for each three feet of building height, whichever requirement is greater.~~ Corner side yards shall not be used for clothes lines, incinerators, permanent storage of trailers, boats and recreational vehicles nor shall said yard be used for the regular or constant parking of automobiles or other vehicles. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.
 3. The street side yard shall be a minimum of ~~20~~ 10 feet.
 4. The rear yard shall be a minimum of 10 feet, except that on a corner lot it shall be a minimum of either five feet or one foot for each three feet of building height, whichever requirement is the greater.
 5. All patio structures and swimming pools shall be a minimum of five feet from any side or rear property line.
 6. ~~No structure shall be located closer than 60 feet from the center line of any state highway, nor 45 feet from the center line of any collector or arterial street.~~
 7. A fence, wall, or sight-obscuring fence may be established and maintained immediately adjacent to an abutting property line provided it is no more than six feet in height (except where the clear-vision area would be impaired as defined in YMC Section 9.64.010), or no more than eight feet in height when permitted by conditional use in accordance with Chapter 9.80 of the YMC. When such a fence, wall, or sight-obscuring fence is placed on top of a retaining wall, the combined height of the wall and fence shall not exceed eight feet.
- C. Minimum Density. The minimum gross density in the R-3 zone shall be 8.7 dwelling units per acre.
- D. Building Height. No building in the R-3 zone shall exceed a height of 30 feet from finished grade or from natural grade, see Chapter 9.52.180.
- E. Lot Coverage. ~~Structures, including, but not limited to buildings, porches and decks shall not occupy more than 40% of the total lot area. The maximum lot coverage of structures shall be as follows:~~

Commented [9]: Minium density standard added, equivalent to 1 unit per 5,000 sqft lot

1. ~~Total lot coverage shall be no more than 50% of the total lot area for detached single-unit dwellings with an accessory dwelling unit and for all other residential uses with heights 24 feet and under.~~
 2. ~~Total lot coverage shall be no more than 40% of the total lot area for all other uses.~~
 3. ~~For townhouses, this standard applies to the townhouse project and not to each townhouse.~~
- F. Off-Street Parking. Refer to Chapter 9.48 – Off-Street Parking and Loading for parking requirements.
- G. Separation Between Buildings. The minimum separation between ~~multifamily dwelling~~ multi-unit housing buildings shall be ~~30~~ 10 feet ~~unless the buildings are arranged end-to-end. In such a case, there shall be at least a ten-foot separation and no doorway or entry may open into the space between the buildings.~~
- H. Vehicle Access. Ingress or egress to a ~~multifamily dwelling~~ multi-unit housing or commercial use shall not be allowed from less than a 35 foot right-of-way and a 25 foot all-weather travel surface that is accessible to emergency vehicles. In the event that a 35 foot right-of-way is not possible, a minimum 10 foot easement (five feet on each side of the travel surface) shall be dedicated to the City for utility purposes. Commercial ~~and multifamily dwellings~~ and multi-unit housing uses ~~and multifamily dwellings~~, shall not have vehicle access to or from a cul- de-sac.
- I. General Criteria. The vehicle and pedestrian access to the site ~~can be safely and efficiently provided meet:~~
1. All applicable City standards for vehicle and pedestrian access;
 2. All applicable County standards for emergency vehicle access; and
 3. The necessary utility systems and public facilities are available with sufficient supply and distribution capacity in accordance with the requirements of Title 8 (Public Services).
 4. ~~If not provided by the City, it shall be the responsibility of the developer to insure these standards are met. Where City facilities or services are not available or have insufficient capacity, the developer shall be responsible for all costs associated with:~~
 - a. Design and engineering of required improvements;
 - b. Construction of required facilities;
 - c. Dedication of easements or rights-of-way as necessary; and
 - d. Obtaining all necessary permits and approvals from City, State, and Federal agencies.

Commented [10]: A lot coverage bonus is provided for ADUs and for all other residential uses with heights 24 feet and under.

(Ord. 73E § 2.030(3), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 215, Amended, 08/15/2003; Ord. 243, Amended, 12/18/2003; Ord. 267, Amended, 02/12/2007; Ord. 277, Amended, 10/10/2008; Ord. 314, Amended, 07/12/12; Ord. 372, 8/16/2024)

Chapter 9.24 Commentary:

- *The proposed amendments update permitted uses to allow for accessory dwelling units, SROs, and a wider range of middle housing types.*
- *The density maximum is proposed to be removed in favor of regulating density through minimum lot size.*
- *The proposed amendments implement a minimum gross density of 8.7 units per acre for residential development.*
- *Proposed amendments also revise development standards, including minimum lot area, setbacks, lot width, and minimum lot coverage, to reduce barriers to middle housing and ADU development.*
- *Design standards contained in Chapter 9.50 will apply to all middle housing except duplexes.*
- *Some requirements for manufactured dwellings must be removed because they are not clear and objective or are in excess of the requirements for detached single-unit dwellings.*
- *General Criteria applied to all development have been updated to be clear and objective and to apply consistently across housing types.*

**CHAPTER 9.24
R-4 RESIDENTIAL ZONE**

§ 9.24.010. Purpose.

The multiple-~~family~~unit residential zone is intended to provide a quality environment for high density, urban, residential, resort and motel uses together with other compatible land uses determined to be desirable and/ or necessary. In an R-4 zone the following regulations shall apply. (Ord. 73E § 2.040, 1992; Ord. 73I, 1994; Ord. 175, 1995)

§ 9.24.020. Permitted uses.

In an R-4 zone the following uses and their accessory uses are permitted subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable.

- A. One ~~single-family detached single-unit~~ dwelling per ~~tax~~ lot;
- B. A recreational vehicle used for dwelling purposes during the construction of a new dwelling or a remodel that makes an existing dwelling uninhabitable during construction. ~~A building permit shall be issued for the new or remodeled dwelling (temporary buildings or shelters of any kind are not permitted unless a building permit for the permitted use has been issued), provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property and further provided that such construction must be completed and the recreational vehicle or manufactured dwelling removed from the premises within one year from the date of the commencement of construction; See Chapter 9.68;~~
- C. Recreational vehicle. See Chapter 9.68.
- D. Gardens and greenhouses for the raising and harvesting of fruit, vegetables, and flowers for noncommercial use.
- E. Planned unit development. (P.U.D.) ~~except for manufactured home P.U.D.~~ See Chapter 9.60.
- F. Townhouse planned unit development (P.U.D.). See Chapter 9.62.
- G. Accessory Structures. See Chapter 9.52.025: Accessory buildings and uses to the extent necessary and normal in a residential neighborhood;

- H. ~~Two-family dwelling. One accessory dwelling unit per legal detached single-unit dwelling. See Chapter 9.51;~~
- I. One duplex per lot;
- J. One triplex per lot. See Chapter 9.50.020;
- K. One quadplex per lot. See Chapter 9.50.020;
- L. One cottage cluster per lot. See Chapter 9.50.040;
- M. One townhouse project per lot. See Chapter 9.50.030;
- N. ~~Multifamily dwelling, including condominiums, townhouses and apartments.;~~ Multi-unit housing. See Chapter 9.50.050;
- N. Single Room Occupancy;
- P. ~~Factory-built dwellings. See Definitions.~~
- O. Motel, hotel or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101 only and with accessory commercial uses.
- P. Family day care provider.
- Q. Residential home.
- R. Residential facility.
- S. ~~Single-family m~~Manufactured homes on individual lots subject to the following restrictions:
 - ~~1. The manufactured home shall be multi-sectional and enclose a space of not less than 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.~~
 - ~~2. 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 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 12 inch limitation will not apply.~~
 1. 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 detached dwellings constructed under the state building code as defined in ORS 455.010.
 - ~~2. The manufactured home shall bear an insignia, issued not earlier than three years prior to the date of application for a placement permit, showing compliance with Department of Housing and Urban Development standards.~~
 - ~~5. If the manufactured home has a garage or carport, it shall be constructed of like materials.~~
 2. Manufactured homes shall be subject to all of the restrictions that apply to detached single-unit dwellings 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.

~~7.—The manufactured home shall have a pitched roof not less than a nominal three feet in height for each 12 feet in width.~~

~~P. Manufactured dwelling park, manufactured dwelling subdivision and manufactured dwelling P.U.D.~~

(Ord. 73E § 2.040(1), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 267, Amended, 02/12/2007; Ord. 301, Amended, 9/8/2011; Ord. 302, Amended, 9/8/2011; Ord. 309, Amended, 12-08-11)

§ 9.24.030. Conditional uses.

In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 9.44, 9.48, 9.52 and 9.72 where applicable:

- A. Governmental structure or use of land; and public utility facility;
 - B. Home occupation. See Definitions;
 - C. Temporary real estate office offering residential property in the immediate vicinity for sale;
 - ~~D.—Manufactured dwelling park, subdivision and P.U.D.;~~
 - E. Church, nonprofit religious or philanthropic institution;
 - F. Nursery school, kindergarten or similar facility;
 - G. Hospital, nursing home, retirement home, or similar facility;
 - H. Private noncommercial recreation club such as tennis, swimming or archery club, but excluding commercial amusement or recreation enterprises;
 - I. Park, playground, swimming pool, or similar recreation area;
 - J. Private school offering curricula similar to public schools;
 - K. Parking areas;
 - L. Club, lodge or fraternal organization;
 - M. Professional office;
 - N. Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or zones than the buildings and uses specifically listed, provided that retail sales uses, unless specifically listed, shall only be incidental and directly related to the operation of permitted uses;
 - O. Bed and breakfast facility;
 - P. Motel, hotel or resort on less than 1.0 acre with accessory commercial uses.
 - Q. Hostels.
- (Ord. 73E § 2.040(2), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 301, Amended, 9/8/2011, Ord. 376, 11/20/2024)

§ 9.24.040. Standards.

Except as provided in Chapters 9.44, 9.48, 9.52 and 9.72, in an R-4 zone the following standards shall apply:

- A. Lot Size and Dimensions. The minimum lot size and dimensions in the R-4 zone shall be as follows:

1. The minimum lot area shall be ~~6,000~~ 5,000 square feet for a ~~one-family dwelling~~; ~~7,500 square feet for a two-family dwelling~~; ~~5,000 square feet for the first dwelling unit and 2,500 square feet for each additional unit in a multifamily dwelling~~ single-unit dwelling, single room occupancy, or duplex; ~~6,000 square feet for a triplex~~; ~~7,000 square feet for a quadplex or cottage cluster~~; and 1,500 square feet per unit for multi-unit housing when the lot is served by both a public water supply and public sewage system. ~~However, the maximum density in the R-4 zone shall not exceed 12 dwelling units per acre.~~
 2. The average lot area for townhouses in a townhouse project shall be a minimum of 1,500 square feet when the lot is served by both a public water supply and public sewage system.
 3. Lot width ~~60~~ 30 foot minimum ~~at front building line~~ for interior lot and ~~65~~ 35 feet for a corner lot with public water and sewer systems.
 4. Lot width 70 foot minimum ~~at front building line~~ for interior lot and 75 feet for a corner lot with public water but no sewer.
 5. The minimum lot depth shall be 80 feet.
 6. ~~The minimum lot area per dwelling unit shall be at least 20,000 square feet when a lot is not served by a public water supply system, unless otherwise required by the county sanitarian. The minimum lot area shall be 7,500 square feet for a single-unit dwelling with or without one accessory dwelling unit and 15,000 square feet for a duplex, when the lot is served by a public water supply system, but cannot practically be served by a public sewage disposal system. Other housing types are prohibited where sufficient infrastructure does not exist.~~
 7. Landfill of dirt and rock only.
 8. Hazard areas:
 - a. Hill-side building sites, see Chapters 9.44, 9.48 and 9.52;
 - b. Flood-prone areas, see Chapter 9.54.
 9. Undersize lots, see Chapter 9.76.
- B. Yards. The minimum yard requirements in the R-4 zone shall be as follows:
1. Front yard shall be a minimum of ~~20~~ 10 feet.
 2. Each side yard shall be a minimum of ~~either five feet or one foot for each three feet of building height, whichever requirement is greater.~~ Corner side yards shall not be used for clothes lines, incinerators, permanent storage of trailers, boats and recreational vehicles nor shall said yard be used for the regular or constant parking of automobiles or other vehicles. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.
 3. The street side yard shall be a minimum of ~~20~~ 10 feet.
 4. The rear yard shall be a minimum of 10 feet, except that on a corner lot it shall be a minimum of either five feet or one foot for each three feet of building height whichever requirement is the greater.
 5. All patio structures and swimming pools shall be a minimum of five feet from any side or rear property line.
 6. ~~No structure shall be located closer than 60 feet from the center line of any state highway, nor 45 feet from the center line of any collector or arterial street.~~

7. A fence, wall, or sight-obscuring fence may be established and maintained immediately adjacent to an abutting property line provided it is no more than six feet in height (except where the clear-vision area would be impaired as defined in YMC Section 9.64.010), or no more than eight feet in height when permitted by conditional use in accordance with Chapter 9.80 of the YMC. When such a fence, wall, or sight-obscuring fence is placed on top of a retaining wall, the combined height of the wall and fence shall not exceed eight feet.
- C. Minimum Density. The minimum gross density in the R-4 zone shall be 8.7 dwelling units per acre.
- D. Building Height. No building in the R-4 zone shall exceed a height of 30 feet from finished grade or from natural grade, see Chapter 9.52.180.
- E. Lot Coverage. ~~Structures, including, but not limited to, buildings, porches and decks shall not occupy more than 45% of the total lot area. The maximum lot coverage of structures shall be as follows:~~
5. Total lot coverage shall be no more than 55% of the total lot area for detached single-unit dwellings with an accessory dwelling unit and for all other residential uses with heights 24 feet and under.
 1. Total lot coverage shall be no more than 45% of the total lot area for all other uses.
 2. For townhouses, this standard applies to the townhouse project and not to each townhouse.
- F. Off-Street Parking. Refer to Chapter 9.48 - Off-Street Parking and Loading for parking requirements.
- G. Separation Between Buildings. The minimum separation between ~~multifamily~~ multi-unit housing buildings shall be ~~30~~ 10 feet ~~unless the buildings are arranged end-to-end. In such a case, there shall be at least a ten-foot separation and no doorway or entry may open into the space between the buildings.~~
- H. Vehicle Access. Ingress or egress to ~~a multifamily dwelling~~ multi-unit housing or to a motel shall not be allowed from less than a 35 foot right-of-way and a 25 foot all weather travel surface, accessible to emergency vehicles. In the event that a 35 foot right-of-way is not possible, a minimum of 10 foot easement (five feet on each side of the travel surface) shall be dedicated to the City for utility purposes and pedestrian use. Commercial ~~and multi-unit residential~~ uses ~~and multifamily dwellings~~ shall not have vehicles access to or from a cul-de- sac.
- ~~I. Utilities. The developer of multifamily multi-unit dwellings shall have full financial responsibility for the utilities needed on the building site. The developer shall also have partial or full financial responsibility as determined by the City Council, for extra capacity utilities required to serve the building site. Extra capacity utilities includes water lines in excess of six inches, sanitary sewer lines in excess of eight inches and storm sewer lines in excess of 12 inches.~~
- I. General Criteria. The vehicle and pedestrian access to the site can be safely and efficiently provided shall meet:
1. All applicable City standards for vehicle and pedestrian access;
 2. All applicable County standards for emergency vehicle access; and
 3. The necessary utility systems and public facilities are available with sufficient supply and distribution capacity in accordance with the requirements of Title 8 (Public Services).
 4. If not provided by the City, it shall be the responsibility of the developer to insure these standards are met. Where City facilities or services are not available or have insufficient capacity, the developer shall be responsible for all costs associated with:

Commented [11]: Minium density standard added, equivalent to 1 unit per 5,000 sqft lot

Commented [12]: A lot coverage bonus is provided for ADUs and for SROs and middle housing with heights 24 feet and under.

- a. Design and engineering of required improvements;
- b. Construction of required facilities;
- c. Dedication of easements or rights-of-way as necessary; and
- d. Obtaining all necessary permits and approvals from City, State, and Federal agencies.

(Ord. 73E § 2.040(3), 1992; Ord. 73I, 1994; Ord. 175, 1995; Ord. 215, Amended, 08/15/2003; Ord. 243, Amended, 12/18/2003; Ord. 267, Amended, 02/12/2007; Ord. 277, Amended, 10/10/2008; Ord. 286, Amended, 11/18/2009; Ord. 314, Amended, 07/12/12; Ord. 372, 8/16/2024)

Chapter 9.28 Commentary:

- *The proposed amendments update permitted uses to include mixed use development and one ADU on sites developed with commercial uses.*
- *Proposed amendments revise development standards, including minimum lot area, side setbacks, and lot coverage, to reduce barriers to middle housing and multi-unit housing development.*
- *The proposed amendments implement a minimum gross density of 10 units per acre for residential development.*

CHAPTER 9.28
C-1 RETAIL COMMERCIAL ZONE

§ 9.28.010. Permitted uses.

In a C-1 zone the following uses and their accessory uses are permitted, subject to the provisions of Chapters 9.44, 9.48 and 9.52 where applicable:

- A. A governmental structure or use of land and public utility facility;
- B. Any use which would be permitted outright in any residential zone, subject to applicable design standards. See Chapter 9.50;
- C. One accessory dwelling unit on sites developed with non-residential uses permitted by the zone. No detached single-unit dwelling is required. See chapter 9.51;
- D. Mixed use development;
- E. Retail stores and shops such as food, drug, apparel, hardware, furniture and similar establishments;
- F. Personal or business service establishment such as barber or beauty shop, tailor shop or similar establishment;
- G. Financial institution;
- H. Business or professional office;
- I. Private museum or art gallery;
- J. Family day care provider;
- K. Residential home;
- L. Residential facility;
- M. Automobile service station with direct access to U.S. Highway 101;
- N. Laundry or dry cleaning establishment;
- O. Restaurant, bar or tavern;
- P. Motel or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101 only and with accessory commercial uses;
- Q. (Reserved).

Commented [13]: Added allowance for ADU on a site with existing development (no dwelling unit required)

R. Mobile vending unit subject to the following restrictions:

1. Prior to operating a mobile vending unit the operator shall:
 - a. Have written authorization from the property owner for the operation of a mobile vending unit;
 - b. Obtain a City business license;
 - c. Submit a description of operating characteristics, vehicular access and parking, and any other information required by the City. The operating characteristics, access and parking, and additional information are subject to review and approval by the City.
2. Mobile vending units shall not be located in the public right-of-way (the exception to this is a "festival or community event" approved by City Council).
3. The mobile vending unit operator/applicant is responsible for obtaining all required agency permits and approvals.

(Ord. 104, 1981; Ord. 73E § 2.050(1), 1992; Ord. 175, 1995; Ord. 196 § 1, 1997; Ord. 303, 2011; Ord. 319, 2013)

§ 9.28.020. Conditional uses.

In a C-1 zone the following uses and their accessory uses may be permitted subject to the provisions of Chapters 9.44, 9.48, 9.52 and 9.72 where applicable:

~~A. Mixed use (commercial and residential);~~

- A. Church, non-profit religious or philanthropic institution;
- B. Community center;
- C. Nursery school, kindergarten or similar facility;
- D. Hospital nursing home, retirement home, or similar facility;
- E. Private noncommercial recreation club such as tennis, swimming or archery club, but excluding commercial amusement or recreation enterprise;
- F. Park, playground, swimming pool or similar recreation area;
- G. Private school offering curricula similar to public school;
- H. Parking area;
- I. Outdoor commercial amusement or recreation establishment such as miniature golf course or drive-in theater, but not including uses such as race track or automobile speedway;
- J. Small scale, nonpolluting light industrial uses that are compatible with existing and anticipated land uses;
- K. Repair shop for the type of goods offered for sale in those retail trade establishments permitted in a C-1 zone provided all repair and storage shall occur entirely within an enclosed building;

- L. Medical clinic or veterinary clinic;
- M. Club, lodge or fraternal organization facilities;
- N. Indoor commercial amusement or recreation establishment such as a bowling alley, theater, pool hall, ballroom, or skating rink;
- O. Mortuary;
- P. Any commercial use not otherwise provided for in this section or specifically prohibited; provided, however, such commercial use shall not have a different or more detrimental effect upon the adjoining and adjacent areas than those uses permitted either outright or conditionally in this section;
- Q. Bed and breakfast facility;
- ~~R. Manufactured dwelling park, subdivision and P.U.D.;~~
- R. Motel, hotel or resort on less than 1.0 acre with accessory commercial uses;
- S. Automobile service station (with direct access not from U.S. Hwy. 101).
- T. Formula business and any accessory use to a formula business for:
 1. Motel or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101 only and with accessory commercial uses.
 2. Automobile service stations with direct access to U.S. Highway 101.
 3. Retail stores and shops such as food, drug, apparel, hardware, furniture and similar establishments.
 4. Financial institutions.
 5. All other conditional uses listed in this section that are also formula businesses.
- U. Hostels.
(Ord. 104, 1981; Ord. 73E § 2.050(2), 1992; Ord. 175, 1995; Ord. 266, 2007; Ord. 303, 2011; Ord. 348 § 2, 2017; Ord. 376, 11/20/2024)

§ 9.28.030. Standards.

Except as provided in Chapters 9.44, 9.48, 9.52 and 9.72, in any C-1 zone the following standards apply:

- A. Lot Size and Dimensions. The minimum lot size and dimensions in the C-1 zone shall be as follows:
 1. The lot area, lot width, and lot depth requirements for nonresidential and mixed use development in the C-1 zone shall be as follows:
 - a. Lot area, 6,000 square feet with public water and sewer system.
 - b. Lot width, 60 feet minimum at front building line for interior lot and 65 feet for a corner lot with public water and sewer system.

- c. Lot width, 70 feet minimum at front building line for interior lot and 75 feet for a corner lot with public water but no public sewer.
2. The lot area, lot width, lot depth, and minimum density requirements for residential development in the C-1 zone shall be as follows:
- a. Lot area, 3,000 square feet for a single-unit dwelling or single room occupancy; 5,000 square feet for a duplex; 6,000 square feet for a triplex; 7,000 square feet for a quadplex or cottage cluster; and 1,500 square feet for each unit for multi-unit housing.
 - b. The average lot area for townhouses in a townhouse project shall be a minimum of 1,500 square feet when the lot is served by both a public water supply and public sewage system.
 - c. The minimum lot width shall be 30 feet for an interior lot and 35 feet for a corner lot when a lot is served by both a public water supply and sewage disposal systems.
 - d. Lot width, 70 foot minimum for interior lot and 75 feet for a corner lot with public water but no sewer.
 - e. The minimum gross density shall be 10 units per acre.
- ~~3. The minimum lot area per multifamily dwelling unit shall be 2,500-1,000 square feet with a public water and sewer system.~~
- ~~a. The minimum lot area per multifamily dwelling unit may be lowered to 1,500 square feet with a public water and sewer system if approved by the Planning Commission through a public hearing in accordance with Chapter 9.72 Conditional Uses.~~
3. The minimum lot depth shall be 80 feet.
4. Landfill of dirt and rock only.
5. Hazard areas:
- a. Hill-side building sites, see Chapters 9.44, 9.48 and 9.52;
 - b. Flood-prone areas, see Chapter 9.54.
6. Undersize lots, see Chapter 9.76.
- B. Building Height. No building in a C-1 zone shall exceed a height of 30 feet from finished grade or from natural grade, see Chapter 9.52.180.
- C. Lot Coverage. For nonresidential uses and mixed use development lot coverage may be 100% except all yards abutting a residential zone shall be a minimum of 10 feet.
- ~~D. No structure shall be located closer than 60 feet from the center line of any State highway, nor 30 feet from the center line of any collector or arterial street.~~
- D. Outdoor storage shall be screened with a sight-obscuring screen.
- E. Yard Regulations. Yards are not required, except for residential-only uses, unless setbacks have been established for road widening, abutment to residential zones or other purposes.

F. Residential-Only Uses.

1. Yards proposed to be less than the minimum yard requirements which apply in the ~~residential zones~~ **R-4 zone** shall be subject to approval by the Planning Commission through a public hearing in accordance with Chapter 9.72 Conditional Uses.
2. Parking requirements shall be the same specifications outlined in R-4.

G. Fences, Hedges, Walls and Landscaping. Where a commercial use abuts a residential zone, a fence, evergreen hedge, wall or landscaping shall be constructed and maintained immediately adjacent to the abutting property line. Such a buffer shall screen at least 70% of the view between the zones. The buffer shall not be less than five or more than eight feet in height, except where vision clearance would be interrupted. Exceptions shall be subject to approval by the Planning Commission through a public hearing in accordance with Chapter 9.80 Variances.

H. General Criteria. The vehicle and pedestrian access to the site ~~can be safely and efficiently provided meet:~~

1. All applicable City standards for vehicle and pedestrian access;
2. All applicable County standards for emergency vehicle access; and
3. The necessary utility systems and public facilities are available with sufficient supply and distribution capacity in accordance with the requirements of Title 8 (Public Services).
4. ~~If not provided by the City, it shall be the responsibility of the developer to insure these standards are met. Where City facilities or services are not available or have insufficient capacity, the developer shall be responsible for all costs associated with:~~
 - a. Design and engineering of required improvements;
 - b. Construction of required facilities;
 - c. Dedication of easements or rights-of-way as necessary; and
 - d. Obtaining all necessary permits and approvals from City, State, and Federal agencies.

(Ord. 73E § 2.050(3), 1992; Ord. 175, 1995; Manual, 2003, changed reference from Ordinance 76A to Chapter 9.54 because Ordinance 76A was codified in May 2003; Ord. 266, 2007; Ord. 277, 2008; Ord. 303, 2011; Ord. 304, 2011)

§ 9.28.040. Prohibited uses.

Except as provided in Section 9.28.020 Conditional uses, all formula businesses are prohibited in the C-1 Retail Commercial Zone.
(Ord. 348 § 3, 2017)

Chapter 9.48 Commentary:

- *The proposed amendments establish or reduce off-street parking requirements for certain middle housing types at a ratio of 1.5 spaces per unit.*
- *An on-street parking credit is included for ADUs in cases where adequate on-street parking can be accommodated.*

CHAPTER 9.48
OFF-STREET PARKING AND LOADING

[...]

A. Off-Street Parking Space Requirements.

1. Residential Dwellings. Residential dwellings shall provide the following off-street parking spaces (half spaces shall round up to the nearest whole number):
 - a. Detached single-unit One-family dwelling, two spaces;
 - b. Duplex Two-family dwelling, four-three spaces;
 - c. Triplex Three-family dwelling, five spaces;
 - d. Quadplex Four-family dwelling, six spaces;
 - e. Townhouse, one and one-half space per unit;
 - f. Cottage cluster, one and one-half space per unit;
 - g. Multi-unit housing Each additional unit, one and one-half space per unit (rounded-up to the nearest whole number);
 - h. Accessory dwelling unit, one space per unit; See 9.48.010(M)
 - i. Single room occupancy:
 - i. For six or fewer single room occupancy units: two spaces per every three units;
 - ii. For seven or more single room occupancy units: one and one-half space per every three units.
2. Manufactured dwelling park: two spaces for each manufactured dwelling space.
3. Motel, hotel or resort: one space for each guest accommodation.
4. Nursing home or similar institution: one space for each three beds.
5. Church, club or similar place of assembly: one space for each four seats, or one space for each 25 square feet of floor area used for assembly.
6. Library: one space for each 100 square feet of floor area.
7. Dance hall, skating rink, or similar commercial amusement enterprise: one space for each 70 square feet of floor area.
8. Bowling alley: six spaces for each alley.
9. Retail store: one space for each 200 square feet of floor area.

10. Service or repair shop, retail store handling bulky merchandise such as automobiles and furniture: one space for each 600 square feet of floor area.
 11. Bank, office: one space for each 300 square feet of floor area.
 12. Medical and dental clinic: one space for each 200 square feet of floor area.
 13. Eating and drinking establishments: one space for each 100 square feet of total floor area.
 14. Light industrial: one space for each 600 square feet of total floor area.
- B. On-Street Parking Credit for Accessory Dwelling Units. If on-street parking spaces meet all the standards in subsections (1)-(4) below, they shall be counted toward the minimum off-street parking requirement for accessory dwelling units.
1. The space must be abutting the subject site;
 2. The space must be in a location where on-street parking is allowed by the City;
 3. The space must be a minimum of 22 feet long; and
 4. The space must not obstruct a required sight distance area.

(Ord. 73E § 3.020, 1992; Ord. 175, 1995; Ord. 180 § 1, 1996; Ord. 304, Amended, 9/8/2011; Ord. 314, Amended, 07/12/12; Ord. 354 § 2, 2018; Ord. 372, 8/16/2024)

Chapter 9.50 Commentary:

- *The proposed amendments implement design standards for multi-unit housing and all middle housing, except duplexes and exempt design standards for middle housing developments with 20 or more units per the requirements of SB 974 (2025).*
- *Section 9.50.060 adds a measurement methodology pertaining to the design standards.*

**CHAPTER 9.50
RESIDENTIAL DESIGN STANDARDS**

§ 9.50.010. Exception to Certain Design Standards.

- A. Pursuant to the effective dates of ORS 197A, detached single-unit, duplex, triplex, quadplex, townhouse, and cottage cluster developments with 20 or more units are exempt from any residential design standard that is intended to preserve the desired character, architectural expression, decoration or aesthetic quality of new homes, including standards regulating:
1. facade materials, colors or patterns;
 2. roof decoration, form or materials;
 3. accessories, materials or finishes for entry doors or garages;
 4. window elements such as trim, shutters or grids;
 5. fence type, design or finishes;
 6. architectural details, such as ornaments, railings, cornices and columns;
 7. size and design of porches or balconies;
 8. variety of design or floorplan; or
 9. front or back yard area landscaping materials or vegetation.

All other design standards in this chapter shall apply.

§ 9.50.020. Triplex and Quadplex.

Except as provided in YMC Section 9.50.010, the design standards in this section apply to the development of a triplex or quadplex on a lot.

A. Entry Orientation and Pedestrian Connectivity

1. Standard. At least one main entrance for each residential structure must comply with all the following standards. The entrance must:
 - a. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.

- b. Meet at least one of the following:
 - i. Face the street (see Figure 9.50.020.a);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 9.50.020.b);
 - iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 9.50.020.c); or
 - iv. Open onto a covered porch or patio (see Figure 9.50.020.d). The porch or patio must:
 - (1) Be at least 25 square feet in area; and
 - (2) Have at least one entrance facing the street.
 - c. Connect to the sidewalk by a hard-surfaced walkway other than a driveway. The walkway shall have a minimum width of 2 feet. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
2. Exceptions. The following are exempt from these standards:
- a. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street lot line by a dwelling or buildable lot.
 - b. Accessible and adaptable units, provided the main entrance is connected to the public sidewalk by an accessible walkway.

Figure 9.50.020.a Main Entrance Facing the Street

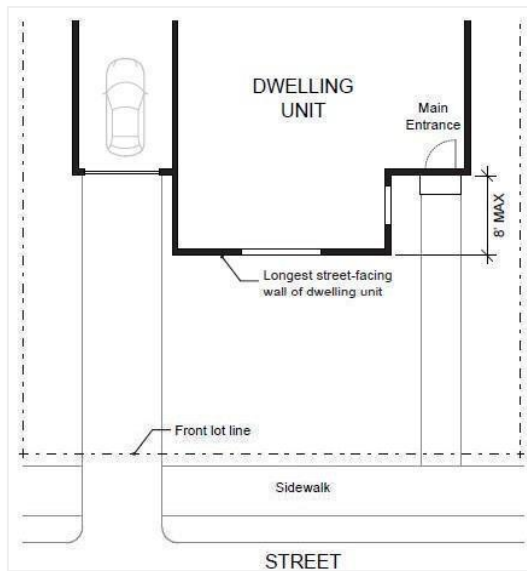


Figure 9.50.020.b Main Entrance at 45° Angle from the Street

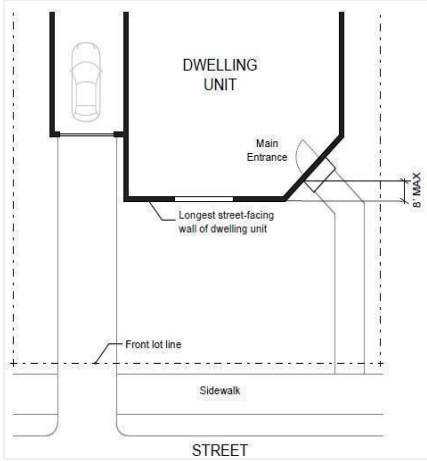


Figure 9.50.020.c Main Entrance Facing Common Open Space

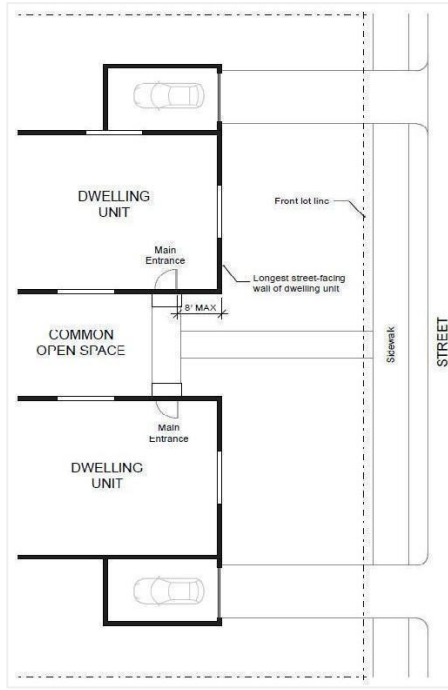
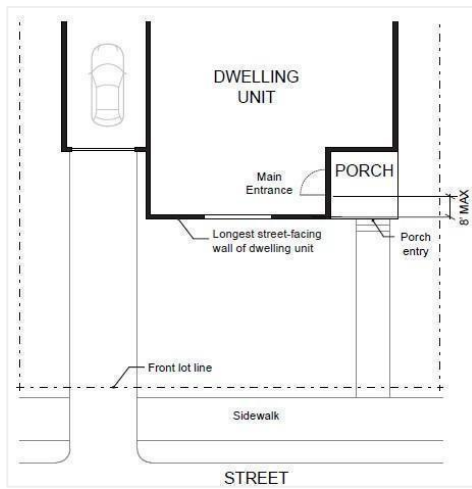


Figure 9.50.020.d Main Entrance Opening onto a Porch



B. Windows and Doors

1. Standard.

- a. Windows or pedestrian entrance doors must be provided on street-facing facades as follows:
 - i. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
 - ii. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
- b. See Section 9.50.060(D) for measurement methodology.

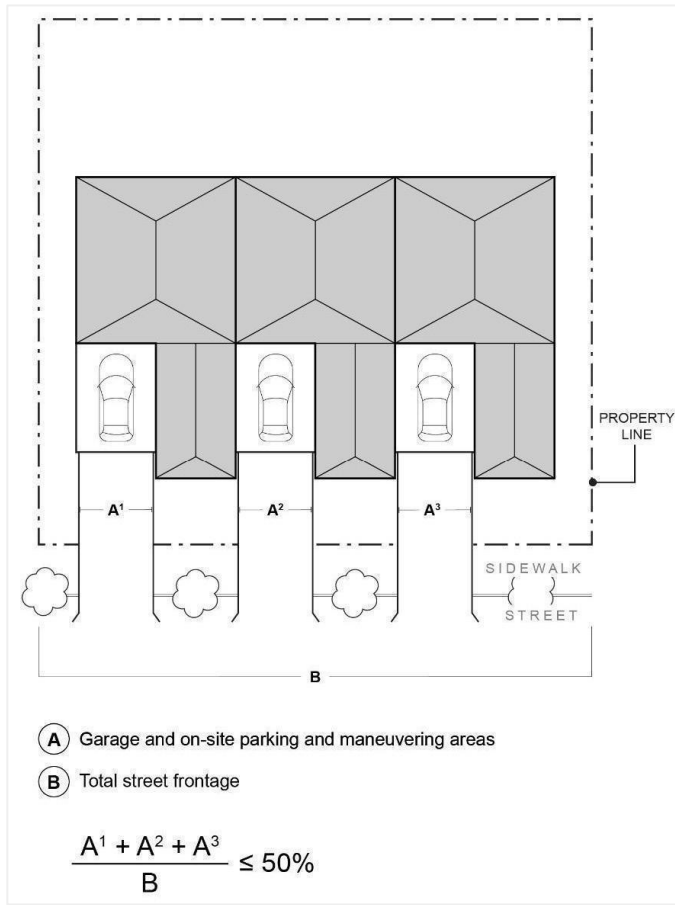
2. Exceptions. The following facades are exempt from these standards:

- a. Facades separated from the street lot line by a dwelling or buildable lot are exempt from this standard.
- b. Facades that are more than 40 feet from the street lot line.
- c. Facades facing an alley.

C. Off-Street Parking Areas

- 1. Standard. The combined width of all garages and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of the street frontage (see Figure 9.50.020.e).
- 2. Exceptions. The following are exempt from these standards:
 - a. Accessible and adaptable units.
 - b. Lots that receive vehicular access from an alley.
 - c. Off-street parking areas that are separated from the street lot line by a dwelling.

Figure 9.50.020.e Width of Garages and Parking Areas



D. Driveway Approach

1. Standard. Driveway approaches must comply with the following:

- a. The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the lot line (see Figure 9.50.020.f). For lots with more than one frontage, see subsection (3).
- b. Driveway approaches may be separated when located on a local street (see Figure 9.50.020.f). If approaches are separated, they must meet the City's driveway spacing standards applicable to local streets.
- c. In addition, lots with more than one frontage must comply with the following:
 - i. Lots must access the street with the lowest transportation classification for vehicle traffic. For lots abutting an improved alley (defined as an alley that

meets the City's standards for width and pavement), access must be taken from the alley (see Figure 9.50.020.g).

- ii. Lots with frontages only on collectors and/or arterial streets must meet the City's access standards applicable to collectors and/or arterials.
- iii. Triplexes and quadplexes on lots with frontages only on local streets may have either:
 - (1) Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - (2) One maximum 16-foot-wide driveway approach per frontage (see Figure 9.50.020.h).

Figure 9.50.020.f Driveway Approach Width and Separation on Local Street

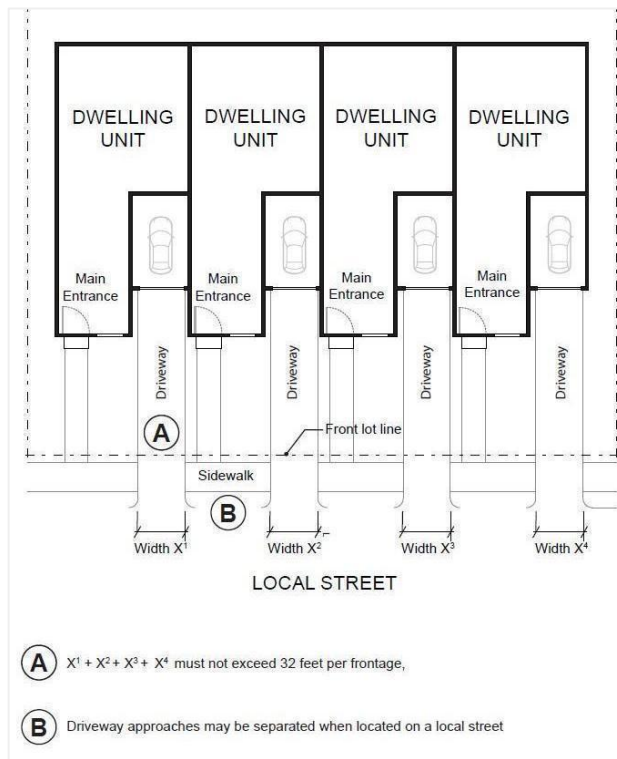


Figure 9.50.020.g Alley Access

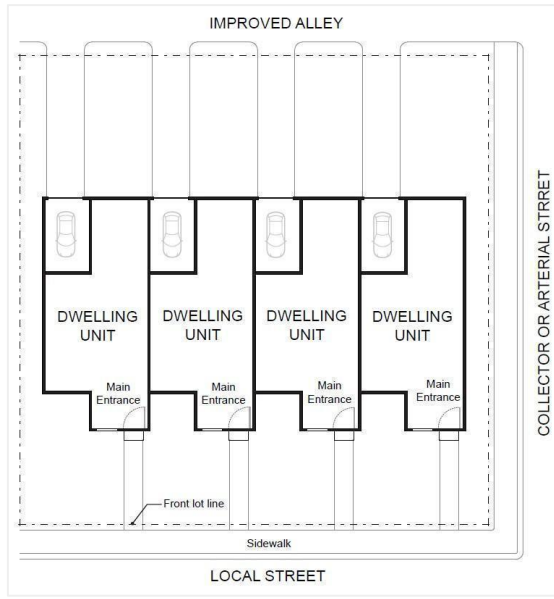
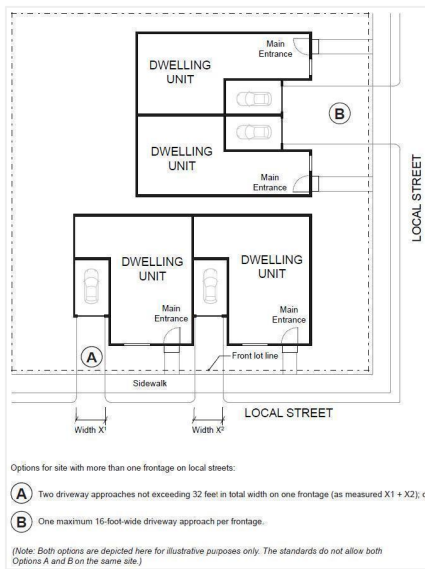


Figure 9.50.020.h Driveway Approach Options for Multiple Local Street Frontages



2. Exceptions. Accessible or adaptable units are exempt from the standards in subsections (D)(1)(a) and (D)(1)(c)(iii.).

E. Trash Storage

1. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:
 - a. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. The screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
 - b. The storage facility must be separated from residences on abutting properties and from the street lot line by at least 5 feet.
2. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

F. Conversions - Triplex and Quadplex

Additions to, or conversions of, an existing detached single-unit dwelling or duplex into a triplex or quadplex is allowed, provided that the addition or conversion does not increase nonconformance with applicable siting and design standards of this code, unless increasing nonconformance is otherwise permitted by the City's development regulations.

§ 9.50.030. Townhouse.

Except as provided in YMC Section 9.50.010, the design standards in this section apply to the development of townhouses.

A. Entry Orientation and Pedestrian Connectivity

1. Standard. The main entrance of each townhouse must comply with all the following standards. The entrance must:
 - a. Be no more than 8 feet farther from the front lot line than the dwelling unit's longest wall that faces the front lot line.
 - b. Meet at least one of the following:
 - i. Face the street (see Figure 9.50.030.a);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 9.50.030.b);
or
 - iii. Open onto a covered porch or patio (see Figure 9.50.030.c). The porch or patio must:
 - (1) Be at least 25 square feet in area; and
 - (2) Have at least one entrance facing the street.

- c. Connect to the sidewalk by a hard-surfaced walkway other than the driveway. The walkway shall have a minimum width of 2 feet. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
- 2. Exceptions. The following are exempt from these standards:
 - a. Townhouses on townhouse lots that do not have public street frontage.
 - b. Townhouses with ground levels that are designed as accessible or adaptable, provided the main entrance is connected to the public sidewalk by an accessible walkway.

Figure 9.50.030.a. Main Entrance Facing the Street

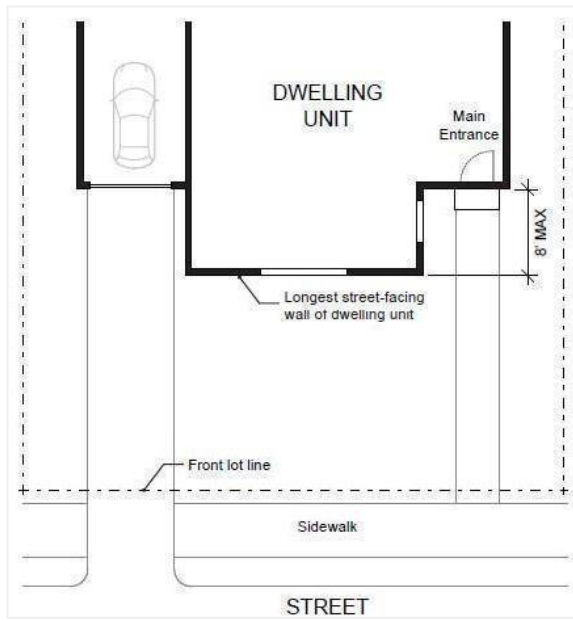


Figure 9.50.030.b. Main Entrance at 45° Angle from the Street

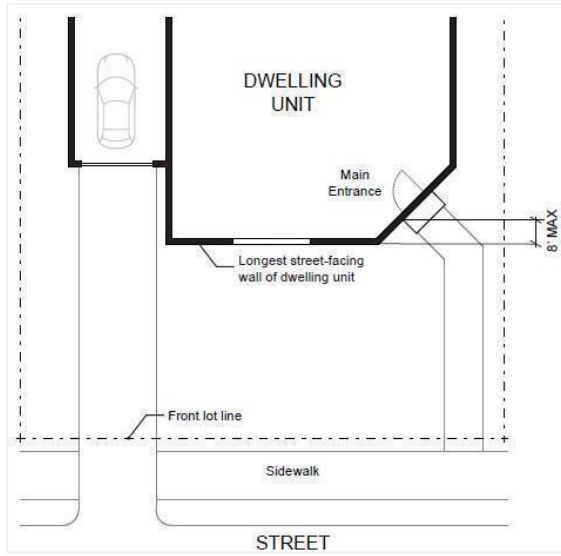
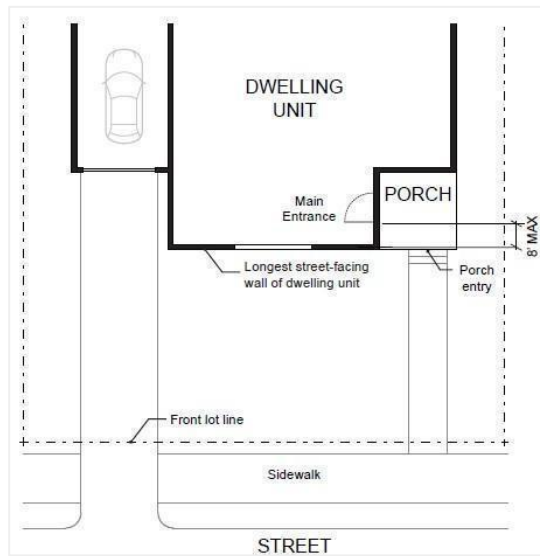


Figure 9.50.030.c. Main Entrance Opening onto a Porch



B. Windows and Doors

1. Standard.

- a. Windows or pedestrian entrance doors must be provided on street-facing facades on each individual unit as follows:
 - i. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
 - ii. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
- b. See Section 9.50.060(D) for measurement methodology.

2. Exceptions. The following facades are exempt from these standards:

- a. Facades separated from the street lot line by a dwelling or buildable lot.
- b. Facades that are more than 40 feet from the street lot line.
- c. Facades facing an alley.

C. Driveway Access and Parking

1. Standard. Townhouses with frontage on a public street shall either meet the standards in subsection (a) or subsection (b).

- a. Where garage entrances, off-street parking areas and driveways are located on the front façade, in the front yard, or in front of a townhouse the following standards shall be met (see Figure 9.50.030.d).
 - i. Each townhouse lot shall have at least 20 feet of street frontage on a local street.
 - ii. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
 - iii. Outdoor on-site parking and maneuvering areas shall not exceed 12 feet wide on any lot.
 - iv. The garage width shall not exceed 12 feet, as measured from the inside of the garage door frame.
 - v. This standard does not supersede the City's driveway separation standards.
- b. For all other configurations of driveway access and parking, the following standards shall be met.
 - i. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No offstreet parking shall be allowed in the front yard or side yard of a townhouse.

- ii. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 9.50.030.e.
- iii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 9.50.030.f.
- iv. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

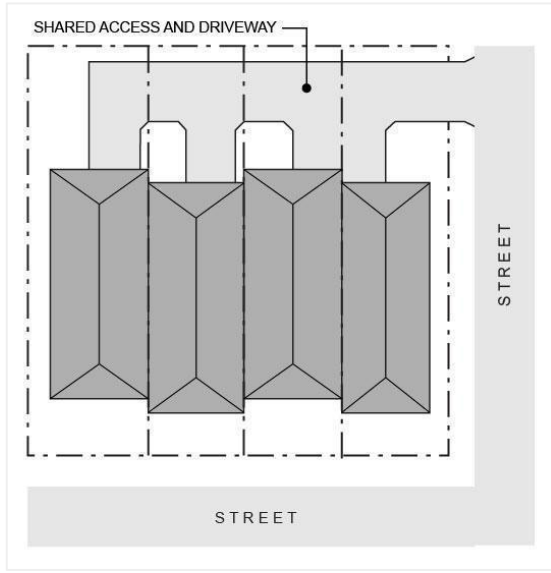
2. Exceptions

- a. Townhouse projects in which vehicular access for all units is exclusively from a rear alley are exempt these standards.
- b. Townhouses with ground levels that are designed as accessible or adaptable units are exempt from subsections (C)(1)(a)(iii)-(iv).

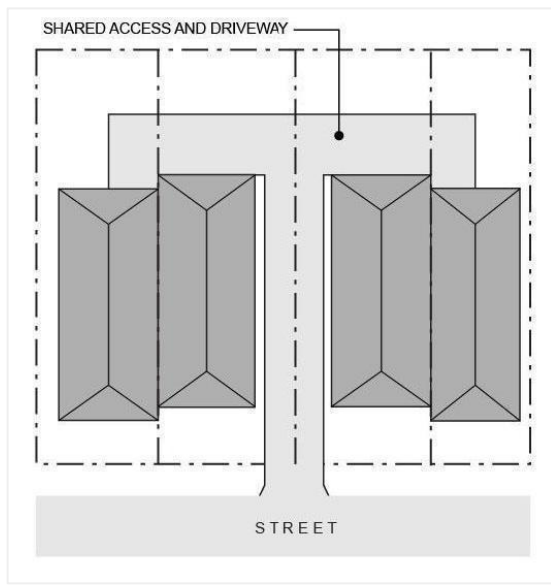
D. Trash Storage

- 1. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:
 - a. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. The screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
 - b. The storage facility must be separated from residences on abutting properties and from the street lot line by at least 5 feet.
- 2. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

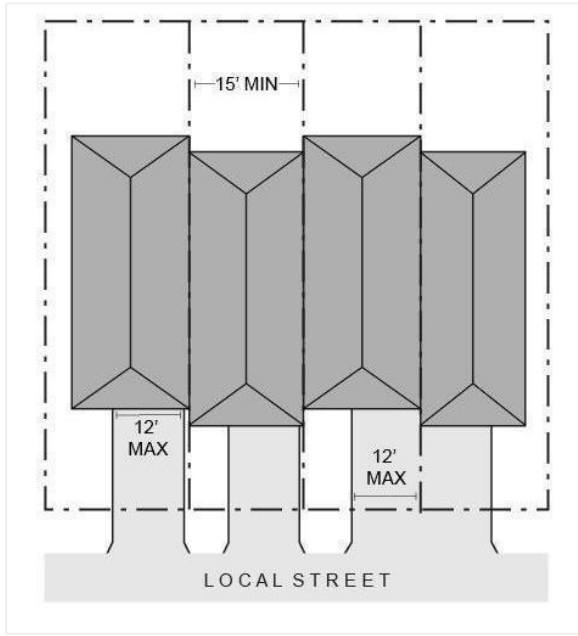
Figure 9.50.030.d. Townhouses with Parking in Front Yard



[Figure 9.50.030.e. Townhouses on Corner Lot with Shared Access](#)



[Figure 4.24.c. Townhouses with Consolidated Access](#)



§ 9.50.040. Cottage Cluster.

Except as provided in YMC Section 9.50.010, the design standards in this section apply to the development of cottage clusters.

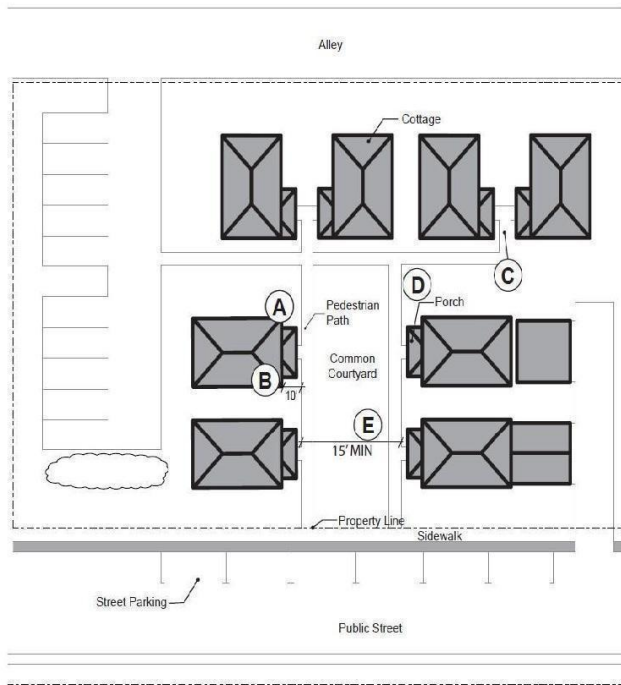
A. Cottage Orientation

1. Standard. Cottages must be clustered around a common courtyard as demonstrated by meeting the following standards (see Figure 9.50.040.a):
 - a. Each cottage within a cluster must have a main entrance that is directly connected to the common courtyard by a pedestrian walkway.
 - b. A minimum of 50 percent of cottages within a cluster must:
 - i. Be within 10 feet from the common courtyard, measured from the façade of the cottage that includes the main entrance to the nearest edge of the common courtyard; and
 - ii. Have a main entrance that either faces the common courtyard or is no more than 20 feet from the common courtyard.
2. Exceptions. An existing dwelling included within a cottage cluster pursuant to Section 9.50.040.H may be excluded from the calculation of cottages oriented toward the common courtyard at the applicant's option.

B. Common Courtyard Design Standards

1. Standard. Each cottage cluster must share a common courtyard that meets the following standards (see Figure 9.50.040.a):
 - 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 be a minimum of 15 feet wide at its narrowest dimension and must meet the minimum area standard in Table 5.1.
 - d. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian walkways, 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.
 - e. Pedestrian walkways must be included in a common courtyard. Walkways 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 9.50.040.a. 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.

C. Community Buildings

1. Standard. 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 9.50.040(J)(2).

- b. If a community building meets the definition of a dwelling unit and has a footprint that exceeds 900 square feet and/or would exceed the maximum number of cottages in a cottage cluster, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

D. Pedestrian Access

1. Standard.

- a. An accessible pedestrian walkway 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 lot or rights-of-way if there are no sidewalks.
- b. The walkway shall be hard-surfaced and a minimum of 4 feet wide.

E. Windows and Doors

1. Standard. Cottages within 20 feet of a street lot line must meet the following standards:

- a. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
- b. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
- c. See Section 9.50.060(D) for measurement methodology.

2. Exceptions. The following facades are exempt from these standards:

- a. Facades separated from the street lot line by a dwelling or buildable lot.
- b. Facades facing an alley.

F. Parking Design

1. Standards. (see Figure 9.50.040.b).

- 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 5 contiguous spaces.
 - ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.

- iii. Parking clusters must be separated from other spaces by at least 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:
 - (1) Within of 20 feet from any street lot line, except alley lot lines; or
 - (2) Between a street lot line and the front façade of cottages located closest to the street lot line. This standard does not apply to alleys.
 - ii. Off-street parking spaces shall not be located within 10 feet of any other lot line, except alley lot lines. Driveways and drive aisles are permitted within 10 feet of other lot lines.
- c. Screening. Landscaping, fencing, or walls at least 3 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.
 - iv. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

G. Accessory Structures

- 1. Standard. Accessory structures must not exceed 400 square feet in floor area.

H. Existing Structures

- 1. Standard. On a lot to be used for a cottage cluster project, an existing detached single-unit 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:
 - a. The existing dwelling may be nonconforming with respect to the requirements of YMC Section 9.50.
 - b. The existing dwelling may be expanded up to:
 - i. A height of 24 feet and
 - ii. A footprint of 900 square feet for dwellings with a height over 15 feet;

- iii. A footprint of 1,400 square feet for dwellings with a height of 15 feet or less;
- c. Existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
- d. The floor area of the existing dwelling shall not count towards the average cottage size of a cottage cluster.

I. Trash Storage

- 1. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:
 - a. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. The screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
 - b. The storage facility must be separated from residences on abutting properties and from the street lot line by at least 5 feet.
- 2. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

J. Additional Standards for Cottage Clusters

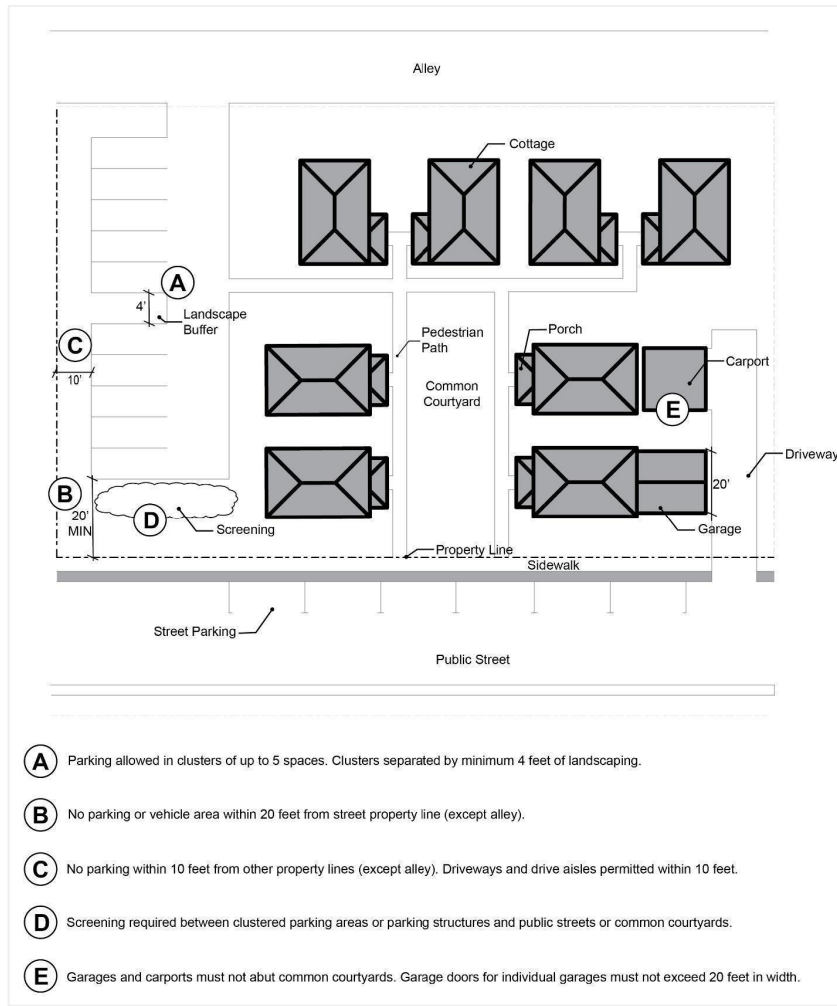
1. Setbacks and Building Separation

- a. Setbacks. The following standards are maximum setbacks for cottage clusters in all zones:
 - i. Front setbacks: 10 feet
 - ii. Side setbacks: 5 feet
 - iii. 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
- c. Height. Cottages shall be no greater than 24 feet in height.

Commented [RC14]: Height limit added for cottage clusters

- 2. 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.

9.50.040.b. Cottage Cluster Parking Design Standards



§ 9.50.050. Multi-Unit Housing.

The design standards in this section apply to the development of multi-unit housing. In sections 9.50.050.B and 9.50.050.G, townhouse style multi-unit housing is subject to different standards than other forms of multi-unit housing. Townhouse style developments are those in which the units have individual ground floor entries, share one or more common walls with one or more other units, and do not share common floors/ceilings with another unit.

A. Entry Orientation - Non-Townhouse Style

Multi-unit housing other than townhouse-style development is subject to the following standards.

1. Standards.

- a. At least one building façade containing a main entrance to a building must be located within 20 feet of a street lot line. If the site abuts more than one street, the building façade meeting this standard must be located in accordance with the following hierarchy:
 - i. Except as provided in (iii), if transit is available on one or more abutting streets, within 20 feet of the street lot line of the street with the highest level of transit service.
 - ii. Except as provided in (iii), if none of the abutting streets have transit service, then within 20 feet of the street lot line of the street with the highest classification in the City's adopted Transportation System Plan (or in the applicable functional classification map or public works or engineering standards).
 - iii. In the following circumstances, the applicant may choose the street-facing façade that will contain the main entrance:
 - (1) The abutting streets have equal levels of transit service and equal street classifications; or
 - (2) The highest transit service street or highest classification street is an arterial street that includes 4 or more vehicle travel lanes.
 - b. The main entrance meeting standard (1)(a), must:
 - i. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.
 - ii. Meet at least one of the following:
 - (1) Face the street;
 - (2) Be at an angle of up to 45 degrees from the street;
 - (3) Face a courtyard, provided the courtyard is no less than 15 feet in width and abuts the street; or
 - (4) Open onto a covered porch or patio that is at least 25 square feet in area.
 - iii. Connect to the sidewalk by an accessible walkway in conformance with Section 9.50.050.C.1.b Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
2. Exceptions. If a site abuts only one street, and the abutting street is an arterial with 4 or more vehicle travel lanes, a building facade with ground floor dwelling units may be set

further back than 20 feet, provided the screening standards in Section 6.2.8 are met, except as specified in subsection 9.50.050.H.2.

B. Entry Orientation - Townhouse Style.

Townhouse-style multi-unit housing is subject to the following standards.

1. Standards. The main entrance of each unit that is within 40 feet of a public street lot line must comply with all the following standards.
 - a. The entrance must be no more than 8 feet farther from the front lot line than the dwelling unit's longest wall that faces the front lot line.
 - b. Meet at least one of the following:
 - i. Face the street (see Figure 9.50.030.a),
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 9.50.030.b); or
 - iii. Open onto a covered porch or patio (see Figure 9.50.030.c). The porch or patio must:
 - (1) Be at least 25 square feet in area; and
 - (2) Have at least one entrance facing the street.
 - c. Connect to the sidewalk by a hard-surfaced walkway other than the driveway. The walkway shall have a minimum width of 2 feet. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.

C. Pedestrian Connections

1. Standard.
 - a. Internal Connections. A system of walkways must connect all main entrances on the site and provide connections to abutting sidewalks, parking areas, bicycle parking, and common outdoor areas. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
 - b. For sites greater than 50,000 square feet, on-site walkways must connect or be stubbed to allow for an extension to the abutting property in the following circumstances:
 - i. There is an existing walkway on the abutting property that is located in a public right-of-way or public access tract or easement; or
 - ii. There is a planned walkway on the abutting property, as identified in the City's adopted Transportation System Plan.
 - c. Walkway Design

- i. Materials and Width. All walkways must be hard surfaced. Except as provided in subsections (1) and (2), walkways must be at least 5 feet in unobstructed width.
 - (1) Walkway width must be increased to 8 feet if the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.
 - (2) Where a walkway leads to 4 or fewer individual unit entries, it may have an unobstructed width of 3 feet, increased to at least 4 feet at turns and curves, provided it also meets ADA standards for accessible walkways, including standards related to passing spaces and slope.
- ii. Crossings with Vehicle Areas. Where the walkway crosses driveways, drive aisles, parking areas, and loading areas, the walkway must be clearly identifiable through the use of elevation changes, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes for crossings must be at least 4 inches high.
- iii. Walkways Adjacent to Vehicle Areas. Where the walkway is parallel and adjacent to a parking space, driveway, or drive aisle, the walkway must be a raised path or be separated from the vehicular space by a raised curb, bollards, landscaping, or other physical barrier. If a raised path is used, it must be at least 4 inches high. Bollard spacing must be no further apart than 5 feet on center.

D. Windows and Doors

- 1. Standard. A minimum of 15 percent of the area of all street-facing facades must include windows or pedestrian entrance doors. See Section 9.50.060(D) for measurement methodology.
- 2. Exceptions. The following facades are exempt from this standard:
 - a. Facades separated from the street lot line by another building or buildable lot.
 - b. Facades that are more than 40 feet from the street lot line.
 - c. Facades facing an alley.

E. Required Outdoor Area and Usable Open Space

- 1. Standard.
 - a. Minimum Outdoor Area. Except as specified in subsection (2), a portion of the gross site area must be provided as outdoor area as specified below:
 - i. For sites less than 10,000 sf: 25% of site area
 - ii. For sites 10,000 sf to 50,000 sf: 30% of site area

- iii. For sites greater than 50,000 sf: 35% of site area
 - b. The required outdoor area must meet the description and standards in Section 9.50.060(B).
 - c. Minimum Usable Open Space. For sites over 10,000 square feet in gross site area, a percentage of the required outdoor area must be permanently reserved as shared, usable open space available for use by the residents:
 - i. For sites between 10,000 and 50,000 square feet, at least 25% of the required outdoor area must be usable open space.
 - ii. For sites 50,000 square feet or larger, at least 50% of the required outdoor area must be usable open space.
 - d. Usable Open Space Standards. The usable open space shall meet the following criteria:
 - i. The usable open space shall contain one or more of the features specified in Section 9.50.060(B).
 - ii. In order to be counted as eligible toward the minimum usable open space area, such areas shall have dimensions of not less than 10 feet.
2. Exceptions.
- a. For sites under 50,000 square feet in size, 100% of the required outdoor area may be met by:
 - i. A rooftop garden provided it is accessible to all of the residents; or
 - ii. Private open space.
 - b. Sites that are under 10,000 square feet in size and located within one-quarter mile walking distance of a public park that is at least 1 acre in size are exempt from the usable open space requirement. Walking distance is measured along a route utilizing sidewalks or other public pedestrian facilities that are existing or will be constructed with the development.
 - c. For townhouse style multi-unit housing, 100% of the required usable open space may be provided as private yards for each unit.

F. Parking Location and Design.

The following standards apply to multi-unit housing. For townhouse style multi-unit housing developments, see Section 9.50.050.G.

1. Vehicle Parking Standards.
- a. No area between a building and the street lot line (other than an alley) shall be used for vehicle parking or circulation, except for the following:
 - i. A driveway providing access to a shared parking garage.

- ii. A passenger drop-off or loading zone, provided the main building entrance must connect to an adjacent street by a pedestrian walkway.
- b. Screening of surface parking areas. Surface parking areas with more than 8 spaces must be screened from view of the street at a minimum as follows:
 - i. Evergreen shrubs that will grow to a minimum height of 30 inches within two years and form continuous screening. Areas within the vision clearance triangle must include plantings that do not exceed 3 feet; and
 - ii. One tree for every 30 linear feet; and
 - iii. Evergreen ground cover must cover the remaining landscape area.
 - iv. A minimum 30 inch tall wall or fence may be substituted for evergreen shrubs.
- 2. Bicycle Parking Standards. Bicycle parking location and design standards are provided in Section 9.50.060(C).

G. Driveway Access and Parking - Townhouse-Style

For townhouse style units that have garage entrances, off-street parking areas, or driveways located on the front façade, in the front yard, or in front of a dwelling unit, the following standards shall be met. For all other units, the standards in Section 9.50.050.F shall be met.

- 1. Standards. See Figure 9.50.030.a.
 - a. Access must be taken from a local street.
 - b. A maximum of one driveway approach is allowed for every townhouse style unit. Driveway approaches and/or driveways may be shared.
 - c. Outdoor on-site parking and maneuvering areas shall not exceed 12 feet wide for any unit.
 - d. The garage width shall not exceed 12 feet, as measured from the inside of the garage door frame.
 - e. This standard does not supersede the City's local driveway separation standards.
- 2. Bicycle Parking Standards. Bicycle parking location and design standards are provided in Section 9.50.060(C).
- 3. Exception. None.

H. Screening from Arterials

- 1. Standard. Multi-unit housing sites that abut an arterial street with 4 or more vehicle travel lanes shall provide screening within the minimum setback area between any street-facing facade and street lot line abutting the arterial road. The screening shall meet the following standards:

a. At least two rows of evergreen trees shall be planted. Each row shall have a minimum of one tree for every 20 linear feet of street frontage. Tree planting shall be staggered, with a maximum spacing of 20 feet on center for trees within the same row and 15 feet on center for trees within different rows.

b. Trees shall be at least 6 feet tall at the time of planting.

2. Exception. This standard does not apply to arterial streets with frequent transit service.

I. Trash Storage

1. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:

a. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. The screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.

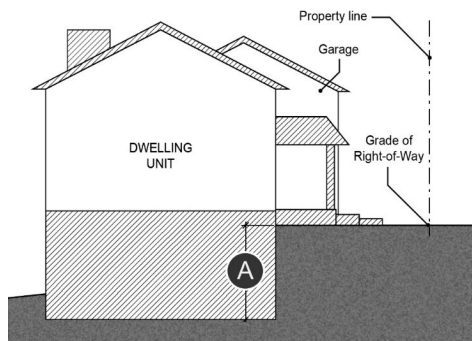
b. The storage facility must be separated from residences on abutting properties and from the street lot line by at least 5 feet.


2. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.


§ 9.50.060. Measurement Methodologies.

- A. Floor Area. Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking.
1. Floor area does not include the following (see Figure 9.50.060.a):
 - a. Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way, as measured at the property line;
 - b. Basements. For the purposes of the floor area calculation, basement area includes the portion of a building that is partly or completely below grade. A minimum of 50 percent of the total combined area of the basement walls must be below grade to be considered a basement;
 - c. Areas where the ceiling height is less than 6 feet 8 inches;
 - d. Roof area, including roof top parking;
 - e. Roof top mechanical equipment;
 - f. Roofed outdoor living areas that are structurally attached to the building (e.g., porches and exterior balconies), unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter; and
 - g. Covered carports.
 - h. Stairwells are only counted as floor area on one level.

Figure 9.50.060.a. Areas Excluded from Floor Area Calculation



 Area excluded from floor area calculation

 Floor 4 feet or more below grade of right-of-way, measured at property line

2. Average Cottage Size. Within each cottage cluster, the average cottage size is calculated as follows:
 - a. Total floor area of all cottages and community buildings within the cluster divided by the number of cottages and community buildings within the cluster.
 - b. The average floor area within a cluster may not exceed 1,400 square feet.
 - c. An applicant may choose to exclude existing structures retained under 9.50.040(H) from the calculation.
 - d. For cottage cluster projects with multiple clusters, the average cottage size is calculated for each cluster separately.

- B. Required Outdoor Area and Usable Open Space. Site area covered by enclosed buildings or used for vehicle parking and circulation shall not be counted as required outdoor area or usable open space. Exceptions to the minimum required outdoor area and usable open space are stated in subsection (3).
 1. Required Outdoor Area. Areas which can be counted toward the required outdoor area include:
 - a. Areas planted with vegetation (including natural areas and existing trees);
 - b. Private open space;
 - c. Pedestrian hardscape; and
 - d. Usable open space pursuant to subsection (B)(2).
 2. Usable Open Space. Where usable open space is required, it must include one or more of the following:

- a. Outdoor recreation area surfaced with lawn, groundcover, or hard surface. The area must be contiguous and able to fit a 10-foot by 10-foot square;
 - b. Tree grove (e.g., existing mature trees);
 - c. Turf or grass play fields;
 - d. Children’s play structure or play area;
 - e. Sports courts;
 - f. Swimming or wading pool or hot tub;
 - g. Walking fitness course;
 - h. Natural area with benches and/or trails; or
 - i. Gardening area with at least 50 square feet of planting area.
3. Enclosure. Required outdoor areas may be covered, such as a covered patio or gazebo, but they may not be fully enclosed. Covered outdoor areas are subject to the applicable setback standards.

C. Bicycle Parking.

1. The minimum amount of bicycle parking required for multi-unit housing is 0.5 long-term spaces per unit.
2. Fractions. In calculating the required number of bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number and fractions less than 0.5 shall be rounded down to the nearest whole number.
3. Exceptions to the bicycle parking requirements are stated in subsection (7).
4. Long term bicycle-parking. Long-term bicycle parking must be provided in one or more of the following locations.
 - a. Within a restricted access, lockable room outside of dwelling units with securely anchored racks that allow users to lock at least two points on a bicycle.
 - b. Within dwelling units that are at least 400 square feet, in the following circumstances:

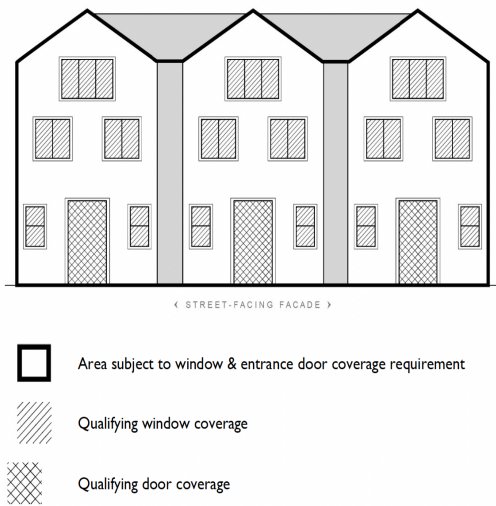
- i. Sites containing 12 or fewer dwelling units may provide up to 100 percent of required bicycle parking spaces in the dwelling units.
 - ii. Sites containing more than 12 dwelling units where all units above the ground floor have elevator access may provide up to 50 percent of the required bicycle parking spaces in dwelling units.
 - iii. Sites containing more than 12 dwelling units where all units above the ground floor do not have elevator access may provide required bicycle parking spaces in ground floor dwelling units only.
 - c. Within bicycle lockers that are fully enclosed, lockable, and securely anchored to the ground.
- 5. The area devoted to bicycle parking must be hard surfaced and lighting must be provided for nighttime use.
- 6. Bicycle parking spaces shall meet the following dimensional standards:
 - a. At least 10 percent of spaces must be large spaces (designed to accommodate large bicycles, including family and cargo bicycles). Each large bicycle space must be a minimum of 3 feet wide, 7 feet long, and 3 feet 4 inches tall.
 - b. Up to 90 percent of required spaces can be standard spaces. Each standard bicycle space must be a minimum of 2 feet wide, 6 feet long, and 3 feet 4 inches tall.
- 7. Exceptions. The following are exempt from the long-term bicycle parking requirements:
 - a. Senior housing projects (those restricted for occupancy by households in which at least one member is aged 55 years or older).
 - b. Accessible units.

D. Windows and Doors. Areas that qualify for the window and door coverage calculation are subject to the following (See Figure 9.1.8.a):

- 1. Windows and pedestrian entrance doors may be used to meet this standard as provided in subsections (2) and (3), below.

2. Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Windows into storage areas, mechanical and utility areas, and garbage and recycling areas do not qualify.
3. Door area is the area of the portion of an entrance door (other than a garage door) that moves and does not include the frame. For multi-unit housing, doors that provide access to dwelling units (either shared or individual access) and community spaces qualify, but all other doors (e.g., into storage areas or mechanical areas) do not qualify.

Figure 9.50.060.b. Window and Door Coverage



Chapter 9.51 Commentary: The proposed amendments add siting standards for Accessory Dwelling Units and limit the floor area of an ADU to 1,000 square feet. ADUs count toward the minimum density standard for residential development.

CHAPTER 9.51
ACCESSORY DWELLING UNITS

§ 9.51.010. Siting Standards - Accessory Dwelling Unit

A. Siting Standards, Generally

1. Standards. Except as provided in this chapter and in subsection (B), accessory dwelling units shall meet the same siting standards that apply to detached single-unit dwellings.
2. Exceptions.
 - a. Conversion of an existing legal non-conforming accessory structure into an accessory dwelling unit is allowed, provided that the conversion does not increase the non-conformity. For example, a garage that does not meet the minimum setback standard in the zoning district may be converted to an accessory dwelling unit, provided the footprint of the building within the setback area does not increase in size.
 - b. Height
 - i. Detached accessory dwelling units shall not exceed one story and shall be no greater than 15 feet in height.
 - c. Setbacks
 - i. Detached accessory dwelling units may be located within the side or rear setback of the primary dwelling and shall have minimum side and rear setbacks of 5 feet (excluding street and alley setbacks).
 - ii. In the R-1 and R-2 zones, detached accessory dwelling units may be located within the front setback of the primary dwelling and shall have a minimum front setback of 10 feet.

Commented [RC15]: One story/15 foot height limit added for detached ADUs. Attached and interior ADUs must meet the height standard of the underlying zone.

Commented [16]: Setbacks have been modified to allow ADUs (not exceeding 15 feet) in the front setback in the R-1 and R-2 zones and in the side and rear setbacks in all zones. This height matches the allowed height for accessory structures.

B. Number of Units and Configuration

1. Standard. A maximum of one accessory dwelling unit is allowed per legal detached single-unit dwelling (referred to as the primary dwelling). The unit may be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor), in a separate detached building, or in a portion of a detached accessory building (e.g., above a garage or workshop). Units located as a portion of a detached accessory building shall follow the height and siting standards for an accessory dwelling unit.

C. Maximum Floor Area

1. Standard. The maximum floor area for an accessory dwelling unit is 1,000 square feet.

2. Exceptions. The maximum floor area standard does not apply when an entire floor of a primary dwelling (e.g., a basement) is converted to an accessory dwelling unit and the primary dwelling has been on the site for at least 5 years.
3. Measurement. Floor area is measured as provided in Section 9.50.060(A).

D. Density

1. Accessory dwelling units are included in minimum density calculations but are not included in maximum density calculations.

Commented [17]: Added provision for ADUs to count towards minimum density.

Chapter 9.52.025 Commentary: The proposed amendments provide clear and objective standards for Accessory Structures.

CHAPTER 9.52
SUPPLEMENTARY USE AND DESIGN REGULATIONS

[...]

§ 9.52.025. Accessory Structures. (Other than Accessory Dwelling Units)

Structures incidental and subordinate to permitted uses in residential zones are allowed as accessory structures subject to the provisions of this section. Any structure attached to the main structure shall be considered as part of the main structure and shall not be considered an accessory structure. Attached means wall-to-wall or any permanent attachment.

A. All accessory structures must comply with the following provisions:

1. Size. For lots ten thousand (10,000) square feet or less, the combined footprint of all accessory structures may not exceed five hundred (500) square feet. For lots greater than ten thousand (10,000) square feet, the combined footprint may not exceed seven hundred (700) square feet. Community buildings associated with cottage cluster developments, trellises, and structures less than 30 inches in height are exempt from these size limitations;
2. Height. Accessory structures shall not exceed one story and shall be no greater than fifteen (15) feet in height;
3. Location. Accessory structures are not permitted in a required front yard;
4. Proximity to other structure(s) on the site shall be subject to applicable Building Code standards;
5. Setbacks. An accessory structure with a height of eight (8) feet or less shall be located no closer than three (3) feet to any side or rear lot line. For structures more than eight (8) feet in height and up to fifteen (15) feet in height, the accessory structure shall be setback a minimum of five (5) feet from side and rear lot lines. The accessory structure shall not be built over an easement;
6. Accessory structures shall be built in accordance with the applicable building codes.

[...]

Chapter 9.52.050 Commentary: The proposed amendments revise the Erosion Control Measures to be more clear and objective.

§ 9.52.050. Geologic Hazard Overlay Zone.

- A. Purpose. The purpose of this overlay zone is to manage development in areas subject to geologic hazards in a manner that reduces long term risks to life, property, and the community, consistent with Statewide Planning Goal 7 and 18.
- B. Areas Included. The following areas are considered potentially geologically hazardous and are therefore subject to the requirements of this section:
1. All lands partially or completely within "very high" and "high" landslide susceptibility areas as mapped in DOGAMI Open File Report 0-16-02, "Landslide Susceptibility Map of Oregon."
 2. All lands partially or completely within any coastal erosion hazard zone (very high, high, moderate, or low) as mapped in DOGAMI Open File Report 0-07-03, "Evaluation of Coastal Erosion Hazard Zones Along Dune and Bluff Backed Shorelines in Lincoln County, OR: Seal Rock to Cape Perpetua."
 3. All lands partially or completely within a rapidly moving landslide as mapped in DOGAMI IMS-22, "GIS Overview Map of Potential Rapidly Moving Landslide Hazards in Western Oregon," 2002.
 4. Lots or parcels where the average existing slopes are equal to or greater than 12% or where the average existing slopes are equal to or greater than 30% within 100 feet of the property.
 1. Definition of Slope. A property has a 12% slope or greater if:
 - i. The average slope from the highest to lowest point of the property has a slope of 12% or greater; or
 - ii. The average slope of the building footprint or area to be disturbed measured from the highest to lowest point within the footprint or area to be disturbed is 12% or greater.
- C. Allowed Uses. Within the Geologic Hazards Overlay Zone, all uses allowed pursuant to the provisions of the underlying zone may be allowed, subject to the additional requirements and limitations of this section.
- D. Geologic Hazard Permit Required.
1. Except for activities identified in subsection (D)(2) as exempt, any new development, new construction or substantial improvement, as defined in Section 9.54.020, in an area subject to the provisions of this section shall require a geologic hazard permit. The geologic hazard permit may be applied for prior to or in conjunction with a building permit, grading permit, or any other permit or land use approval required by the City of Yachats.
 2. The following activities are exempt from the requirement for a geologic hazard permit:
 1. Maintenance, repair, or alterations to existing structures that do not alter the building footprint or foundation and do not constitute substantial improvement;
 2. An excavation which is less than two feet in depth or which involves less than 25 cubic yards of volume;
 3. Fill that is less than two feet in depth or that involves less than 25 cubic yards of volume;
 4. Exploratory excavations under the direction of a certified engineering geologist or registered geotechnical engineer;
 5. Gravesites dug in cemeteries;

6. Construction of structures for which a building permit is not required;
 7. Removal of trees smaller than eight inches dbh (diameter breast height);
 8. Removal of trees larger than eight inches dbh (diameter breast height) provided the canopy area of the trees that are removed in any one year period is less than 25% of the lot or parcel area;
 9. Yard area vegetation maintenance and other vegetation removal on slopes less than 25% slopes;
 10. Forest operations subject to regulation under ORS 527 (the Oregon Forest Practices Act);
 11. Maintenance and reconstruction of public and private roads, streets, parking lots, driveways, and utility lines, provided the work does not extend outside the previously disturbed area;
 12. Maintenance and repair of utility lines, and the installation of individual utility service connections;
 13. Emergency response activities intended to reduce or eliminate an immediate danger to life or property, or flood or fire hazard;
3. Application, review, decisions, and appeals on geologic hazard permits shall be in accordance with the requirements for a staff level decision. Unless otherwise provided by Yachats Municipal Code or other provision of law, any geologic hazard permit so issued shall be valid for a time period as specified in the approval decision and shall in no case be valid for more than five years.
 4. In addition to a completed application as prescribed in subsection E, an application for a geologic hazard permit shall include the following:
 1. A site plan to scale that accurately illustrates areas of disturbance, ground topography (contours), roads and driveways, an outline of wooded or naturally vegetated areas, watercourses, erosion control measures, and trees with a diameter of at least eight inches dbh (diameter breast height) proposed for removal;
 2. An estimate of depths and the extent of all proposed excavation and fill work;
 3. Identification of the geologic hazard zone for the parcel or lot upon which development is to occur. In cases where properties are mapped with more than one hazard zone, a certified engineering geologist (CEG) shall identify the hazard zone(s) within which development is proposed; and
 4. A engineering geologic report prepared by a qualified geoprofessional (as defined in Section 9.04.030) that meets the content requirements of subsection E.
 5. A decision to approve a geologic hazard permit shall be based upon findings of compliance with the following standards:
 1. The proposed development is not subject to the prohibition of development on beaches and certain dune forms as set forth in Section 9.52.130;
 2. The proposed development complies with the applicable requirements and standards of subsections (D)(6) and (D)(7) of this section;
 3. The geologic report conforms to the standards for such reports set forth in subsection E of this section; and

4. The development plans for the application conform, or can be made to conform, with all recommendations and specifications contained in the geologic report.
 6. In the event the city determines that additional review of a geologic hazard permit application by an appropriately licensed and/or certified professional is necessary to determine compliance with the provisions of this section, the City may retain the services of such a professional for this purpose. All costs incurred by the City for this additional review shall be paid by the applicant in addition to the application fee for a geologic hazard permit established pursuant to Section 9.88.050.
 7. In approving a geologic hazard permit, the City Planner may impose any conditions that are necessary to ensure compliance with the provisions of this section or with any other applicable provisions of the Yachats Municipal Code.
- E. Geologic Report (Engineering Geologic Report and Geotechnical Engineering Report) Standards.
1. Geologic reports required by this section shall be prepared consistent with standard geologic practices employing generally accepted scientific and engineering principles, and shall, at a minimum, contain the items outlined in the most recent edition of Oregon State Board of Geologist Examiners "Guidelines for Preparing Engineering Geologic Reports in Oregon". For oceanfront property, reports shall also address the "Geological Report Guidelines for New Development on Oceanfront Properties," prepared by the Oregon Coastal Management Program of the Department of Land Conservation and Development, in use as of the effective date of this section. Reports shall reference the published guidelines upon which they are based. All engineering geologic reports and geotechnical engineering reports are valid for purposes of meeting the requirements of this section for a period of five years from the date of preparation. Such reports are valid only for the development plan addressed in the report. The City of Yachats assumes no responsibility for the quality or accuracy of such reports.
 2. For the purposes of Section 9.52.050, a geologic report refers to both engineering geologic reports and geotechnical engineering reports.
 3. Geologic reports required by this section shall include a statement certifying that all of the applicable content requirements of this subsection have been addressed.
- F. Additional Limitations in Geologic Hazard Areas.
1. New construction shall be limited to the recommendations, if any, contained in the geologic report; and
 2. Safest Site Requirement. All new construction or substantial improvements shall be located within the area most suitable for development based on the least exposure to risk from coastal hazards as determined by a qualified geoprofessional as part of a geologic report prepared in accordance with subsection E. Notwithstanding the provisions of the underlying zone, as necessary to comply with this requirement.
 3. Hazard Disclosure Statement. All applications for new development or substantial improvements subject to geologic hazard permit shall provide a hazard disclosure statement signed by the property owner that acknowledges:
 1. The property is subject to potential natural hazards and that development thereon is subject to risk of damage from such hazards;
 2. The property owner has commissioned an engineering geologic report for the subject property, a copy of which is on file with City of Yachats Planning Department, and that the

property owner has reviewed the engineering geologic report and has thus been informed and is aware of the type and extent of hazards present and the risks associated with development on the subject property;

3. The property owner accepts and assumes all risks of damage from natural hazards associated with the development of the subject property.
- G. Minimum Oceanfront Setbacks. In areas subject to the provisions of this section, the building footprint of all new construction or substantial improvement subject to a geologic hazard permit shall be set back from the ocean shore a minimum 25 feet from the top of the bank or greater if recommended by an Oregon certified engineering geologist.
- H. Erosion Control Measures. All new construction shall be limited to the recommendations, if any, contained in the report from a A-certified engineering geologist, geotechnical engineer, or qualified civil engineer. The report shall address the following standards:
1. Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction;
 2. Development plans shall minimize cut or fill operations so as to prevent off-site impacts;
 3. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development;
 4. Permanent plantings and any required structural erosion control and drainage measures shall be installed within three months;
 5. Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development. The rate of surface water runoff shall be structurally retarded where necessary;
 6. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills by installation of temporary or permanent drainage across or above such areas, or by other suitable stabilization measures such as mulching, seeding, planting, or armoring with rolled erosion control products, stone, or other similar methods;
 7. All drainage provisions shall be designed to adequately carry existing and potential surface runoff from the 20 year frequency storm to suitable drainageways such as storm drains, natural watercourses, or drainage swales. In no case shall runoff be directed in such a way that it significantly decreases the stability of known landslides or areas identified as unstable slopes prone to earth movement, either by erosion or increase of groundwater pressure;
 8. Where drainage swales are used to divert surface waters, they shall be vegetated or protected as necessary to prevent offsite erosion and sediment transport;
 9. Erosion and sediment control devices shall be required where necessary to prevent polluting discharges from occurring. Control devices and measures which may be required include, but are not limited to:
 1. Energy absorbing devices to reduce runoff water velocity,
 2. Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;
 3. Dispersal of water runoff from developed areas over large undisturbed areas.

10. Disposed spoil material or stockpiled topsoil shall be prevented from eroding into streams or drainageways by applying mulch or other protective covering; or by location at a sufficient distance from streams or drainageways; or by other sediment reduction measures;
 11. Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, site monitoring and clean-up activities; and
 12. Removal of Sedimentation. Whenever sedimentation is caused by stripping vegetation, grading, or other development, it shall be the responsibility of the person, corporation, or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems and to return the affected areas to their original or equal condition prior to final approval of the project.
- I. Storm Water Retention Facilities Required. For structures, driveways, parking areas, or other impervious surfaces in areas of 12% slope or greater, the release rate and sedimentation of storm water shall be controlled by the use of retention facilities when specified by the City. The retention facilities shall be designed for storms having a 25 year recurrence frequency. Storm waters shall be directed into a drainage with adequate capacity so as not to flood adjacent or downstream property.
 - J. Certification of Compliance. Permitted development shall comply with the recommendations in any required geologic or engineering report. No development requiring a geologic report shall receive final approval (e.g., certificate of occupancy, final inspection, etc.) until the City receives a written statement by a qualified geoprofessional indicating that all performance, mitigation, and monitoring measures contained in the report have been satisfied. If mitigation measures involve engineering solutions prepared by a licensed professional engineer, then the City must also receive an additional written statement of compliance by the licensed professional engineer.
 - K. Restoration and Replacement of Existing Structures.
 1. A building or structure that is nonconforming under Chapter 9.76 of the Yachats Municipal Code that is destroyed by fire, other casualty or natural disaster shall be subject to the casualty loss provisions contained in Section 9.76.050. Application of the provisions of this section to a property shall not have the effect of rendering it nonconforming.
 2. A building or structure that conforms to the Municipal Code that is destroyed by fire, other casualty or natural disaster may be replaced with a building or structure of up to the same size provided a geologic report is prepared by a qualified geoprofessional. A geologic report prepared pursuant to this subsection shall adhere to the geologic report standards outlined in subsection E of this section. All recommendations contained in the report shall be followed, however the report need not establish that the site is suitable for development as required in subsection (F)(2) of this section. An application filed under this subsection shall be processed and authorized as a ministerial action by the City Planner.

(Ord. 73E § 3.070, 1992; Ord. 73G, 1993; Ord. 269, 2007; Ord. 322, 2013; Ord. 349 § 1, 2017; Ord. 367 § 1, 2021)

[...]

Chapter 9.52 Commentary: The proposed amendments limit substandard lots to one detached single-unit dwelling with or without an accessory dwelling unit.

CHAPTER 9.52
SUPPLEMENTARY USE AND DESIGN REGULATIONS

§ 9.52.150. General exceptions to lot size requirements.

If a lot or the aggregate of contiguous lots held in a single ownership as recorded in the office of the Lincoln County Clerk at the time of the passage of the ordinance codified in this chapter has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the holding(s) may be occupied by a use permitted in the zone subject to the other requirements of the zone, provided that if there is an area deficiency, residential use shall be limited to a single-family detached single-unit dwelling unit with or without one accessory dwelling unit consistent with the density development standards and meeting sanitary requirements of the zone.

[...]
Chapter 9.56.010 Commentary: The proposed amendments make changes to the procedures for partitions and subdivisions in accordance with state requirements and implement clear and objective standards.

CHAPTER 9.56
APPROVAL AND GENERAL REQUIREMENTS OF PARTITIONS AND SUBDIVISIONS

§ 9.56.010. Approval of partitions and subdivisions.

- ~~A. No plat or replat of a partition or subdivision of land in Yachats shall be recorded or have any validity unless and until it has the approval of the Planning Commission or is appealed and subsequently approved by the City Council or by court action~~
- A. Preliminary partitions, preliminary subdivisions, and replats shall be processed as an administrative review by the City Planner or their designee.
 - 1. Public notice of the application shall be provided to owners of properties located within 100 ft. of the subject property, or within 500 ft. if the application includes 20 or more dwelling units.
 - 2. Appeals of the decision are limited to the applicant, and shall follow the same procedures as for appeals of Planning Commission decisions in Section 9.88.120.
- B. Final Plats shall be processed by the City Planner or their designee as a ministerial action without a public hearing.
- C. No person shall dispose of, transfer, sell or agree, offer or negotiate to sell any lot in any partition or subdivision which requires approval per City Code including Section 9.56.010(A) or by an ordinance or regulation adopted under ORS 92.044 and 92.048 until such approval is obtained from the City and the plat of that partition or subdivision recorded.
- D. No person shall dispose of, transfer, sell or agree, offer or negotiate to sell any lot in any partition or subdivision by reference to or exhibition or other use of a plat (or plan) of such subdivision before the plat for such partition or subdivision has been so recorded.
(Ord. 73E § 6.010, 1992; Ord. 211, Amended, 01/15/1999; Ord. 296, Amended, 04/14/2011)

Commented [RC18]: Per HB 4037 (2026)

Commented [RC19]: Our recommendation utilizes City Council as the appeal authority. The other options would be to use a hearings officer or Planning Commission.

§ 9.56.020. General requirements and minimum standards of design and development for partitions and subdivisions.

The following are the minimum requirements and standards to which partitions and subdivisions must conform before approval:

A. ~~Conformity to the Comprehensive Plan. All partitions and subdivisions shall conform with all adopted portions of the comprehensive plan, zoning ordinance and all other adopted plans. Major streets, parkways, parks and recreation areas, community and neighborhood facilities should be placed in approximately the same locations designated by the comprehensive plan.~~

~~B. Access. The partitioning and subdividing of land shall provide each lot or parcel, by means of a public or private road or street, satisfactory vehicular access to an existing street.~~

~~C. Relation to Adjoining Street System. A partition or subdivision shall provide for the continuation of the major and secondary streets existing in the adjoining subdivisions or partitions and for their proper projection when the adjoining property is not subdivided. If the Planning Commission adopts a plan for a neighborhood of which the partition or subdivision is a part, the partition or subdivision shall conform to such adopted neighborhood or area plan. If, in the opinion of the Planning Commission, topographic conditions make such continuation or conformity impractical, exceptions may be made.~~

~~When a tract is partitioned or subdivided into lots of an acre or more, the Planning Commission may require an arrangement of lots and streets such as to permit a later repartitioning or resubdivision in conformance with the street requirements and other requirements contained in these regulations.~~

B. Compliance With Oregon Revised Statutes (ORS) Chapter 92. All subdivision and partition proposals shall conform to state regulations in Oregon Revised Statute (ORS) Chapter 92 Subdivisions and Partitions.

C. Utilities and Infrastructure. All lots created through land division, excluding middle housing land divisions, shall have utilities and infrastructure such as streets, water, wastewater, and electrical systems that meet the requirements of Title 7 and Title 8.

D. Surface Water Drainage. All subdivision and partition proposals, excluding middle housing land divisions, shall have surface water drainage facilities that meet the requirements of Title 8.

E. Transportation Access. All lots created or reconfigured, excluding lots created by a middle housing land division, shall have transportation access that meet the applicable requirements of Title 7.

F. Easements.

a. Where alleys are not provided, easements of not less than five feet in width shall be provided on each side of the rear line or side line for necessary utility lines, wires, conduits, storm and sanitary sewers, gas and water. Easements of the same or greater widths may be required along boundary lines or across lots or parcels where necessary for the extension of utility lines, waterways and walkways, and to provide necessary drainage ways or channels.

b. A private easement established without full compliance with these regulations may be approved by the Planning Commission Reviewing Body provided it is the only reasonable method by which the rear portion of an unusually deep lot or parcel may be provided vehicular access.

~~G. Public Accessways. When necessary for public convenience and safety, the Planning Commission may require the land divider to dedicate to the public access ways 10 to 20 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, to provide for a network of public paths according to adopted plans or to provide access to schools, parks, beaches or other public areas, of such design and location as reasonably required to facilitate public use.~~

G. Lots and Parcels.

- a. Every lot and parcel shall abut on a street and the frontage of each shall not be less than 25 feet.
- ~~b. Each side line shall be as close to perpendicular to the adjacent street line or radial to a curved street line as possible.~~
- ~~c. Lots or parcels with double frontage shall not be permitted unless, in the opinion of the Planning Commission, an odd shaped tract or existing topography makes such lot or parcel unavoidable.~~
- d. Lot and parcel sizes and dimensions shall conform to the requirements for lot size and area of the zoning classification in which the partition or subdivision is located.
- e. Lots and parcels under 25,000 square feet in area must not exceed a depth to width ratio of two and one-half (2.5) to one. Lots and parcels over 25,000 square feet in area must not exceed a depth to width ratio of three and one-half (3.5) to one.

H. "Performance Agreement." Performance Agreement means an irrevocable letter of credit, surety bond, or cash guaranteeing the satisfactory completion of a project by a developer.

If the developer desires to record the plat prior to completion and approval of all improvements required by the ~~Planning Commission Reviewing Body~~, the ~~Reviewing Body~~~~Planning Commission~~ may accept in lieu of the completion of improvements a performance agreement or bond. The performance agreement shall be executed with the City Council in accordance with the seven requirements described below.

- a. Improvements. Improvements include all infrastructure, e.g. streets, water, sewer, storm drainage, pedestrian facilities, and any other improvements required as part of the tentative approval.
- b. Performance Agreement Required. When a performance agreement is required the applicant shall file an assurance of performance with the City supported by one of the following:
 - i. An irrevocable letter of credit executed by a financial institution authorized to transact business in the State of Oregon;
 - ii. A surety bond executed by a surety company authorized to transact business in the State of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated; or
 - iii. Cash.
- c. Determination of Sum. The assurance of performance shall be for a sum determined by the City as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.
- d. Itemized Improvement Estimate. The developer shall furnish to the City an itemized cost estimate for each improvement, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

- e. Agreement. An agreement between the City and developer shall be recorded with the final plat that stipulates all of the following:
 - i. Specifies the period within which each required improvement and repair shall be completed, and how performance funds are released;
 - ii. A provision that if work is not completed within the period specified, a time extension may be granted or the City may complete the work and recover the full cost and expenses from the applicant;
 - iii. Stipulates the improvement fees and deposits that are required.

The agreement may be prepared by the City, or in a letter prepared by the applicant. It shall not be valid until it is signed and dated by both the applicant and the City.

- f. If Developer Fails to Perform. If the developer fails to carry out all provisions of the agreement the City shall call on the performance agreement for completion of the project.
- g. Termination of Performance Agreement. The developer shall not cause termination of nor allow expiration of the agreement without having first secured written authorization from the City.

I. Water. All lots in partitions or subdivisions shall be served by a public water system. No plat of a partition or subdivision shall be approved unless the City has received and accepted:

- a. A certification by the City Water Director that water will be available from the nearest point of supply; or
- b. A performance agreement, bond contract or other assurance that a water supply system will be installed by or on behalf of the subdivider to every lot or parcel depicted in the proposed partition or subdivision.

J. Sewer. No plat of a partition or subdivision shall be approved unless the City has received and accepted:

- a. A certification by the City Sewer Director that sewage service will be available at the nearest point of collection; or
- b. A performance agreement, bond, contract or other assurance that sewage disposal lines will be installed by or on behalf of the partitioner or subdivider to the boundary line of each and every lot or parcel depicted in the proposed partition or subdivision;
- c. Where no sewerage service is available, the Department of Environmental Quality or county health department shall approve the proposed method of sewage disposal adequate to support the proposed use of the land for the partition or subdivision. A statement that no sewerage service is available and that the proposed method of sewage has been approved will be provided to the purchaser of each lot or parcel in the proposed partition or subdivision. A copy of any such statement signed by the partitioner or subdivider and endorsed by the Planning Commission chair shall be filed by the partitioner or subdivider with the real estate commissioner.

(Ord. 296, Amended, 04/14/2011; Ord. 317, Amended 09/12/2013)

§ 9.56.030. Additional requirements for subdivisions.

- A. Private Streets.

1. Private streets shall provide access only to abutting lots. No street providing access to other streets or to areas not abutting such streets shall be approved as a private street.
 - ~~2. At such time as a preliminary plan is proposed which includes private streets, all adjacent property owners shall be notified of such proposal and the time and place of the Planning Commission meeting.~~
 3. Yard setbacks shall be determined from the road right-of-way or access easement line in instances where private roads are considered.
- B. Blocks. No block shall be longer than 1,200 feet ~~between street lines.~~
- C. Parks and Open Space. ~~The Reviewing Body The Planning Commission~~ may require the subdivider to provide up to 5% of the subdivision area for park and recreation purposes if those areas have been identified as parkways, parks, and/or recreation areas by the comprehensive plan. ~~These areas shall be of a design and location acceptable to the Planning Commission, based on the suitability of the area for park and recreation purposes.~~
- D. Partial Development. If a proposed subdivision area includes only part of the tract owned by the subdivider, the ~~Reviewing Body~~ Planning Commission may require a sketch of the tentative layout of streets in the remainder of that tract.
- E. Duplication of Names. The name of a tentative plan must not duplicate the name used in any other legally recorded subdivision in Lincoln County, except for the words "town," "city," "place," "court," "addition" or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed.
- F. Pedestrian Walkways. ~~Developments shall provide for safe, well-marked pedestrian ways that do not conflict with vehicular traffic.~~
1. Materials and width. Pedestrian walkways shall be all weather surfaced and at least three feet in unobstructed width. Pedestrian walkway width shall be increased to six feet if the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.
 2. Crossings with vehicle areas. Where the pedestrian walkway crosses driveways, drive aisles, parking areas, and loading areas, the walkway shall be clearly identifiable through the use of elevation changes, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes for crossings must be at least four inches high.

(Ord. 73E § 6.020, 1992; Ord. 296, Amended, 04/14/2011)

§ 9.56.040. Partition procedure for dividing land.

- A. Preliminary Discussion. Prior to preparing a preliminary plan of a partition for submission the owner should discuss the proposed division with city personnel. The developer and the City staff should discuss the implication of the zoning, availability of water, method of sewage disposal, street construction requirements, topography of site and all other factors affecting the division of the property.
- B. Preliminary Plan Application. When a tract or area of land is to be partitioned, the preliminary plan of the proposed partition shall be filed in the office of the City together with an application for consideration. A sufficient number of copies of the preliminary plan, as determined by the City shall

also be submitted, in order that the preliminary plan may be distributed to other agencies. The preliminary plan when submitted shall include the following:

1. The name, address and phone number of the land owner, partitioner and engineer or surveyor;
 2. The tax lot number and the section, township and range in which the property is located;
 3. The date, north point and scale of the drawing;
 4. A vicinity sketch showing the location of the subdivision in relation to known landmarks in the City;
 5. The approximate location and dimensions of all proposed boundary lines;
 6. Approximate area of the property being subdivided and each proposed parcel;
 7. Name, location and width of all existing and proposed roads, rights-of-way and easements;
 8. Existing zoning of the property;
 9. Existing and proposed uses of the property;
 10. Approximate location and use of all existing structures to remain on the site. Indicate those to be removed;
 11. Any limitations to development; i.e., topography, areas subject to flooding, geologic hazards, drainage channels on property, etc.;
- a. A copy of the request to the county health department for site inspection.
 - b. Review of Preliminary Plan by Other Departments. Within five working days after the partition application is submitted according to the provisions of this title, the City staff shall distribute copies thereof to appropriate agencies and departments for review, comments and recommendations. If the City receives no written response or time extension request within 20 days, it shall be considered the agency(s) and department(s) involved approve of the preliminary plan as submitted.
- C. Approval of Preliminary Plan. Within ~~10 days after receiving all comments and recommendations from appropriate agencies or departments~~ 120 days from the date the Reviewing Body deems the application complete for purposes of processing, the ~~City staff shall refer the plan to the Planning Commission for Reviewing Body~~ shall issue a decision. ~~The applicant shall be notified of the time and place of the Planning Commission meeting.~~ Within seven days of the decision, the City Recorder shall proceed to prepare a notice of decision and mail it to the applicant, property owner (if different), the State Building Codes Division, those who provided written comments on the proposal, and those who requested a copy of the decision. Unless appealed, the decision shall become effective on the eleventh day after being rendered. The approval or conditional approval is valid for one year from the effective date of approval. After one year the preliminary plan may be resubmitted to be considered in light of changed conditions that may exist.
- D. Submitting the Plat. Within one year after the approval of the preliminary plan becomes effective, a partition plat shall be submitted to the ~~Planning Commission Reviewing Body~~ for approval which is in substantial conformity to the approved preliminary plan and conditions of approval.

The partition plat shall be prepared by a professional land surveyor who is licensed in the State of Oregon, and shall conform to the surveying requirements in ORS 92.050 through 92.080 and the Lincoln County surveyor's plat standards. In addition to the information as required on the

preliminary plan, and the information required by ORS 92, the following information shall be provided:

1. A preliminary title report, lot book report, subdivision guaranty report or equivalent documentation of the ownership of the subject property, issued not more than 30 days prior to the date that the partition plat is submitted for final approval. Such report shall also identify all easements of record;
 2. The deed dedicating to the public all common improvements, including, but not limited to, streets and roads, the donation of which was made a condition of approval of the preliminary plan for the partition;
 3. A copy of all protective deed restrictions proposed;
 4. The certification, performance agreement, bond, contract or other assurances regarding the availability or installation of water and sewer services as provided in Section 9.56.020;
 5. The location of the approved site for the septic system if applicable.
- E. Street Dedication. Any streets in a major partition shall be dedicated following the requirements and procedures for the dedication of streets as set forth in Section 9.64.040 prior to plat approval.
- ~~F. Plat Approval. Within 10 days of the receipt of a partition plat as provided in this title, the City staff shall refer the plat to the Planning Commission for a decision. The applicant shall be notified in writing of the time and place of the Planning Commission meeting. Unless appealed, the decision shall become effective on the eleventh day after being rendered.~~
- F. Final Plat Approval Criteria. Final plats require review and approval by the Reviewing Body or their designee prior to recording. The final plat approval criteria and procedures are as follows:
1. Approval Process and Criteria. By means of a ministerial action, the Reviewing Body shall review and approve or deny the final plat application based on findings of compliance or noncompliance with all of the following criteria:
 - a. The final plat is consistent in design (e.g., number, area, dimensions of lots, easements, tracts, rights-of-way) with the approved preliminary plat, and all conditions of approval have been satisfied;
 - b. All public improvements required by the preliminary plat have been installed and approved by the City or applicable service provider if different than the Yachats Department of Public Works;
 - c. The streets and roads for public use are dedicated without reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities;
 - d. All required streets, access ways, roads, easements, and other dedications or reservations are shown on the plat;
 - e. The plat and deed contain a dedication to the public of all public improvements, including, but not limited to, streets, public pathways and trails, access reserve strips, parks, and water and sewer facilities, as applicable;
 - f. As applicable, the applicant has furnished acceptable copies of Covenants, Conditions, and Restrictions (CC&R's); easements; maintenance agreements (e.g., for

access, common areas, parking, etc.); and other documents pertaining to common improvements recorded and referenced on the plat;

- g. Verification by the City that water and sanitary sewer service is available to every lot depicted on the plat; and
- h. The plat contains an affidavit by the surveyor who surveyed the land, represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92, indicating the initial point of the survey, and giving the dimensions and kind of each monument and its reference to some corner approved by the Coos County Surveyor for purposes of identifying its location.

G. When the approval becomes effective, the ~~Planning Commission chair~~ Reviewing Body or their designee shall sign the plat and its exact copy. The plat and exact copy shall then be delivered to the county surveyor who shall obtain the following officials' signatures on them:

1. The county tax collector whose signature shall certify that all taxes on the property have been paid;
2. The county assessor, whose signature shall certify that the plat is signed by the owner or owners of record;
3. The county surveyor, whose signature shall certify that the platting laws of this state and the requirements of this title have been satisfied.

H. The county surveyor shall deliver the signed plat to the office of the county clerk and notify the partitioner that it has been so delivered and may be offered for record.

I. Appeals. See Section 9.88.120.
(Ord. 73E § 5.030, 1992; Ord. 172, 1995; Ord. 211, Amended, 01/15/1999; Ord. 296, Amended, 04/14/2011)

[...]

Chapter 9.59 Commentary: The proposed amendments add standards and procedures for a middle housing land division.

CHAPTER 9.59
STANDARDS AND PROCEDURES FOR MIDDLE HOUSING LAND DIVISION

§ 9.59.010. Procedure for proposing Middle Housing Land Division.

A middle housing land division (MHL) is an expedited land division of a lot or parcel on which middle housing is developed or proposed and meets the requirements of ORS 93.031 and ORS 197.360 through 197.380. The City Planner is the Reviewing Body and makes decisions about applications for MHL as a ministerial action without a public hearing. The application submission and approval process for MHL is as follows:

A. Applicability.

1. Eligible Zoning Districts. MHLs are available in zoning districts where middle housing is permitted.
2. Eligible Housing. Middle housing development that is eligible for an MHL may consist of a single duplex, triplex, quadplex, cottage cluster, or structure containing townhouses.

B. Application Timing and Sequencing.

1. An application for a tentative plan for an MHL may be submitted before, after, or at the same time as the submission of an application for building permits for the middle housing;
2. An application for a tentative plan for an MHL may be submitted at the same time as an application for a subdivision or partition. The standard land division creates the parent lot(s), and the MHL further divides the lot(s) into middle housing child lots.
3. An application of one or more than one MHL submitted at the same time as an application for a subdivision or partition will be consolidated into a single application subject to the procedural requirements for the subdivision or partition. The MHL application shall comply with the application requirements of this section.
4. Within the same calendar year as an original partition that was not an MHL, one or more of the resulting vacant parcels may be further partitioned into not more than three (3) parcels through an MHL.

B. Applicability of Middle Housing Regulations. A MHL creates two (2) or more lots or parcels from a single parent lot on which middle housing is developed or proposed. After an MHL is completed, the resulting lots or parcels are “child lots” or “middle housing lots.” The development is still subject to the requirements and standards that applied to the parent lot prior to the MHL. In other words, the middle housing development is still defined and regulated as the original middle housing type after an MHL is completed (e.g., a duplex that undergoes an MHL does not become a townhouse development; the structure and property are still subject to the requirements/standards for a duplex).

C. Tentative Plan Approval Criteria. Approval of a tentative plan for an MHLD will be granted if the Reviewing Body finds that the applicant has met all of the criteria in subsections (1) through (7), below. The City's standard tentative plan approval criteria do not apply.

1. The middle housing development, including all existing and proposed structures, complies with:
 - a. The Oregon Residential Specialty Code; and
 - b. The applicable provisions of the YMC, including but not limited to the middle housing regulations, applicable to the parent lot.
2. Exactly one dwelling unit will be located on each resulting child lot except for lots, parcels, or tracts used as common areas, on which no dwelling units will be permitted.
3. Separate utility service connections will be provided for each child lot.
4. Easements will be provided as necessary for each dwelling unit on the site for:
 - a. Locating, accessing, replacing, and servicing all utilities;
 - b. Pedestrian access from each dwelling unit to a private or public road;
 - c. Access to any common use areas or shared building elements; and
 - d. Access to any dedicated driveways or parking.
5. Buildings or structures on a resulting child lot will comply with applicable building codes provisions relating to new property lines.
6. Notwithstanding the creation of new child lots, all structures or buildings located on the newly created lots will comply with the Oregon Residential Specialty Code.
7. Where a resulting child lot abuts a street that does not meet City standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to the Public Works Standards.

D. Tentative Plan Submittal Requirements. An application for an MHLD tentative plan shall include the following:

1. Any information required by the YMC's standard land division preliminary submittal requirements per Chapter 9.56;
2. A description of the manner in which the proposed land division will satisfy the approval criteria in 9.59.010(C).
3. Copies of approved building permits or building permit applications, or comparable information necessary to demonstrate compliance with building code standards, and an accompanying site plan demonstrating compliance with criteria in Sections 9.59.010(C)(1) and (5).
4. In addition to the items required by the City to be shown on a tentative plan or preliminary plat for a standard land division, the MHLD tentative plan shall show the following details:

- a. Separate utility connections for each dwelling unit, demonstrating compliance with approval criterion 9.59.010(C)(3).
 - b. Existing or proposed easements necessary for each dwelling unit on the plan, demonstrating compliance with the criterion 9.59.010 (C)(4).
5. Draft copies of all necessary easements for review by the city attorney.

E. Tentative Plan Conditions of Approval.

1. The City may attach conditions of approval of a tentative plan for an MHLD to:
 - a. Prohibit further division of the resulting child lots.
 - b. Require that a notation appear on the final plat indicating:
 - i. The approval was given under ORS 92.031.
 - ii. The type of middle housing approved on the subject site and noting that this middle housing type shall not be altered by the MHLD.
 - iii. Accessory dwelling units are not permitted on resulting child lots.
 - c. Require that all public improvements and site improvements that are required to satisfy approval criteria in 9.59.010(C) and applicable standards of the YMC are constructed prior to issuance of a Certificate of Occupancy for the development.
2. The preliminary approval of an MHLD is void if and only if a final MHLD plat is not approved within 3 years of the preliminary approval.

F. Tentative Plan Procedure.

1. Standard Procedure. Unless the applicant requests to use the procedure for an expedited land division as provided in subsection (2), the City shall review an MHLD under the same procedure that applies to a standard land division. An application of one or more than one MHLD submitted at the same time as an application for a standard subdivision or partition will be consolidated into a single application subject to the procedural requirements for the standard subdivision or partition.
2. Expedited Procedure. Unless the applicant requests to use the City's standard land division procedure, the city shall apply the procedure used for an expedited land division, as provided below and in ORS 197.365. A decision for an MHLD processed under ORS 197.365 is not subject to the requirements of ORS 197.797.
 - a. The Reviewing Body shall make a decision to approve or deny the application and shall provide notice of the decision to the applicant within 63 days of receiving a completed application as described in ORS 227.178. Notice shall not be provided to any other person.
 - b. The MHLD review process does not include a hearing and the City does not accept public comment from third parties.
 - c. The City shall issue a written determination of compliance or noncompliance with the approval criteria in subsection (C). An approval may include conditions of approval pursuant to subsection (E) to ensure that the application meets all applicable requirements.

- d. The written determination shall include a summary statement explaining the determination and an explanation of the applicant's right to appeal the determination under ORS 197.830 to 197.855.
 - e. The applicant shall pay a fee according to the City's fee schedule.
 - f. Only the applicant may appeal a decision for an MHLD processed as an expedited land division made under this section.
- G. Final Plat Requirements. An application for an MHLD final plat shall meet the YMC's requirements and approval criteria per Chapter 9.56.

Chapter 9.60 Commentary: The amendments clarify that conditions of approval may not include reductions in height for housing, except to resolve a health, safety, or habitability issue or to comply with a statewide land use planning goal.

CHAPTER 9.60
PLANNED UNIT DEVELOPMENT

[...]

§ 9.60.030. Procedure for proposing P.U.D.

- A. Preliminary Plan Application. An applicant shall submit a preliminary plan of a planned unit development to the City. The preliminary plan shall include the following data:
 - 1. The name, address and phone number of the land owner and developer;
 - 2. The tax lot number and the section, township and range in which the property is located;
 - 3. The date, north point and scale of the drawing;
 - 4. A vicinity sketch showing the location of the P.U.D. in relation to known landmarks in the City;
 - 5. The approximate location and dimensions of all proposed boundary lines;
 - 6. Approximate area of the property being subdivided and each parcel;
 - 7. Name, location and width of all existing and proposed roads, rights-of-way and easements;
 - 8. Existing zoning of the property;
 - 9. Existing and proposed uses of the property;
 - 10. Approximate location and use of all existing structures to remain on site. Indicate those to be removed;
 - 11. Any limitations to development; i.e., topography, areas subject to flooding, geologic hazards, drainage channels on property, etc. In areas of 12% or greater slope, a geological report shall be submitted, in accordance with provisions of Section 9.52.050;
 - 12. Proposed use, location, dimensions, height and type of construction of all buildings. Proposed number of dwelling units, if any, to be located in each building;
 - 13. Proposed circulation pattern including the location, width and surfacing of streets, private drives, and sidewalks; the location of any curbs; the status of street ownership; and the location of parking areas and the number of spaces therein;

14. Proposed use of all open spaces including a plan for landscaping;
 15. Proposed grading and drainage pattern;
 16. Proposed method and plan for provision of water supply, sewage disposal, and electrical facilities;
 17. Relationship of the proposed development to the surrounding area and to the comprehensive plan.
- B. Review of Preliminary Plan by Other Departments. The City Planner shall distribute copies of the preliminary plan for review and comment to the Yachats Department of Public Works; Yachats Rural Fire Protection District; Oregon Department of Transportation, if the proposed development is within 1,000 feet of a state highway; and to any other appropriate federal, state or local agencies. Officials of these agencies shall have a minimum 14 days for review prior to the Planning Commission meeting.
- C. Approval of Preliminary Plan.
1. Preliminary plans shall be processed and decisions made in accordance with the schedule identified in the most current Oregon Revised Statutes. The Planning Commission may grant time extensions upon written request by the applicant prior to expiration of the approval or conditional approval.
 2. If the preliminary plan for the planned unit development is approved, the Planning Commission (or City Council in the case of appeal) may attach conditions it finds necessary to carry out the purpose of this title. These conditions may include, but are not limited to, the following:
 - a. Increasing the required setbacks;
 - ~~b. Limiting the height of buildings;~~
 - b. Controlling the location and number of vehicular access points;
 - c. Establishing new streets, increasing the right-of-way or roadway width of existing streets, requiring curbs and sidewalks, and, in general, improving the traffic circulation, in accordance with recommendations given by the Yachats department of public works and/or the public works and streets commission;
 - d. Increasing the number of parking spaces and improving design standards for parking areas;
 - e. Limiting the number, size, location and lighting of signs;
 - f. Designating sites for open space and recreational development, and, in general, improving landscaping requirements;
 - g. Requiring additional view-obscuring screening or fencing;
 - h. Requiring performance bonds to assure that the planned unit development is completed as approved within the time limit as established by the Planning Commission;
 - i. Requiring appropriate contractual agreement with the county or with special districts to assure development of streets, curbs, gutters, sidewalks, and all utilities to acceptable standards.

2. Conditions shall not include reductions in density or height for housing less than those permitted by the underlying zone, except to resolve a health, safety, or habitability issue or to comply with a statewide land use planning goal.

D. Submitting the Map.

1. Within two years after the approval of the preliminary plan, a map of the P.U.D. shall be submitted to the Planning Commission for approval. The map shall be a survey of the P.U.D. or a photographic copy thereof. Maps shall be in substantial conformity to the approved preliminary plan and conditions of approval.
 2. In addition to the information as required on the preliminary plan the following information shall be provided:
 - a. Accurate legal description of all parcels and roads;
 - b. The deed dedicating to the public all common improvements, including, but not limited to, streets and roads, the donation of which was made a condition of approval of the preliminary plan for the P.U.D.;
 - c. A copy of all protective deed restrictions;
 - d. Street and drainage construction plans;
 - e. The certification, performance agreement or statement regarding the availability of water and sewerage services as provided in Section 9.60.040;
 - f. The location of the approved site for the septic system if applicable.
- E. Map Approval. Within thirty days of the receipt of a P.U.D. map as provided in this title, the City staff shall refer the map to the Planning Commission for a decision. The applicant shall be notified in writing of the time and place of the Planning Commission meeting. Unless appealed, the decision shall become effective on fifteen days after rendered. When the approval becomes effective, the City Planner shall endorse his or her approval on the map. The map shall then be recorded in the offices of Lincoln County. Approval of the submitted map shall be considered as final when a copy of the recorded map is provided to the City.

(Ord. 73E § 7.030, 1992; Ord. 175, 1995; Ord. 320, Amended 09/12/2013)

[...]

Chapter 9.62 Commentary: The amendments clarify that conditions of approval may not include reductions in height for housing, except to resolve a health, safety, or habitability issue or to comply with a statewide land use planning goal.

CHAPTER 9.62
TOWNHOUSE PLANNED UNIT DEVELOPMENT

[...]

§ 9.62.040. Procedure for proposing Townhouse P.U.D.

- A. Preliminary Plan Application. An applicant shall submit at least five copies of a preliminary plan of a townhouse planned unit development to the Planning Commission for study at least 30 days prior to the Planning Commission meeting at which it will be discussed. The preliminary plan shall include the following data:
1. The name, address and phone number of the land owner, partitioner and engineer or surveyor;
 2. The tax lot number and the section, township and range in which the property is located;
 3. The date, north point and scale of the drawing;
 4. A vicinity sketch showing the location of the Townhouse P.U.D. in relation to known landmarks in the City;
 5. The approximate location and dimensions of all proposed boundary lines;
 6. Approximate area of the property being subdivided and each parcel;
 7. Name, location and width of all existing and proposed roads, rights-of-way and easements;
 8. Existing zoning of the property;
 9. Existing and proposed uses of the property;
 10. Approximate location and use of all existing structures to remain on site. Indicate those to be removed;
 11. Any limitations to development; e.g., topography, areas subject to flooding, geologic hazards, drainage channels on property, etc. In areas of 12% or greater slope, a geological report shall be submitted, in accordance with provisions of Section 9.52.050;
 12. Proposed use, location, dimensions, height and type of construction of all buildings. Proposed number of dwelling units, if any, to be located in each building;
 13. Proposed circulation pattern including the location, width and surfacing of streets, private drives, and sidewalks; the location of any curbs; the status of street ownership; and the location of parking areas and the number of spaces therein;
 14. Proposed use of all open spaces including a plan for landscaping;
 15. Proposed grading and drainage pattern;
 16. Proposed method and plan for provision of water supply, sewage disposal, and electrical facilities; plan.
 17. Relationship of the proposed development to the surrounding area and to the comprehensive

- B. Review of Preliminary Plan by Other Departments. Within five days after the Townhouse P.U.D. application is submitted and prior to consideration of the preliminary plan by the Planning Commission, the City Recorder shall distribute copies of the preliminary plan to the Yachats Public Works Department; Yachats Rural Fire Protection District; Oregon Department of Transportation, if the proposed development is within 1,000 feet of a state highway; and to any other appropriate federal, state or local agencies. Officials of these agencies shall be given at least 10 days to review the plan, suggest revisions, and return the plans to the Planning Commission.
- C. Approval of Preliminary Plan.
1. When all comments and recommendations from appropriate agencies or departments have been received or within 45 days after receiving the application as provided for in this title, whichever date shall occur first, the City staff shall place the preliminary plan on the agenda of the next scheduled meeting of the Planning Commission and notify the applicant of the meeting date and time. Following consideration of the preliminary plan, the replies from the other agencies and departments and such other testimony offered, the Planning Commission shall schedule a hearing within 45 days. At the conclusion of the hearing, the Planning Commission shall approve, conditionally approve, disapprove for cause or, when further information is required, postpone a decision on the preliminary plan. Unless appealed, the decision of the Planning Commission shall become effective on the fifteenth day after rendered. The approval or conditional approval is valid for two years from the effective date of that approval.
 2. If the preliminary plan for the townhouse planned unit development is approved, the Planning Commission (or City Council in the case of appeal) may attach conditions it finds necessary to carry out the purpose of this title. These conditions may include, but are not limited to, the following:
 - a. Increasing the required setbacks;
 - ~~b. Limiting the height of buildings;~~
 - b. Controlling the location and number of vehicular access points;
 - c. Establishing new streets, increasing the right-of-way or roadway width of existing streets, requiring curbs and sidewalks, and, in general, improving the traffic circulation, in accordance with recommendations given by the Yachats department of public works and/or the public works and streets commission, and the Yachats Rural Fire Protection District;
 - d. Increasing the number of parking spaces and improving design standards for parking areas;
 - e. Limiting the number, size, location and lighting of signs;
 - f. Designating sites for open space and recreational development, and, in general, improving landscaping requirements;
 - g. Requiring additional view-obscuring screening or fencing;
 - h. Requiring appropriate contractual agreement with the county or with special districts to assure development of streets, curbs, gutters, sidewalks, and all utilities to acceptable standards.
 2. Conditions shall not include reductions in density or height for housing less than those permitted by the underlying zone, except to resolve a health, safety, or habitability issue or to comply with a statewide land use planning goal.

B. Approval of Final Plan.

1. Within three years after the approval of the preliminary plan, a map of the Townhouse P.U.D. may be submitted to the Planning Commission for approval. The map shall be a survey of the P.U.D. or a photographic copy thereof. Maps shall be in substantial conformity to the approved preliminary plan and conditions of approval.
2. In addition to the information as required on the preliminary plan the following information shall be provided:
 - a. Accurate legal description of all parcels and roads;
 - b. The deed dedicating to the public all common improvements, including, but not limited to, streets and roads, the donation of which was made a condition of approval of the preliminary plan for the Townhouse P.U.D.;
 - c. A copy of all protective deed restrictions;
 - d. Street and drainage construction plans;
 - e. The certification regarding the availability of water and sewerage services as provided in Section 9.60.040;
 - f. The location of the approved site for the septic system if applicable.
 - g. Within thirty days of the receipt of a Townhouse P.U.D. map as provided in this title, the City staff shall refer the map to the Planning Commission for a decision. The applicant shall be notified in writing of the time and place of the Planning Commission meeting. Unless appealed, the decision shall become effective on the 15th day after rendered. When the approval becomes effective, the City Recorder shall endorse his or her approval on the map. The map shall then be recorded in the offices of the county clerk, with a copy of the certified map retained by the City. Approval of the submitted map shall be considered as final when properly endorsed and recorded.

(Chapter Added by Ord. 302, 2011)

[...]

Chapter 9.68 Commentary: The amendments:

- *Maintain reference to State Building Code but remove building code requirements from the zoning and land use code*
- *Remove redundant use allowances from the chapter*
- *Incorporate statutory requirements for manufactured dwelling parks*
- *Create clear and objective standards for manufactured dwelling parks*
- *Implement disaster recovery housing provisions in accordance with state requirements*

CHAPTER 9.68
MANUFACTURED DWELLINGS, MANUFACTURED DWELLING PARKS AND
RECREATIONAL VEHICLES

§ 9.68.010. General provisions.

- ~~A. Label of Compliance. Approval for installation of any manufactured dwelling is limited to units manufactured after June 15, 1976 and bearing a label from the Department of Housing and Urban Development indicating compliance with electrical, plumbing and structural standards as set forth by H.U.D.~~
- ~~B. State Standards. Installation of manufactured dwellings are to follow State of Oregon standards adopted and administered by the State Building Code Agency. See OAR 814-34-050 to 814-23-080. These state standards are summarized as follows:~~
- ~~1. Support blocking shall be installed according to the manufacturers' instructions approved by the State Building Codes Agency and, unless higher loading requirements are justified by soils analysis, the blocking shall support the manufactured dwellings on a soil with a bearing capacity of 1,500 pounds per square foot. OAR 814-23-060.~~
 - ~~2. Plumbing, electric and gas service connections shall be made according to the instructions approved by the State Building Codes Agency. OAR 814-23-050.~~
 - ~~3. A single-wide manufactured dwelling in certain listed areas along the coast and the Columbia River shall be tied down with devices that meet federal standards as approved by the State Building Codes Agency. OAR 814-23-065.~~
 - ~~4. Manufactured dwelling accessory buildings and structures shall comply with state construction and installation standards. OAR 814-023-070. Manufactured dwelling accessory structures are skirting, some porch and steps, awnings, cabanas and some carports. In the manufactured dwelling field, an awning is not a sunshade for a window, but is any structure with a roof and not more than one wall. A structure is a manufactured dwelling accessory structure if it depends in part on the manufactured dwelling for its structural support. Accessory structures are not required by the state, but must meet standards if installed.~~
 - ~~5. A building or other structure associated with a manufactured dwelling that is not a manufactured dwelling accessory structure must comply with state building code standards for ramadas to relate the ramada to the manufactured dwelling. OAR 814-23-0[3]70. A ramada is primarily a roof built to go over a manufactured dwelling but is not supported by the manufactured dwelling.~~
- ~~C. Tie-Down Requirements (to Exclude Manufactured Dwellings Attached to Basements):~~
- ~~1. Minimum tie-down requirements are to conform to standards established by the State Building Codes Agency.~~

- 2.—Minimum number of tie-downs required:
 - a.—Single wide: as specified by state code plus cross tie-downs at no greater than 12 foot intervals.
 - b.—Double wide: one at each corner plus cross tie-downs at no greater than 12 foot intervals.
 - c.—Triple wide: three per side on outside units plus cross tie-downs at no greater than 12 foot intervals.
 - 3.—Tie-Down Materials. Steel straps or cables that have been treated to make them weather resistant must be used for ties.
 - a.—Steel straps 1.025" x.035" commercially available.
 - b.—Steel cable at least three eighths inch in diameter.
 - c.—Turnbuckles shall be at least one half inch in diameter with closed or welded eyes.
 - 4.—Anchors. Anchors must have a rod made of steel not less than five eighths inch in diameter, and must have a tensioning head or a drop forged, closed eye for use with a turnbuckle. In addition, it must be able to withstand a pull of at least 4,800 pounds without failure. All anchors should be installed as nearly vertically as possible. The heads of the anchors should come to rest next to the concrete, and should be directly below the "I" beam of the manufactured dwelling frame.
- D.—Grade. The portion of the lot on which the manufactured dwelling shall rest must be leveled to a ± 3 " variance from the mean elevation. This leveling shall expose an area of bearing soil or fill material so compacted as to receive approval by a soil engineer as meeting state requirements.
- E.—Supports. Bearing weight of manufactured dwellings shall be supported by one of the following:
- 1.—Types:
 - a.—Placing on a permanent concrete or block basement, or perimeter foundation. Standard floor beams will be used across the width of the foundation. "I" beams of the manufactured dwelling floor shall be secured by lag bolts at each juncture of an "I" beam with foundation floor beams.
 - b.—Placing upon concrete block piers, each of which rests upon a continuously poured concrete ribbon six inches in depth and 16 inches in width extending the full length of the manufactured dwelling less one foot. Each ribbon must contain a minimum of two reinforcing bars of at least one half inch in diameter. One ribbon is required under each longitudinal "I" beam member of the manufactured dwelling's floor frame structure.
 - 2.—Support Placement:
 - a.—A manufactured dwelling pier shall be limited to 32 inches above the leveled site.
 - b.—Piers, when used, shall be no more than 10 feet apart under each "I" beam, and end piers should be no further than five feet from the ends of the manufactured dwelling.
- F.—Extensions:
- 1.—Cabanas, expando units, patio awnings, carports, and other manufactured dwelling extensions, shall be considered part of the manufactured dwelling in determining setbacks.
 - 2.—All manufactured dwelling extensions shall be installed in accordance with plans approved by the State Building Codes Agency.

3.— Extensions must be secured by tie-downs in the same manner as the manufactured dwelling; a minimum of one tie per corner of the extension.

G.— Skirting.

- 1.— Skirting shall be weather resistant, noncombustible or not more combustible than three-eighths inch exterior grade plywood.
- 2.— Untreated wood shall not be nearer than six inches to any earth, unless separated by three inches of metal or concrete. EXCEPTION: For metal skirting, supporting members of untreated lumber shall be separated from the ground by not less than two inches.
- 3.— Adequate access shall be provided.
- 4.— Ventilation openings shall be provided for each 25 linear feet of skirting.
- 5.— Each opening shall have a minimum net area of 36 square inches and shall be located within two feet of the external corners of the manufactured dwelling and shall have a corrosion resistant louver or mesh cover.
- 6.— Skirting shall be completed within 90 days after placement of the manufactured dwelling.

H.— Ramadas shall be considered as part of the structure in determining setbacks; they shall conform to all requirements of the statewide building code and shall be constructed to allow the manufactured dwelling to be moved.

(Ord. 73E § 9.010, 1992)

§ 9.68.020. Permitted locations.

A.— Manufactured dwellings shall be permitted only in the following locations:

- 1.— Manufactured dwelling parks;
- 2.— Approved manufactured dwelling subdivisions;
- 3.— Approved planned unit developments;
- 4.— As temporary dwellings during the construction of a permitted use for which a building permit has been issued. (See R-1, R-2, R-3, and R-4 zones, Sections 9.12.020(B), 9.16.020(B), 9.20.020(B) and 9.24.020(B).)

All manufactured dwellings shall be required to comply with current H.U.D. electrical, plumbing and structural standards.

B.— Recreational vehicles may be parked on the owner's personal lot only, unless in commercial storage. (Ord. 73E § 9.020, 1992)

§ 9.68.030. Manufactured dwelling parks.

A.— Compliance Required. No land within the City shall be developed for use as a manufactured dwelling park and no plan for such park shall be filed or recorded until submitted to and approved by the Planning Commission.

E. Applications or manufactured dwelling parks shall be processed as an administrative review by the City Planner or their designee.

1. ~~Public notice of the application shall be provided to owners of properties located within 100 ft. of the subject property, or within 500 ft. if the application includes 20 or more dwelling units.~~
2. ~~Appeals of the decision are limited to the applicant, and shall follow the same procedures as for appeals of Planning Commission decisions in Section 9.88.120.~~

Commented [RC20]: Our recommendation utilizes City Council as the appeal authority. The other options would be to use a Hearings Officer or Planning Commission.

Commented [RC21]: Per HB 4037 (2026)

B. Permitted Locations:

1. ~~Residential zone R-3;~~
2. ~~Residential zone R-4;~~
3. ~~Commercial zone C-1.~~

B. Standards for Manufactured Dwelling Parks. Manufactured dwelling parks may be permitted provided they meet the requirements of Chapter 446, Oregon Revised Statutes, and the standards of the Oregon State Board of Health. In addition, the following standards shall apply:

1. ~~Permitted Uses. A manufactured dwelling park may contain manufactured dwellings, recreational vehicles (connected to water, electric, and sewer systems), and prefabricated structures.~~
2. Public utilities underground;
3. Maximum of 12 manufactured dwellings per acre;
4. Minimum size of park, ~~two acres~~ one acre excluding street rights-of-way;
5. A minimum of 2,500 square feet per manufactured dwelling space;
6. Setbacks and lot coverage must comply with the zone in which it is located;
7. Each access road connecting with a public street shall have a surface width of at least 36 feet and all other access roads shall have a surface width of at least 20 feet. All access roads and parking areas and walkways shall be surfaced to minimum city road standards and be well drained;
8. ~~Pedestrian walkways shall be separated from vehicular ways and maintained to provide safe and convenient movement to all parts of the park and connect to ways leading to destinations outside the park. They shall be all-weather surfaced at least three feet wide;~~
 - a. ~~Connections to abutting properties. On-site pedestrian walkways shall connect or be stubbed to allow for an extension to the abutting property when there is an existing or planned walkway on the abutting property, or when the abutting property is undeveloped.~~
 - b. ~~Internal connections. The pedestrian walkway system shall provide connections to parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities.~~
 - c. ~~Materials and width. Pedestrian walkways shall be all weather surfaced and at least three feet in unobstructed width. Pedestrian walkway width shall be increased to six feet if the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.~~
 - d. ~~Crossings with vehicle areas. Where the pedestrian walkway crosses drieways, drive aisles, parking areas, and loading areas, the walkway shall be clearly identifiable through the use of elevation changes, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes for crossings must be at least four inches high.~~

- e. Walkways adjacent to vehicle areas. Where the pedestrian walkway is parallel and adjacent to a drive aisle, the walkway shall be a raised path or be separated from the drive aisle by a raised curb, bollards, landscaping, or other physical barrier. If a raised path is used, it must be at least four inches high. Bollard spacing must be no further apart than five feet on center.
- 9. Developed recreation area shall be provided which contains a minimum of 2,500 square feet or 200 square feet per manufactured dwelling space, whichever requirement is the greater;
- 10. All areas not used for manufactured dwelling spaces, motor vehicle parking, traffic circulation, or service or community buildings shall be ~~completely and permanently~~ landscaped. ~~The landscaping shall be maintained in good condition.~~ There shall be landscaping within the front and side setback area, and in all open areas of the manufactured dwelling park not otherwise used for manufactured dwelling park purposes;
- ~~11. All manufactured dwellings shall be located at least 20 feet from the property boundary line abutting upon a public street or highway, 60 feet from the center line of a state highway and at least 10 feet from the other boundary lines, except that when a sound deadening fireproof barrier, such as an earthen berm or brick wall is provided, the Planning Commission may allow the ten-foot setback to be reduced to five feet;~~
- 12. Manufactured dwellings shall not be located closer than 15 feet from any other manufactured dwelling or permanent building within the manufactured dwelling park, nor closer than 10 feet to any park or roadway. Manufactured dwelling accessory buildings, when not attached to the manufactured dwelling, shall not be closer than six feet from any manufactured dwelling or structure;
- 13. Ramadas, cabanas, awnings, carports and other attached structures shall be considered part of the unit for setback purposes;
- 14. ~~Manufactured dwellings shall conform to foundation and tie-down standards as set forth in Section 9.68.010;~~
- 15. Two off-street parking spaces shall be provided at each manufactured dwelling site;
- 16. Buffering or screening, if required by the Planning Commission, shall be screened with a screening buffer (see definition in YMC Section 9.04.030).
- 17. A minimum of 50% of the manufactured dwelling park spaces must be available for occupancy before the first occupancy is permitted.

C. Site and Development Plan.

- 1. All applications submitted for approval of a manufactured dwelling park development shall consist of four copies of a development plan. Such plan shall be submitted at least six days before the meeting at which they will be reviewed and shall contain but not be limited to the following information:
 - a. Name of person who prepared the plan;
 - b. Name(s) of persons owning and/or controlling the land proposed for a park;
 - c. Name of manufactured dwelling park and address;
 - d. Scale and north point of the plan;
 - e. Boundaries and dimensions of the manufactured dwelling park;

- f. Vicinity map showing relationship of manufactured dwelling park to adjacent properties and surrounding zoning;
 - g. Location and dimensions of each manufactured dwelling site, with each site designated by number, letter or name;
 - h. Location and dimensions of each existing or proposed building;
 - i. Location and width of manufactured dwelling park streets and pedestrian ways;
 - j. Location of each lighting fixture for lighting the park;
 - k. Location of recreational areas and buildings and common area;
 - l. Location and type of landscaping plantings, fences, walls or combination of any of these, or other screening materials;
 - m. Extent, location, arrangement and proposed improvements of all off-street parking and loading facilities;
 - n. Location of available fire hydrants;
 - o. Enlarged plot plan of a typical manufactured dwelling space showing location of the stand, storage, space, parking, sidewalk, utility connections and landscaping;
 - p. The plan shall indicate positions of the manufactured dwellings so that the Planning Commission may determine entrances, setbacks, etc.;
 - q. The plan shall show the topography of the park site with contour intervals of not more than five feet, except that the building official or planning director may require closer contour intervals;
 - r. A drainage plan.
2. At the time of application to construct a new manufactured dwelling park, the applicant shall submit, in addition to the above and as part of the development plan, four copies of the following plans:
- a. A survey and plat of the property;
 - b. New structures;
 - c. A certification by the City water Director that water will be available from the nearest point of supply;
 - d. Methods of sewage disposal approved by the Department of Environmental Quality, State of Oregon, and/or certification by the City sewer Director of approval to connect to the City sewer system;
 - e. Method of garbage disposal.

D. Decision upon Development Plan. The ~~Reviewing Body~~Planning Commission may:

- 1. Deny or withhold approval if the project does not meet applicable standards for manufactured dwelling parks in this chapter;
- 2. Accept and approve the development by signing a statement of approval on the finished plan, for acceptance and approval by the ~~Reviewing Body~~City Council;

3. Approval will expire in one year unless the plan is substantially implemented.

E. Manufactured Dwelling Park License.

1. Signed approved copies of the development plan and all components thereof shall be forwarded to the City Recorder and city building official.
2. No license for occupancy of any manufactured dwelling park, or building or facility shall be issued by the City building official until such time as the development has been completed according to the finished plan approved by the ~~Reviewing Body~~Planning Commission. Deviations from the approved plan must be submitted to the ~~Reviewing Body~~Planning Commission for approval as revisions of the plan.
3. Licenses issued hereunder shall be valid for a period of one year and renewable thereafter, unless a shorter or longer time is noted and approved by the ~~Reviewing Body~~Planning Commission ~~and the City Council~~ on the signed approved copies of the development plan.

F. Basic Provisions and Regulations.

1. Fire Hazards. The owner of the park shall be responsible to maintain the park free of dry brush, leaves and weeds which might communicate fires between manufactured dwellings and other buildings in the park.
2. Fire Hydrants. Approved fire hydrants shall be installed so that all manufactured dwellings, recreational vehicles and other structures are within 300 feet down the center line of an approved fire hydrant.
3. Label of Compliance. All manufactured dwellings installed in manufactured dwelling parks after the effective date of the ordinance codified in this title shall bear a label from the Department of Housing and Urban Development indicating compliance with electrical, plumbing and structural standards as set forth by H.U.D.
4. Inspections. The building official shall check each park a minimum of once a year and submit to the park owner and manager a written report stating whether or not the park is in compliance. If it is not in compliance, the owner must make whatever repairs are required before a license or license renewal for the park will be issued. An extension of time to make repairs may be allowed by the ~~Reviewing Body~~Planning Commission, if it can be shown that risk to the public health, safety or welfare will not be created by this extension, for a period not to exceed one year, by the granting of a temporary emergency license.
5. Management Responsibility. Either the owner, an operator or resident manager or similar supervisor or representative of the owner shall be available and responsible for the direct management of the manufactured dwelling park.
6. Telephone. At least one public telephone for the use of the park residents shall be provided and available for use at all times.
7. Water and Sewer Connections. All manufactured dwellings, service buildings, etc., shall be connected to the City sewer and water systems in a manner that provides these services to the same degree as other residents of the City.

G. Applicability. Manufactured dwelling parks established prior to July 2, 2001 may apply for a subdivision application if the manufactured dwelling park meets the following requirements:

1. Park complies with the YMC or is an approved nonconforming use.
2. No changes to the site plan or increasing number of lots.
3. Lots continue to be used for manufactured dwellings.
4. Property owner signs a waiver of right of remonstrance to formation of Local Improvement District (LID).

(Ord. 73E § 9.030, 1992; Ord. 175, 1995; Ord. 372, 8/16/2024)

§ 9.68.040. Requirement for manufactured dwelling subdivisions.

A. Unless otherwise stated in this article, all provisions in Chapter 9.56, Article II shall apply to the development of manufactured dwelling subdivisions. Development of manufactured dwelling subdivisions in Yachats is further subject to the provisions of Chapters 9.44, 9.48, 9.52 and 9.72.

~~B. Permitted Locations for Manufactured Dwelling Subdivisions:~~

- ~~1. Residential zone R-3;~~
- ~~2. Residential zone R-4;~~
- ~~3. Commercial zone C-1.~~

~~B. Compliance Required. No land within the City shall be developed for use as a manufactured dwelling subdivision and no plan for such a subdivision shall be filed or recorded until submitted to and approved by the Planning Commission.~~

B. Applications for manufactured dwelling subdivisions shall be processed as an administrative review by the City Planner or their designee.

1. Public notice of the application shall be provided to owners of properties located within 100 ft. of the subject property, or within 500 ft. if the application includes 20 or more dwelling units.
2. Appeals of the decision are limited to the applicant, and shall follow the same procedures as for appeals of Planning Commission decisions in Section 9.88.120.

C. Conformity to the Comprehensive Plan. The manufactured dwelling subdivision development shall conform to the City comprehensive plan of that portion of the City within which the development is located.

D. Design Standards. The following standards and requirements shall govern the application of a manufactured dwelling subdivision development in an area in which it is permitted.

1. A manufactured dwelling subdivision shall not be less than ~~five acres~~ one acre of contiguous land, ~~unless the Planning Commission finds that a particular parcel of less than five acres one acre is suitable for a manufactured dwelling subdivision by virtue of its unique character, topography, landscape features, or by virtue of its qualifying as a special problem area.~~
2. Lots within previously unplatted areas of the City shall contain a minimum of 6,500 square feet with a width of no less than 65 feet, and a length of no less than 80 feet.
3. Lots within previously platted areas of the City shall contain a minimum of 6,000 square feet, with a width of no less than 50 feet, and a length of no less than 80 feet.

Commented [RC22]: Our recommendation utilizes City Council as the appeal authority. The other options would be to use a Hearings Officer or Planning Commission.

Commented [RC23]: Per HB 4037 (2026)

4. No building, structure or land within the boundaries of a manufactured dwelling subdivision shall be used for any purpose except for the uses permitted as follows:
 - a. Manufactured dwellings, factory built dwellings or other remanufactured homes for residential purposes only, together with the normal accessory uses such as a cabana, ramada, patio slab, carport or garage and storage buildings. Accessory buildings shall not be permitted in the front yard;
 - b. ~~Single-family~~ Detached single-unit dwellings;
 - c. Gardens and greenhouses for the raising and harvesting of fruit, vegetables and flowers for noncommercial use;
 - d. Conditional uses as permitted by the Planning Commission.
 5. Lot Coverage. The maximum coverage by all structures shall not exceed 35% of the lot area. The maximum coverage by all structures, driveways, parking spaces and surfaced areas shall not exceed 65% of the lot area.
 6. Yard Regulations. Minimum setbacks and yard regulations shall be as indicated below:
 - a. Front Yards. No garage or parking structures shall be closer than 20 feet from the property line. All other buildings shall be set back at least 20 feet.
 - b. Side Yards. A yard of not less than five feet shall be maintained on each side of the lot. Corner side yards shall not be used for clotheslines, incinerators, permanent storage of trailers, boats and recreational vehicles or of any materials, nor shall the yard be used for the regular or constant parking of automobiles or other vehicles.
 - c. Rear Yards. Dwelling units shall be set back not less than 10 feet from the rear property line. Accessory buildings shall be set back not less than five feet from the rear property line.
 - d. All patio structures and swimming pools shall be a minimum of five feet from any side or rear property line.
 7. Building or Structural Height Limitations.
 - a. Accessory Buildings. The maximum building or structural height shall be one story or 15 feet, whichever is the lesser.
 - b. Nonresidential buildings shall not exceed one and one-half stories or 15 feet, whichever is the lesser.
 8. Fences. Fences, walls, hedges and landscaping shall be no greater than three feet in height in the front yard or side yard of a corner lot.
- E.** Permits. Prior to the placement of a unit on a lot or parcel of land the owner of the unit shall obtain from the City Recorder a building permit placement of a manufactured dwelling application. In addition, at the time of application in accordance with Section 9.88.040, the owner shall furnish the Planning Commission with a copy of specifications and a drawing of the proposed footing and foundation for such a unit, and the method for anchoring the unit. No unit shall be occupied until the placement of the unit has been approved and inspected by the Lincoln County building inspector.
(Ord. 73E § 9.040, 1992; Ord. 175, 1995)

§ 9.68.050. Manufactured dwelling planned unit development.

A. Manufactured dwelling planned unit developments within the City shall be in compliance with this chapter and the provisions set forth in Chapter 9.60.

~~B. Permitted locations for manufactured dwelling planned unit developments:~~

~~1. Residential zone R-3;~~

~~2. Residential zone R-4;~~

~~3. Commercial zone C-1.~~

(Ord. 73E § 9.050, 1992)

§ 9.68.060. Recreational vehicles.

~~A. Residential vehicles may be occupied as residential dwellings, with no time limit, in RV parks and manufactured home parks, if lawfully connected to water and electrical supply systems and a sewage disposal system.~~

~~B. Recreational vehicles may be parked by an owner on his or her own land for non-rental temporary living purposes as follows:~~

- ~~1. The recreational vehicle shall be accessory to a permanent residential dwelling.~~
- ~~2. Recreational vehicles shall not be connected to the City sanitary sewer system.~~
- ~~3. No more than 30 days per calendar year with no more than 14 consecutive days for any one stay. Requests for extended time limits requires approval by the Planning Commission through a Variance procedure.~~
- ~~4. Review Procedure. An executed permit is required before any person occupies a recreational vehicle for temporary living purposes. Failure to complete the application form and secure an executed permit in advance is a violation of City Code.~~

(Ord. 301, Amended, 9/8/2011)

§ 9.68.070. Disaster emergency housing provision.

~~In the event of a presidentially declared major disaster, manufactured dwellings may be placed in any zone in the City on a temporary basis, so that residents who may become disaster victims may remain in the community as long-term recovery is accomplished.~~

~~A manufactured dwelling or recreational vehicle may be used as a temporary on-site residence during the repair or reconstruction of a single-unit dwelling or manufactured home which has been rendered uninhabitable by a natural disaster, including wildfires, earthquakes, flooding, or storms. The following standards apply in these circumstances:~~

~~A. A building permit shall be issued for the new or remodeled dwelling, provided such construction must be commenced within 90 days from the date that the recreational vehicle or manufactured dwelling is placed upon the property.~~

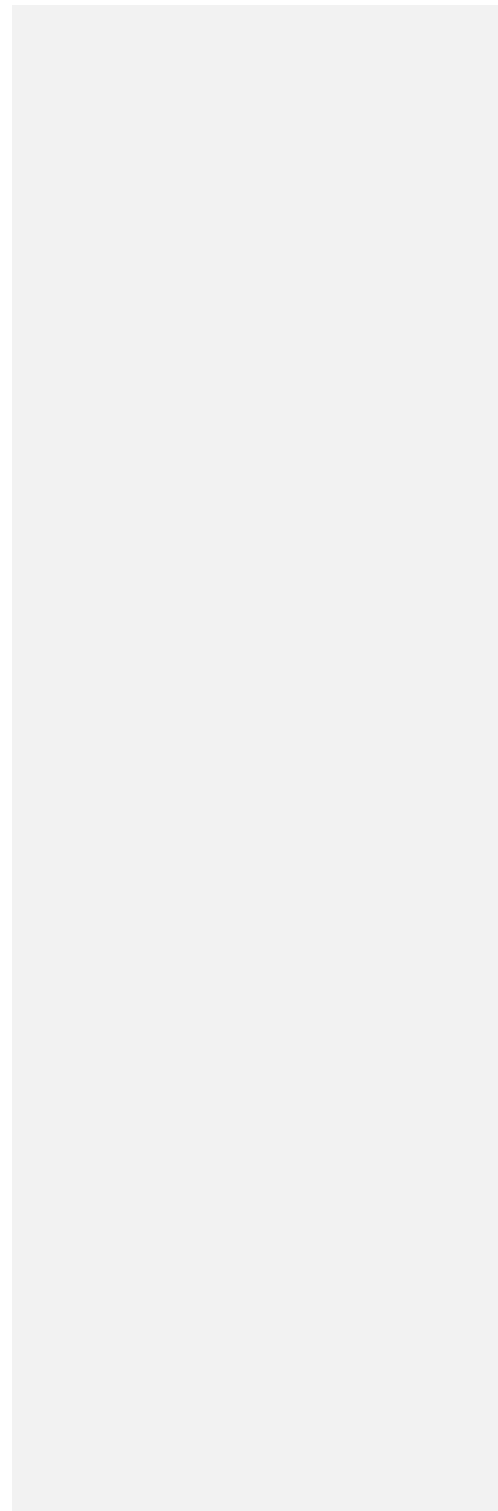
~~B. Recreational vehicles are not required to be connected to utilities.~~

~~C. Occupancy of Recreational Vehicles and Manufactured Dwellings. A recreational vehicle or Manufactured Dwelling may be placed on the lot or parcel until no later than the date:~~

- ~~1. The dwelling has been repaired or replaced and an occupancy permit has been issued;~~

2. The City makes a determination that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or
3. Twenty-four months after the date the dwelling first became uninhabitable.

(Ord. 73E § 9.070, 1992)



Chapter 9.69 Commentary: The amendments codify general affordable housing siting allowances in line with ORS 197A.445(1-8), allow density and height bonuses for affordable housing on land zoned for residential uses in line with ORS 197A.445(9-10), and allow affordable housing on land zoned for commercial uses in line with ORS 197A.460.

CHAPTER 9.69

AFFORDABLE HOUSING ALLOWANCES AND BONUS

§ 9.69.010. Purpose.

The purpose of this chapter is to codify the requirement of local governments to allow affordable housing without requiring a zone change or conditional use permit if certain criteria and standards are met, per ORS 197A.445 and ORS 197A.460.

§ 9.69.020. Applicability.

Affordable housing projects allowed pursuant to this Subsection 9.69.020 must meet subsection (A) and either subsection (B) or (C) below:

- A. Affordability. The affordability of the units is enforceable, including as described in ORS 456.270 to 456.295, for a duration of no less than 30 years, and shall meet one of the following:
1. Each unit on the property is made available to own or rent to families with incomes of 80% or less of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; or
 2. The average of all units on the property is made available to families with incomes of 60% or less of the area median income; or
 3. Manufactured dwelling park units affordable to households with incomes of 120% or less of AMI.
- B. Ownership. The housing is owned by:
1. A public body, as defined in ORS 174.109;
 2. A nonprofit corporation that is organized as a religious corporation; or
 3. Affordable housing non-profit.
- C. Zoning. The property is zoned for or allows for one or more of the following:
1. Commercial uses;
 2. Places of assembly for religious institutions; or
 3. Industrial uses provided the property is publicly owned, adjacent to lands zoned for residential uses or schools, and not specifically designated for heavy industrial uses.

§ 9.69.030. Standards.

Only affordable housing developed pursuant to Subsection 9.69.020 is subject to the following standards.

A. Site Suitability. The site shall be suitable for development of affordable housing. Affordable housing shall not be located on lands where the City determines that:

1. The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;
2. The property contains a slope of 25% or greater;
3. The property is within a 100-year floodplain;
4. The development of the property is constrained by land use regulations based on statewide land use planning goals relating to: natural disasters and hazards; or natural resources, including air, water, land or natural areas (but not including open spaces or historic resources); or
5. The property is zoned for industrial use and does not meet the criteria in subsection 9.69.020(C)(3) above.

B. Density and Height in Areas That Are Zoned for Residential Uses. Except as provided by subsection 9.69.030(C) below, the greater of density and height standards in subsections (B)(1) or (B)(2). below, shall apply:

1. Any City density bonus for affordable housing; or
2. Without consideration of any local density bonus for affordable housing:
 - i. For property with existing maximum density of 16 or fewer units per net acre, based on the proposed housing type, 200% of the existing density and 12 additional feet;
 - ii. For property with existing maximum density of 17 or more units per net acre, and 45 or fewer units per acre, based on the proposed housing type, 150% of the existing density and 24 additional feet; or
 - iii. For property with existing maximum density of 46 or more units per net acre, based on the proposed housing type, 125% of the existing density and 36 additional feet.

C. Exceptions to the density and height bonuses.

1. The density and height bonuses provided by this section do not apply to housing in areas that are not zoned for residential uses.
2. The City may reduce the density or height of the density bonus as necessary to address a health, safety, or habitability issue, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal provided the City adopts findings supported by substantial evidence demonstrating the necessity of this reduction.

Chapter 9.72 Commentary: The amendments remove the reference to family occupancy of housing units, in accordance with state statute.

CHAPTER 9.72
CONDITIONAL USES

§ 9.72.010. Authorization to grant or deny conditional use permits.

Conditional uses listed in this title may be permitted, enlarged, altered or denied by the Planning Commission in accordance with the standards and procedures set forth in this chapter.

- A. In taking action on a conditional use permit application, the Planning Commission may either permit or deny the application. The Planning Commission's action must be based on findings addressing the requirements of the comprehensive plan and zoning ordinance, as addressed in Chapter 9.88.
- B. In permitting a conditional use or the modification of a conditional use, other than a manufactured dwelling, manufactured dwelling park or multifamily-unit dwelling, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this title, additional conditions which are considered necessary to protect the best interests of the surrounding City as a whole. These conditions may include, but are not limited to, the following:
 - 1. Increasing the required lot size or yard dimensions;
 - 2. Limiting the height of buildings;
 - 3. Controlling the location and number of vehicle access points;
 - 4. Increasing the street width;
 - 5. Increasing the number of required off-street parking spaces;
 - 6. Limiting the number, size, location and lighting of signs;
 - 7. Requiring fencing, screening, landscaping, walls, drainage or other facilities to protect adjacent or nearby property;
 - 8. Designating sites for open space;
 - 9. Setting a time limit for which the conditional use is approved;
 - 10. Regulation of noise, vibration, odors and sightliness;
 - 11. Requiring surfacing of parking areas;
 - 12. Regulation of hours of operation and duration of use or operation;
 - 13. Such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purpose of the Yachats comprehensive plan;
 - 14. If at any time the standards or requirements for conditional use approval are not followed, a zoning violation will be considered to exist.
- C. In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use or a nonconforming use, a change in use or in lot area or an alteration of structure shall conform with the requirements for conditional use.

- D. The Planning Commission may require that the applicant for a conditional use furnish the City with a performance bond of up to the value of the cost of the improvement to be guaranteed by such bond, in order to assure that the conditional use is completed according to the plans as approved by the Planning Commission.

(Ord. 73E § 10.010, 1992; Ord. 175, 1995)

[...]

Chapter 9.76 Commentary: The amendments update review procedures to comply with state requirements.

CHAPTER 9.76 NONCONFORMING LOTS AND USES

§ 9.76.010. Purpose.

There were lots, structures, uses and development activity that were lawful before the ordinance codified in this title was adopted or amended, but which have become either prohibited, regulated or restricted under the new terms and conditions of this title. They shall hereafter be referred to as pre-existing, nonconforming lots, structures, uses and development activity .

It is recognized that significant expenditures of personal and financial energy may have been invested in the development of such structures, uses and development activity and that to dismiss these expenditures as no longer relevant would be harmful to the public welfare, both in regards to the community harmony and with respect to support that will be needed to improve the quality, aesthetics and functional aspects of the community.

It is therefore the intent of this title to allow these structures, uses and development activity that existed prior to the adoption of the ordinance codified in this title to continue, including normal maintenance, repair or replacement in case of damage due to disaster or any means of destruction.

(Ord. 73E § 11.010, 1992; Ord. 342, 2016)

§ 9.76.015. Procedures.

Applications for the continuation, change, or expansion of a nonconforming use shall be processed as an administrative review by the City Planner or their designee, with public notice and an opportunity to appeal to the Planning Commission.

§ 9.76.020. Continuation of nonconforming use or structure.

Subject to the provisions of ORS 215.130 and subsequent provisions of this chapter, a lawful nonconforming structure, use or development activity may be continued.

(Ord. 73E § 11.020, 1992; Ord. 342, 2016)

§ 9.76.030. Discontinuance of nonconforming use.

A. If a nonconforming use involving a structure is discontinued or if a nonconforming trailer house is removed for a period of one year, further use of the property shall conform to this title.

B. If a nonconforming use or development activity not involving a structure is discontinued for a period of six months, further use of the property shall conform to this title.

(Ord. 73E § 11.030, 1992; Ord. 342, 2016)

§ 9.76.040. Change of nonconforming use.

- A. If a nonconforming use not involving a structure is replaced by another use, the new use shall conform to this title.
 - B. If a nonconforming use involving a structure is replaced by another use, the new use shall conform to this title unless the ~~Planning Commission~~ City Planner or their designee determines that such structure is suitable only for another nonconforming use no more detrimental to surrounding properties than the one to be replaced.
- (Ord. 73E § 11.040, 1992)

§ 9.76.050. Destruction of nonconforming use.

If a nonconforming structure or structure containing a nonconforming use is destroyed by any cause to an extent exceeding 80% of its fair market value as indicated by the records of the county assessor and is not returned to use within one year from the date of destruction, a future structure or use on the site shall conform to this title except that replacement of nonconforming signs shall be in accordance with the provisions of this title. (Ord. 73E § 11.050, 1992)

§ 9.76.060. Expansion of nonconforming uses.

A nonconforming use existing at the time that zoning was or is adopted in the area of such use, or changed in the area, may be expanded if such expanded use does not result in an increase in the degree to which a structure or use is nonconforming.

(Ord. 73E § 11.060, 1992; Ord. 175, 1995)

§ 9.76.070. Discontinuance of nonconforming uses.

A nonconforming use determined by the Planning Commission to be detrimental to the public health, safety or welfare shall be discontinued after a period of time determined by the Planning Commission to be the amortized life of the use.

(Ord. 73E § 11.070, 1992)

§ 9.76.080. Undersized lots of record.

- A. Any lot having an area or dimension less than the minimum shall be designated a building site provided the following criteria are met:
 - 1. The lot is shown on an officially approved and recorded subdivision map; and
 - 2. The lot was of legal area and dimension for a building site or was a legal nonconforming building site at the time the ordinance codified in this title was adopted.
 - B. No lot, or combination of contiguous lots, either vacant or containing a single-family unit dwelling, shall be replatted so that an undersized lot is created, nor shall a lot be replatted if setbacks or dimensions less than the minimum would result.
- (Ord. 73E § 11.080, 1992)

[...]

Chapter 9.88 Commentary: The amendments remove the requirement that applications for petitions, applicants, and appeals include the number of families, in accordance with state statute.

CHAPTER 9.88
ADMINISTRATION AND ENFORCEMENT

[...]

§ 9.88.040. Form of petitions, applications and appeals.

All petitions, applications and appeals provided for in this title shall be made on forms prescribed by the City. Applications shall be accompanied by plans and specifications, drawn to scale, showing the actual shape and dimensions of the lot to be built upon; the material to be used; the external sizes and locations on the lot of the buildings and other structures, existing and proposed; the existing and intended use of each building, structure or part thereof; ~~the number of families, if any, to be accommodated thereon~~; and such other information as is needed to determine conformance with this title.
(Ord. 73E § 14.030, 1992)

[...]

§ 9.88.090. Final action on application for permit or zone change request.

The following section shall apply to all applications for permits or zone change requests, except those which involve an amendment to the comprehensive plan or zoning ordinance, or the adoption of a new land use regulation.

- A. The City shall take final action on an application for a permit or zone change request, including resolution of all local appeals, within 120 days after the application is deemed complete. This 120 day period may be extended for a reasonable period of time at the request of the applicant.
- B. If an application for a permit or zone change is incomplete, the City shall notify the applicant of the additional information required within 30 days of the receipt of the application. The applicant shall be given an opportunity to submit the additional information. The application shall be deemed complete upon receipt of the additional information required. Refusal by the applicant to submit the required additional information shall deem the application complete on the forty-fifth day after the governing body first received the application.
- C. All documents or evidence provided by the applicant shall be submitted to the City and be made available to the public at the time the notice of public hearing required by Section 9.88.060(B) is provided.
- D. If the application was complete when first submitted, or the applicant submits the requested additional information within 180 days of the date the application was first submitted, the City's approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

1. Up to the issuance of the notice of a public hearing, an applicant for a housing project may submit a written request to apply newly adopted standards (those operative at the time of the request) to a submitted land use application. If an applicant requests review under newly adopted standards:
 - a. Any applicable timelines for completeness review and final decisions restart as if a new application were submitted on the date of the request.
 - b. Submission of additional information may be required if the request affects or changes information in the application.

c. Additional fees may be required to cover those additional costs incurred by the city to accommodate the request.

(Ord. 73E § 14.070, 1992)

[...]

Commented [MP24]: Added language for compliance with ORS 227.178

Attachment B. Yachats Code Update

AMENDMENTS OVERVIEW

This resource explains which housing code updates are required by law and which are optional. For optional changes, community feedback can help shape the final amendments. Required changes are not “up for debate.”

Legally Required Changes	Optional Changes
<p>Allowing Single room occupancy (SRO) housing in all locations where housing is allowed, at densities and with parking standards dictated by state requirements. ORS 197A.430</p>	<p>Allowing accessory dwelling units (ADU) in all locations that allow a detached single-unit dwelling.</p>
<p>Removal of occupancy limits that may discriminate based on family relationships (e.g. single family home). ORS 90.112</p>	<p>Allowing a wider range of middle housing types (e.g. plexes, townhomes, and cottage clusters) in residential zones.</p>
<p>Affordable housing siting allowances ORS 197A.445(1-8); ORS 197A.460</p> <p>Density and height bonuses for affordable housing on land zoned for residential uses ORS 197A.445(9-10)</p>	<p>Allowing two unit dwellings in the R-1 zone and three unit dwellings in the R-2 zone.</p>
<p>Administrative Approval of subdivisions, partitions, and non-conforming uses. ORS 197.015; ORS 197.195</p>	<p>Allowing mixed use (non-residential and residential on the same lot) in the Retail Commercial (C-1) zone.</p>
<p>Removing design and development standards for manufactured homes that do not apply to detached single-unit dwellings. ORS 197.478</p>	<p>Modified development standards (including lot area and lot coverage) for ADUs, middle housing, and multi-unit housing.</p>
<p>Allowing siting of prefabricated structures (“tiny homes” that do not meet definition of manufactured home) in manufactured home parks; not applying a minimum lot size greater than one (1) acre to manufactured home parks. ORS 197.480; ORS 197.478(5)</p>	<p>Modified parking standards for duplexes and ADUs.</p>
<p>Allowing RVs to be occupied as a residential dwelling, with no time limit, in RV parks and manufactured home parks, if lawfully connected to water and electrical supply systems and a sewage disposal system. ORS 197.493</p>	<p>Requiring design standards for residential development of 3 or more units.</p>



Housing Code Amendments Project: City of Yachats

Overview

Process

Timeline

Next Steps

Project Overview and Historical Context

The City of Yachats is undertaking essential updates to outdated municipal codes.

This project strategically aligns with Oregon state requirements while addressing local housing goals.

Working in collaboration with Cascadia Partners, the Project Management & Advisory Committee, Planning Commission, and City Council, community input remains central through surveys and outreach initiatives.

Oregon Land Use Requirements & Comprehensive Plan Goals

An aerial photograph of a coastal town in Oregon. The town is built on a hillside overlooking a sandy beach and the ocean. The houses are mostly single-story with gabled roofs. There are many trees, including evergreens and deciduous trees. A road with a guardrail runs along the bottom of the frame. The sky is blue with some clouds.

**19 Statewide
Goals**

**Urban
Growth
Boundary**

**20-Year
Land Supply**

**Goal J:
Meeting
Housing
Needs**

Three-Phase Development Process

Phase 1: HNA

**Inventory &
Capacity**

Phase 2: HIP

**Actionable
Strategies**

**Phase 3: Code
Alignment**

Current Work

Housing Needs Analysis (HNA) Findings

- Overall Land Sufficiency
- Deficit by Housing Type
- Historical Trends

An aerial photograph of a residential area. On the left, a two-lane road with double yellow lines runs vertically. To its right is a parking lot with several cars. Further right is a large, dense forest of green trees. In the bottom center, a house with a grey roof is visible. The overall scene is bright and clear.

Housing Implementation Plan (HIP)

The City of Yachats Housing Implementation Plan (HIP), finalized in July 2023, builds directly upon the technical data established in the city's 2022 Housing Needs Analysis (HNA).

It serves as an actionable roadmap to diversify the local housing stock, eliminate systemic zoning barriers, and support workforce housing while protecting the community's unique oceanside village character.

The plan's key findings identify deficits and recommend strategies through a diverse menu of zoning adaptations for the City to review and choose which strategies fit best in Yachats.

Economic Resilience and Safeguarding Community Character

Economic Resilience: Oregon Goals 9 & 10 link economic development with housing.

Workforce housing is essential for local businesses —over 91% of jobs are filled by commuters due to housing scarcity.

Community Visual Appeal: Preserving Yachats' unique oceanside aesthetic and small-town feel.

Through architectural design standards and thoughtful density controls for proactive local oversight.

Project Timeline: Key Milestones 2024-2026

May 2024

Summer/Fall
2024

2025

Early 2026

Project Roles and Engagement Structure

**Project
Management
Team
&
Advisory
Committee**

**Planning
Commission**

Residents

City Council

Compliance with Oregon Public Meetings Law

Differentiating "Staff Work" vs. "Deliberation"

Oregon Public Meetings Law strictly regulates the convening of a quorum of a governing body to make decisions or deliberate toward a decision (ORS 192.610(5)).

It does not apply to day-to-day staff operations, internal staff-only meetings, or information gathering between staff and an individual consultant.

The Advisory Committee provides feedback on code strategies, while the Planning Commission conducts official public deliberations.

All public meetings are properly noticed, recorded, and transparent to ensure the integrity of the legal process.

Next Steps and Project Outlook

- Continued Planning Commission reviews and public hearings.
- Followed by a recommendation to the City Council for Code adoption.
- Policy Implementation to guide the code
- Annual building inventory review



Project Overview & Context Report: Housing Code Amendments

Purpose: Historical Context and Strategic Alignment for Proactive Code Updates

In recent discussions regarding the City's housing initiatives, the foundational motivations for this work have occasionally been obscured by immediate community debates.

This project is not a sudden or singular pursuit to build affordable, middle-housing, or attainable housing overnight. Rather, it is the essential municipal administrative function to update outdated—and, in some cases, legally non-compliant—local municipal codes.

By updating our Comprehensive Plan and Land Use Zoning now, using the findings from the Housing Needs Analysis (HNA), the City is taking a proactive stance. This work ensures long-term economic resilience, preserves our local workforce, supports community diversity in age and economic status, and maintains our unique "village" feel.

Oregon Land Use

The State of Oregon enforces highly structured land-use planning rules based on [19 Statewide Planning Goals](#).

- While statutory mandates targeting broad, multi-unit housing varieties apply to cities with populations of 2,500 or more, Yachats (pop. 1,010 per the 2020 Census) is still required by statute to maintain an Urban Growth Boundary (UGB), a Planning Commission, and a Comprehensive Land Use Plan.
- State law requires every incorporated City to maintain a 20-year supply of buildable inventory to accommodate projected housing and employment needs.

Comprehensive Land Use Plan:

The Yachats Comprehensive Land Use Plan provides goals, guidelines, and standards for decision makers, including City employees and officials, citizens, developers, community groups, and other local, state, regional, and federal agencies. The powers granted by the City through its charter shall be guided constructively by these principles. These principles shall guide the deliberations, interpretations, and judgments of the Council, the Commissions, City agents, and employees.

Goal J

Meeting Housing Needs

The City encourages a variety of housing choices in appropriate locations to accommodate a range of needs and incomes, including those of local workers. The City finds that providing affordable housing opportunities to meet the needs of people of all income levels is a necessary and desirable goal.

Policies

1. The City shall ensure that sufficient vacant and redevelopable buildable land is designated for residential uses to accommodate 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.
2. Housing development within the City and Urban Growth Boundary shall proceed at a rate commensurate with the City's ability to provide water and sewer service.
3. The City shall encourage participation in available government and private loan and other programs to provide for the housing needs of all income levels.
4. The City shall actively encourage the creation of affordable housing.
5. The City recognizes that the private sector, as well as the public sector, contributes to and shares responsibility for providing adequate housing opportunities for all segments of the population.
6. The City strongly encourages developers to make government-assisted housing units available to income-eligible persons employed in the local workforce on a preferential basis, to the extent allowed by law.

Proposed Actions

- **A:** The City shall develop procedures for accepting property or funds dedicated to affordable housing.
- **B:** The City shall develop an informational pamphlet for distribution to developers illustrating the needs/benefits of affordable housing in Yachats and encouraging them to participate.
 - Sited directly from the [City of Yachats Comprehensive Land Use Plan](#)

Project History & Grant Funding

The current trajectory of this project began in 2021 through state-level financial support:

- ▶ Phase 1: HNA Grant- Inventory & Capacity
- ▶ Phase 2: HIP Grant - Actionable Strategies
- ▶ Phase 3: Code Revisions - Current Deliberations

Phase 1: Housing Needs Analysis (HNA)

In 2021, the Department of Land Conservation and Development (DLCD) notified the Planning Commission of available grant funding designed to help small communities audit their housing inventories. Due to the statewide housing shortage, DLCD strongly urged Yachats to act. In 2022, the City started the process.

Overall Land Sufficiency: Yachats has sufficient raw, buildable land within its existing Urban Growth Boundary (UGB) to accommodate its projected population growth over the next 20 years. The City's total estimated building capacity is **326 housing units**, which exceeds the baseline projected need of **271 units**.

Structural Deficit by Housing Type: While there is a surplus of land for single-unit dwellings, there is a distinct mismatch between capacity and actual need for alternative housing types. If historical development patterns continue, the City faces a projected shortage of diverse options:

- **Townhomes/Plexes:** Deficit of **23 units**.
- **Multi-Unit (5 or more units):** Deficit of **4 units**.
- **Single-Dwelling Units:** Surplus of **61 units**.

Historical Trends: Since the year 2000, 75% of all housing built in Yachats has been single-unit detached homes. Multi-unit projects have been developed during this timeframe. Fistera is an affordable housing project, as is Aqua Vista. Both were built through State subsidies and have restrictions based on AMI for renters' maximum income.

The Commuter/Workforce Challenge: It was found that 9 in 10 local jobs in Yachats (roughly 91%) are filled by employees who commute into the City from outside because they cannot find housing, either of the desired type or affordability.

Phase 2: Housing Implementation Plan (HIP)

With the HNA completed, the City proceeded to draft the Housing Implementation Plan (HIP).

The City of Yachats Housing Implementation Plan (HIP), finalized in July 2023, builds directly upon the technical data established in the City's 2022 Housing Needs Analysis (HNA). It serves as an actionable roadmap to diversify the local housing stock, eliminate systemic zoning barriers, and support workforce housing while protecting the community's unique oceanside village character.

The plan's key findings identified deficits and recommended strategies, presented as a diverse menu of zoning adaptations, for the City to review and select the strategies that best fit Yachats.

The HIP reiterates that, while Yachats technically has enough raw, unconstrained acreage (79.7 net buildable acres) within the Urban Growth Boundary (UGB) to accommodate projected growth over a 20-year horizon, 61% of that land is locked exclusively in R-1, allowing only one single-unit dwelling per lot.

The plan identified current zoning classifications as a regulatory barrier to alternative, moderately priced, or smaller housing options.

The code amendments we're working on today come from a selection of items from the vast menu provided through the HNA findings.

Phase 3: Municipal Code & Comprehensive Plan Alignment

The last year of planning work represents the translation of the HIP's options into actual policy. The Municipal Code is the operational mechanism that legally enforces the broader policies set forth in the Comprehensive Plan. The current text amendments serve to align these two frameworks.

****Economic Resilience***

A recurring point of public friction is the belief that this code rewrite was engineered solely to generate subsidized or cheap housing and to expand rapidly. While addressing the housing needs of local workers is explicitly adopted from the City's Comprehensive Land Use Plan (Goal J), code amendments alone cannot instantly address macroeconomic conditions.

Instead, this project satisfies two core planning obligations:

1. **Economic Interdependence (Goals 9 & 10):** [State Goals 9 \(Economic Development\) and 10 \(Housing\)](#) are structurally linked; local economic health is impossible without adequate housing options for the geography's workforce. Long-term vitality is a primary duty of the Commission.
2. **Proactive Local Control:** The state legislature is accelerating mandates regarding what smaller cities must allow within their borders. By modernizing our zoning codes now—expanding permitted housing types, sizes, and styles—we ensure that the City controls *where* and *how* density occurs.

****Safeguarding Community Visual Appeal***

A core directive guiding these amendments is the preservation of Yachats' unique village feel. Rather than allowing unmanaged growth under outdated rules, the proposed amendments introduce clear architectural design standards alongside

increased-density options. This directly advances the long-standing policies within Comprehensive Plan [Goal G \(Control of Urban Growth and Form\)](#):

- Contain development strictly within the UGB.
- Ensure new construction remains at an appropriate scale to preserve and enhance the community's small-town, oceanside character.
- Improve the visual character of the city while protecting public views of wetlands, beaches, and forested ridgelines.

By expanding housing choices (such as ADUs, cottage clusters, or middle housing varieties) under local design criteria, the Planning Commission is fulfilling its duty to create a stable foundation for a vibrant and resilient community.

Throughout each phase of the process, the contracted consultants, Cascadia Partners, have worked with the Project Management Team, Advisory Committee, Planning Commission, and City Council to develop a code that reflects input from these groups and the community, gathered through surveys and public outreach.

While the code is being written for land use, it becomes the engine for policy.

To successfully align municipal policies with the proposed Housing Code Amendments, the Yachats City Council will need to modernize the critical administrative framework:

- **System Development Charges (SDCs)**
- **Short-Term Rental (STR) Licenses.**
- **Tree Ordinance**
- **Impervious services**

Planning Commission & City Council Annual Reviews of housing productivity.

Here is a comprehensive, chronological timeline. It details the city's progression from its initial housing assessments to recent code amendment discussions, categorized by meeting or outreach type.

2022: Initial Assessment for the Housing Needs Analysis

- **Jan. 2022 | Project Management:** Began the Housing Needs Analysis (HNA).
 - **July 2022 | Public Meeting:** First Joint Presentation to City Council and Planning Commission.
 - **July 2022 | Public Outreach:** Newsletter Update.
 - **Aug. 2022 | Public Outreach:** Newsletter Update.
 - **Sept. 2022 | Public Meeting / Outreach:** Second Joint Presentation & Community Workshop.
 - **Sept. 2022 | Public Outreach:** Newsletter Update.
 - **Oct. 2022 | Public Outreach:** HNA Community Survey launched.
 - **Dec. 2022 | Project Management:** Final Report on the Housing Needs Analysis completed.
 - **Dec. 2022 | Public Outreach:** Newsletter Update.
-

2023: Housing Implementation Planning

- **Feb. 2023 | Project Management:** Housing Implementation Plan (HIP) begins.
 - **Feb. 2023 | Public Outreach:** Newsletter Update.
 - **March 2023 | Public Meeting:** Joint Presentation to City Council & Planning Commission.
 - **April 2023 | Public Outreach:** Newsletter Update.
 - **May 2023 | Public Outreach:** Community Meeting.
 - **June 2023 | Project Management:** Final Housing Implementation Plan Report completed.
 - **Nov. 2023 | Public Outreach:** Newsletter Update.
 - **Dec. 2023 | Public Outreach:** Newsletter Update.
-

2024: DLCD Grant & Launching the Cascadia Project

- **3/12/2024 | Planning Commission Work Session:** Housing implementation plan, Cascadia Partners project, to amend Title 9 in the city code. State funds available for infrastructure for the costs of affordable housing implementation. d
- **5/1/2024 | Project Management:** Grant for housing work approved by the Department of Land Conservation and Development (DLCD).
- **5/14/2024 | Planning Commission:** First Zoom meeting with Cascadia Partners discussed with the Planning Commission (PC). Consideration of the HNA plan based on available funding.

- **6/11/2024 | Planning Commission:** HIP discussed as it pertains to the City's Comprehensive Plan. ADUs introduced as an option; noted the need for a scope. DLCD is paying for a proposal from Cascadia on Code changes to meet the mandated State codes. Initial talks on upzoning for multi-family developments, townhouses, and reviewing construction codes.
- **7/9/2024 | Planning Commission Work Session:** Discussion of available ADU materials. Review of system development charges, maximum footage, and density.
- **7/16/2024 | Planning Commission:** Further ADU discussion, focusing on design standards and a maximum height of 15 feet. Review of the overall Housing Implementation Plan.
- **8/13/2024 | Planning Commission Work Session:** Discussion of ADU placement, standards, and design restrictions. Maximum Height of 15',
- **8/20/2024 | Planning Commission:** Parking restrictions regarding ADUs discussed.
- **9/17/2024 | Planning Commission:** Comprehensive discussion on housing. Evaluated buildable inventory, higher-density construction in C1 zones, water availability, and the City's Comprehensive Plan. Noted that room rentals and ADUs are currently illegal in Yachats.
- **10/8/2024 | Planning Commission Work Session:** Reviewed Goal J (Housing policies) in the City's Comprehensive Plan. Reviewed the City Manager's survey regarding housing needs for local workers.
- **10/15/2024 | Planning Commission:** Committee discussion with Cascadia Project. Discussed R4 zones, noting no changes to higher density have occurred in 30 years; discussed possible builder incentives. Project Management representatives voted on by the Planning Commission. Mary Abei and Marc Sakamoto.
- **11/18/2024 | Project Management:** Meeting with Cascadia regarding ADU possibilities/codes, community engagement plans, focus groups, and planning advisory committee meetings for Spring.
- **11/19/2024 | Planning Commission:** PC meeting featuring a formal report on the Cascadia meeting.
- **12/10/2024 | Planning Commission:** Formulated questions for Cascadia regarding clear/objective guidelines, lot coverage for R4, C1, and R1 zones, and a review of code 9.08 for city rezoning. Final HNA from 2022 was also cross-referenced.

2025: Draft Code Evaluation

- **January 2025 | Public Outreach:** Newsletter Update.
- **2/18/2025 | Planning Commission:** Brief discussion on Cascadia Partners' work and contract status.
- **3/18/2025 | Planning Commission:** Discussion regarding townhouses on Highway 101 & 9th Street, alongside housing development and design criteria.
- **3/26/2025 | Project Management:** Cascadia Meeting to map out clear and objective standards, ADUs, and state housing compliance. Planned the April advisory committee.

- **4/15/2025 | Planning Commission:** Cascadia Project discussed. Mary Aebi and Marc Sakamoto were appointed to serve on the project management team. Received a project handout and report from the March meeting.
- **April 2025 | Public Outreach:** Newsletter Update.
- **4/24/2025 | Advisory Committee:** Cascadia meeting addressing non-compliant codes, ADUs, Single Room Occupancies (SROs), and state-mandated housing requirements.
- **5/14/2025 | Public Outreach:** Cascadia Project Community Meeting.
- **5/20/2025 | Planning Commission:** PC meeting to review and discuss public feedback from the May 14 community meeting.
- **6/3/2025 | Project Management:** Cascadia meeting focused on zone code inconsistencies and mapping out how to bring the city into compliance with state codes.
- **6/17/2025 | Planning Commission:** Received updates from the June 3 Cascadia meeting. Discussed general exemptions for lot sizes and non-conforming city lots.
- **7/15/2025 | Planning Commission & Project Management:** Concurrent PC meeting and Cascadia Project session. Topics included RV occupancy code revisions, housing types, density, setbacks, efficient land use, and tiered affordability.
- **8/19/2025 | Planning Commission:** Dedicated work session to review ADUs and the prior Cascadia Project meetings.
- **9/16/2025 | Planning Commission:** Debated ADUs, Covenants, Conditions & Restrictions (CC&Rs), parking minimums, and lot coverage thresholds.
- **October 2025 | Public Outreach:** Newsletter Update.
- **10/21/2025 | Planning Commission:** Evaluated city zoning and buildable land availability against water capacity constraints relative to population growth.
- **11/13/2025 | Project Management:** Cascadia Project work session evaluating duplexes vs. townhouses, R1 zones (9.12.010), manufactured homes in R2 zones, architectural design for multi-unit layouts, and middle housing standards.
- **November 2025 | Public Outreach:** Newsletter Update.
- **11/18/2025 | Planning Commission:** Meeting to review the code compliance updates and findings from the November 13 Cascadia session.
- **11/23/2025 | Advisory Committee:** Revisions to the Discussion Draft based on AC feedback: Parking requirements for ADUs, applicability of new design standards to multi-unit and middle housing but not single-unit detached or duplexes.
- **12/16/2025 | Planning Commission:** Continued code evaluations based on the 2022 HNA. Received recommendations from Cascadia regarding climate change considerations and zone updates.

2026: Draft Code Amendment Review & Finalization

- **1/20/2026 | Planning Commission:** Focused water planning session to review water supply capacity against projected population increases from code updates.
- **2/10/2026 | Project Management:** Cascadia Project session focusing on cottage clusters, community engagement frameworks, and state code alignment.
- **2/17/2026 | Planning Commission:** Summary of Cascadia's code compliance work and meeting updates.

- **2/19/2026 | Advisory Committee:** Additional amendments related to statutory compliance and clear and objective standards.
- **March 2026 | Public Outreach:** Newsletter Update.
- **3/17/2026 | Planning Commission:** Review and discussion of proposed design standards.
- **3/18/2026 | Public Meeting:** Joint Planning Commission and City Council workshop with Cascadia Partners.
- **4/2/2026 | Public Outreach:** Community Meeting with Cascadia.
- **4/14/2026 | Project Management:** Meeting reviewing state mandates, ADU frameworks, and middle housing adjustments.
- **4/15/2026 | Public Meeting:** Joint Planning Commission and City Council workshop with Cascadia Partners.
- **4/21/2026 | Planning Commission:** Continued discussion on final code updates and water infrastructure capacity.
- **5/11/2026 | Project Management:** Meeting to discuss the adoption timeline and further community feedback received.
- **5/12/2026 | Public Outreach:** Coffee talk
- **5/14/2026 | Advisory Committee:** Meeting to discuss the adoption timeline and further community feedback received.

2026: Zoning Code Adoption Timeline- Title 9 YMC

- **5/19/2026 | Planning Commission:** Focused on reviewing the Zoning Code timeline and project overview. Review the draft code zone by zone as a commission.
- **5/20/2026 | Public Meeting:** Joint Planning Commission and City Council work session with Cascadia Partners to review the adoption-ready document incorporating community feedback.
- **6/16/2026 | Planning Commission:** Topic TBD
- **7/21/2026 | Planning Commission Public Hearing:** Following a 35-day post-acknowledgment plan amendment (PAPA) notice to the Department of Land Conservation and Development and required property owner notifications, the Planning Commission will hold a formal hearing in July to deliberate and issue a recommendation.
- **8/19/2026 | City Council Public Hearing:** After the required property owner notifications, the City Council will hold a formal hearing in August to hear public testimony and deliberate on the recommended ordinance.
- **9/16/2026 | City Council Second Public Hearing:** The Council holds a second Public Hearing. The Council will hold an official vote on the adoption of the ordinance.

To successfully modernize the Yachats Municipal Code and Comprehensive Land Use Plan, a clear division of operational roles is necessary. This structure maximizes the capacity of the outside consulting firm, Cascadia Partners, while keeping the community's voice at the center of the project.

The following framework outlines the specific roles of the project management team, advisory committee, staff, and public, along with a legal analysis demonstrating why this configuration strictly complies with Oregon Public Meetings Law.

Project Roles & Engagement Structure

Project Management (PM) Team

- **Composition:** City Manager, City Planner, designated representatives from the Planning Commission (voted on by the PC), and leads from Cascadia Partners.
- **Role:** Serves as the day-to-day administrative engine driving the project. The PM team handles contract oversight, grant tracking with the DLCDC, scheduling, and processing raw technical data, and shares high-level feedback with the consultants.
- **Consultant Support:** Acts as the primary point of contact for the consultants. The PM team answers historical code inquiries, delivers data, and clears logistical bottlenecks so consultants can focus on drafting the code amendments and design standards.

Housing Advisory Committee (AC)

- **Composition:** The above Project Management team, along with community members and stakeholders, including Council President Hedlund.
- **Role:** Acts as a testing ground for proposed zoning strategies. The committee reviews code alterations—such as building height limits, setback modifications, and Accessory Dwelling Unit (ADU) placement criteria—to assess how they will function within Yachats' neighborhoods.
- **Consultant Support:** Saves consultant time by vetting baseline ideas before they are presented to the broader community or the Planning Commission. They give consultants direct insight into local preferences, ensuring the proposed draft preserves the City's unique oceanside character.

Planning Commission (PC)

- **Composition:** The full, officially appointed Yachats Planning Commission.
- **Role:** Serves as an advisory role to the City Council, making recommendations on land-use matters. The Commission hosts public work sessions and conducts formal reviews of the code drafts to ensure compliance with Oregon Statewide Planning Goals.
- **Consultant Support:** Directs the consultants on policy parameters, such as density limits across specific zones (R-1, R-2, R-3, R-4, and C). The PC reviews data to ensure the proposed code changes align with the City.

City Staff & Resident Engagement

- **Staff Engagement:** City staff facilitates public outreach logistics. Staff distributes local surveys, posts all meeting agendas and minutes as well as video recordings of each meeting, posts informational updates in the City newsletter, and keeps public project portals up to date to maintain transparency.
- **Resident Engagement:** Involves the community through open workshops, focus groups, and public forums. This feedback helps consultants understand local concerns, such as the balance between long-term residential housing and seasonal properties or short-term rentals.

Part 2: Compliance with Oregon Public Meetings Law (OPML)

A frequent point of scrutiny in multi-tiered City projects is whether project management teams, advisory committees, or meetings with consultants violate Oregon's Public Meetings Law (ORS 192.610 to 192.690). The City's approach to this project is designed to fully comply with OPML.

Differentiating "Staff Work" vs. "Deliberation"

Oregon Public Meetings Law strictly regulates the *convening of a quorum* of a governing body to make decisions or deliberate toward a decision (ORS 192.610(5)). It **does not** apply to day-to-day staff operations, internal staff meetings, or information gathering between staff and individual consultants.

- **The Compliance Factor:** The Project Management Team (City Manager, City Planner, two planning commissioners, and consultants) does not consist of a quorum. Staff meeting with Cascadia Partners to assemble data, adjust scheduling, or format draft layouts is purely administrative work. No deliberation toward a public decision occurs during these sessions; all actual policy debate is reserved for noticed public meetings of the Planning Commission or City Council.

Prevention of Serial Meetings

A common pitfall in modern project planning is the "serial meeting" or "hub-and-spoke" violation. This occurs when a governing body's quorum deliberates outside a public meeting, either by using an intermediary (such as a staff member or consultant) to relay opinions back and forth, or by concurrently editing and debating policy choices on shared digital platforms.

The Compliance Factor: To remain in absolute compliance with Oregon public meeting updates:

- Consultants and staff do not circulate electronic messages to a quorum of Commissioners or Committee members to gather opinions or soft-votes behind the scenes.
- Commissioners and Committee members may review digital project handouts or educational materials sent by staff, but they are instructed **not** to use "reply all" or converse with one another digitally outside of a public forum. Multiple trainings on the Oregon Public Meeting Law have been provided.

Public Review Channels

By maintaining a strict procedural boundary, the project functions legally and efficiently:

- Project Management Team: Administrative
- Advisory Committee: Community & Stakeholder feedback
- Planning Commission: Publicly noticed, recommendations given and received through the process. Deliberations and a recommendation to the governing body.
- City Council: Publicly noticed and final enactment

By ensuring that the Project Management team limits its work to administrative tasks, while the Advisory Committee provides feedback and the Planning Commission conducts all their deliberations in properly noticed, recorded public spaces, the City of Yachats executes this project in full legal compliance.

DRAFT OUTLINE
RE: TREE ORDINANCE
Draft Dated 05-0602026

§ 00.000.00 Tree Removal and Protection

A. Purpose

B. Definitions (definitions specifically related to this Section)

C. Tree removal without a permit prohibited

D. Permit Administration

1. City permit process.

a. Application

b. Site Plan required

c. Permit duration

2. Involvement of certified arborist.

3. Landscape Site Plan – tree removal Plan required

4. Penalties, claims and appeals

E. Tree removal on City property.

1. Prohibit cutting by anyone except City staff or City contractors. Or approval from City Staff

2. Penalties

F. Tree removal on private property.

1. Authority of City to require tree removal with permit process

2. Removal of a tree which poses a safety hazard
3. Removal of a tree damaged by storm, fire or other injury
4. Removal of a dead tree
5. Removal of a diseased tree
6. Removal of a tree to construct a structure
7. Removal of a tree for defensible space – wildfire mitigation / prevention
8. Heritage Trees
9. Removal of a tree for health and vigor of surrounding trees
10. Removal of a tree for landscape purposes
- 7 Removal of a tree where required for solar access
 - Limitations
 - Follow-up inspection
8. Removal of a tree for passive solar (prohibit?) I don't think this should be prohibited but part of the approval process
11. Removal of tree for sight line / view purposes (prohibited?)
12. Replacement for trees removed
13. Exceptions

G. Trimming, pruning and maintenance of trees on private property.

1. Topping of trees (prohibited?)
2. Trimming / pruning of trees. (limitations and guidelines)

H. Protection of trees during construction / other tree removal activities

- I. Approved tree species**
- J. Prohibited tree species**
- K. Additional requirements**

City Of Yachats

Comprehensive Land Use Plan

Adopted by City Council vote – May 8, 2008

And Memorized by Ordinance 279 – June 12, 2018

Modified by Ordinance 358 – February 6, 2019

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Attached:

- Plan Inventory
- Existing Planned Unit Developments In Yachats Approved Exceptions To The Yachats Comprehensive Plan And Yachats Zoning & Land Use Ordinance
- Summary from All Surveys – Graphs with Legend

I. Introduction and Purpose

In 1973, the State Legislature passed Senate Bill 100 (ORS 197) which established certain statewide requirements for land use planning. Each city and county in the state is required, under the statute, to prepare and adopt comprehensive plans consistent with the statewide planning goals approved by the Land Conservation and Development Commission. In response to this law, the City of Yachats has prepared this plan.

The Land Conservation and Development Commission initially acknowledged the Comprehensive Plan for compliance with the State Planning Goals in 1980. The Plan has been periodically reviewed by the City in coordination with the Department of Land Conservation and Development and updated to ensure that it continues to comply with these goals. The Comprehensive Plan has been drafted to reflect the needs of the residents of Yachats and has been reviewed to ensure consistency with other relevant plans from other jurisdictional agencies.

This 2008 update to the Comprehensive Plan has been developed by a public process that included staff, public, Planning Commission and City Council advisory committee reviews. A variety of public involvement opportunities were used, such as mail-back and a Web-based survey, open house and community discussions.

The City's comprehensive plan is intended to not only address statewide planning goals, but to take into account local land use planning needs and issues and responds to the desires, needs, and aspirations of the citizens of Yachats. The plan, once adopted, will serve as a guide to land use within and immediately adjacent to Yachats. It establishes policies and land use designations (maps) which will be implemented throughout the City's zoning and land use ordinance.

Land use policies procedures and applications shall complement the natural beauty of Yachats' location and its environment, which has led to Yachats' long-standing reputation as "The Gem of the Oregon Coast."

Land use policies, procedures and applications shall acknowledge certain economic characteristics of the City, namely, that retirement and tourism are major industries. Non-polluting commercial, professional and home businesses are also an important part of the economy.

The construction and maintenance of public, commercial, professional and residential buildings, their siting, design materials and landscaping, within reasonable variation,

shall enhance rather than detract from the quiet coastal ambiance of the City as noted above.

The Yachats Comprehensive Plan provides goals, guidelines and standards for decision makers, including City employees and officials, citizens, developers, community groups, and other local, state, regional, and federal agencies. The powers granted by the City through its charter shall be guided constructively by these principles. These principles shall guide the deliberations, interpretations, and judgments of the Council, the Commissions, City agents and employees.

Comprehensive city planning addresses a wide range of topics and issues related to the growth and development of a community. This plan includes background and analytic sections that support recommendations for the protection of natural resources, recreational opportunities, control of urban growth and form, and providing for economic growth, adequate public facilities, housing, transportation and other functions. The plan is comprehensive in scope and its goals and policies are intended to be supportive of one another.

The plan provides the basis for other plans, ordinances, and other implementing documents that set forth more detailed direction regarding specific activities and requirements. All City plans and implementing ordinances must be consistent with the Comprehensive Plan.

The Plan is organized around the Statewide Planning Goals and each chapter corresponds to a specific Statewide Goal. Some goals are not applicable to the City of Yachats and are not included in this plan. Specifically, the following goals are not included: Goal 3 (Agricultural Resources), since there are currently no commercial farming operations within City limits; Goal 4 (Forestry Resources), since there are currently no commercial forestry operations within City limits; and Goal 15 (Willamette Greenway).

II. Plan Organization

Adoption of the policy statements and plan maps included herein will help the City of Yachats to reach the above objectives. This will be possible by using the policies and maps to guide future decisions pertaining to land use in the City.

The Comprehensive Plan is organized around the Statewide Planning Goals and contains background information and findings that support City goals, policies, and recommended action measures.

The goals and policies contained within this plan have the force of law and the City is obligated to adhere to them in implementing the Plan. Additional background information about City goals, policies, and recommended action and implementation measures are articulated herein and within attached appendices.

Goal. A statement indicating a desired end or aspiration including the direction the City will follow to achieve that end. The City's goals must be consistent with the Statewide Planning Goals.

Policy. A statement indicating a definitive course of action to implement City goals. A policy may not be the only action the City can take to implement the goals. The City must follow relevant policies when developing other plans or ordinances that affect land use, such as transportation and public facility plans, zoning, and development standards.

Proposed Actions. A statement outlining a specific City activity, action, project or standard, which if executed, would implement goals and policies. Recommended action measures also refer to courses of action the City desires other jurisdictions to take regarding specific issues, and help define the relationship the City desires to have with other jurisdictions and agencies in implementing the Comprehensive Plan. These statements are guidelines and recommendations to City decision-makers as ways to implement the goals and policies. Completion of projects, adoption of standards, or the creation of certain relationships or agreements with other jurisdictions and agencies will depend on a number of factors such as City priorities, finances, and staff availability.

III. Planning Goals and Policies

In March and April of 2006, the Planning Commission and City Council advisory committee members conducted community discussions on the core values of City residents. In May, the City conducted a mail-back and web-based survey, open to all City and surrounding area residents. The results of that survey, a June open house, subsequent Planning Commission work session, community discussions and public hearings are reflected in this comprehensive plan update.

Goal A. Protection of Natural Resources

In conjunction with county, state and federal agencies as well as area residents and landowners, The City shall work to protect and enhance its rich natural, scenic and historic resources. Forests, beaches and water areas, wetlands, air quality, fish and wildlife habitats, historical and archaeological sites, and, in particular, open space and scenic views all contribute to the high quality of the City's environment. These resources are Yachats' main assets in that they make it a beautiful place for people to live in and visit.

Policies

1. The City shall ensure that the quality of air, water and land resources is maintained.
2. The City shall protect significant marine habitats, as identified on the City's adopted Natural Resources map and inventory data, from proposed land uses that will, or might, modify their indigenous characteristics.
3. The City shall preserve existing open space and identify new areas appropriate for designation as open space.
4. The City shall encourage orderly development of land through zoning, land use codes and the timing and placement of public improvements in order to conserve natural resources.
5. The City shall assist the State and County in protecting the County Road 804 right-of-way and the prescriptive easements accepted by the Oregon Supreme Court as established by the Lincoln County Surveyor (Survey 11,905 12/18/87) from alterations that would prevent the establishment and maintenance of this segment of the Oregon Coast Hiking Trail within the public right-of-way.
6. The City shall concur with all pertinent and legally authorized agencies, both federal and state, in a mutual effort to retain the character of those natural qualities identified in the adopted Natural Resources Map and Inventory Data.
7. The City shall consider the quality of the resources areas as shown on the adopted Natural Resources Map and inventory data in adopting land use designations or in undertaking land use actions or decisions.

8. The City shall direct its growth so as not to encroach upon public or commercial forestlands.
9. The City shall protect significant archaeological and historic resources through survey identification, recordation and adoption of preservation codes, consistent with the standards of the State Historic Preservation Office (SHPO), affected tribes and federal laws. Specific sites for protection include, but are not limited to, the Little Log Church, Yachats Middens, Native American villages and other identified recorded or unrecorded archaeological or historic sites.
10. The City shall not support offshore oil and gas development and associated facilities due to potential conflicts with existing ocean fisheries, impacts on aesthetic and recreational values, and degradation of the marine environment. This includes leasing, exploration, and oil and gas extraction within the state territorial sea and federal waters.
11. Established trees contribute to the aesthetic and environmental quality of the City. Significant trees and groves of trees shall be protected through a tree protection ordinance or other voluntary mechanisms to ensure their health and retention.
12. View sheds and corridors are unique characteristics of the City. They contribute to the community identity and aesthetic values of City residents and visitors.
13. The City shall protect streams and creeks.
14. The City shall provide educational material regarding the responsible use of chemicals.

Proposed actions:

- a) The City shall incorporate soil capacity analysis into the land use code for protection of prime forest soils.
- b) The City shall develop a methodology to designate archaeological and historic properties to the City inventories.
- c) The City shall conduct archaeological and historic resource inventories consistent with Goal 5 and the SHPO and rank significant properties for protective measures. Priority sites shall be identified on the City's Natural Resources map or separate archaeological and historic resources map consistent with state law.
- d) The City shall explore actions to preserve trees and establish a tree protection ordinance.
- e) The City shall identify and rank significant view sheds and corridors.
- f) The City shall conduct a City-wide urban growth boundary natural resources inventory and assessment.

- g) The City shall research view protection strategies. Those strategies may include, but not be limited to, overlay zones, tree trimming standards, and voluntary deed restrictions.
- h) The City shall explore actions that would improve air quality, such as City-wide composting.
- i) The City shall develop an ordinance to protect inland stream and associated riparian areas.

Goal B. *Protection of Estuarine Resources*

In concert with adjacent property owners and relevant government agencies, the City shall protect its estuarine areas from development, dredging and fill. All estuarine areas within Yachats Urban Growth Boundary are classified as a natural management unit, and will be managed to conserve the natural habitats and wildlife therein.

Policies

1. The City shall cooperate with appropriate government agencies in the development of biological, aesthetic, recreational, and economic values and benefits of the Yachats River Estuary, subject to the availability of local funds and the individual commitment of local agencies and residents.
2. The City shall, in recognition of the unique and abundant qualities of the Yachats River estuary, work with Lincoln County and relevant special districts, the Department of State Lands, U.S. Army Corps of Engineers, and other state and federal agencies in the implementation of the comprehensive estuarine management plan for the Yachats River estuary within the Yachats urban growth boundary.
3. The City shall classify the Yachats River as a conservation estuary and be shown on the City’s Natural Resource Map for purposes of resource management. All estuarine areas within the Yachats urban growth boundary shall be classified as a natural management unit, and shall be managed to preserve the natural habitats and wildlife therein.
4. The City shall protect the natural habitat areas and aesthetic values in all City decisions regarding land and/or water use actions in or affecting the estuary. The inventory information and the Natural Resources Map are sources of information regarding the aesthetic and natural values of the Yachats River estuary and the benefit derived therefrom to the City.
5. The City shall allow dredging and fill in estuarine areas only:
 - a. If required for navigation or other water dependent uses that require an estuarine location or for a use specifically allowed in the applicable estuary zone;

- b. If a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
- c. If no feasible alternative upland locations exist; and
- d. If adverse impacts are minimized.

Other uses and activities which could alter the estuary shall be allowed if the requirements in (b), (c), and (d) are met

- 6. Permitted uses in the natural estuary management unit are intended to be undeveloped low-intensity, water-dependent recreational uses; protection of wildlife and their habitat and nutrients, fish, wildlife and aesthetic resources; research and educational observation; navigation aids; vegetative shoreline stabilization; and passive restoration measures. Uses which are allowed where consistent with the resource capabilities of the area and the purposes of this management unit are active restoration of fish and wildlife habitat or water quality and estuarine enhancement; on-site maintenance and repair of existing structures or facilities; riprap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archaeological values, and public facilities; temporary alterations, and pipelines, cables and utility crossings, including incidental dredging necessary for their installation, and bridge crossing support structures.
- 7. Snag and debris removal for the purpose of maintenance shall be allowed in the estuary as permitted by Federal and State Agencies.
- 8. Unless specifically exempted by the Director of the Department of State Lands under ORS 541.626 dredging or fill (including dredged material disposal) in intertidal or tidal marsh areas shall be mitigated by creation, restoration or enhancement of estuarine areas. The adequacy of a proposed mitigation project shall be determined by the Department of State Lands.
- 9. The City shall require a clear presentation of the impacts of the proposed alteration where a use could potentially alter the estuarine ecosystem.

Proposed Action

The City shall develop the City's Natural Resources Map. The map shall include access points along the shoreline and note the condition of accesses and if they are compliant with the Americans with Disabilities Act (ADA).

Goal C. *Protection of Shoreland Resources*

The City recognizes the environmental, social and economic values of the shorelands. The City shall coordinate with state agencies to protect its coastal shorelands from development through shoreline stabilization activities. Water-dependent/water-related uses are preferred in the shorelands. In order, then, to maintain the environmental, social and economical values of the shorelands, the City shall apply the following policies to its land use actions/ decisions:

Policies

1. The City shall cooperate with appropriate government officials in the protection of biological, aesthetic, recreational, and economic values and benefits of shorelands under public control.
2. The City shall reduce or mitigate adverse effects upon water quality and fish and wildlife habitat resulting from the use of shorelands.
3. In order to recognize, protect, and maintain the value of the Yachats River, a buffer shall be provided from the edge of the bank. The buffer will contribute to maintenance and enhancement of water quality, fish and wildlife habitat, recreation and aesthetics, and provide open space. The buffer will also help protect property from flooding and help manage stormwater drainage.
4. In order to recognize, protect, and maintain the value of the ocean, a buffer shall be provided from the top of the bank. Existing stabilizing native vegetation shall not be removed within the buffer in order to help stabilize the bluff and mitigate erosion. The buffer will also help protect adjacent property from flooding and erosion.
5. The City shall provide implementing ordinances in the Zoning & Land Use Code to protect, maintain, and stabilize the shoreline. Stabilization and erosion control methods shall be included in the Zoning & Land Use Code.
6. The City shall develop and implement programs for maintaining and improving public access to the estuary and ocean and pursuing adequate signage of existing access points. The City supports future public access sites to be accessible in conformance with the Americans with Disabilities Act (ADA).
7. The City shall permit structural shoreline stabilization only if:
 - a. There is a demonstrated need to protect property or existing structures that are threatened by erosion;

- b. Impacts on adjacent property due to increased erosion and sedimentation are minimized;
 - c. Visual impacts are minimized;
 - d. Long-term or recurring costs to the public are avoided;
 - e. Riparian vegetation is preserved as much as possible; and
 - f. The proposed project will not restrict existing public access to publicly owned lands or interfere with the normal public use of fishery, recreation, or water resources.
8. The City shall coordinate with the Oregon Department of Parks and Recreation and the Department of State Lands in any review of beachfront protective structures.
 9. Existing public ownerships, rights-of-way and similar public easements in estuary and ocean shorelands which provide access to or along the estuary or ocean shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of existing developed Shoreland areas, provided public access across the affected site is retained.

Proposed Action

- a) Where necessary, the City shall strengthen codes to protect shorelands.

Goal D. Conservation of Energy

The City supports the energy conservation efforts of its residents and business owners and encourages the use of energy-efficient procedures and the use of alternative, renewable energy sources.

Policies

1. The City shall encourage future developments to use energy efficient design, siting and construction.
2. The City shall encourage non-polluting alternative energy sources such as solar, wind and wave power.
3. The City shall seek and support programs that provide or subsidize alternate energy or energy efficient technology. These technologies may include insulation and weatherization of habitable building, installation of energy efficient water heating systems, or energy efficient heating systems.
3. The City shall encourage the use of modes of travel that contribute to clean air and energy efficiency.

Proposed Actions

- a) The City shall develop and/or make available educational materials about using alternative/renewable energy sources and following environmentally sustainable and energy efficient building practices for the public.
- b) The City shall demonstrate and use energy conservation principles and practices.
- c) The City shall investigate opportunities and assist development of alternate energy sources, such as wind and water, subject to reasonable safety, noise, and visual controls.
- d) The City shall develop guidelines and/or ordinances for using alternative/renewable energy sources and following environmentally sustainable and energy efficient remodeling and initial construction for both residences and business owners.

Goal E. *Protection from Natural Hazards and Disasters*

Through regulation of the location and type of development, the City shall work to protect life and property from natural disasters and hazards, such as landslides, fires, tsunamis and flooding. The City recognizes that with the reduction of wildland fuels, we move closer to achieving the goal of all structures surviving an on-coming fire. The City regulates activities in known areas of natural hazards and limits development that may affect the integrity of steep slopes or impact fire hazards.

Policies

- 1. Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural hazards without appropriate effective mitigation strategies. Such strategies shall be attested to by a State of Oregon certified engineering geologist.
- 2. New construction or substantial improvements in identified flood hazard areas shall have the lowest floor level elevated to or above the 100-year flood level.
- 3. Low density and open space uses that are least subject to loss of life or property damage shall be preferred uses in flood-prone and steep-sloped areas.
- 4. The density of development shall be no greater than the slope can safely accommodate.
- 5. The City shall follow recommendations in the Lincoln County Natural Hazards Mitigation Plan.
- 6. Developments adjacent to the Yachats River shall be planned to minimize any aggravation of the turbidity and seasonal low-flow situation.
- 7. The City shall address concerns regarding forest activities to the Oregon Department of Forestry.

8. The City shall participate in Community Emergency Response Team (CERT) Programs and will help or take the lead to inform its residents and business owners about preparedness measures.
9. The City shall develop a citywide storm water management infrastructure.
10. The City is committed to supporting the fire district in its fire protection efforts.
11. The City shall support the Lincoln County Community Wildfire Protection Plan (CWPP).
12. The City shall access and utilize federal and other grant dollars to implement measures to protect against natural hazards and disaster.
13. The City shall set realistic expectations to reduce wildland fire risk, prepare for, respond to, and suppress wildland and structural fires.

Proposed Actions

- a) The City shall amend the City codes as necessary to reflect best practices related to natural hazard and disaster prevention and mitigation.
- b) The City shall prepare and distribute tsunami preparedness information to all residents, property owners and business owners in the City. The City shall make the information available at tourist accommodations (vacation rentals) and points of interest.
- c) The City shall participate in emergency preparedness training drills on a regular basis with other agencies and jurisdictions.
- d) Applications for subdivisions, Planned Unit Developments, and building permits shall include plans for storm water management.
- e) Requests for building permits shall include plans for storm water management.

Goal F. *Providing Recreation Opportunities*

The City provides access to a range of recreational opportunities for its residents and visitors. The City shall enhance existing facilities and expand services as necessary.

Policies

1. The City shall encourage the development of diverse recreational and cultural opportunities to meet the needs of Yachats.
2. The City shall encourage the state to maintain its parks and beach access areas for the benefit of residents and visitors. Changes in park use or creation of new park facilities shall be reviewed by the City as specified in the Zoning and Land Use Ordinance.
3. The City shall encourage the Oregon Department of Transportation to improve Highway 101 for pedestrian and bicycle use.

4. The City shall support the identification of existing parks and development of additional parks and open spaces.
5. The City shall support and encourage the development of recreation centers for youth and seniors.
6. The City shall encourage the State Fish and Wildlife Department to maintain sufficient stocks of fish in the Yachats River and its tributaries for recreational purposes.
7. The City shall support the continued use of the Yachats Commons and the Community Park to provide for recreational, educational, and open space needs.
8. The City shall maintain and encourage affordable public facilities for recreation.
9. The City shall develop and maintain hiking, walking, and biking trails throughout the community to provide recreation and exercise.

Proposed Actions

- a) The City shall maintain a consistent, identifiable logo and signage program for recreational facilities.
- b) The City shall require State Park sanitary facilities to be connected with the City sewer and water systems.

Goal G. Control of Urban Growth and Form

The City shall ensure that growth and development within the City's urban growth boundary will be orderly and efficient, and consistent with adopted land use plans.

Policies

1. The City shall contain future urban development within the adopted Urban Growth Boundary.
2. The City shall affirmatively establish, through City Council action, the capability and desire of the City to provide necessary public services to the area before additional lands are considered for annexation to the City or for inclusion in the Urban Growth Boundary.
3. Annexation will require concurrent Comprehensive Plan and Urban Growth Boundary Amendment and a zone change to reflect the action taken.
4. Annexations shall be governed by Oregon Revised Statutes, Chapter 222 and the Yachats City Charter. Council decisions shall consider such factors as the City's capacity to provide services and the compatibility with the character of the area.
5. The City recognizes the Lincoln County Board of Commissioners' responsibility under Oregon Revised Statutes, Chapter 215, for all planning and zoning decisions in the unincorporated areas of the County. The City reserves the right

to request specific information in order to obtain facts on sites outside the City UGB but located within adjacent unincorporated areas.

6. The City shall, through development regulations, ensure that new development shall be of an appropriate scale to retain and enhance the small-town, ocean side character of the Yachats community.
7. The City shall encourage improvement of the community's visual character.
8. The City shall support the preservation of open space on private land through such means as set back standards and limiting lot coverage and encourage the preservation of open space when new subdivisions and planned unit developments are considered for approval.
9. The City shall preserve public views of wetland areas, beaches and stream corridors.
10. The City shall protect the valuable views from Yachats of the ridgelines and forests.
11. The City shall actively pursue the acquisition of additional open space, to include property within the urban growth boundary and also property visible from Yachats.
12. The City shall seek external funding for acquisition of open space.

Proposed Actions

- a) The City shall review the sign ordinance.
- b) The City shall develop a procedure for accepting donations of private land for public use.
- c) The City shall provide regulations, which will limit the building of structures that protrude above primary and secondary ridgelines, or will mitigate the appearance of such structures if prevention is not possible.
- d) The City shall develop criteria for the design of unified open space system, rather than a collection of interesting yet unrelated parcels. The development process will include community input.
- e) The City shall seek community consensus to implement site and building design standards and the use of other tools such as incentives and grants.

Goal H. *Provide for Economic Growth*

The City supports and protects businesses that serve the needs of residents and tourists, especially businesses that are locally owned. The City seeks to accomplish this by ensuring the availability of areas to accommodate economic growth and employment at appropriate locations that stimulate a vibrant, distinct and attractive downtown core. To this end, the following policies shall be followed:

Policies

1. The City shall maintain and enhance the economic stability of the City without diminishing the livability of the area.
2. The City shall provide adequate and suitable opportunities for economic growth.
3. The City shall permit home-based businesses that are compatible with residential neighborhood character.
4. The City shall, through development regulations, ensure that new businesses shall be of an appropriate scale to retain and enhance the small-town, ocean side character of the Yachats community.
5. Casino gambling shall not be allowed since it is incompatible with the character of the community.
6. The City shall increase public parking in the downtown area.
7. Activities to improve the visual character of downtown Yachats such as the undergrounding of utilities, face improvement, incentive programs, and encouraging off-street, behind building parking shall be encouraged.

Proposed Action

The City shall review standards for home occupations as a permitted use in residential areas.

Goal I. Provide Adequate Public Services

The City provides efficient essential public facilities and services to accommodate future growth including water and sewer services, storm drainage, public safety, and emergency services.

Policies

1. The City shall provide sufficient quantities of high quality water at adequate pressures to meet the needs of the community. Water quality shall be maintained at a level that meets or exceeds all State and Federal water quality standards.
2. The City shall provide a reliable supply of water to the community through the development and maintenance of an alternate source(s) for use during emergencies or periods of extremely high demand.
3. The City shall promote water saving strategies and techniques. The City shall accomplish this through education, encouragement and, in some cases, requirements for the application of water saving technology.
4. The City shall develop a citywide storm water management infrastructure.
5. The City shall promote a logical, direct, and connected street system through the development of street plans.

6. The City shall identify opportunities to extend and connect streets, provide direct public right-of-way routes, and limit the use of cul-de-sac and other closed-end street designs.
7. The City shall assure that roads and footpaths can be used safely by providing, improving and maintaining effective and efficient street lighting and illuminated traffic signs that contribute to improved environmental standards and community safety.
8. The City shall encourage the formation of local improvement districts (LIDs) for the construction of transportation infrastructure, which may include streets, curbs, or other structures, pedestrian or bicycle facilities, and drainage.
9. The City shall require that development projects acknowledge existing conditions and/or hazards which may pose a threat to residents—such as proximity to physical hazards—and the responsibility to mitigate such threats through appropriate site planning, buffering, and other physical design approaches.
10. The City shall encourage utility providers to strengthen, relocate, or take other appropriate measures to safeguard pipelines, underground utilities, transmission lines, and other utility infrastructure in areas subject to elevated natural hazard risk.
11. The City shall maintain an efficient maintenance program to control long-term costs and to establish the most efficient operation of public services.
12. The City shall plan, develop, implement and monitor a comprehensive emergency preparedness and disaster response plan in cooperation with appropriate emergency agencies.
13. The City shall place a high priority on the rapid and effective identification of properties by public safety personnel and emergency response agencies.
14. The City shall require emergency access routes in the approval of developments and subdivisions.
15. The City shall encourage its residents to accept some responsibility for personal safety through emergency medical training in first aid, cardiopulmonary resuscitation (CPR), and similar methods.
16. The City shall investigate the feasibility and desirability of increasing the number of public restrooms.
17. Any current, new or amended water, wastewater or storm water plans shall be incorporated into the Yachats Comprehensive Plan.

Proposed Actions

- a) The City shall continue to upgrade the water collection, filtration, storage, and distribution system, through the efforts of the Public Works Department and an engineer.

- b) The City shall explore methods of funding storm water management infrastructure, such as System Development Charges.
- c) The City shall coordinate with Lincoln County Emergency Services and their public safety policies and procedures.
- d) The City shall provide CERT training to City staff and volunteers.
- e) The City shall develop an emergency incident plan based on the National Incident Management System (NIMS).

Goal J. Meeting Housing Needs

The City encourages a variety of housing choices in appropriate locations to accommodate a range of needs and incomes including the housing needs of local workers. The City finds that providing opportunities for affordable housing to meet the needs of people of all income levels as a necessary and desirable goal.

Policies

- 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.
- 2. Housing development within the City and Urban Growth Boundary shall proceed at a rate commensurate with the City’s ability to provide water and sewer service.
- 3. The City shall encourage participation in available government and private loan or other programs in order to provide for the housing needs of all income levels.
- 4. The City shall actively encourage opportunities to create affordable housing.
- 5. The City recognizes that the private sector, as well as the public sector, contributes to and shares in the responsibility of providing adequate housing opportunities for all segments of the population.
- 6. The City strongly encourages developers to make government assisted housing units available to income eligible persons who are employed in the local area workforce on a preferential basis to the extent allowed by law.

Proposed Actions

- a) The City shall develop procedures for accepting property or funds dedicated to affordable housing.
- b.) The City shall develop an informational pamphlet for distribution to developers illustrating the needs/benefits of affordable housing in Yachats and encouraging them to participate.

Goal K. Public Involvement in Land Use Planning

The City encourages the public to participate in governmental decision-making processes by providing policies and procedures and access to public information.

Policies

- 1. The City shall institute a program that enables the community to identify and comprehend relevant issues, obtain public information and participate in public hearings and other forums on issues related to the growth and development of the City.
- 2. The City shall review its comprehensive plan, inventory data information and applicable ordinances, and determine what revisions and/or additions, if any, are appropriate at least every five years. Review through a public process shall be initiated by the City Planning Commission.
- 3. The comprehensive plan for the City shall be filed in the City Office and shall be made available to the public at the City Office, the online document library, and the Yachats Public Library.
- 4. The City shall follow the notice and procedural requirements of the Oregon Public Meetings law.
- 5. The City shall encourage opportunities for public involvement and networking.

Proposed Action

The City shall continue to use the adopted public involvement plan.

Goal L. Beaches

The City shall work to enhance existing access points to its beaches and protect its beaches from erosion and other degradation.

Policies

- 1. The City shall, in conjunction with applicable County, State and Federal agencies, prohibit residential, commercial and industrial buildings or development on beaches and along waters of the state.
- 2. The City shall improve public access to the beach and river shores by acquiring land and easements.
- 3. The City shall accept donations and dedications of land and easements for public access, open space, and habitat protection.
- 4. The City shall identify appropriate sites for emergency and public access to the beach.

5. The City shall investigate a diverse range of beach access types (pedestrian, official vehicular, view) and a range of amenities (parks, walkways/boardwalks, street ends) while maintaining a balance between resource protection and human use.

Goal M. *Transportation*

The City shall ensure that automobiles, bicyclists and pedestrians can move safely and efficiently to destinations within and beyond Yachats.

Policies

1. The City shall ensure that designated parking areas are maintained in the downtown core.
2. The City shall maintain all City streets to ensure safe passage and emergency access.
3. The City shall require future developments to provide safe, well-marked pedestrian ways that do not conflict with vehicular traffic.
4. The City shall require future developments to provide adequate off-street parking.
5. The City shall require streets created by land divisions to tie into existing and anticipated road systems to provide for cross-circulation.
6. The City shall cooperate with the Oregon Department of Transportation in the development and implementation of their Highway Improvement Program for projects within the Yachats urban growth boundary.
7. The City shall explore options to increase public parking.
8. The City shall explore options to improve traffic flow.
9. The City shall encourage and support alternative transportation where safe passage can be maintained.
10. The current Village Circulation plan and any new or amended plans are incorporated into the Yachats Comprehensive Plan.

IV. Plan Maps

The attached maps depict the preceding policies through identification of land use designations. The City shall use the maps along with the policies to guide decisions pertaining to land use and development within the Urban Growth Boundary. The maps establish long-range land use patterns for the City and represent the City Council's best attempt to accommodate residents' and landowners' input.

V. Definitions

Affordable Housing. As defined by the U.S Department of Housing and Urban Development (HUD).

Coastal Shorelands. Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.

Development. The result of bringing about growth; of constructing or altering a structure, conducting a mining operation, making a physical change in the use or appearance of land, dividing land into parcels; or of creating or terminating rights of access, vegetation removal and/or any construction or placement of facilities on that site.

Estuary. A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by fresh water derived from the land. The estuary includes; (a) estuarine waters (b) tidelands (c) tidal marshes and (d) submerged lands. Estuaries extend upstream to the head of tidewater. In Yachats, all of the waters of the Yachats River within the City limits and urban growth boundary are defined as estuary.

- a. **Natural Estuary.** Estuaries lacking maintained jetties or channels without adjacent urban areas that have altered shorelines (shorelines with bulkheads, riprap or other physical structures). Shorelands around natural estuaries are generally used for agriculture, forest, recreation and other rural uses. They usually have little developed area for residential, commercial or industrial uses.
- b. **Conservation Estuary.** Estuaries lacking maintained jetties or channels but which are within, or adjacent to, urban areas which have altered shorelines adjacent to the estuary.

Low Density Residential. Residential units at a concentration of less than one unit per two acres.

Management Unit. A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged, protected or enhanced and others are discouraged restricted or prohibited.

Natural Hazards. Natural events are known to result in death or endanger the natural or built environment. These may include river and ocean flooding, weak foundation soils, landslides, erosion, etc.

Open-space: Open-space Land is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as following:

- a. Open space for the preservation of the natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, banks of rivers and streams, and watershed lands.

- b. Open space used for the managed production of resources.
- c. Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- d. Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.

Overstory. The canopy is the uppermost level of a forest, formed by the tree crowns. Canopy trees refers to the trees in a forest which form the canopy. The uneven layers of the canopy is formed by both dominant and co-dominant trees.

Public Facilities & Services. Projects, activities and facilities that the City determines to be necessary for the public health, safety and welfare. These can include water and sewer service, streets, storm drains, police protection, parks and open space, library services, etc....

Understory: The area of a forest which grows in the shade of the emergent or canopy forest canopy. Plants in the understory consist of a mixture of seedlings and saplings of canopy trees together with understory shrubs and herbs.

Seasonal low-flow. Minimum flow in a river during the dry periods of the year.

Turbidity. The cloudiness or haziness of a fluid caused by individual particles (suspended solids) that are generally invisible to the naked eye.

Urban Growth Area. That area between the City limits and the Urban Growth Boundary.

Urban Growth Boundary. The geographical limits within which urban growth will be contained.

View Shed. A view shed is an area of land, water and other environmental elements that is visible from a fixed vantage point. The term is used widely in such areas as urban planning, archaeology, and military science. In Urban Planning, for example, view sheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. The preservation of view sheds is a goal in the designation of open space areas, green belts and community separators.

CITY OF YACHATS HOUSING NEEDS ANALYSIS

Summary Report | October 2022



ACKNOWLEDGMENTS

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INTRODUCTION

Whether you rent or look to purchase a home, housing is becoming increasingly expensive for many Oregonians. As housing demand outpaces supply and home prices and rents continue to increase, housing options become limited, especially for low-income households that are most vulnerable to rising costs.

The City of Yachats is no exception to these trends. Yachats is the southernmost city in Lincoln County, bounded by the Central Oregon Coast Range to the east and the Pacific Ocean to the west. Currently, there are limited housing options to meet the needs for both existing and future residents of Yachats, and there is no established roadmap for understanding and determining the types of housing that are most needed, and to what degree.

Median home values in Yachats are increasing rapidly and are higher than state and county averages. In 2021, 58 percent of housing (453 units) in the city was seasonal, vacant or for-sale. The city's existing housing stock is largely not affordable to local renters and workers, and competing pressures of seasonal housing and short-term rentals are a concern for many residents.

This report will help Yachats understand its housing demand and state of housing supply, determine the types of housing that are most needed and provide recommendations for how the city can adopt strategies that will help produce needed housing.



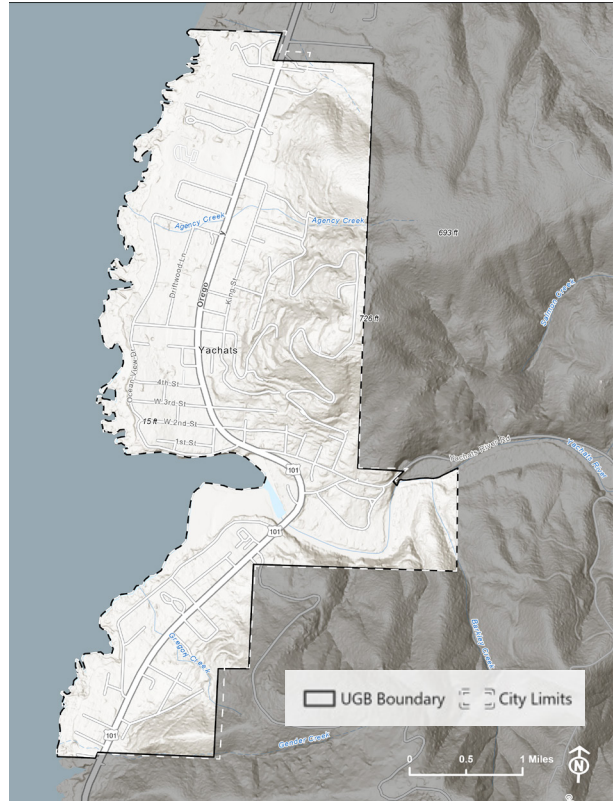
HOUSING NEEDS PROJECTION

How much housing does Yachats need?

Yachats needs 271 housing units to accommodate the city’s growth of 209 new residents in the next 20 years.

Population growth is a primary factor that influences a city’s housing need and demand. For this reason, population projections are helpful in estimating how much housing Yachats will need in the next 20 years.

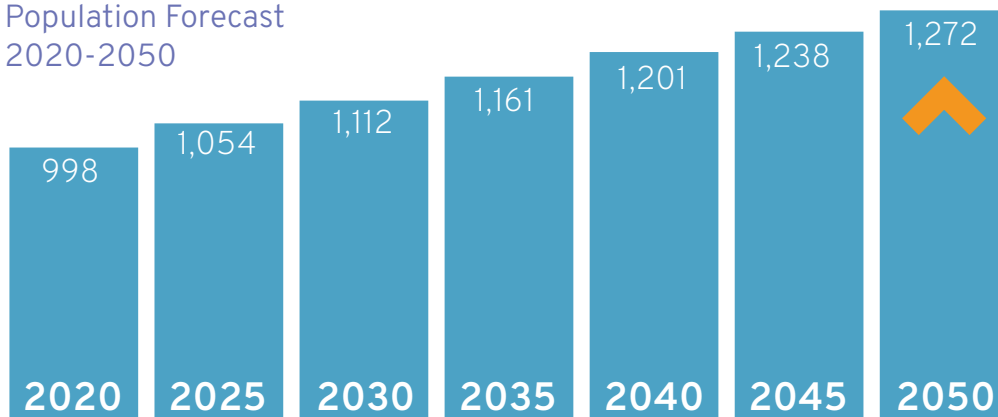
The City of Yachats reached a record-high population of 1,010 people in 2021. Lincoln County also attained a new record population of 50,903. Over the past two decades Yachats has grown much faster than the Lincoln County average. Long-range population forecasts prepared by Portland State University anticipate that 209 new residents will be added to the Yachats Urban Growth Boundary (UGB*) over the next 20 years. This equates to a projected annual average growth rate (AGR) of 0.81% for the Yachats UGB.



Map 1. City of Yachats Jurisdictional Boundaries

*An Urban Growth Boundary (UGB) is a planning line surrounding the perimeter of Yachats, created under Oregon law for the purpose of controlling urban expansion onto farm and forest lands.

Population Forecast 2020-2050



U.S. Census Bureau, 2000 and 2010 Censuses, Population Research Center, Portland State University

What type of housing does Yachats need?

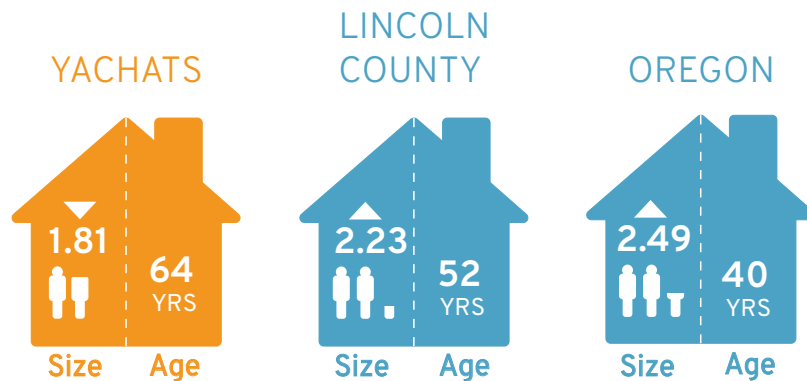
Yachats needs an increased share of apartments, plexes, townhomes, and accessory dwellings in addition to single family housing.

While population growth can help determine how much housing is needed, it's the people who live in Yachats that determine the type of housing needed. Housing choice and needs can differ from household to household. For example, a family of four may want to live in a single family home with a yard while a seasonal worker may just need a summer

rental. The following demographic and housing trends help shed some light on the housing choices faced by households in Yachats and highlight gaps in Yachats' existing housing stock. These conditions and trends help to inform what housing types will be needed over the next 20 years.

Residents are older and household sizes are smaller than state and county averages.

With an increasing number of singles living alone and seniors looking to "age in place," there may be a desire for smaller dwelling units.



2020 ACS 5-Year Estimates

Yachats' median family income is slightly lower than county averages.



Median Family Income, 2020
2020 ACS 5-Year Estimates

43% of Yachats households are either living in poverty or classified as “Asset Limited, Income Constrained and Employed” (ALICE). The share of Yachats households living in poverty and in the ALICE category has likely increased since 2018. During this same period home prices have continued to rise.

YACHATS



LINCOLN COUNTY



OREGON



POVERTY HOUSEHOLDS ALICE HOUSEHOLDS ABOVE ALICE HOUSEHOLDS

Poverty and ALICE Households, 2018

United for ALICE, ALICE Report

ALICE (Asset Limited, Income Constrained, Employed) is a measure of economically distressed households provided by the United Way. It provides a framework to measure households that do not earn enough to afford basic necessities.

Yachats has a rental housing gap at the upper and lower ends of the housing market.

Median Household Income Range	Affordable Monthly Rent	Renter-Occupied Households	Estimated Available Rental Units	Pent Up Demand
\$75,000+	\$1,875	33	23	(10) market rate gap
less than \$20,000	less than \$500	48	6	(45) subsidized housing gap
\$0 or negative	requires subsidy	3	-	
Total		84	29	(55)

A gap in market supply for households earning over \$75,000 and for households earning less than \$20,000 indicates demand for both new market-rate rental units as well as subsidized affordable units needed to meet the needs of lower income households.

Rental Housing Inventory Gap

U.S. Census Bureau, ACS 2016-2020; FCS GROUP



Yachats has slightly higher home values than surrounding markets.

As home values in Yachats and surrounding areas continue to increase, housing will remain out of reach for many residents unless the supply of housing targeting gaps in the market is increased.

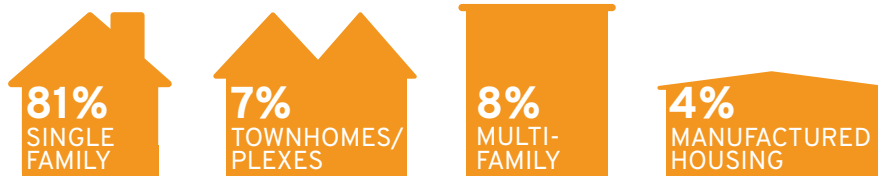
	HOME VALUE	% CHANGE 2020 - 2022
YACHATS	\$492,000	▲21%
WALDPORT	\$444,000	▲22%
NEWPORT	\$458,000	▲18%
LINCOLN CITY	\$474,000	▲22%
FLORENCE	\$399,000	▲18%
LINC. COUNTY	\$460,000	▲20%
OREGON	\$487,000	▲14%

Zillow Home Value Price Index, 2020-2022
Zillow.com; analysis by FCS 4/09/22

Current rents and sales prices are out of reach for many lower income households in Yachats, where the median family income is \$55,800.

VERY LOW INCOME	LOW INCOME	LOWER MIDDLE INCOME	UPPER MIDDLE INCOME	UPPER INCOME
\$16,700 <small>30% MFI</small>	\$27,900 <small>50% MFI</small>	\$44,600 <small>80% MFI</small>	\$55,800 <small>100% MFI</small>	\$67,000 <small>120% MFI</small>
MAXIMUM ATTAINABLE RENT AND SALE PRICES				
\$420	\$700 \$110,000	\$1,100 \$179,000	\$1,275 \$226,000	\$1,700 \$273,000
ATTAINABLE HOUSING TYPES				
 <p>Apartment, Multi-unit, and Manufactured Housing</p>			 <p>Apartment, Multi-unit, Manufactured Housing, and Single-Family Detached</p>	

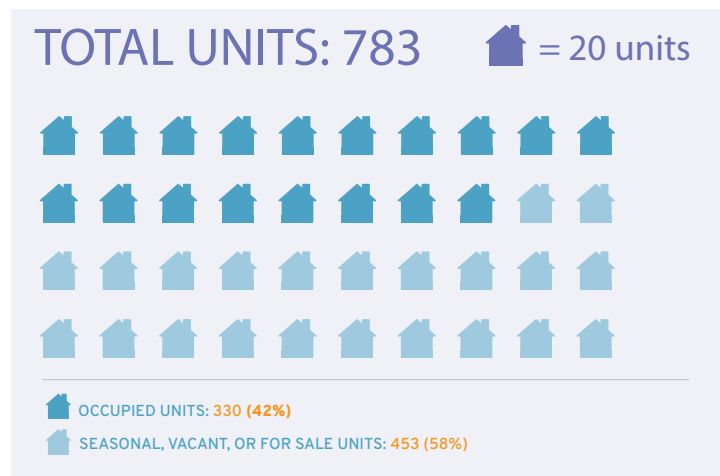
Yachats' housing inventory consists primarily of single family detached dwellings.



Existing mix of housing types.
Share of Unit Type by Housing Tenure 2019 ACS 5-Year Estimates

With 81% of the housing stock consisting of single family homes, there is a lack of housing options in Yachats, particularly smaller units and rentals.

The majority (58%) of housing in Yachats is not occupied by full-time residents.



In 2020, there were 783 housing units in the City of Yachats. Of these, roughly 40 percent were classified as occupied and 60 percent were classified as seasonal, vacant or for-sale.

Existing Housing Occupancy, 2020
U.S. Census Bureau, ACS 5-Yr Estimates (Table B25032)

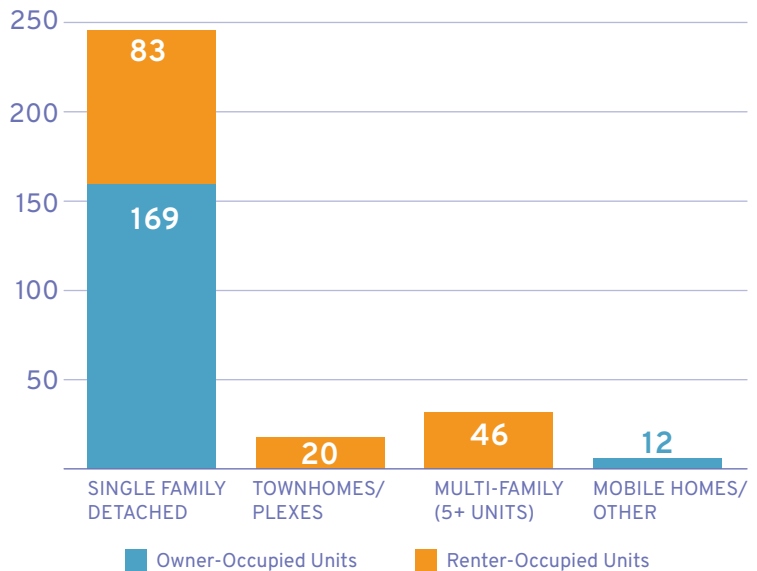
Over 9 in 10 jobs in Yachats are filled by workers living outside of the city. The inability of local workers to find housing that is affordable in Yachats is an economic development challenge.



Ownership is most prevalent among single-family detached and manufactured housing types, while renters are more likely to live in townhomes, plexes, and multi-family units.

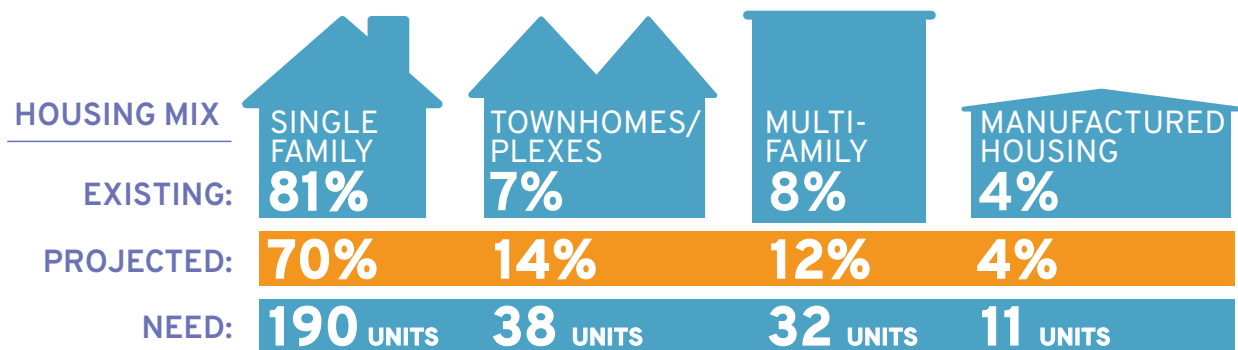
Because Yachats consists primarily of single family dwellings, renters and owners seeking other housing types have few options. More than 1 in 4 renter households in Yachats are severely cost burdened, spending more than half of their income on rent.

Existing Housing Tenancy, 2020
U.S. Census Bureau, ACS 5-Yr Estimates (Table B25032)



Yachats will need 271 new housing units over the next 20 years. To ensure new housing is attainable at all income levels, a higher share of townhomes/plexes and multifamily homes are needed.

The 271 projected units include a mix of 190 single family homes, 38 townhomes/plexes, 32 multi-unit homes, and 11 manufactured homes to meet the city’s 20-year housing need.



For more information, please see Appendix B for the Housing Needs Projection memo.

BUILDABLE LAND INVENTORY

How much land in Yachats is available to build new housing?

Yachats has 79.7 acres of land available to build new housing.

Having land available to build new housing is not a given in some cities, to the point that some cities are unable to build the total amount of housing they desperately need. For that reason, it's important to understand how much land in Yachats is available for new housing to make sure that there is enough land to build Yachats' total housing need.

Based on the conditions that qualify land as available for housing, Yachats has 79.7 buildable acres available within the Urban Growth Boundary to build new housing. Roughly 61% of the total buildable acres are zoned Single Family Residential (R-1), allowing for only single family residential uses. Higher density residential zones (R-2, R-3, and R-4) make up approximately 1/3 of buildable acres, and the Commercial zone that is not zoned exclusively for residential uses makes up the remaining 3%.

What qualifies land as available for housing?



Land that is zoned to allow residential development.



Land that is vacant and large enough to legally build a residential structure.

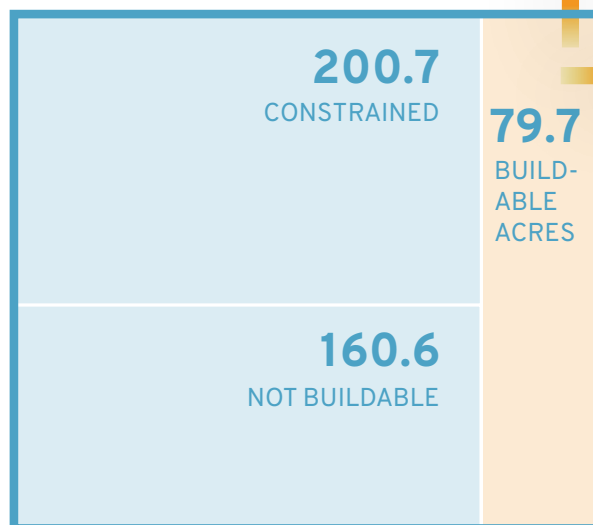


Land that is not constrained by environmental features and hazards such as steep slopes or flood zones.

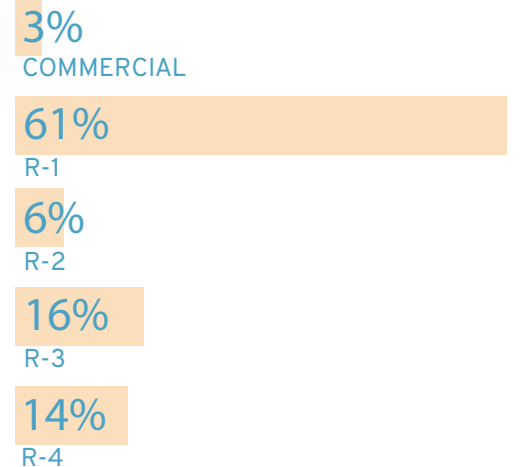
BUILDABLE ACRES BY DEVELOPMENT STATUS

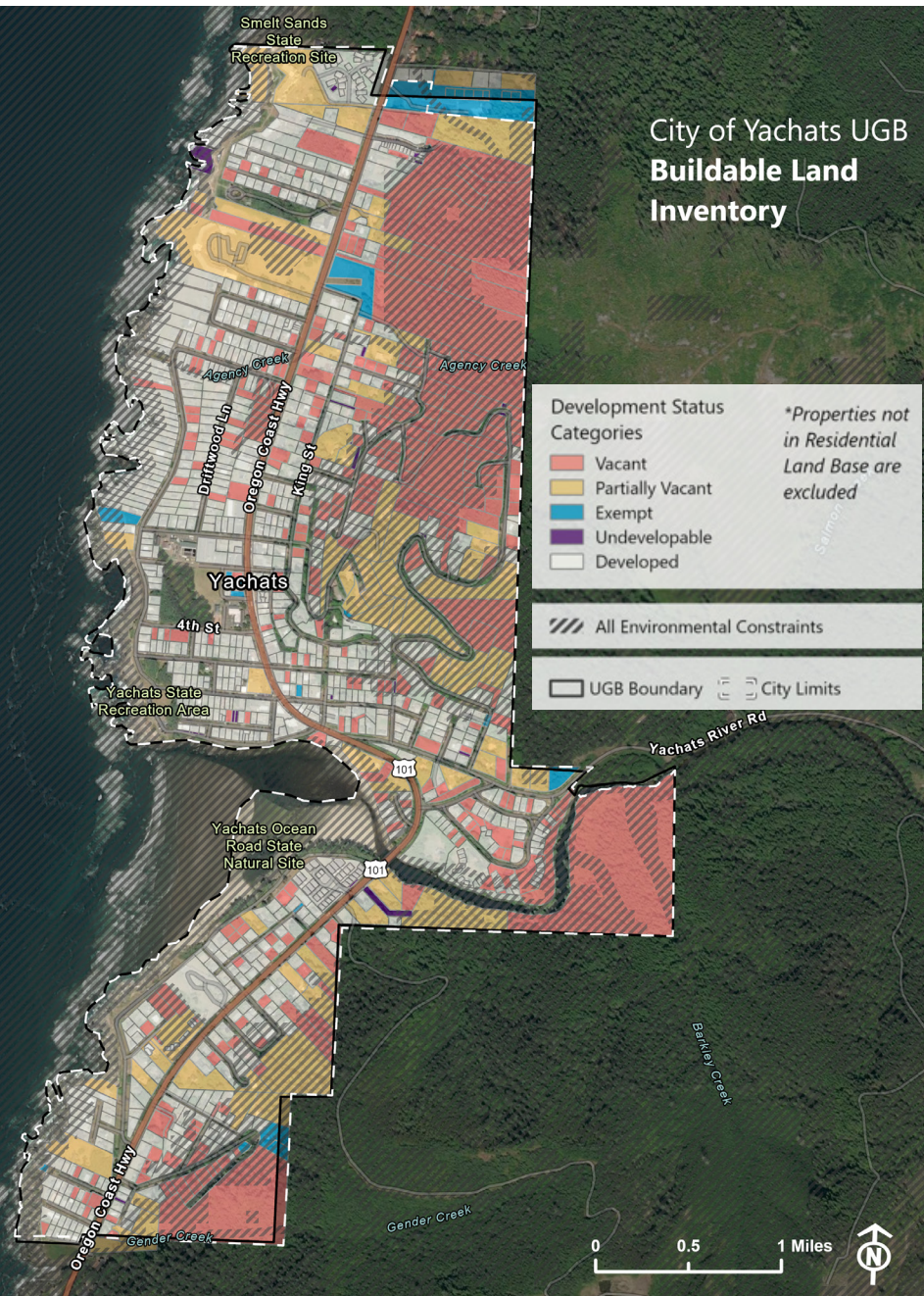


441 GROSS ACRES



BUILDABLE ACRES BY ZONE





Map 2. Buildable Land Inventory

Classifying Land

To identify land that is vacant and large enough to legally build a residential structure, properties that allow residential uses in Yachats were classified into different development status categories defined below. Properties that were identified as Vacant and Partially Vacant in this map qualify as available for housing, unless they have environmental constraints preventing development.

Definitions

Vacant. Parcels with no structure or with very low improvement values.

Partially Vacant. Parcels larger than a 1/2 acre that are occupied by an existing structure with an improvement value over \$10,000 but have enough land for new housing.

Undevelopable. Parcels that are not developable because they are too small to build new housing.

Public or exempt. Parcels unlikely to be developed because they are restricted by existing public uses or they are considered exempt from new housing.

Developed. Parcels unlikely to develop additional housing because they possess existing building structures that are unlikely to redevelop in the next 20 years.

For more information, please see Appendix A for the Buildable Lands Inventory memo.

RESIDENTIAL LAND NEEDS ANALYSIS

Does Yachats have enough available land to build needed housing?

There is a deficit of land available for townhomes/plexes and multi-family housing, and a surplus of land available for single family homes.

Yachats has enough land to accommodate population growth over the next 20 years with enough capacity to develop an adequate number of housing units based on current demographic trends and maximum zone densities.

According to the 20-year housing needs projection, Yachats will need an additional 271 units to accommodate the city’s growth in the next 20 years. The buildable land inventory identified 79.7 acres of buildable vacant and partially vacant land in Yachats. It is estimated that 326 housing units could be developed on these buildable lands, exceeding the projected need for 271 units.

However, there is a deficit of land for townhomes/plexes and multi-family housing. There is a projected deficit of 23 townhome/plex units and a deficit of 4 multi-family units. Although townhomes/plexes and multi-family housing types are allowed in most zones, very few have been built in Yachats since 2000.

If these development trends continue it is likely that the residential land supply will be used predominantly for single family detached housing and result in a shortage of land available for townhomes/plexes, and multi-family housing.

SINGLE FAMILY

251	190	61
Capacity	Need	Surplus

TOWNHOMES/PLEXES

15	38	(-23)
Capacity	Need	Deficit

MULTI-FAMILY (5+ UNITS)

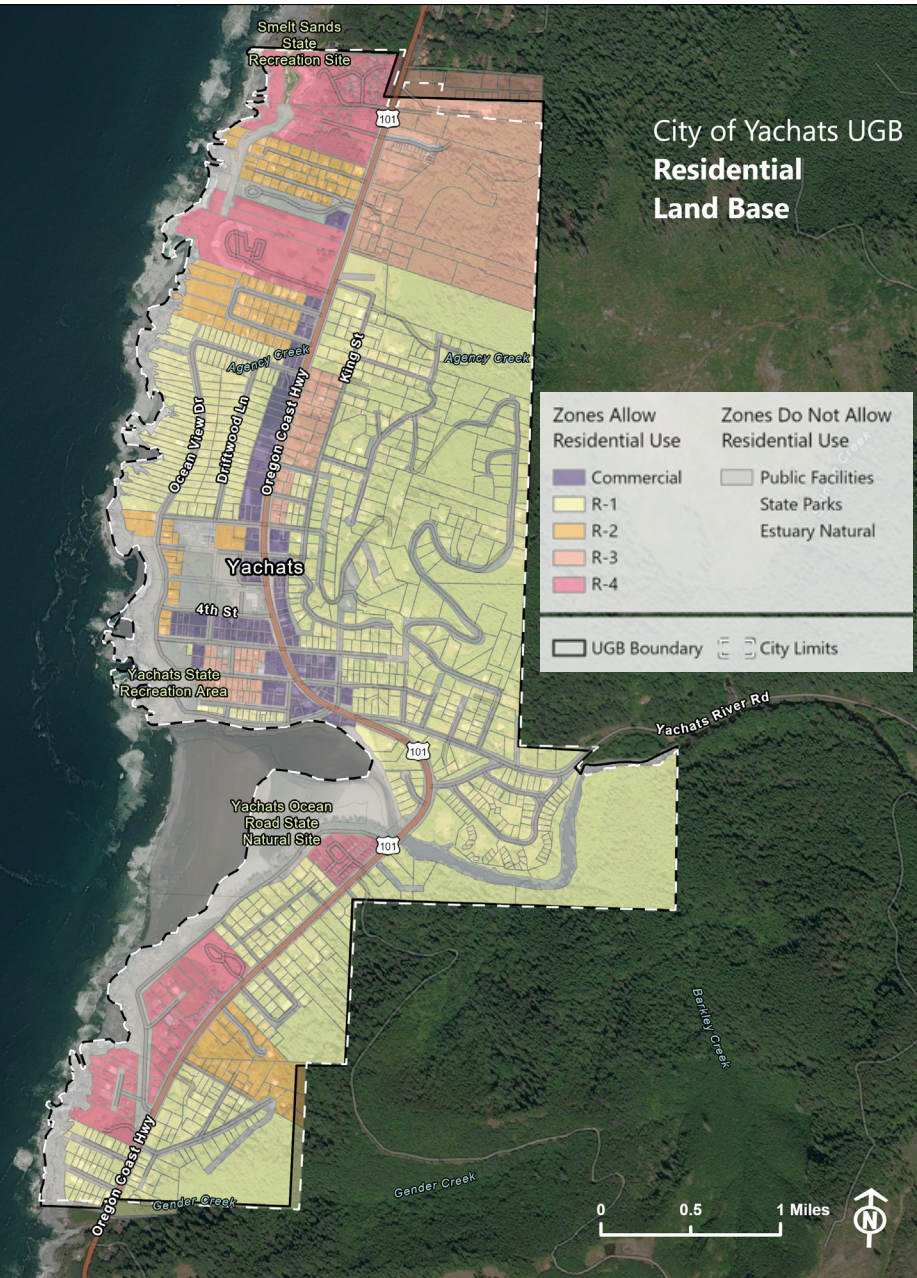
28	32	(-4)
Capacity	Need	Deficit

MANUFACTURED HOUSING

32	11	21
Capacity	Need	Surplus

20-year Estimated Capacity vs. Housing Need
Yachats Housing Needs Projection, 2022

There are several strategies and measures available to the City to address this deficit that are detailed in the Housing Strategies and Tools section starting on Page 16.



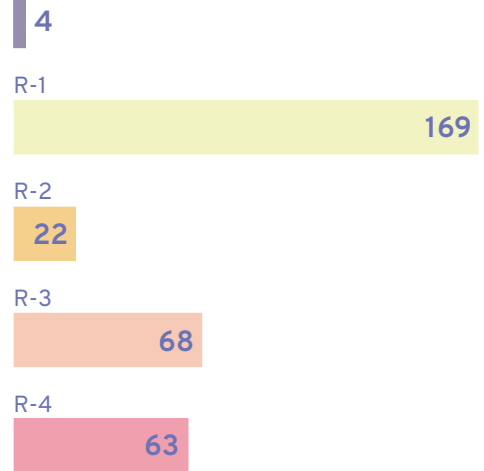
Map 3. Residential Land Base Map

Unit Capacity by Zone

A projected mix of housing types to be built in each zone was estimated using development trends in Yachats since the year 2000 as well as the overall mix of housing in the city. A baseline estimate of at least 60% single family detached housing was projected for each zone. A higher percentage of other housing types was projected in zones that allow higher density housing (R-2, R-3, R-4 and C).

Given the projections for unit capacity by zone detailed on the graph below, there is a potential deficit of land for townhomes/plexes and multi-family housing in Yachats.

COMMERCIAL

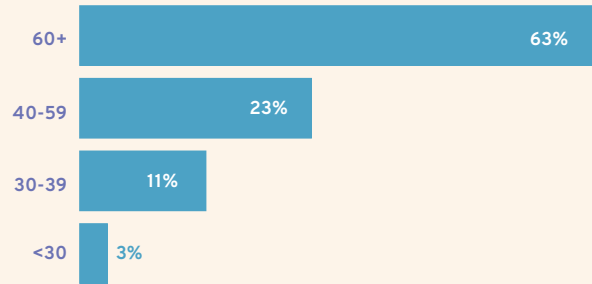


For more information, please see Appendix C for the Residential Land Needs Analysis memo.

HOUSING NEED SURVEY RESULTS

Who did we hear from? 142 people total

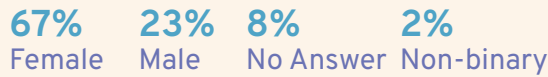
Age



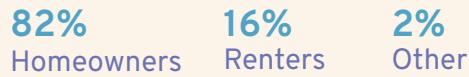
Race and Ethnicity



Gender Identity

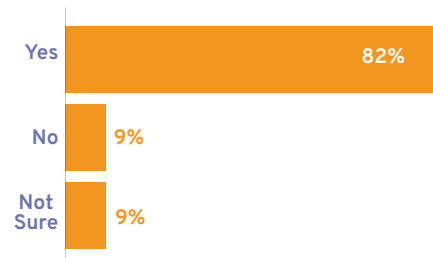


Housing Tenure



What did we hear?

Do you believe there is a housing shortage in Yachats?



The top four most important housing-related issues for current residents in Yachats:

- 1 Affordability of housing
- 2 Competing pressures of second homes and short-term rentals
- 3 Lack of choices of housing types
- 4 Lack of options for first time homebuyers

What are some things the City can do to help meet housing needs?

Encourage smaller and more affordable housing options such as duplexes, cottage homes and townhouses

Increase supply of land where medium density housing types (townhomes, plexes and cottage clusters) are allowed

Dedicate resources to help subsidize the development of income-restricted affordable housing

Fund the construction of infrastructure (water, sewer, and roads) to help offset the costs of new housing developments

Increase supply of land where multi-family housing (5+ units) is allowed

None of the above

Other

HOUSING STRATEGIES AND TOOLS

What housing strategies can Yachats implement to build needed housing?

This Housing Needs Analysis found that Yachats has more than enough land to build needed housing. However, despite the City’s surplus of land, past development trends indicate that Yachats has fallen short in producing the diversity of housing types it needs, particularly smaller and more affordable housing types.

This section presents a summary of the housing strategy recommendations that the City could consider and potentially implement to help Yachats produce the housing its residents needs.

The following recommended housing strategies primarily address regulatory barriers that often stifle housing production. The City may also consider additional tools and strategies that look to fund and invest in programs and projects that support housing development, prioritize land for needed housing and build strategic partnerships that create resources for affordable housing. These strategies and tools will be refined further in the form of a Housing Implementation Plan.

Regulatory Strategies

1. Reduce Minimum Lot Size Standards for Multi-Unit Housing

Strategy: Reduce minimum lot size standards for multi-unit housing to enhance feasibility and affordability of this housing type.

Rationale: Minimum lot sizes currently required to develop multiple unit housing in Yachats often make these projects infeasible to build on existing lots, and they encourage larger, more expensive units.

Implementation Considerations:

- Reduce minimum lot size standards in R-2, R-3, R-4 and C zones.
- Consider typical sizes of existing lots to promote development options on all lots.
- Consider allowing for smaller lots for projects that provide deed-restricted affordable housing.

Yachats Minimum Lot Size Standards (sq. ft.)

Zone	Single Family	Duplex	Multifamily (3+ Units)
R-1	7,500	Not allowed	Not allowed
R-2	6,000	7,500	Not allowed
R-3	6,000	7,500	6,000+ 2,500/unit
R-4	6,000	7,500	6,000+ 2,500/unit
C	6,000	2,500/unit	2,500/unit

2. Rezone Land in the R-1 Zone to Higher Density Zone

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.

Rationale: Strategically rezoning an area(s) of the R-1 zone would increase capacity for development of townhomes/plexes and multi-family housing.

Implementation Considerations:

- For the greatest benefit, the area(s) should be rezoned to the R-3 or R-4 zones because they allow for multi-family development.
- A city-led rezoning effort is more likely to succeed, as it does not require property owner or developers to request rezonings on a case-by-case basis.

- Covenants, conditions, and restrictions (CC&Rs) may limit higher density development in subdivisions regulated by HOAs. These should be reviewed to determine areas best suited for possible rezoning.



3. Establish a Minimum Density in R-3, R-4, and C Zones

Strategy: Establish a minimum density standard in the R-3, R-4, and C zones to encourage higher density housing types.

Rationale: A minimum density standard in higher density zones would preserve buildable land in these zones for needed townhomes/plexes and multi-family housing.

Implementation Considerations:

- The City could also prohibit single-family detached houses in one or more of these zones.
- The standard should be set to balance allowing for a range of development options while ensuring an efficient use of land to meet housing needs.



4. Define and Allow a Wider Range of Housing Types

Strategy: Define and allow a wider range of housing types in zones where additional housing types are appropriate.

Rationale: Some zones exclude housing types which may otherwise be appropriate. These unnecessary restrictions limit development options and feasibility.

Implementation Considerations:

- Allow duplexes in the R-1 zone.
- Allow up to quadplex in the R-2 zone.
- Define and allow accessory dwelling units (ADU) and cottage cluster housing in all zones.
- Ensure development standards allow for market-feasible unit sizes.



5. Reduce Minimum Parking Requirements

Strategy: Reduce minimum parking requirements to increase efficiency of land use.

Rationale: Parking standards commonly require more parking than the market demands, which increases the cost of housing and results in an inefficient use of land.

Implementation Considerations:

- Reduce parking standards where minimum requirements exceed 1.5 spaces per dwelling unit (duplex).
- If a general reduction is not supported, target areas where higher density development is most desired.

- Additional reductions for projects with affordable units can serve as a strong development incentive.



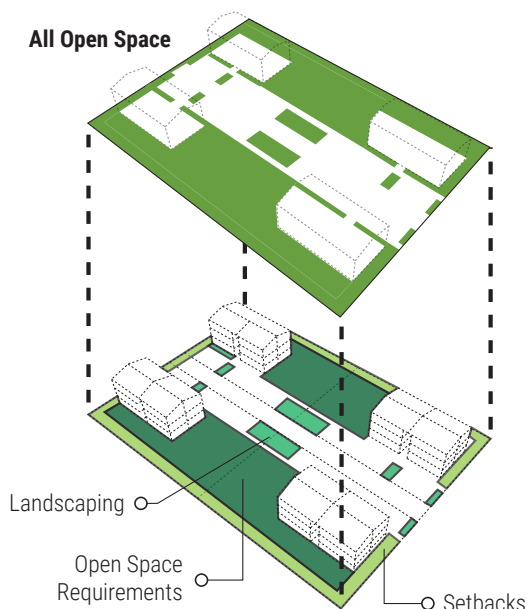
6. Identify and Remove Unnecessary Regulatory Barriers

Strategy: Identify and remove unnecessary regulatory barriers beyond housing types, minimum lot sizes, and minimum parking.

Rationale: Maximum building height, setbacks, landscaping, open space, and review requirements can also present substantial barriers to housing development.

Implementation Considerations:

- Align code standards such as height, setbacks and open space requirements with existing development patterns.
- Replace subjective design or conditional use criteria with objective standards.
- Removing barriers creates opportunities for more modest and affordable projects that are compatible with existing development patterns.



7. Maintain Limits on Short Term Rentals

Strategy: Yachats has a cap in place limiting short-term rentals (STRs) to a total of 125 citywide and prohibiting single-owners and interests from obtaining licenses on multiple properties. Limits on STRs should be maintained.

Rationale: Limiting the overall share of STRs helps achieve a balance between tourist, occasional and long-term residential uses of the city’s housing supply.

Implementation Considerations:

- Periodically assess appropriate parameters for the STR cap as population and housing inventory grow.

- Explore other means of offsetting vacant housing such as vacant housing tax.



Additional Strategies and Tools

Calibrate and Reform System Development Charges

Consider scaling development fees so they are proportionate to the impact of a housing unit on public services, therefore reducing fee costs for development of smaller units, which are usually more affordable than larger units. The City may also provide reduced SDC fees or complete exemptions for targeted housing types, such as income-restricted units.

Offer a Property Tax Exemption for Key Housing Needs

Property tax exemptions can be structured to incentivize development of specific needed housing types, such as affordable housing, mixed use housing, and homes targeting first-time homebuyers.

Target Infrastructure Improvements to Support Housing

When planning for improvements, jurisdictions should 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

Urban renewal is a tool for economically revitalizing targeted areas through public investments that stimulate private development. Urban renewal funding, known as Tax Increment Financing (TIF), comes from property tax revenue on new value created in an urban renewal district over the course of its lifetime. Urban renewal funding can be directed toward financial incentives, land acquisition, public infrastructure, or public-private partnerships to build housing.

Establish a Construction Excise Tax (CET)

A Construction Excise Tax is a tax assessed on construction permits issued by a city in

order to fund affordable housing programs. The primary benefit of a CET is that it is a dedicated source of revenue. It also provides the option to create a linkage between new development and investment in housing.

Increase Capacity to Implement Housing Strategies

Cities can increase capacity by adding staff, forming task forces, and taking other steps to share resources. Sufficient staff capacity is critical to unlocking the ability for the City to implement housing strategies effectively.

Utilize Excess Public Land for Housing

Adopt a land disposition policy that states the City will prioritize selling or dedicating any surplus publicly owned land to meet housing needs. Public entities can directly support a reduction of development costs in the form of land and/or low cost land lease.

Assist with Land Acquisition and Banking

Land banks are public authorities or non-profit organizations created to acquire, hold, manage, and sometimes redevelop property to return properties to productive use and/or meet community goals, such as increasing supply of affordable housing or stabilizing property values.

Partner with Land Trusts

Community land trusts are nonprofit, community-based organizations designed to ensure ensure long-term housing affordability. The City could sell or donate excess public land to a land trust, provide funding to assist with administration of a trust, or convene local organizations interested in founding or partnering with an existing trust.

Partner with Institutional Land Owners

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.

APPENDICES

APPENDIX A: BUILDABLE LAND INVENTORY MEMO

APPENDIX B: HOUSING NEEDS PROJECTION MEMO

APPENDIX C: RESIDENTIAL LAND NEEDS ANALYSIS MEMO



APPENDIX A: BUILDABLE LAND INVENTORY MEMO



MEMORANDUM

TO: Katherine Guenther, City Planner, City of Yachats;
Heide Lambert, City Manager, City of Yachats;
Jacqueline Danos, Yachats Planning Commissioner

FROM: Rachel Cotton, Senior Associate at Cascadia
Partners, LLC

DATE: July 15, 2022

PROJECT: Yachats Housing Needs Analysis

SUBJECT: *Buildable Lands Inventory*

This memorandum provides a summary of the 2022 residential Buildable Lands Inventory (BLI) results and methodology for the City of Yachats' Urban Growth Boundary (UGB).

The objective of the residential BLI is to estimate the number of unconstrained buildable acres for future residential housing development within Yachats' UGB. The BLI is a key component of the Residential Land Needs Analysis (RLNA) and will inform planning and policy recommendations that are proposed in the final Housing Needs Analysis (HNA) report.

This BLI analysis was completed in accordance with OAR 660-008-0005 (2) and with guidance provided by Yachats city staff and the Department of Land Conservation and Development (DLCD).

Summary of Buildable Lands Inventory Results

Approximately 79.7 acres of land zoned for residential use are available for residential development in the City of Yachats UGB, described in this memo as total net buildable acres (see **Table 1**). The Single Family Residential (R-1) zone makes up roughly 61% of the total net buildable acres, higher density residential zones (R-2, R-3, and R-4) make up approximately 1/3 of buildable acres, and the Commercial zone that is not zoned exclusively for residential uses makes up the remainder 3%.

A number of parcels that are occupied by a use (e.g., a home or building structure with an improvement value over \$10,000)

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measure more than half an acre and qualify as partially vacant lands per the safe harbor method established in the [OAR 660-008-0005 \(2.b.B\) statute](#) for cities with populations below 25,000. As a result, land set aside for residential development opportunities in partially vacant parcels comprises just under 24% of the total net buildable acres. The remainder of net buildable acres are vacant parcels.

Table 1. Summary Residential Buildable Lands Inventory, City of Yachats, 2022

<i>Plan Designation or Zone District</i>	<i>Gross Acres</i>	<i>Constrained Acres</i>	<i>Vacant Acres</i>	<i>Partially Vacant Acres</i>	<i>Net Buildable Acres</i>
<i>Commercial</i>	20.7	2.5	2.2	0.2	2.4
<i>R-1 - Single Family Residential</i>	271.1	145.8	41.2	7.2	48.4
<i>R-2 - Single Family & Duplex</i>	33.3	9.1	1.8	1.4	4.8
<i>R-3 - Single, Duplex, Multi-Family</i>	60.8	28.7	9.6	2.9	12.5
<i>R-4 - Single, Duplex, Multi-Family & Motel</i>	55.2	14.6	2.9	7.2	11.5
TOTAL	441.0	200.7	57.7	18.8	79.7

Buildable lands in the City of Yachats UGB have an estimated capacity for 429 housing units (see **Table 2**). Housing capacity is estimated using projected housing unit densities established for each zone district that has land available for residential development. Approximately 99% of the total housing capacity is located in Yachats’ residential zones. A little more than half of total housing capacity is located in Yachats’ Single Family, Duplex, Multi-Family (R-3) and Yachats’ Single Family, Duplex, Multi-Family & Motel (R-4) zones. These zones can expect higher projected densities than all other zones.

Table 2. Summary of Housing Unit Capacity, City of Yachats, 2022

<i>Plan Designation or Zone District</i>	<i>Net Buildable Acres</i>	<i>Maximum Density of Zone</i>	<i>Projected Density¹</i>	<i>Housing Unit Capacity</i>
<i>Commercial</i>	2.4	1 unit/2,500 sf	2.6	6
<i>R-1 - Single Family Residential</i>	48.4	1 unit/7,500 sf	3.5	170
<i>R-2 - Single Family & Duplex</i>	4.8	1 unit/6,000 sf	4.8	23
<i>R-3 - Single, Duplex, Multi-Family</i>	12.5	12.0	9.6	120

¹ Projected density calculation assumes buildout at 80% of maximum density. A 25 percent deduction is applied for ROW dedication and other easements in zones where maximum density is regulated through minimum lot sizes (R-1 and R-2). In the commercial zone, 25% of land area is assumed to develop with residential uses.

R-4 - Single, Duplex, Multi-Family & Motel	11.5	12.0	9.6	111
TOTAL	79.7	--	5.3	429

Buildable Lands Inventory Maps

The BLI results are presented in the following series of maps:

- Figure 1. Residential Land Base
- Figure 2. Land Classification by Development Status
- Figure 3. Environmental Constraints
- Figure 4. Draft Buildable Lands Inventory
- Figure 5. Potentially Difficult to Develop Taxlots

Figure 1. Residential Land Base

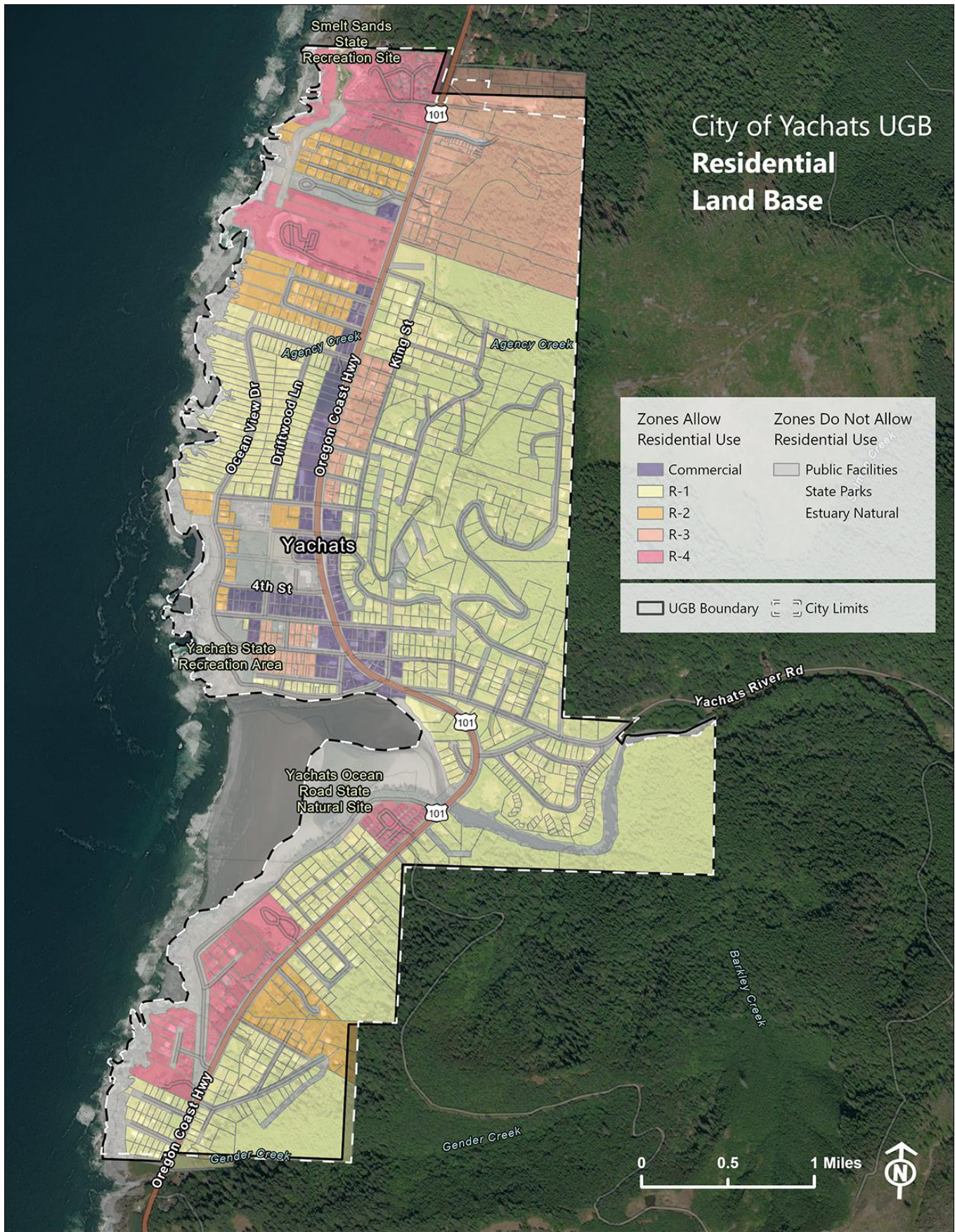


Figure 2. Land Classification by Development Status

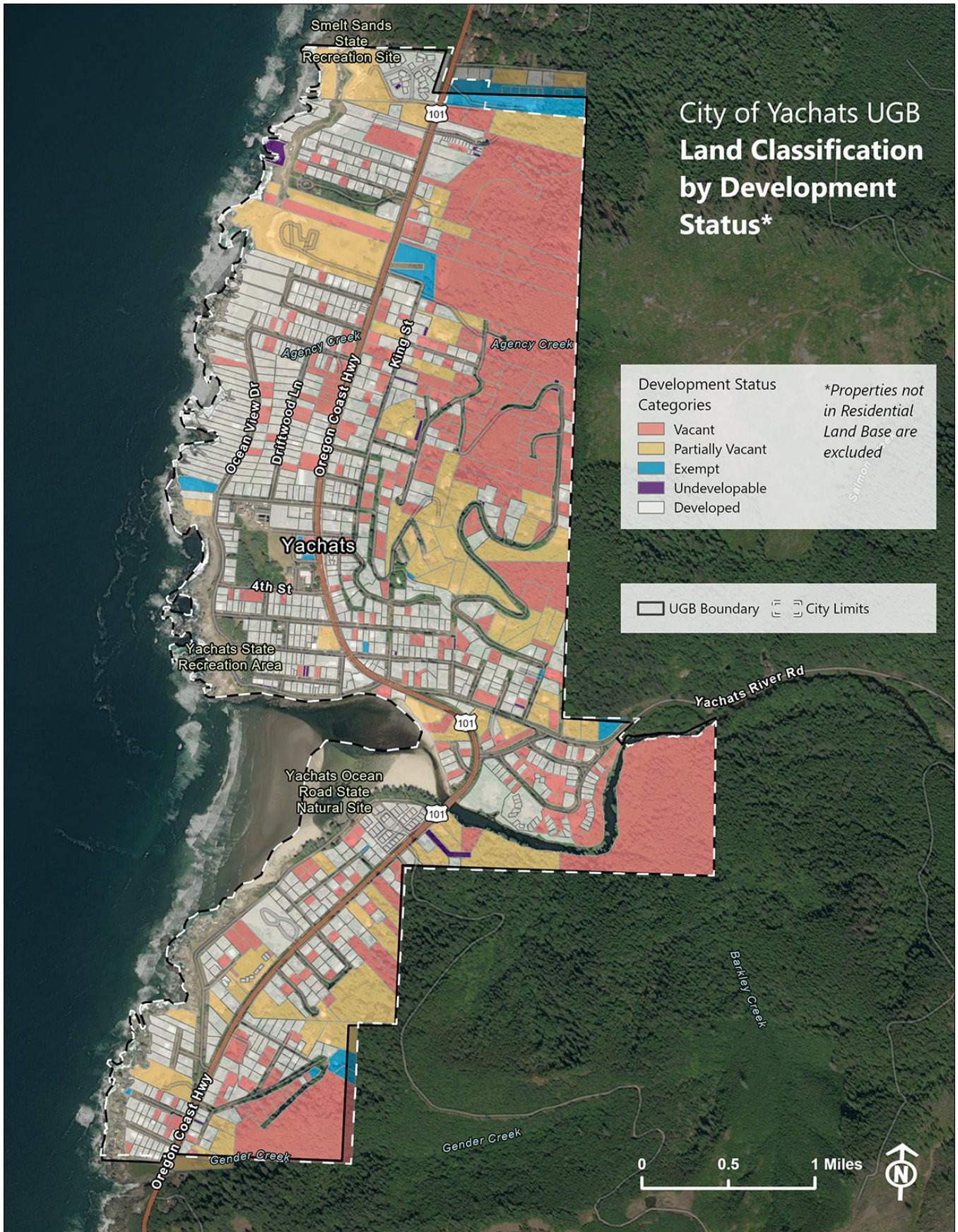


Figure 3. Environmental Constraints



Figure 4. Buildable Lands Inventory

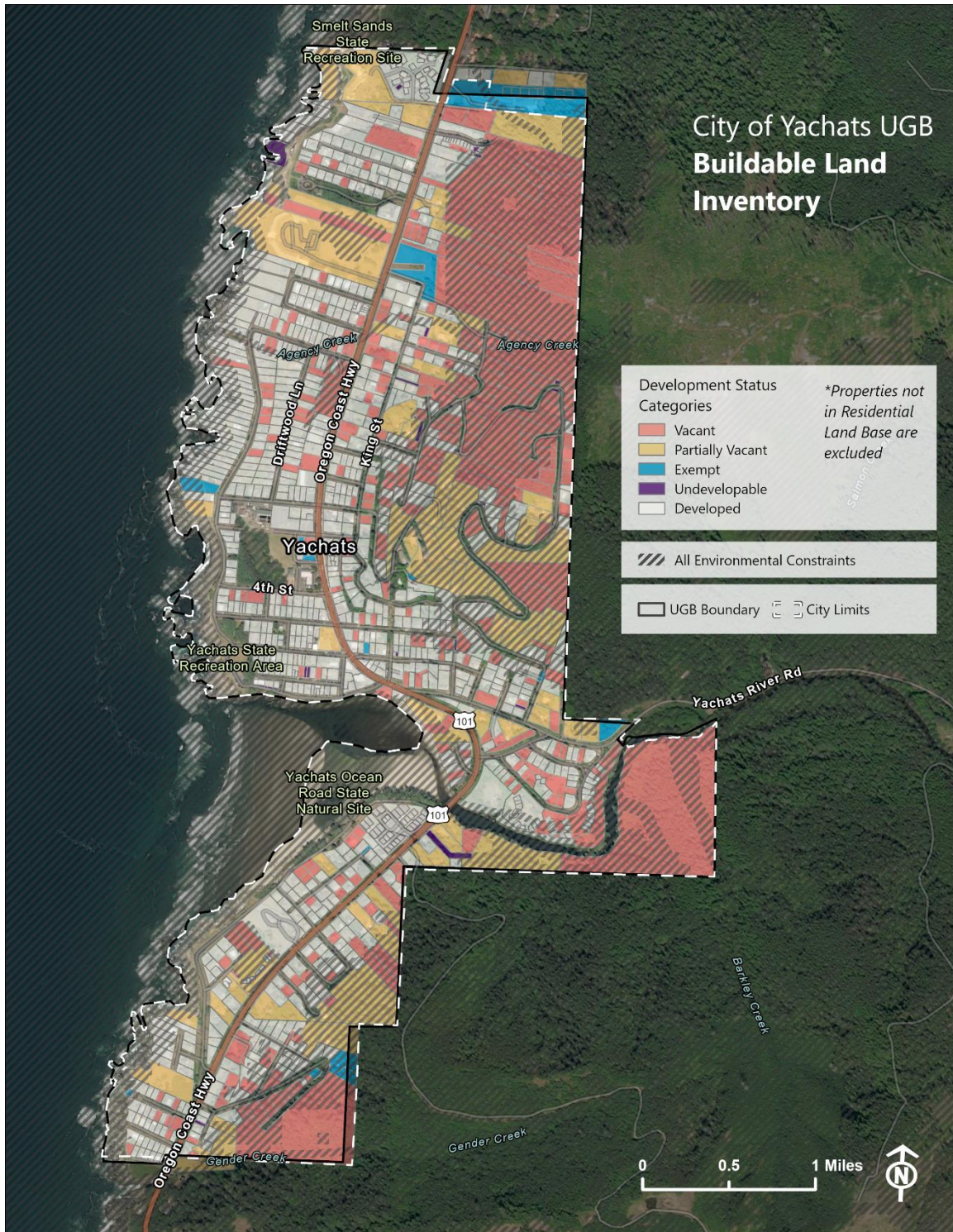
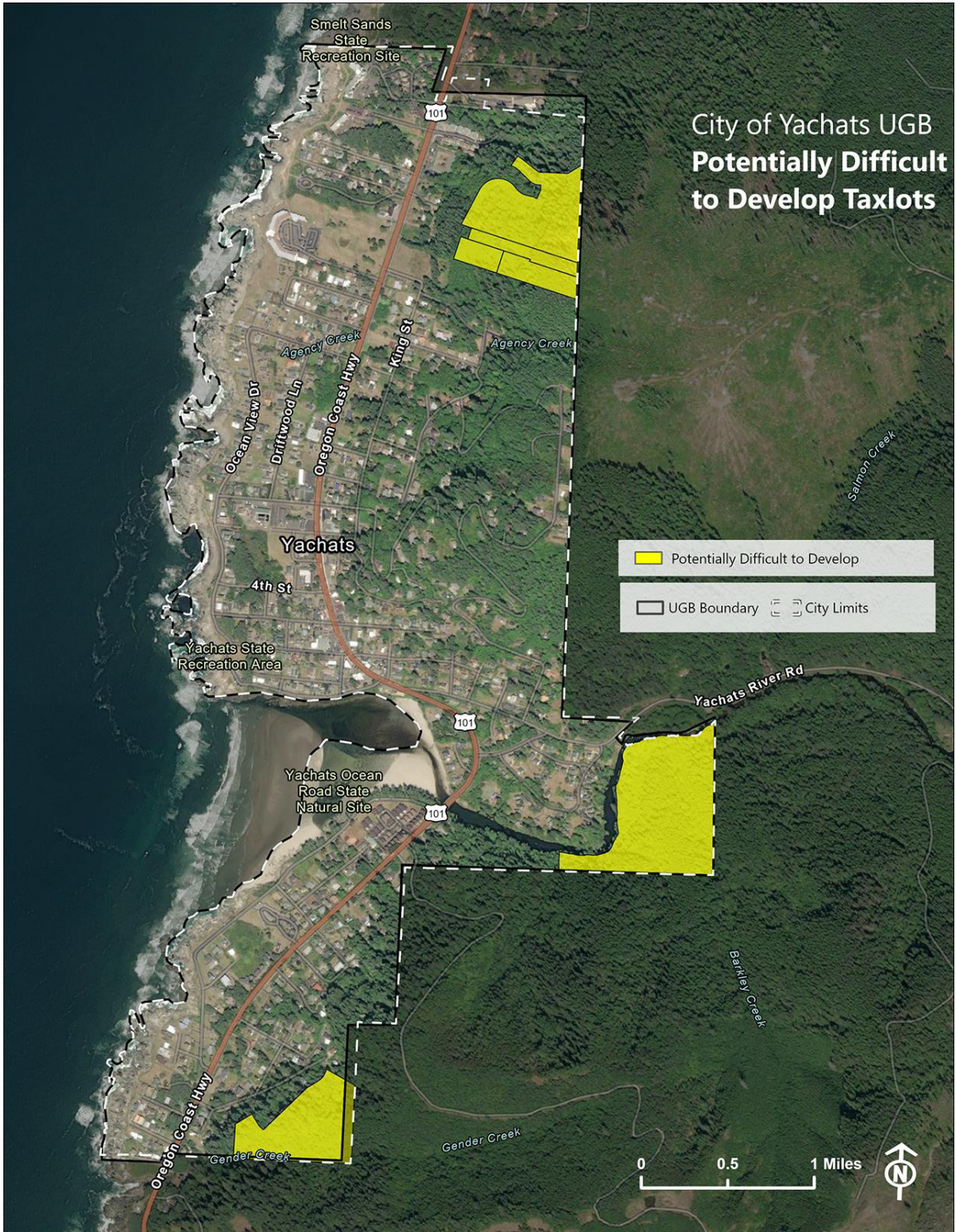


Figure 5. Potentially Difficult to Develop Taxlots



Methodology

The steps taken to perform this BLI analysis are as follows:

1. Generate the residential land base by identifying all taxlots (parcels) that are zoned to allow residential development (either permitted outright or as a conditional use).
2. Classify parcels from the residential land base into development status categories that determine parcels as available for development or unavailable for development.
3. Create a unified environmental constraints layer to subtract from the residential land base. The unified environmental constraints layer identifies land that is unsuitable for development due to environmental constraints or natural hazards.
4. Apply housing density projections to all buildable lands to estimate housing unit capacity.

1. Residential Land Base

Determining the residential land base is the first step in the BLI analysis. The residential land base is composed of lands that are zoned to allow residential uses by right or as conditional uses. The following zoning classifications are determined to allow residential uses within Yachats:

- **Single Family Residential (R-1):** Under the City of Yachats Municipal Code (YMC) Chapter 9 (Zoning and Land Use), parcels zoned R-1 allow one Single Family Dwelling (SFD) unit on a lot measuring at least 7,500 square feet when the lot is served by both a public water supply and public sewage system. When a lot is served by a public water supply system but cannot be practically served by a public sewage disposal system, the minimum lot area is 20,000 square feet. Permitted housing types include Single Family Dwellings.
- **Single Family & Duplex (R-2):** Under YMC Section 9.16, parcels zoned R-2 allow one SFD unit on a lot measuring at least 6,000 square feet and a Duplex on a lot measuring at least 7,500 square feet when the lot is served by both a public water supply and public sewage system. When a lot is served by a public water supply system but cannot be practically served by a public sewage disposal system, the minimum lot area for a SFD is 7,500 square feet and 15,000 square feet for a duplex. Permitted housing types include Single Family Dwellings and Duplexes.
- **Single, Duplex, Multi-Family (R-3):** Under YMC Section 9.20, parcels zoned R-3 allow one SFD unit on a lot measuring at least 6,000 square feet and a Duplex on a lot measuring at least 7,500 square feet when the lot is served by both a public water

supply and public sewage system. Multifamily dwellings, containing three (3) or more dwelling units, have a minimum lot size of 6,000 square feet for the first dwelling unit and 2,500 square feet for each additional unit when a lot is served by both a public water supply and public sewage disposal system. When a lot is served by a public water supply system but cannot be practically served by a public sewage disposal system, the minimum lot area for a SFD is 7,500 square feet, 15,000 square feet for a Duplex, and 7,500 square feet for each unit in a Multifamily dwelling. The maximum density in the R-3 zone is 12 dwelling units per acre. Permitted housing types include Single Family Dwellings, Duplexes and Multifamily dwellings containing three or more units.

- **Single, Duplex, Multi-Family & Motel (R-4):** Under YMC Section 9.24, parcels zoned R-4 allow one SFD unit on a lot measuring at least 6,000 square feet and a Duplex on a lot measuring at least 7,500 square feet when the lot is served by both a public water supply and public sewage system. Multifamily dwellings, containing three (3) or more dwelling units, have a minimum lot size of 5,000 square feet for the first dwelling unit and 2,500 square feet for each additional unit when a lot is served by both a public water supply and public sewage disposal system. When a lot is served by a public water supply system but cannot be practically served by a public sewage disposal system, the minimum lot area is 20,000 square feet. The maximum density in the R-4 zone is 12 dwelling units per acre. Permitted housing types include Single Family Dwellings, Duplexes and Multifamily dwellings containing three or more units.
- **Commercial:** Under YMC Section 9.24, parcels zoned Commercial allow one SFD unit on a lot measuring at least 6,000 square feet and a minimum lot area of 2,500 square feet per multifamily unit when the lot is served by both a public water supply and public sewage system. Permitted housing types include all uses permitted outright in residential zones, including Single Family Dwellings, Duplexes and Multifamily dwellings containing three or more units.

All land that is located within the Yachats UGB is included in the land base. Parcels that were partly within the UGB were clipped so that only the portion within the UGB is included in the land base. **Table 3** provides a summary of the land base by zone district.

Table 3. Gross Acres in Residential Land Base, City of Yachats UGB, 2022

<i>Plan Designation or Zone District</i>	<i>Gross Acres</i>	<i>Percent</i>
<i>Commercial</i>	20.7	4.6%
<i>R-1 - Single Family Residential</i>	271.1	61.5%
<i>R-2 - Single Family & Duplex</i>	33.3	7.5%

<i>R-3 - Single, Duplex, Multi-Family</i>	60.8	13.8%
<i>R-4 - Single, Duplex, Multi-Family & Motel</i>	55.2	12.5%
TOTAL	441.0	100%

2. Land Classification

The second step in the BLI analysis involves identifying which parcels from the residential land base are available or unavailable for residential development. This involves classifying each parcel into their respective development status categories using criteria available through assessor data and undergoing a visual quality control process using aerial imagery. Once classified, all lands unavailable for development are removed from the residential land base.

Parcel classifications were validated using aerial photos, building permit data, and assessor records. Definitions of development status categories and criteria used to classify lands are listed below:

Lands available for development:

- **Vacant land.** Parcels with no structures or with very low improvement values (less than \$10,000) are considered vacant. This determination is made using tax assessor records and reviewed using aerial photography.
- **Partially vacant land.** Parcels larger than a 1/2 acre that are occupied by a use (e.g., a home or building structure with an improvement value over \$10,000) but have enough land to be subdivided without the need for rezoning. These criteria to identify partially vacant land are defined under the safe harbor method established in the OAR 660-008-0005 (2) state statute for cities with populations below 25,000. This determination is made using tax assessor records and aerial photography.

Lands unavailable for development:

- **Undevelopable land.** Parcels that are not developable because they measure less than 3,000 square feet and therefore are likely too small for residential development.
- **Public or exempt land.** Parcels unlikely to be developed because they are restricted by existing public uses or they are considered exempt from residential development. These types of land typically include public parks, schools, ballfields, conservation easements, roads and public right-of-way (ROW), common areas held by Home Owners Associations, cemeteries, and power substations as well as land held by Cities, Counties, State Agencies, public utilities, and service districts.

- **Developed land.** Parcels unlikely to yield additional residential development because they possess existing building structures at densities that are unlikely to redevelop over the planning period. Parcels are considered developed if they do not fall within any of the above development status categories.

3. Environmental and Other Constraints

The third step in the BLI analysis involves removing environmental constraints from residential land available for development determined in the previous land classification step. Land is considered “suitable and available” unless it is severely constrained by natural hazards listed below:

- Land within floodways and flood zones. This includes all lands within the 100-year floodplain area
- Land with slopes greater than 25%
- Land within wetlands. This includes areas identified as significant wetlands by the State.

Figure 3 provides a map illustrating the above environmental constraints in Yachats’ UGB. **Table 4** below provides a summary of constrained land by zone district in the residential land base, showing that 46% of the gross acres in the residential land base are constrained and removed from the buildable lands inventory.

Table 4. Constrained Acres in Residential Land Base, City of Yachats UGB, 2022

<i>Plan Designation or Zone District</i>	<i>Gross Acres</i>	<i>Constrained Acres</i>	<i>Percent Constrained</i>
<i>Commercial</i>	20.7	2.5	1%
<i>R-1 - Single Family Residential</i>	271.1	145.8	33%
<i>R-2 - Single Family & Duplex</i>	33.3	9.1	2%
<i>R-3 - Single, Duplex, Multi-Family</i>	60.8	28.7	7%
<i>R-4 - Single, Duplex, Multi-Family & Motel</i>	55.2	14.6	3%
TOTAL	441.0	200.7	46%

There are a number of vacant taxlots in the R-1 and R-3 zones that are encumbered not only by environmental constraints but also by other constraints such as access or infrastructure issues that have been indicated by City staff as potentially difficult to develop. A summary of these taxlots is provided in **Table 5** below. They have been mapped and included as **Figure 5** in the Buildable Lands Inventory Maps section.

These taxlots account for about 25% of the buildable residential land in the Yachats UGB. This is a significant portion of the city’s residential land supply. It will be important for the City to better understand the unique constraints of these sites and take steps to assist in their development as housing is needed on these sites to meet long-term needs.

Table 5. Taxlots that are Potentially Difficult to Develop, City of Yachats UGB, 2022

<i>Plan Designation or Zone District</i>	<i>Number of Taxlots</i>	<i>Buildable Acres</i>	<i>Housing Unit Capacity</i>
<i>R-1 - Single Family Residential</i>	2	16.7	58
<i>R-2 - Single Family & Duplex</i>	4	4.0	22
<i>TOTAL</i>	6	20.7	80

4. Housing Density Assumptions

The final step to the BLI analysis is applying projected housing densities to Yachats’ buildable lands to estimate Yachats’ total housing capacity. Maximum densities were calculated based on the Yachats Zoning and Land Use Code minimum lot size and maximum density requirements provided in sections 9.12-9.28 for Residential and Commercial zones.

Projected densities assume buildout at 80% of maximum density of the zone district. A 25 percent deduction is applied for ROW dedication and other easements in zones where maximum density is regulated through minimum lot sizes (R-1 and R-2).

In the commercial zone, 25% of land area is assumed to develop with residential uses. Further refinement of projected densities is expected as housing needs projections are completed and through discussion with staff and local stakeholders.



APPENDIX B: HOUSING NEEDS PROJECTION MEMO

To: Katherine Guenther City of Yachats
Date: August 9, 2022
From: Todd Chase & Tim Wood; FCS GROUP
CC: Jamin Kimmell & Rachel Cotton, Cascadia Partners
RE: Yachats UGB: **Final Housing Needs Forecast**

INTRODUCTION

This Memorandum provides a housing needs forecast for long-range planning purposes. The housing forecast represents a 20-year projection from 2023 through year 2043. These technical findings are intended to be consistent with State of Oregon requirements for determining housing needs for the Yachats Urban Growth Boundary (UGB) per Oregon land use planning Goals 10 and 14, OAR Chapter 660, Division 8, and applicable provision of ORS 197.296 to 197.314 and 197.475 to 197.490

METHODOLOGY

The methodology for projecting housing needs includes consideration of demographic and socio-economic trends, housing market characteristics and long-range population growth projections.

Regional (Lincoln County) and local (City or Urban Growth Boundary) population, households, income, and market characteristics are based on most current data provided by the U.S. Census Bureau (Census and American Community Survey), the U.S. Department of Housing and Urban Development (HUD), the United Way, Oregon Department of Housing and Community Services (OHCS), Portland State University (PSU) and the City of Yachats.

Where trends or long-range projections are provided by an identified data source, FCS GROUP has included extrapolations or interpolations of the data to arrive at a base year (2023 estimate) and forecast year (2043 projection). The result of this forecast translates population growth into households and households into housing needs by dwelling type, tenancy (owner vs. renter) and affordability level.

DEMOGRAPHIC AND SOCIO-ECONOMICS

Population

The City of Yachats reached a record-high population of 1,010 people in 2021. Lincoln County also attained a new record population of 50,903. Over the past two decades, Yachats has grown much faster than the Lincoln County average (**Exhibit 1**).

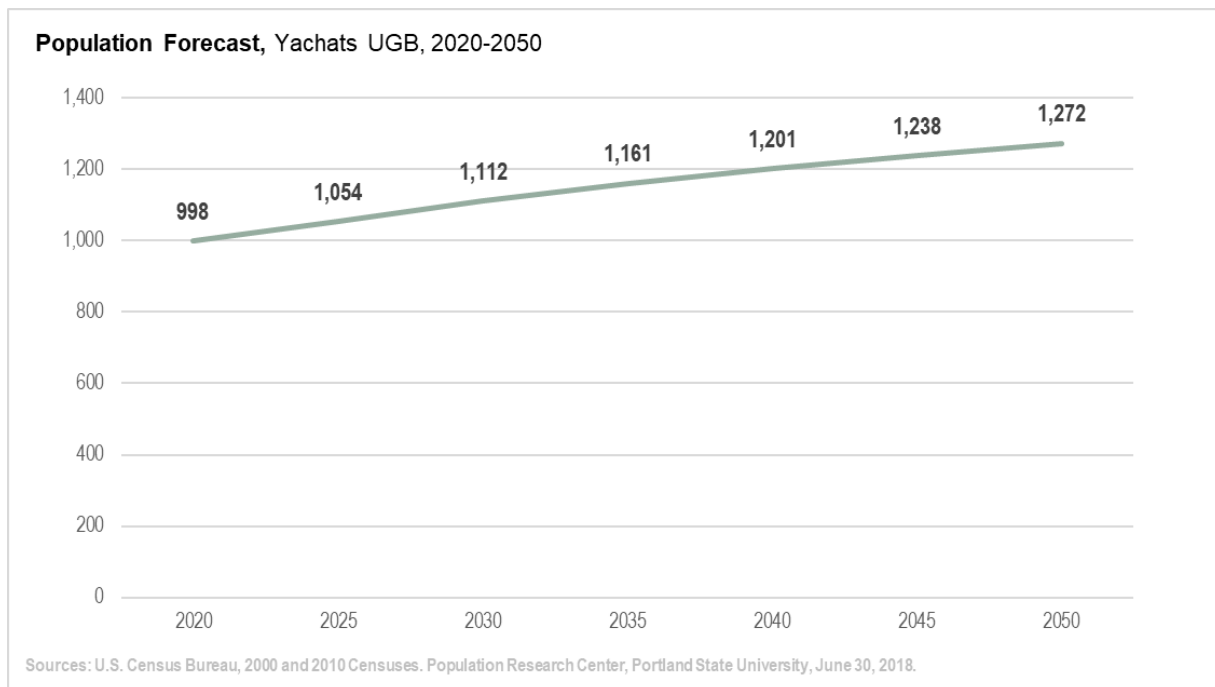
Exhibit 1: Population Trends (2000-2021)

	2000	2010	2021	2000-2021 AGR
Lincoln County	44,479	46,034	50,903	0.64%
Yachats	617	690	1,010	2.37%

Sources: Population Research Center, Portland State University, April 15, 2020

Long-range population forecasts prepared by PSU anticipate that 209 new residents will be added to the Yachats Urban Growth Boundary (UGB) over the next 20 years. This equates to a projected annual average growth rate (AGR) of 0.81% for the Yachats UGB (see **Exhibit 2**). Please note that the Yachats population growth forecast was adjusted upwards by 218 residents to account for a variance between most current population estimates and population forecasts. This adjustment was made in consultation with DLCD and the PSU Population Research Center.

Exhibit 2: Population Projections (2020-2050)



SOCIO-ECONOMIC CHARACTERISTICS

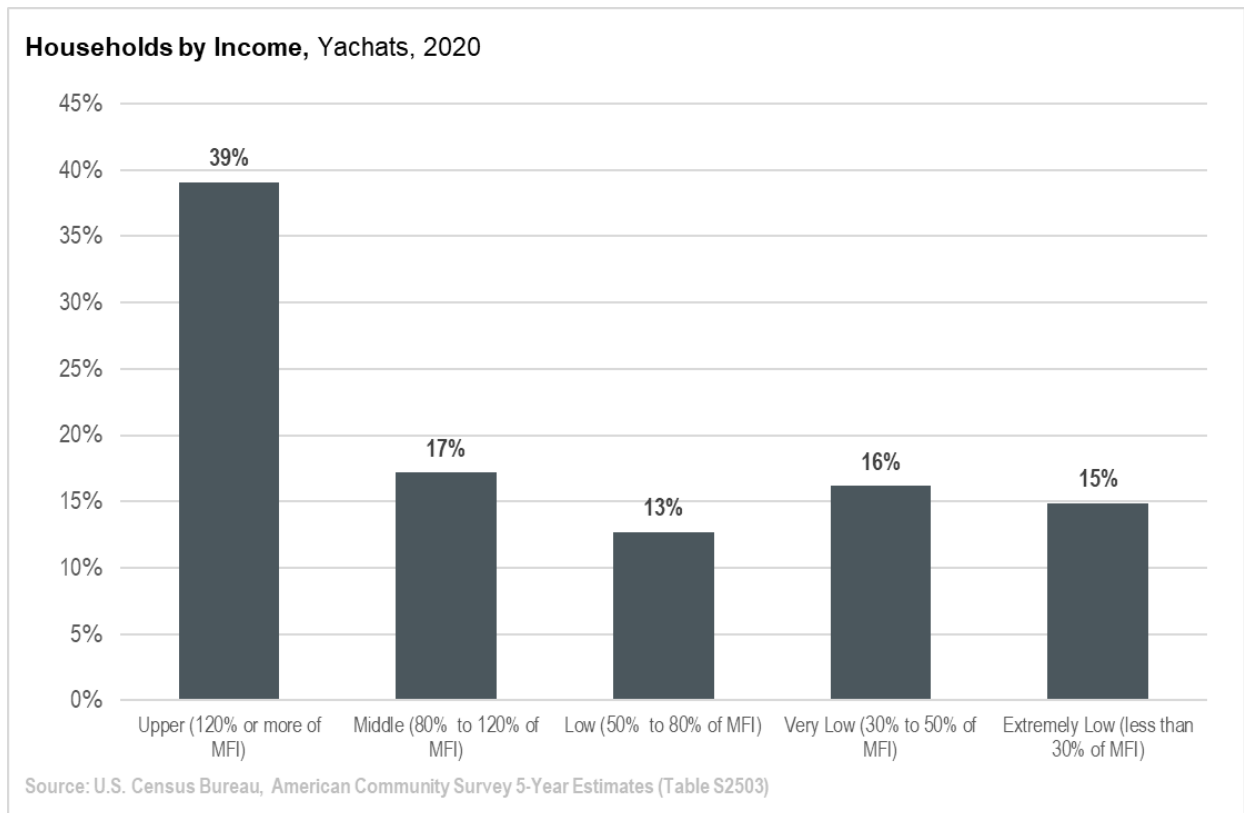
Income and Poverty

In 2020, the median family income (MFI) in Lincoln County was \$55,800, compared to \$51,000 in the City of Yachats. Yachats local income levels are much higher among owner households (\$64,792) than renter households (\$42,614).

Using the U.S. Housing and Urban Development area median income estimate (\$55,800) as a gauge, over 4 out of 10 households in Yachats could qualify as “low income” earning less than 80% of the area median income.

Exhibit 3 depicts the distribution of households by income level.

Exhibit 3: Households by Income Level, City of Yachats, 2020

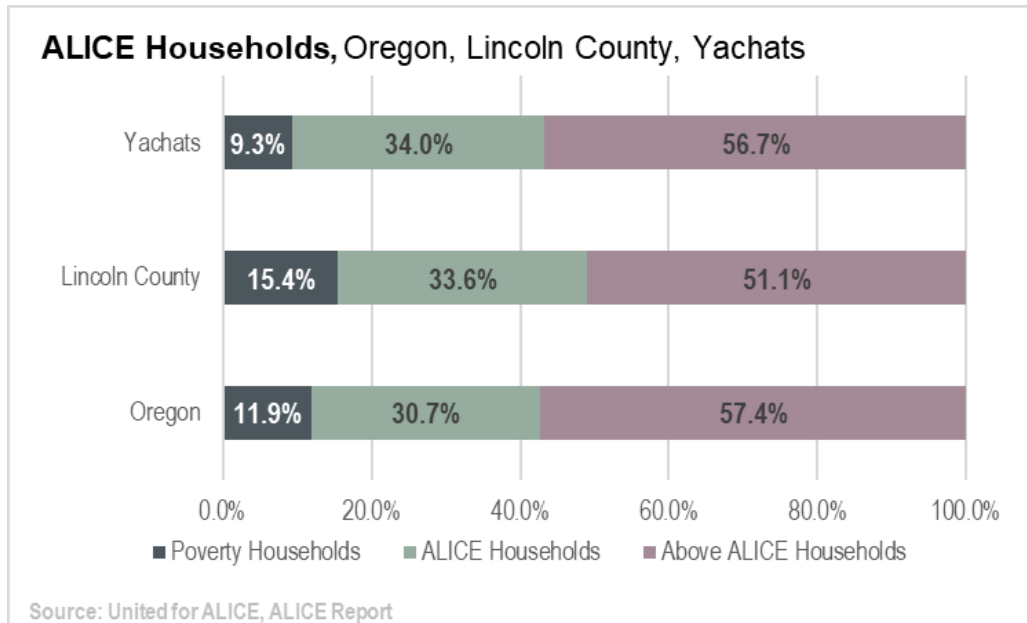


Like many rural communities across the U.S., an increasing share of Lincoln County and Yachats households are experiencing economic hardship as the cost of living rises faster than income levels.

In recognition of the shortcomings associated with federal poverty statistics, the United Way now provides a new measure of economically distressed households struggling in each county in a state. This effort provides a framework, to measure households that do not earn enough to afford basic necessities, with a population segment called ALICE (Asset Limited, Income Constrained, Employed). The ALICE methodology takes into account the total cost of household essentials – housing, child care, food, transportation, technology, and health care, plus taxes and a 10 percent contingency. ALICE data are calculated separately for each county, and for six different household types. For more information, please check out: <https://www.unitedforalice.org/methodology>

As of year 2018, 43.3% of the households in Yachats were either living in poverty or classified in the ALICE category, which is slightly above the state average of 42.6% (**Exhibit 4**). In light of the most recent recession that occurred during the first quarter of 2020 and the significant increase in housing costs that followed, the share of households living in poverty and in the ALICE category has likely increased.

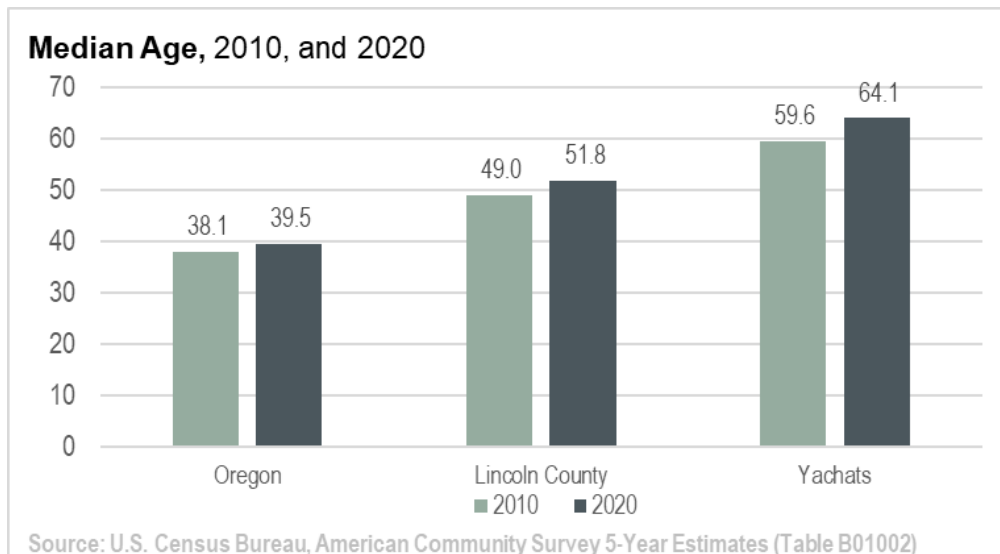
Exhibit 4: Poverty and ALICE Households, 2018



Household Age and Size

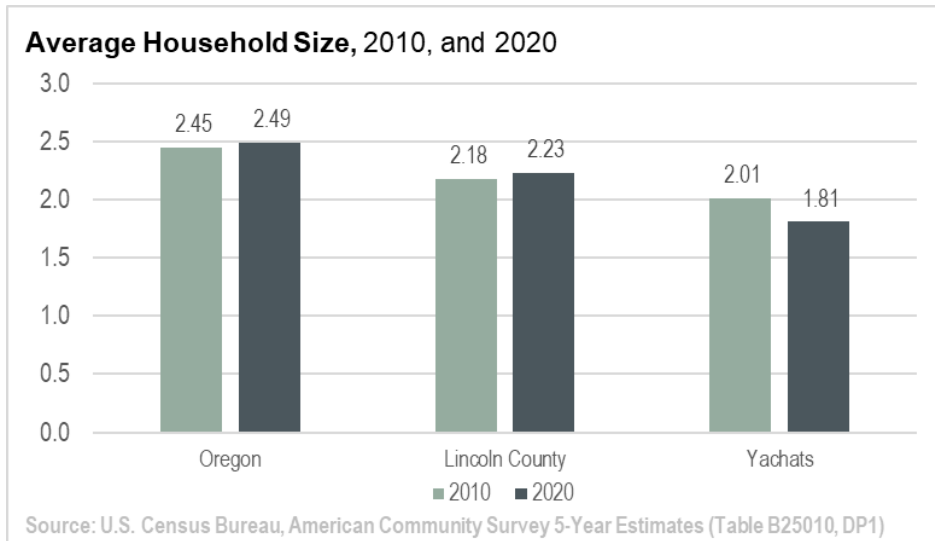
The median age of local residents in Yachats (64.1) is above the Lincoln County average (51.8) and the statewide average (39.5). As shown in **Exhibit 5**, the median age has been increasing over the past decade.

Exhibit 5: Median Age, 2010-2020



With an increasing number of “empty nesters” and younger families delaying marriages and having children, the average household size in Yachats has decreased significantly from 2.01 people per dwelling in 2010 to 1.81 in 2020 (**Exhibit 6**).

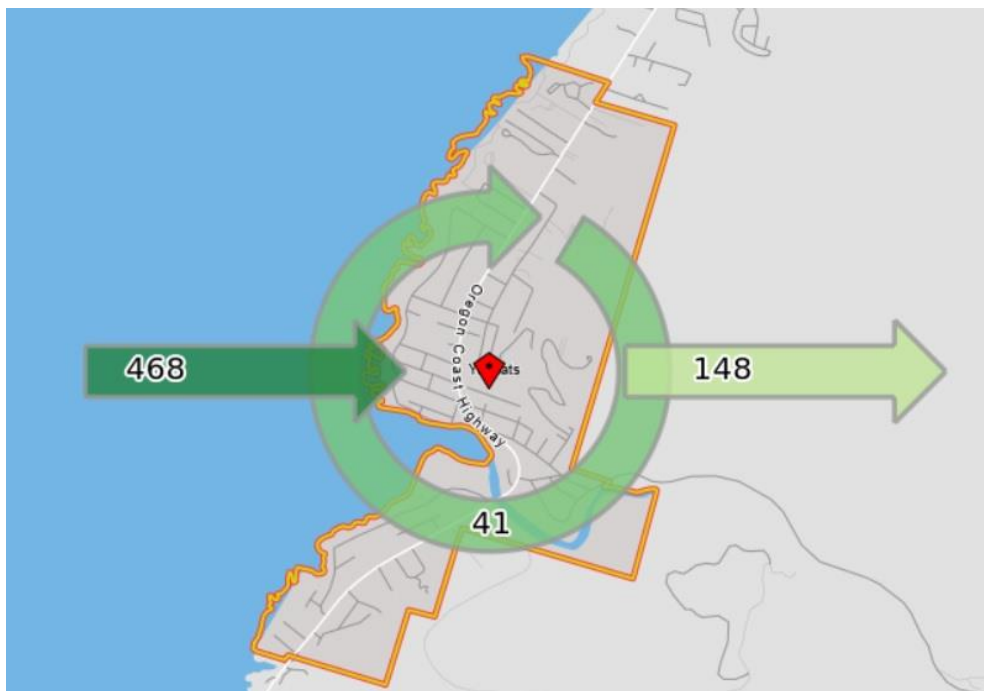
Exhibit 6: City of Yachats Average Household Size 2010-2020



Commute Patterns

Yachats is home to an estimated 1,010 people and 509 jobs. Over 9 in 10 jobs in Yachats are filled by workers living outside of the city. Just over half of the workers employed in Yachats commute less than 10 miles to their job. Another 30% of workers commute between 10 and 50 miles while the remaining 20% commute greater than 50 miles (**Exhibit 7**).

Exhibit 7: Work Commute Inflow/Outflow Characteristics, Yachats, 2019



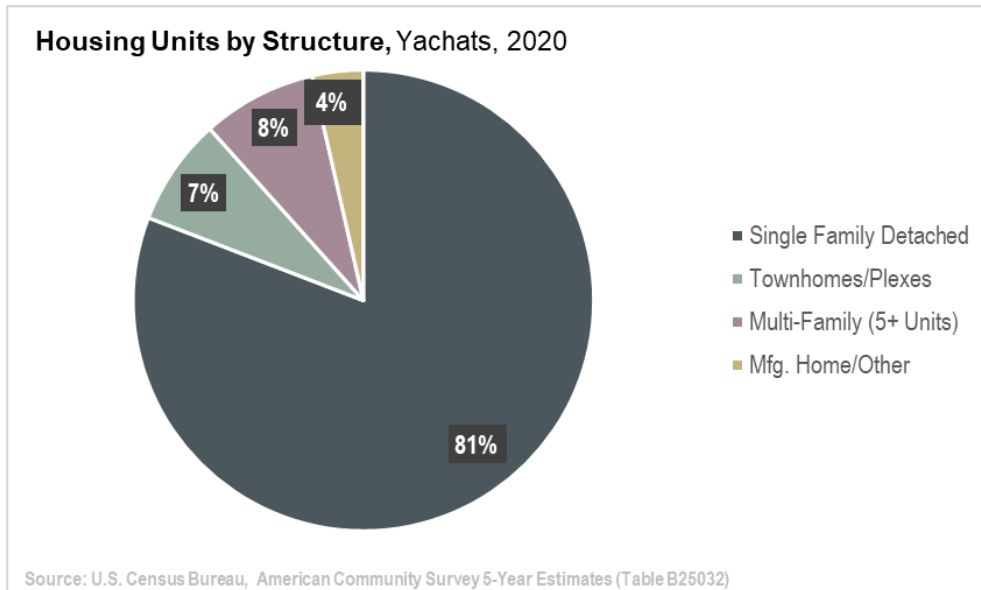
Source: U.S. Census On-the-Map data.

HOUSING INVENTORY AND TENANCY

Local housing inventory and tenancy patterns shed light on housing conditions and market demand preferences. In 2020, there were 783 housing units in the City of Yachats of which 330 units were classified as occupied and 453 units were considered as seasonal housing, vacant or for-sale.

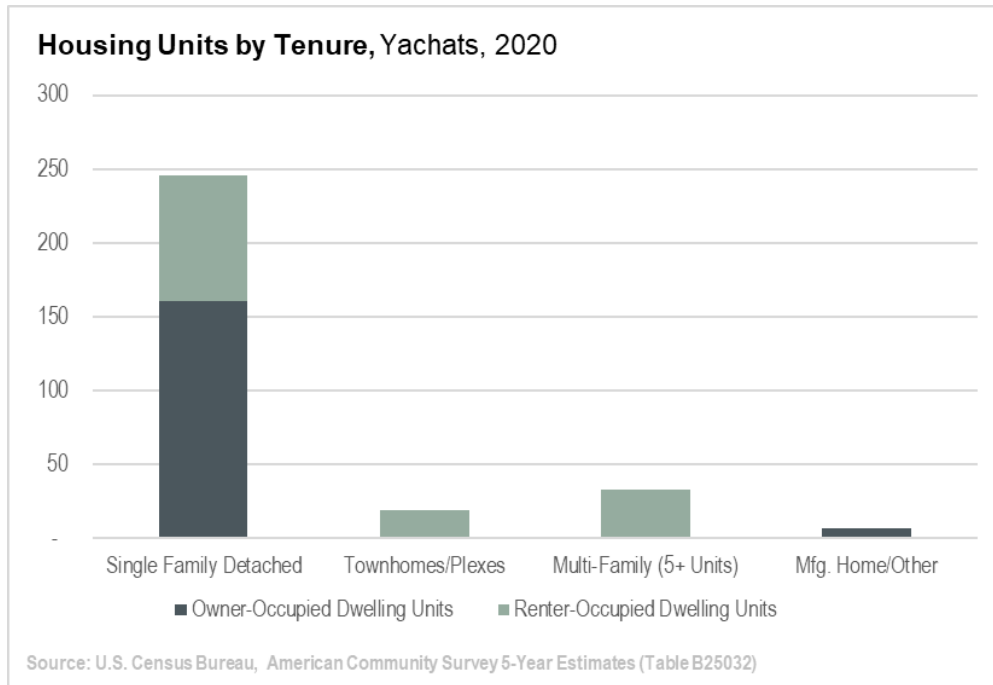
Like most cities in Oregon, single-family detached housing is the most prevalent housing type representing 81% of the local housing stock. The remaining housing inventory in Yachats includes multifamily (8%), townhomes and plexes (7%), and mobile homes (4%), as shown in **Exhibit 8**.

Exhibit 8: Existing Housing Inventory, 2020, City Yachats



Owner-occupied housing represents 55% of the local occupied housing inventory, while renter-occupied units account for the other 45% of the occupied housing inventory (**Exhibit 9**). Ownership is most prevalent among single-family detached and manufactured housing types, while renters are more likely to favor townhomes, plexes and multi-family units.

Exhibit 9: Existing Housing Tenancy, 2020, City of Yachats



HOUSING MARKET CHARACTERISTICS

To help understand housing attainability in Yachats, FCS GROUP examined current median family income (MFI) levels using U.S. Housing and Urban Development (HUD) guidelines that assume housing attainability is achieved when no more than 30% of income is expended for housing costs. For example, as shown below in **Exhibit 10**, an upper-middle household earning 80% of the area median income level (\$44,640) should be able to afford rents of up to \$1,116.

The rents shown in **Exhibit 10** are considered “attainable” if 30% of household income is allocated to housing and utilities.

Exhibit 10: Yachats Housing Affordable Analysis: Renters

Lincoln County Median Family Income Level (2020)*	\$55,800	
HUD Qualifying Income Level: Renters	Lower-end	Upper-End
Upper (120% or more of MFI)	\$66,960	or more
Middle (80% to 120% of MFI)	\$44,640	\$66,960
Low (50% to 80% of MFI)	\$27,900	\$44,640
Very Low (30% to 50% of MFI)	\$16,740	\$27,900
Extremely Low (less than 30% of MFI)	\$16,740	or less
Attainable Monthly Housing Cost: Renters (@30% of income)	Lower-end	Upper-End
Upper (120% or more of MFI)	\$1,674	or more
Middle (80% to 120% of MFI)	\$1,116	\$1,674
Low (50% to 80% of MFI)	\$698	\$1,116
Very Low (30% to 50% of MFI)	\$419	\$698
Extremely Low (less than 30% of MFI)	\$419	or less

*Note, this analysis is generally consistent with 4-person household size.

** See assumptions provided in supporting table.

Source: analysis by FCS Group using Housing and Urban Development data.

Currently, the HUD fair market rents within Lincoln County range from \$659 for an efficiency unit to \$1,767 for a four-bedroom unit, as shown below. This is what subsidized housing vouchers are based on and demonstrates the challenge of finding and developing housing at these price points.

Exhibit 11: Yachats Affordable Housing Analysis

HUD Fair Market Rent (FMR) by Unit Type, Lincoln County, 2020				
<small>Source: U.S. Department of Housing and Urban Development</small>				
\$659	\$812	\$1,012	\$1,460	\$1,767
Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom

Further analysis of the rental market indicates that there is a rental housing gap at the upper and lower end of the housing market in Yachats. **Exhibit 12** illustrates the relative extent of the rental housing gaps based on monthly rent levels in comparison to household incomes.

The current inventory of rental housing in Yachats primarily consists of units priced at \$500 to \$1,875 per month. This results in a gap in market supply for households that earn over \$75,000 who could likely afford newer or larger rental units priced above \$1,875/month (Exhibit 10 indicates a market gap of 10 units at this price point).

Market gaps are much higher for rentals priced below \$500 per month. In particular, the housing demand created by households earning less than \$20,000 has a market gap for an estimated 45 rental units. Rents in this income range would generally need government assistance to be considered affordable from HUD’s perspective. The potential for Yachats to add additional income restricted housing units will depend on many factors, such as availability of government grants and loans that can be used for developing affordable housing, as well as local policies that can help enhance feasibility of mixed-income apartment buildings.

Exhibit 12: Yachats Rental Housing Inventory Gap Analysis

Median Household Income Range	Affordable Monthly Rent Costs *	Renter-Occupied Households	Estimated Available Rental Units	Pent Up Demand
\$75,000 or more:	\$1,875	33	23	(10) market rate gap
\$50,000 to \$74,999:	\$1,250-\$1,875	21	25	
\$35,000 to \$49,999:	\$875-\$1,250	21	27	
\$20,000 to \$34,999:	\$500-\$875	23	69	
Less than \$20,000:	Less than \$500	48	6	(45) subsidized housing gap
Zero or Negative Income	Requires subsidy	3	-	
Total		149	149	(55)

Source: U.S. Census Bureau., American Community Survey 2016-2020; FCS GROUP.

A similar market gap analysis was performed for owner-occupied housing. However, the use of U.S. Census statistics for this type of analysis **may not provide an accurate portrayal of the demand generated by low-income households** since the U.S Census data compares the number of homeowners (by income level) with the number of attainably priced homes. For lower-income

households, if there were more for-sale housing products available at lower price levels (e.g., priced below \$150,000), there would be significant demand from current renters that wish to own a home.

Yachats home values have increased significantly in recent years. As indicated in **Exhibit 13**, median home values in Yachats increased to approximately \$492,000 in January 2022, up 21.4% annually over the past two years. Other cities in the region have experienced similar housing cost increases.

Exhibit 13: Zillow Home Value Price Index in Select Markets

	Jan-20	Jan-21	Jan-22	Annual Change %
Yachats	\$334,000	\$382,000	\$492,000	21.4%
Waldport	\$300,000	\$335,000	\$444,000	21.7%
Newport	\$327,000	\$355,000	\$458,000	18.3%
Lincoln City	\$319,000	\$353,000	\$474,000	21.9%
Florence	\$287,000	\$324,000	\$399,000	17.9%

Source: Zillow.com; analysis by FCS 4/09/22

HOUSING NEEDS FORECAST

Summary of Housing Needs

Based on the population projections described earlier, the total net new housing units required to accommodate an increase of residents equates to 271 housing units plus 2 people living in group quarters (see **Exhibit 14**). This *baseline housing need forecast* assumes that the current average household size, vacancy rate and group quarters population share (e.g., residents in congregate care facilities and housing shelters) remains constant.

Exhibit 14: Yachats Housing Need Forecast

	2023	2043	Change
Yachats UGB Population	1,022	1,231	209
Less Group Quarters (1%)	10	12	2
Pop in Households	1,012	1,219	207
Avg. Household Size	1.81	1.81	1.81
Households (year round)	559	673	114
Vacancy and Seasonal Housing Assumption	58%	58%	58%
Growth-related Housing Demand (dwelling units)	1,326	1,598	271

Source: Previous Tables

Housing Demand by Dwelling Type and Tenancy

This housing forecast is generally consistent with the observed mix of housing types in Yachats. Additional housing forecast scenarios have been considered during the planning process to anticipate impacts of new policy objectives, such as:

- Local policies aimed at incentivizing development of any pent-up market demand, especially for moderately priced or affordable (subsidized) rental apartments.

- Ability to provide adequate infrastructure (water, sewer, and road capacity) to create new planned unit developments or single-family subdivisions.
- Changes in land use designations to create additional opportunities for middle housing types, such as duplexes, townhomes and apartments.

Based on direction received from the Yachats City Council and Planning Commission, the housing needs projection expects an increased share of middle housing types in the city over the next 20 years. The housing demand forecast includes: 190 single-family detached homes, 38 middle housing units, and 32 multi-family units (see **Exhibit 15**).

Exhibit 15: Yachats Baseline Housing Need by Tenure & Housing Type

	Owner-Occupied Dwelling Units	Renter-Occupied Dwelling Units	Seasonal & Vacancy Allowance (Units)	Total Dwelling Units
Housing Type Distribution				
Single Family Detached	50	18	122	190
Townhomes / Plexes	9	13	16	38
Multi-family (5+ units)	-	18	14	32
Mfg. homes	3	3	5	11
Total	63	52	157	271
Group quarters (pop)				2

In addition, it is anticipated that there will also be the need to accommodate another 2 people in some form of group quarters housing (such as congregate care, assisted living, etc.).

Exhibit 16 identifies that housing products that are consistent with the projected housing need for Yachats.

Exhibit 16: Projected Baseline Housing Demand by Income Level, Yachats

Housing Type	Total Dwelling Units	Attainable Housing Products
Upper (120% or more of MFI)	107	Standard Homes
Upper Middle (80% to 120% of MFI)	63	Cottage Homes, Townhomes, Apartments
Lower Middle (50% to 80% of MFI)	50	Townhomes, Mfgd. Homes, Plexes, Apts.
Low (less than 50% of MFI)	20	Govt. Assisted Apts. & ADUs
Very Low (less than 30% of MFI)	32	Govt. Assisted Apts. & ADUs
Total	271	

If the current UGB is deemed to be more than adequate to accommodate this level of baseline housing growth, it would be advisable for the city to also plan on addressing the additional housing market gaps described above. That would increase the overall rental housing demand and related land need by approximately 55 dwelling units as a mix of apartments, townhomes, accessory dwellings and/or manufactured homes.

APPENDIX C: RESIDENTIAL LAND NEEDS ANALYSIS MEMO

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MEMORANDUM

TO: Katherine Guenther, City Planner, City of Yachats;
Heide Lambert, City Manager, City of Yachats;
Jacqueline Danos, Yachats Planning Commissioner

FROM: Rachel Cotton, Senior Associate at Cascadia
Partners, LLC

DATE: September 21, 2022

PROJECT: Yachats' Housing Needs Analysis

SUBJECT: *Residential Land Needs Analysis*

This memorandum summarizes the 2022 Residential Land Needs Analysis (RLNA) results and methodology for the City of Yachats' Urban Growth Boundary (UGB). This analysis uses findings from Yachats' buildable land inventory (land supply analysis) and Yachats' 20-year housing needs projection (housing demand analysis) to conclude whether Yachats has enough buildable land to accommodate its housing needs for the 20-year period between 2022 and 2042.

The results of the RLNA will inform recommended measures and strategies for the City to address its housing needs. These measures and strategies will be identified in the final Housing Needs Analysis (HNA) report.

Summary of Residential Land Needs Analysis

Yachats has enough land to accommodate population growth over the next 20 years and satisfy the need to develop various housing types according to current demographic trends and maximum zone densities.

According to the 20-year housing needs projection, Yachats will need an additional 271 units to accommodate the city's growth in the next 20 years. The buildable land inventory identified 79.7 acres of buildable vacant and partially vacant land in Yachats. It is estimated that 326 housing units could be developed on these buildable lands, exceeding the projected need for 271 units.

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Evaluating housing capacity by housing type, however, highlights a potential deficit of land for townhomes/plexes and multi-family housing. As indicated in Table 1, there is a projected deficit of 23 townhome/plex units and a deficit of 4 multi-family units. Although townhomes/plexes and multi-family housing types are allowed in most zones, very few have been built in Yachats since 2000. If these development trends continue it is likely that the residential land supply will be used predominantly for single-family detached housing and result in a shortage of land available for townhomes/plexes, and multi-family housing.

Table 1. 20-year Housing Need vs Estimated Unit Capacity by Housing Type, City of Yachats UGB, 2022

<i>Housing Type</i>	<i>20-Year Need</i>	<i>Estimated Capacity</i>	<i>Surplus/(Deficit) (Capacity – Need)</i>
Single Family Detached	190	251	61
Townhomes/Plexes	38	15	(-23)
Multi-Family (5+ units)	32	28	(-4)
Manufactured Homes	11	32	21
Total	294	326	55

There are several strategies and measures available to the City to address this deficit. Some of these strategies include:

- **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
- **Prohibit single-family detached housing** in one or more of the city’s higher density residential and commercial zones, such as R-3, R-4, and C. This would preserve buildable land in these zones for townhomes/plexes and multi-family housing.
- **Establish a minimum density** standard in higher density residential and commercial zones which would encourage townhomes/plexes and multi-family units and discourage lower density single-family housing.
- **Reduce minimum lot size** standards in one or more of the city’s higher density residential and commercial zones in order to use land more efficiently and increase the capacity for townhomes/plexes and multi-family housing in those zones.

These strategies and other approaches will be evaluated in more detail in the draft HNA report.

Methodology

To assess Yachats' supply of residential land, this analysis pulls findings from both the previously completed buildable land inventory and the housing needs projection. The analysis also uses data on historical residential development patterns and zoning standards to make projections about the mix of housing types that are projected to be developed in each zone.

Buildable Land Inventory Findings

The buildable land inventory indicates that Yachats has 79 acres of unconstrained vacant and partially vacant residential land across all zones that allow residential uses. Table 2 summarizes the buildable land inventory by zone district.

Table 2. Buildable Land Inventory, City of Yachats UGB, 2022

<i>Plan Designation or Zone District</i>	<i>Gross Acres</i>	<i>Constrained Acres</i>	<i>Vacant Acres</i>	<i>Partially Vacant Acres</i>	<i>Net Buildable Acres</i>
<i>Commercial</i>	20.7	2.5	2.2	0.2	2.4
<i>R-1 - Single Family Residential</i>	271.1	145.8	41.2	7.2	48.4
<i>R-2 - Single Family & Duplex</i>	33.3	9.1	1.8	1.4	4.8
<i>R-3 - Single, Duplex, Multi-Family</i>	60.8	28.7	9.6	2.9	12.5
<i>R-4 - Single, Duplex, Multi-Family & Motel</i>	55.2	14.6	2.9	7.2	11.5
TOTAL	441.0	200.7	57.7	18.8	79.7

Housing Needs Projection Findings

The housing needs projection concludes that Yachats will need 271 additional housing units in the next 20 years to accommodate its population growth. The housing type distribution of these units was based on Yachats' existing housing type distribution, demographic and housing factors detailed in the housing needs projection memorandum, and direction received from the Yachats City Council and Planning Commission stating that the city anticipates that housing need will include an increased share of multiple-unit housing over the next 20 years.

The housing needs projection includes an allowance for seasonal, vacant, and for-sale housing based on the city's current vacancy rate of 58 percent. Table 3 is based on data included in the housing needs projection memorandum and depicts the breakdown of projected housing need by housing type.

Table 3. Housing Need Projection by Housing Type,
City of Yachats UGB, 2022 – 2042

<i>Housing Type</i>	<i>Existing Distribution</i>	<i>Projected Distribution</i>	<i>Projected 20-Year Need (Units)</i>
<i>Single Family Detached</i>	81%	70%	190
<i>Townhomes/Plexes</i>	7%	14%	38
<i>Multi-Family (5+ Units)</i>	8%	12%	32
<i>Manufactured Homes</i>	4%	4%	11
<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>271</i>

Residential Land Needs Analysis Methodology

Findings from the buildable land inventory and housing needs projection alone can conclude that Yachats has more than enough land to accommodate future housing need. The RLNA is seeking to further confirm that Yachats' sufficient buildable land and estimated unit capacity can satisfy future housing need by housing type. To do so, this analysis assumes a projected housing mix of estimated capacity by zone based on historical development trends and existing code allowances.

HISTORICAL DEVELOPMENT PATTERNS

According to county assessor data, depicted in Table 4 and reflecting development trends since 2000, 310 new dwelling units have been constructed and/or installed since 2000.

- Slightly less than half of these units (144 total) were built in the R-1 zone, 21 percent (64 total) were built in the R-4 zone, and 18 percent (55 total) were built in the R-3 zone.
- 75% of housing built in Yachats since 2000 has been single family detached housing, 2% has been townhouse or plex housing, 15% has been multi-family housing, and 8% has been manufactured housing.

These development patterns indicate that property owners and developers primarily pursued the construction or installation of single-family homes and manufactured homes on individual lots, with a few townhouses and plexes developed in the Commercial zone. The Fisterra Gardens project in the R-3 zone is the only multi-family project that has been developed in Yachats since 2000.

Table 4. Housing Built by Housing Type and Zone, 2000 - 2022, City of Yachats UGB

	C	R-1	R-2	R-3	R-4
Number of Units					
Single Family Detached	12	131	20	5	64
Townhouses/Plex	7	0	0	7	0
Multi-Family (5+ Units)	0	0	0	46	0
Manufactured Homes	2	13	6	4	0
Total	21	144	26	55	64
Percent of Total Units					
Single Family Detached	57%	91%	77%	9%	100%
Townhouses/Plex	33%	0%	0%	0%	0%
Multi-Family (5+ Units)	0%	0%	0%	84%	0%
Manufactured Homes	10%	9%	23%	7%	0%
Total	7%	46%	8%	18%	21%

Source: Lincoln County Assessor Data

PROJECTED HOUSING MIX AND DENSITY

A projected mix of housing types in each zone was estimated using development trends in Yachats since the year 2000 detailed in Table 4 as well as the overall mix of housing in the city. A baseline estimate of at least 60% single family detached housing was projected for each zone, with a higher percentage of other housing types projected in zones that allow higher density housing. The share of multi-family development in the R-3 zone detailed in Table 4 was treated as an outlier case rather than a trend.

Given the projections included as Table 5, there is a potential deficit of land for townhomes/plexes and multi-family housing in Yachats. There are several strategies and measures available to the City to address this deficit. These strategies and measures will be evaluated in more detail in the draft HNA report.

Table 5. Projected Housing Mix and Capacity by Zone, City of Yachats UGB

	<i>C</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>
<i>Projected Mix (% of Units)</i>					
Single-Family Detached	60%	90%	80%	60%	60%
Townhouses/Plex	10%	0%	10%	10%	10%
Multi-Family (5+ Units)	20%	0%	0%	20%	20%
Manufactured Homes	10%	10%	10%	10%	10%
<i>Projected Density (u/ac)</i>					
Single-Family Detached	4.4	3.5	4.4	4.4	4.4
Townhouses/Plex	8.7	--	7.0	7.0	7.0
Multi-Family (5+ Units)	10.5	--	--	8.5	8.9
Manufactured Homes	4.4	3.5	4.4	4.4	4.4
<i>Overall Average Density</i>	6.0	3.5	4.6	5.5	5.5
<i>Buildable Acres</i>	2.4	48.4	4.8	12.5	11.5
<i>Total Unit Capacity</i>	4	169	22	68	63
<i>Total Unit Capacity by Type</i>					
Single-Family Detached	2	152	18	41	38
Townhouses/Plex	0	0	2	7	6
Multi-Family (5+ Units)	1	0	0	14	13
Manufactured Homes	0	17	2	7	6



**CITY OF YACHATS
PLANNING WORK SESSION & REGULAR
COMMISSION**

**MEETING SUMMARY MINUTES
City Hall, 441 Hwy 101 N, OR 97498
Tuesday, April 21, 2026, 2026**

WORK SESSION

- I. Planning Work Session Commission Meeting 2:00 pm**
- II. Call to Order**
- III. Roll Call**

Committee Members	P/A
Marc Sakamoto, Chair	P
Craig Hogan	P
Loren Dickinson	P
Mary Aebi, Vice Chair	P
Jolene Gosselin	P
David Diamond	P
Steve Chase	P

Staff Members	
Bobbi Price, City Manager	Neal Morphis, City Clerk
Kimmie Jackson, Recorder	Katherine Guenther, Planner

Work Session

- I. **(02:43)** The Planning Commission reviewed public feedback from the Cascadia Partners engagement. A primary focus was the adequacy of the City's water supply in light of climate change and potential population growth, with Commissioners expressing concern that existing models may not fully capture long-term impacts. At the same time, staff indicated updated analyses are underway and suggest some remaining capacity. It emphasized the need for clearer, quantifiable projections from Cascadia Partners on expected growth

and housing uptake to better evaluate infrastructure and service impacts.

Discussion continued to include concerns about redevelopment trends, particularly the possibility of corporate acquisition of older homes for higher-density projects, though some noted this may fall outside the immediate scope of the code update; and talked about zoning and legal uncertainties, interpretation of recent state legislation affecting housing density, height limits, and the enforceability of CC&Rs.

The group also discussed process improvements, including breaking proposed code amendments into smaller, more manageable ordinances and prioritizing state-mandated changes. The work session concluded with consensus on the need for additional data, legal clarification, and a more structured approach to developing recommendations, with no formal actions taken.

Adjourn Work Session at 3:15 pm

Regular Session 3:17 pm

- I. Announcement/Correspondence** - None
- II. (1:20:20) Citizens' Concerns** -Residents made comments regarding the Cascadia Partners - Housing: Don Phipps, John Theilacker & Jacquiline Danos.
- III. New Business**
 - a. **(1:39:44) Uhan Variance extension** - There were no changes to the original variance; concerns were about debris and stormwater runoff due to the steep slope and nearby storm drains. The broader issue will be addressed through future updates to City ordinances.

Motion:	The vote was called to extend Permit Case #1-VAR-PC-25 Uhan, a one-year extension.			
Ayes:	Hogan, Dickinson, Aebi, Diamond, Chase, Gosselin, and Sakamoto	Nays:	Absent:	Abstained:
Passed:	7/0			

IV. Ongoing Business

- a. (1:54:53) Noxious Weeds - Loren commented that the ordinance has updated language and is reviewing to ensure it is current and aligns with other City codes, with Katherine's assistance with the code to avoid conflicting requirements.
- b. (1:59:22) Tree Ordinance - The tree ordinance is in the early outline stage and is being developed using examples from other communities. The intent is to make the ordinance comprehensive and adaptable, allowing the City to qualify for the "Tree City USA" designation in the future, which requires elements like a governing board. Both ordinances are being reviewed for completeness and enforceability, with drafts expected to be ready for further input soon.

V. (2:01:46) Reports

- a. The Commission Chairs' Meeting - No report
- b. Planners' Report is attached to the online packet.
- c. Meeting Summary Minutes - No comments

Adjourn City Council Meeting 4:03 pm

Minutes prepared by Kimmie Jackson, Recorder

PLANNING COMMISSION ISSUES LIST as of 05/19/26

Item #	Description	Assigned	Due Date	Status
5	Amend Title 9 for Housing Implementation Plan			<p>Cascadia Partners. 02/18/25: Contact changed at Cascadia. KG to forward questions to new contact. 01/02/25: KG to reach out to Rachel at Cascadia with final version.12/27: Draft questions forwarded to Yachats PM for review. 12/10: Creating questions for CP to review. 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 implementaion 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 DLCDC funding. Contact Cascadia Partners to get estimate of cost of hiring them to complete task. have made changes for HIP.</p>
6	Revise/update City Comprehensive Plan			<p>02/17: Will look for possible updates at next meeting.11/18: Identified Goal G as one to focus on. Cascadia Partners offered assistance of their urban planner. Developing questions to as 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.</p>
7	Update application fees	KG		<p>05/20: Fees update completed. PC to review.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.</p>

8	Ordinance for ADU's			<p>Cascadia Partners. 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.</p>
11	Consolidate minor updates to ordinances			<p>06/11: On hold until after completion of #5. 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.</p>

12	Content for city social media			12/16: Next article ready for newsletter. 10/15: Latest article on code approval process submitted. 06/17: Zoning variances suggested as next topic. 05/20: MA to work with MS on topics. 03/17 Content on ADU submitted to BP. 01/14/25: Content reviewed by commission and submitted to BP for 02/25 newsletter. 12/10: Needs content to create article. MS to provide. 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.
15	Update mobile home regulations			Cascadia Partners. 03/26: To be included in code updates by Cascadia. 12/10: Needs review to update to current state law.
16	Define SRO	DF		Cascadia Partners. 06/17 : DF provided based on state reg.
17	Update Setback code	DF		06/17: General agreement that should be a variance.
18	Define Family Unit	DF		Cascadia Partners. 06/17: DF provided suggestion. May also be addressed by Cascadia.
19	Noxious Weed Ordinance	LD		03/17: Process for creating list completed. Will review draft ordinance at next meeting. 02/17: LD will cleanup draft regulations and present at next meeting.12/16: Review list of plants. LD to discuss with BP who is responsible for list going forward. 12/16 LD and MS to meet to review draft. 11/18: Draft reviewed in commission meeting. 08/15: LD working with Parks and Commons and will use their requirements for city wide ordinance
23	Public Works joint issues			03/17: KG to review with PWC before discussing with PC. 12/16: PWC has submitted list of issues that may overlap with PC.
24	Tree Ordinance	LD		03/17: After initial meeting of work group, will continue to outline ordinance.

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.
14	Create Folder for Cascadia Partners Document		KG	CLOSED. 12/10: KG to talk to Neal about organization of documents. 11/19: KG to create folder on website to store all documents.

1	Schedule next training session	KG	08/19: Closed pending changes for planner position. 01/21/25: Completed training with Hui. Do we need another to elaborate on topics discussed? 12/17: KG to meet with Hui R. about training on commission roles, staff relations, meeting practices. 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.
20	Water Conservation	CH	11/18/25: Closed. No Planning Commission issues
2	Complete Wetland Inventory	KG	02/17: City Council and Mayor now receiving monthly updates from DSL. 11/18: DSL and Pacific Habitat working through issues. 07/30: Per BP,KG still responding to questions from DSL. 05/20: Per BP should be completed in 30 days. 03/18: KG has received questions from DSL regarding inventory. 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.
22	Future Water Requirements		02/17: Rick provided updates to document and projects adequate water for the future. City will continue to work on additional supplies as needed. 12/16: Rick provided updated document. Will submit revised public statement at next meeting
21	Shepherd Conditional Use site plan	KG	02/17: Per KG, site plan has been submitted. 12/16: Not submitted 11/18: Determine if detailed site plan has been submitted.
13	Include updates to Title 9 in city document		03/17: Per KG and BP, online Municipal Code now includes updates. Closed 05/20 Final still not included in Municipal Code. 11/19: Followup to make sure that changes approved by City Council are added in writing to Title 9.

