



City of Yachats
441 N. Hwy 101, Civic Meeting Room 1
Tuesday, June 16, 2026, 2:00 PM

To Be Held In-Person & Via Zoom

[Join Zoom Meeting](https://us02web.zoom.us/j/88930451065)
<https://us02web.zoom.us/j/88930451065>
Meeting ID: 889 3045 1065

Planning Commission Work Session and Regular Meeting

Work Session Starts at 2:00 PM

- *****No Public Comment is taken at Work Sessions**
- Call to order
- Discussion of Draft Code Amendments

Regular Session Starts at 3:00 PM

I. Call to Order

II. Announcements & Correspondence

- a. Correspondence received regarding housing from April 1-June 10, 2026

III. Citizens' Concerns (limited to items not on the Agenda, 5-minute limitation per person)

IV. New Business

- a. Presentation by Jacky Lee – 1000 Friends of Oregon

V. Public Hearing

- a. Wright Conditional Use – Case File #1 –CUP–PC–26

VI. Ongoing Business

- a. Noxious Weed Ordinance
- b. Tree Ordinance
- c. Draft Code Amendments

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 June 11, 2026 By: Kimmie Jackson, Recorder

PUBLIC REVIEW 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

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” (MHLD) 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.

“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;

- 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.

~~1. 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)

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:
 - ~~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. 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)

[...]

§ 9.16.040. 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.~~

(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,

§ 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:~~

1. Total lot coverage shall be no more than 60% 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~~ 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 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.

(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. High-way 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 60% 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:

- 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).

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

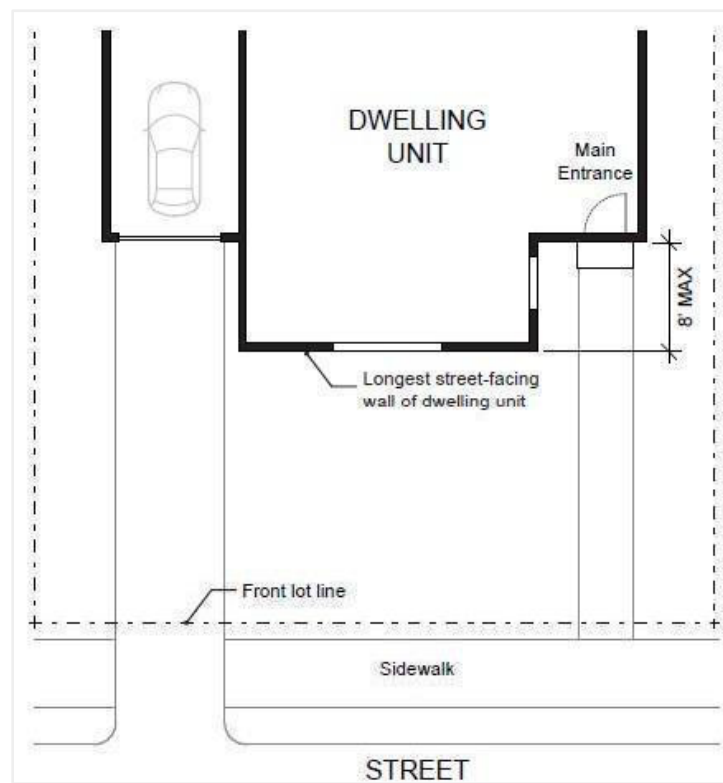


Figure 9.50.020.b Main Entrance at 45° Angle from the Street

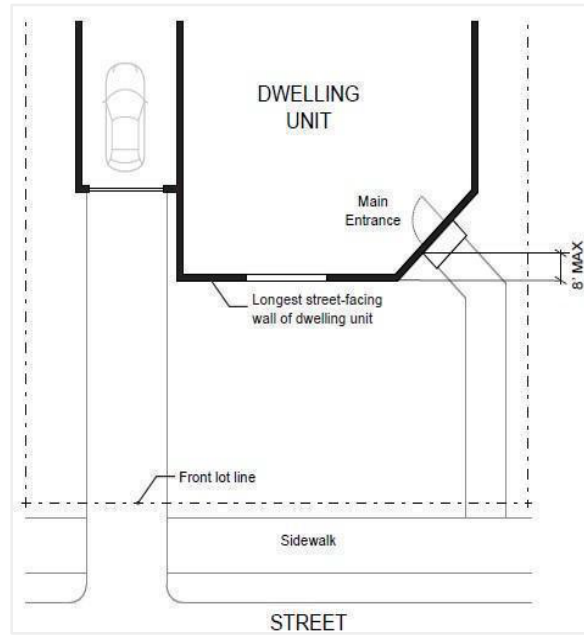


Figure 9.50.020.c Main Entrance Facing Common Open Space

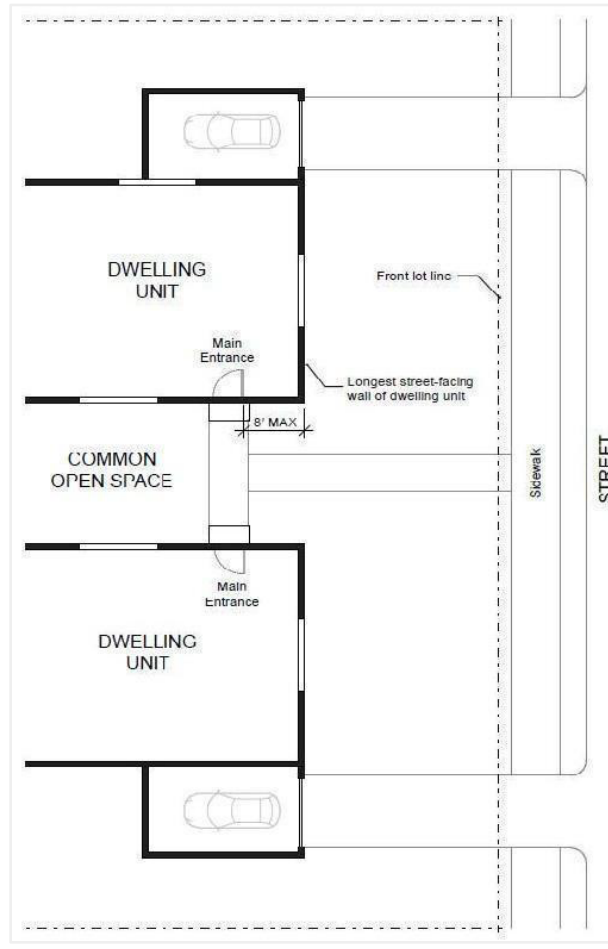
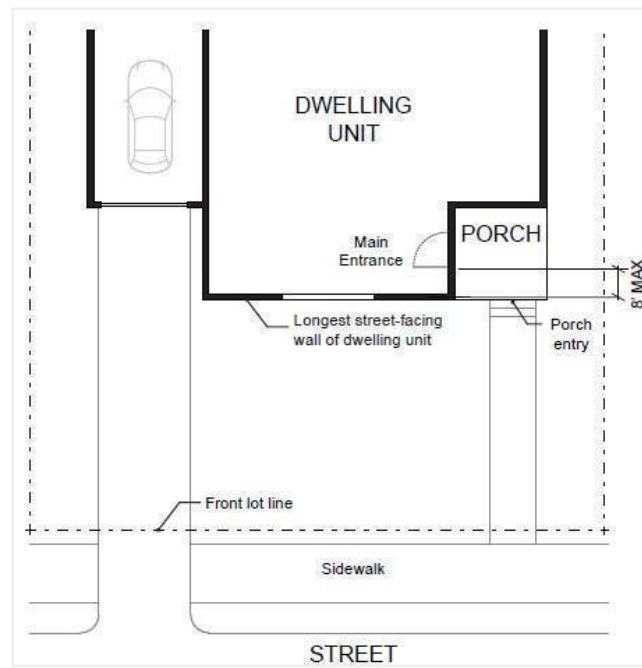


Figure 9.50.020.d Main Entrance Opening onto a Porch



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.

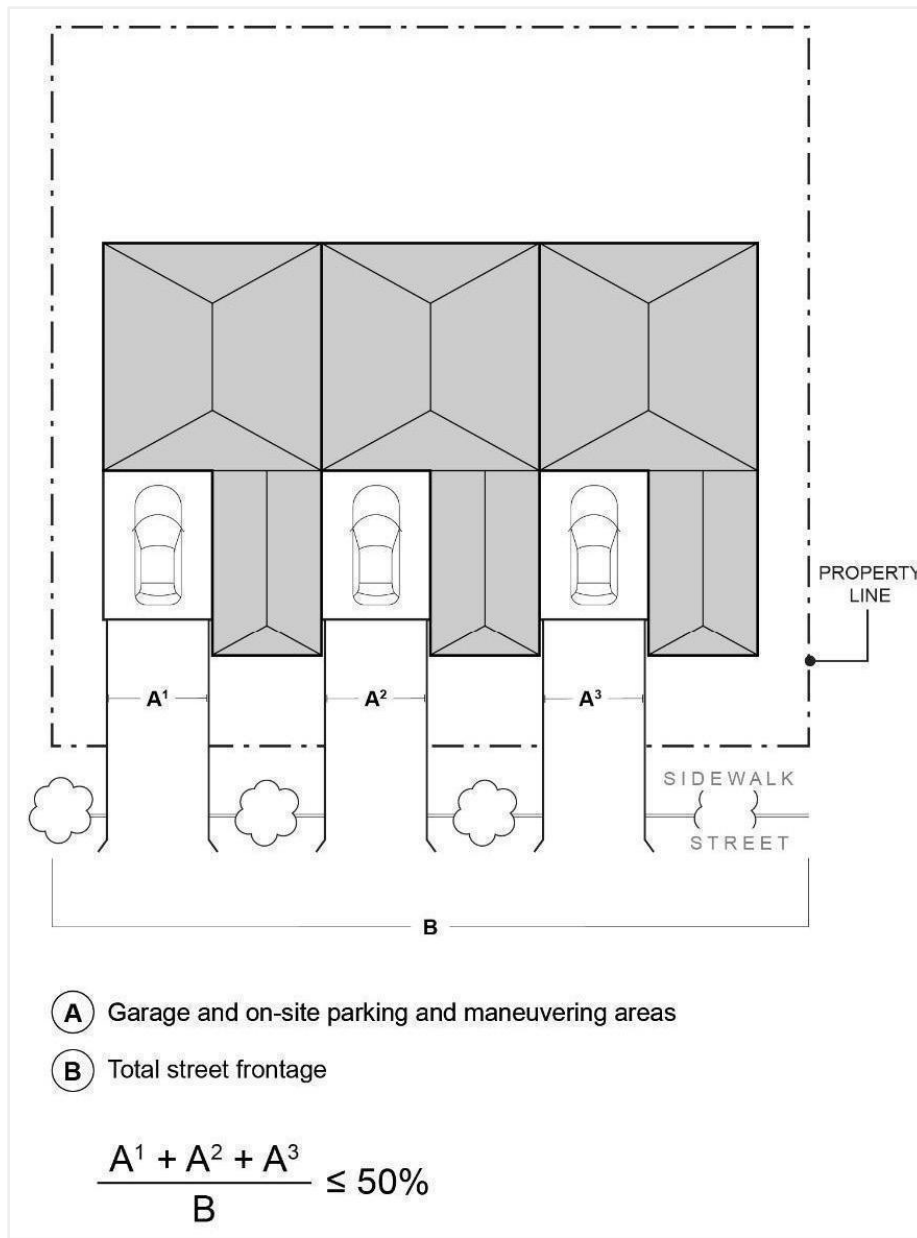
2. Exceptions. The following facades are exempt from these standards:

- 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

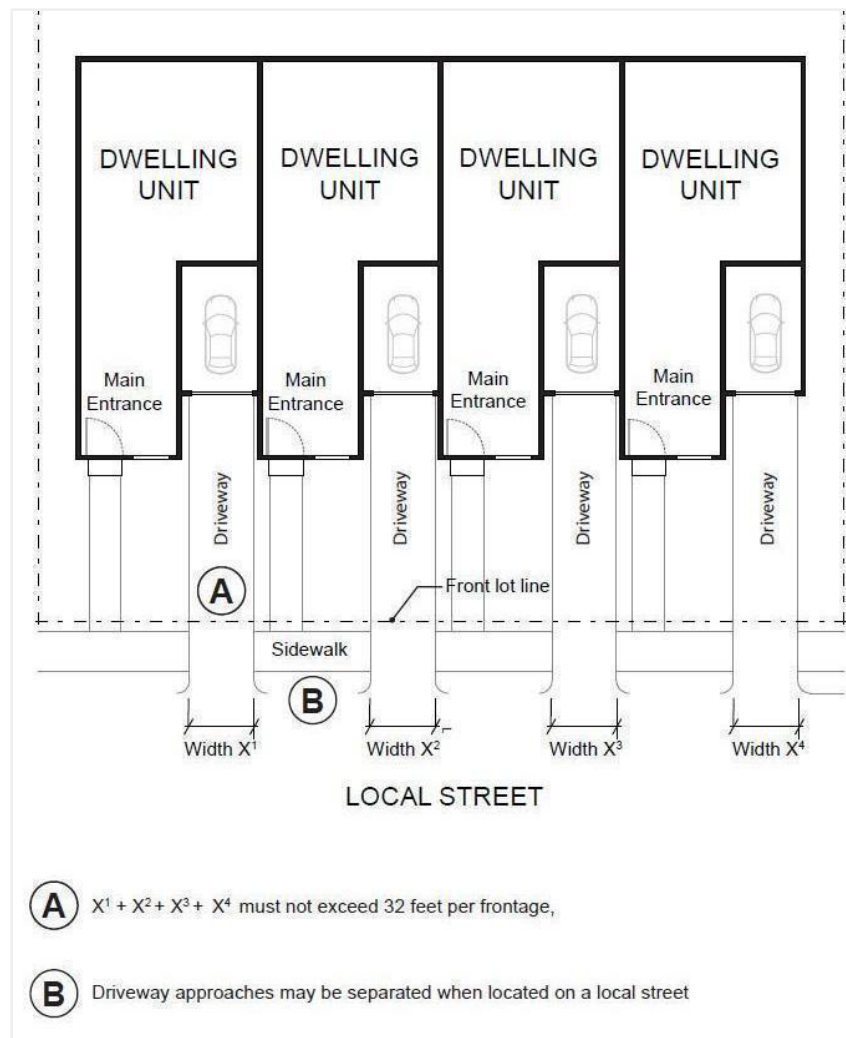


Figure 9.50.020.g Alley Access

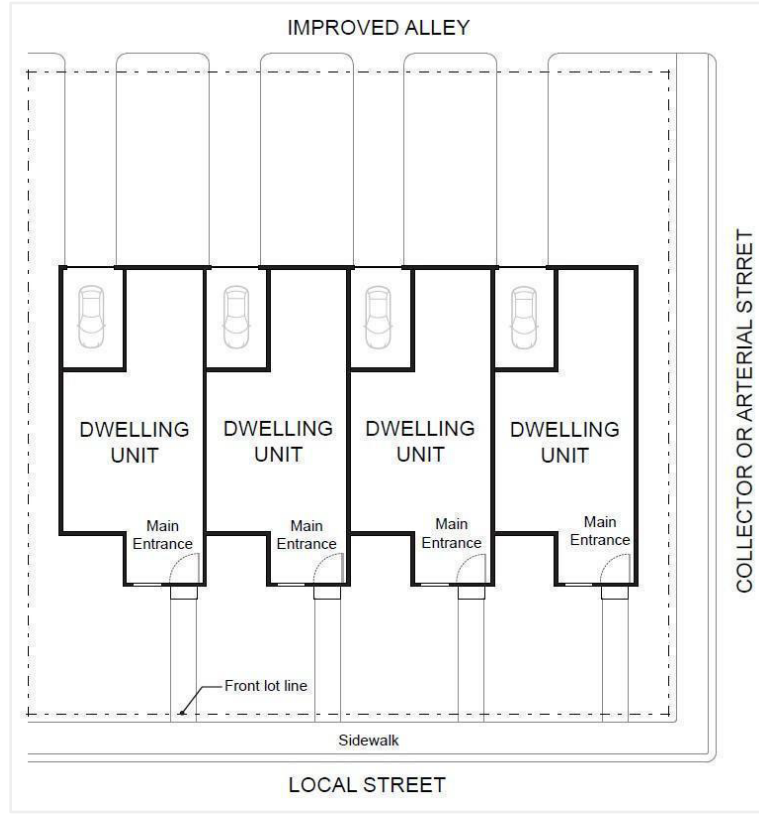
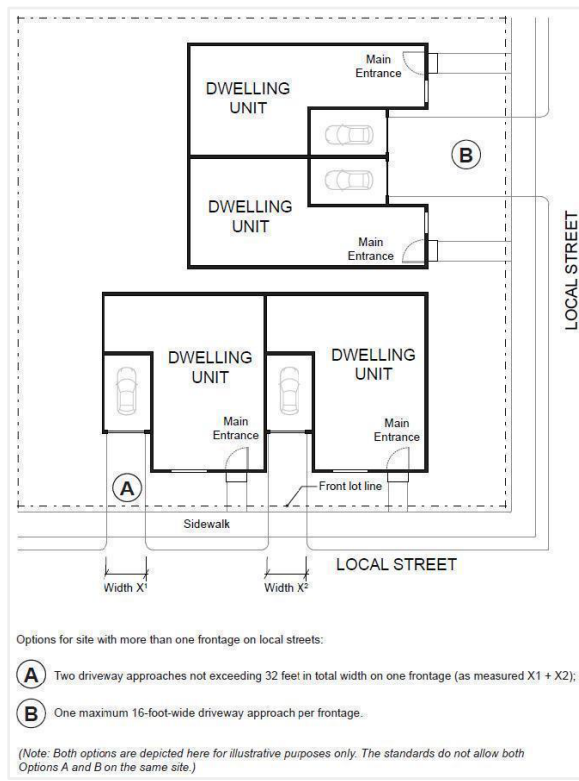


Figure 9.50.020.h Driveway Approach Options for Multiple Local Street Frontages



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

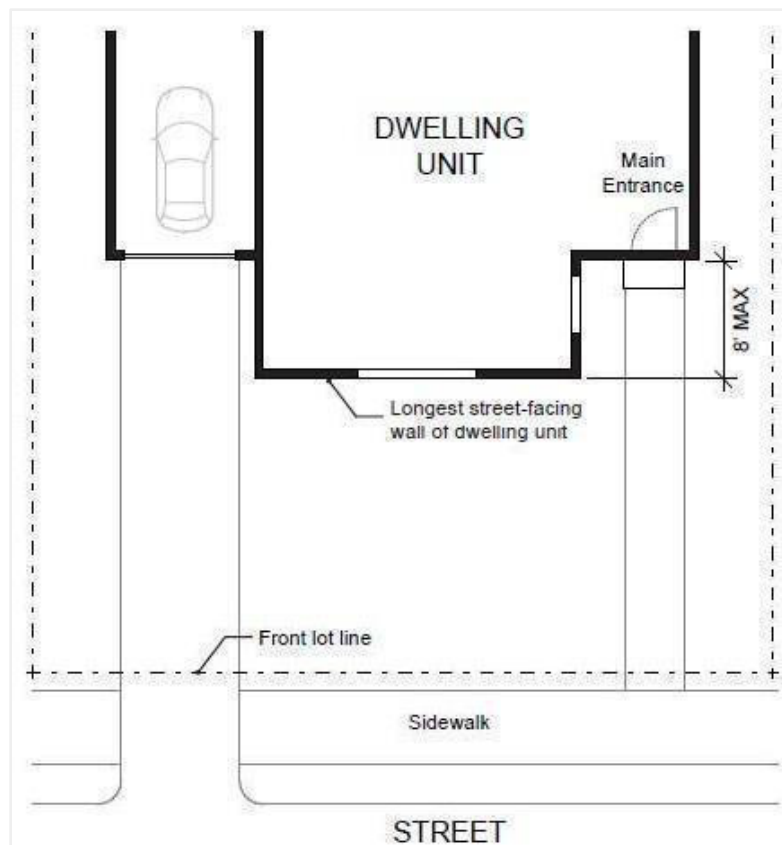


Figure 9.50.030.b. Main Entrance at 45° Angle from the Street

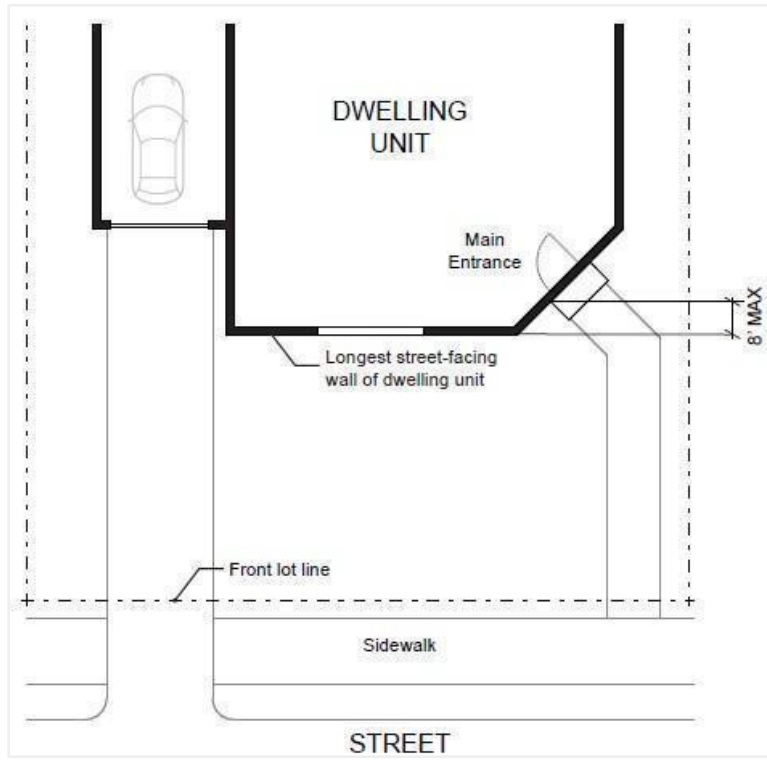
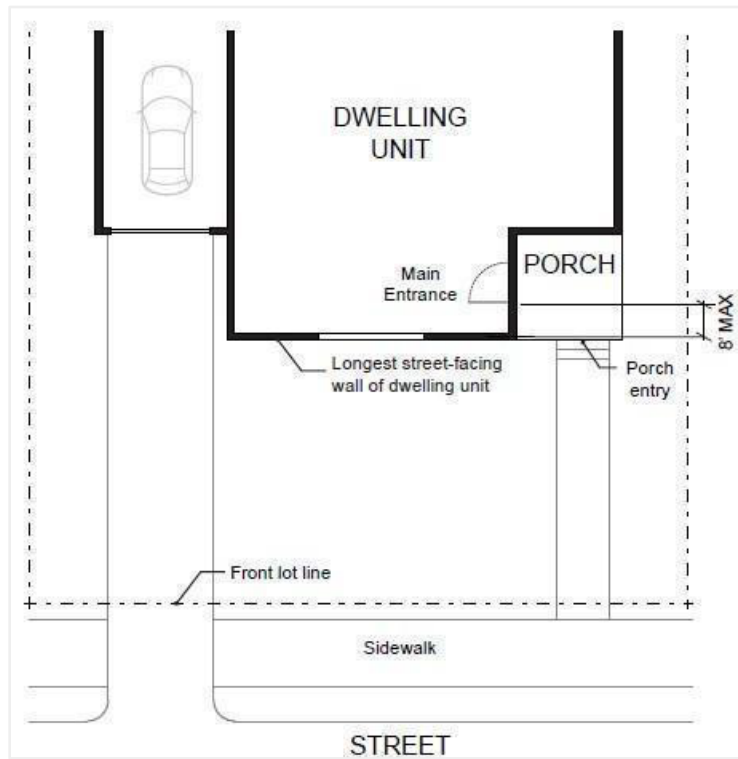


Figure 9.50.030.c. Main Entrance Opening onto a Porch



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.

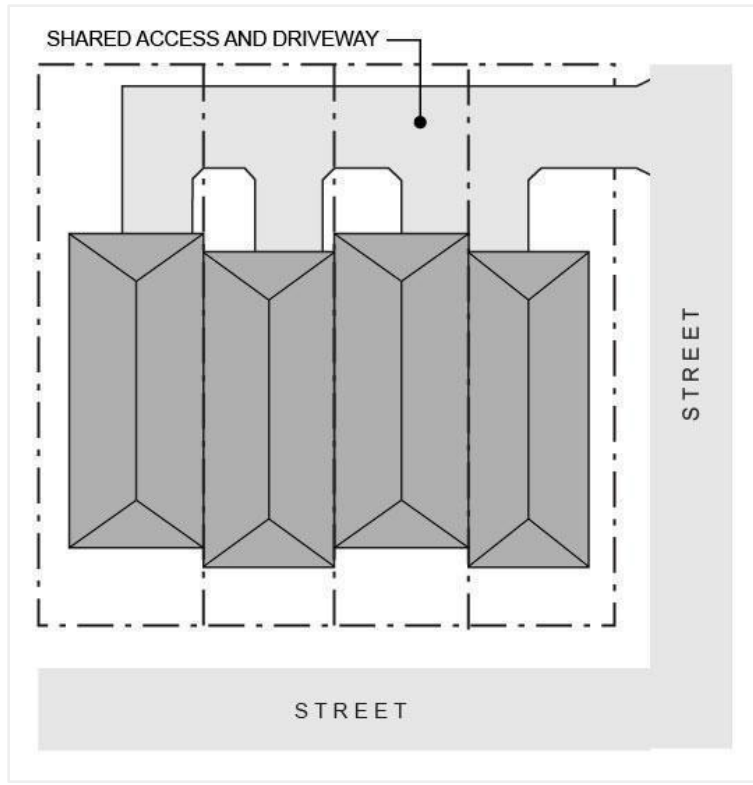
2. Exceptions

- 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).

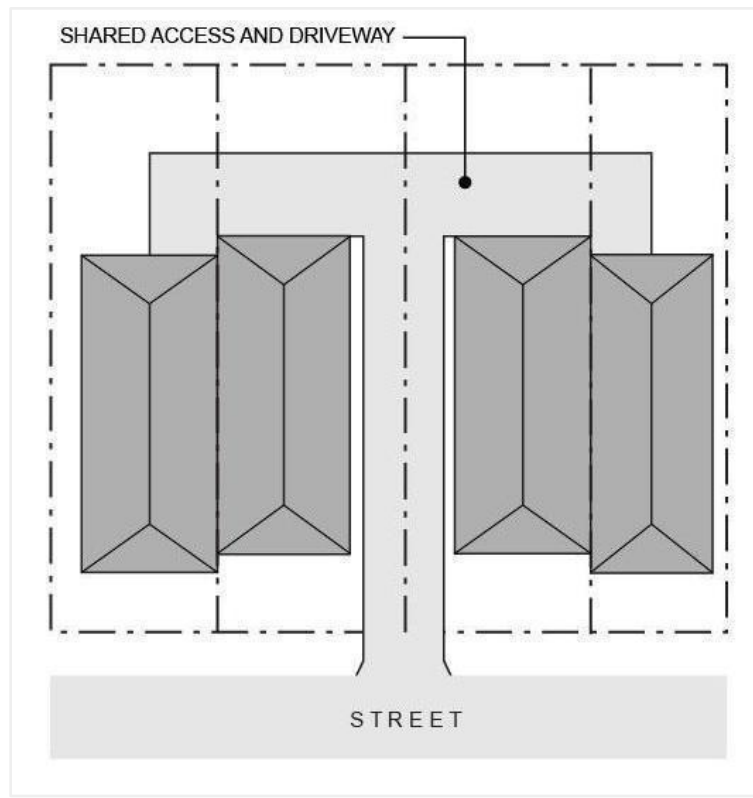
D. Trash Storage

- 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.

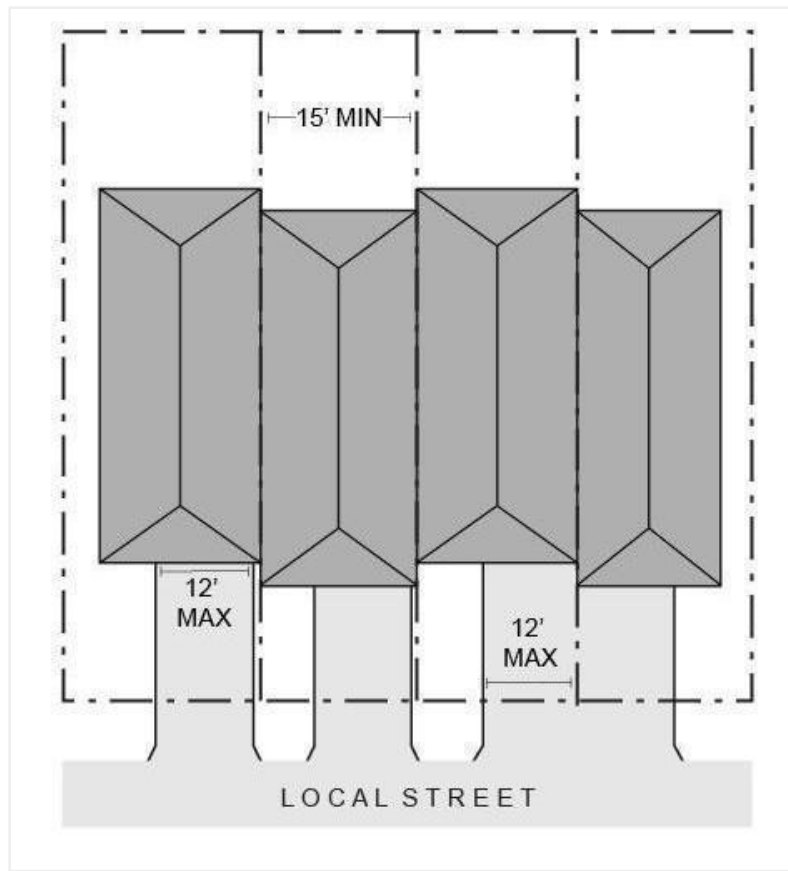
Figure 9.50.030.d. Townhouses with Parking in Front Yard



[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.

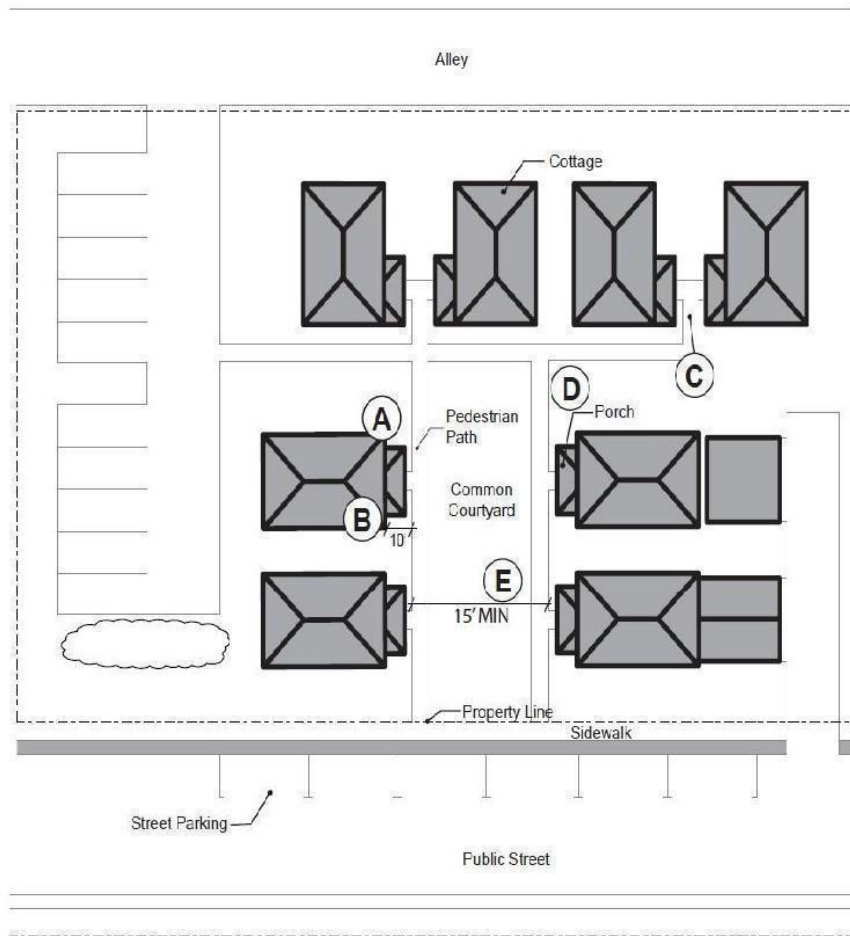
A. Cottage Orientation

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

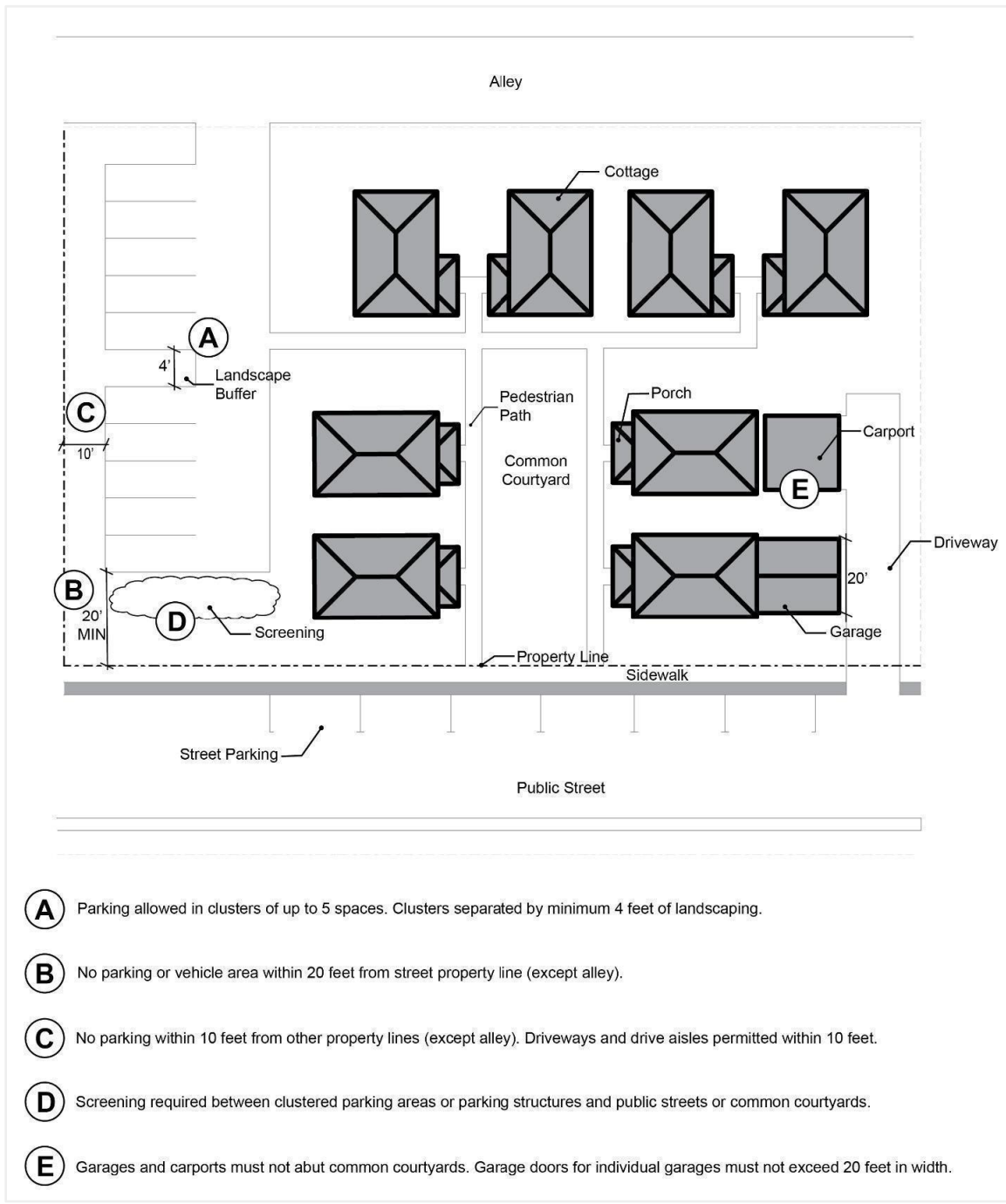
- 1. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:
 - a. The storage facility shall be screened from street lot lines and abutting residential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

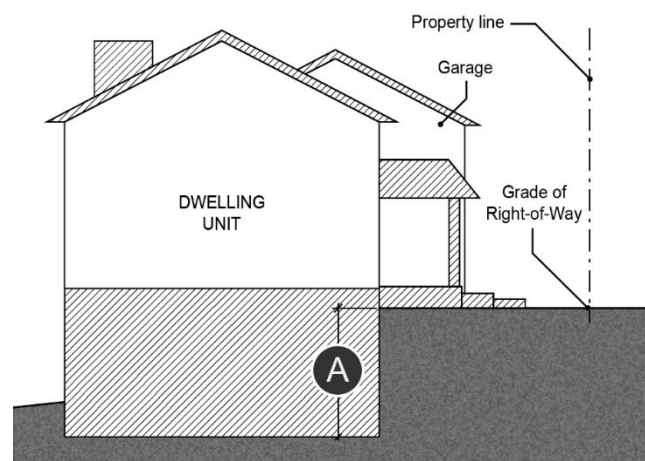
§ 9.50.060. Measurement Methodologies.

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:

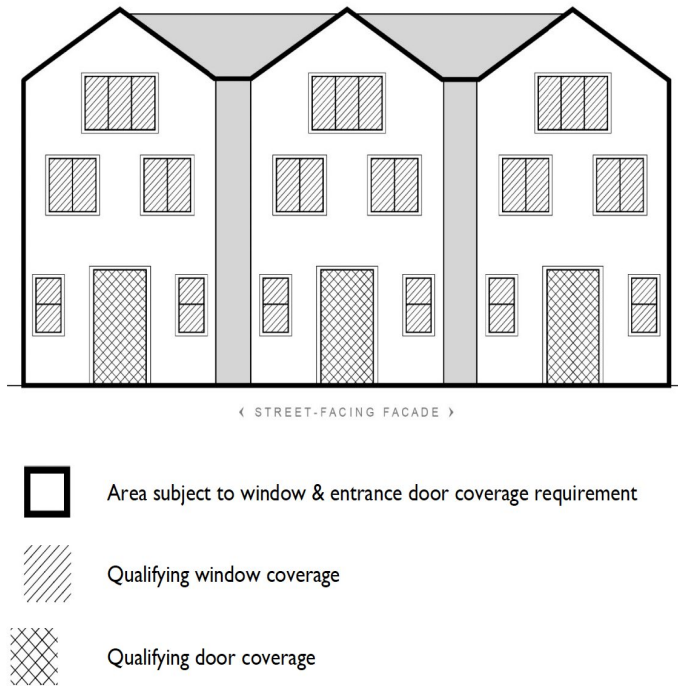
- i. Sites containing 12 or fewer dwelling units may provide up to 100 percent of required bicycle parking spaces in the dwelling units.
 - ii. Sites containing more than 12 dwelling units where all units above the ground floor have elevator access may provide up to 50 percent of the required bicycle 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 fifteen (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.

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.

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)

§ 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
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 structures 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.

~~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.

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
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)

[...]

Review of Cascadia Partners Handout: State Mandates

The City of Yachats submitted the handout, prepared by Cascadia Partners that lists *Legally Required Changes to our City Code*, to City Attorney Ross Williamson of Local Government Law Group for legal review. Mr. Williamson was asked to analyze the listed state requirements for municipalities maintaining an Urban Growth Boundary (UGB) for the size of Yachats. His section-by-section analysis of the mandated code updates is provided below.

Yachats Code Update Community Workshop #2- April 2, 2026 from 5:30-7PM

INFORMATIONAL HANDOUT

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	Response from the City Attorney
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.43	Ross: Yes, as a term defined in the statute, single room occupancy should be addressed in the Code updates as required by <i>ORS 197A.430</i> .
Removal of occupancy limits that may discriminate based <u>on family relationships</u> (e.g. single family home). ORS 90.112	Ross: Yes, ORS 90.112 restricts local governments from creating maximum occupancy limits that are based upon family relationship. In addition, there are fair housing regulations at play that limit local government’s ability to base housing occupancy on family relationship. While there is room to still use the term “family” (redefined to address the current legal concerns), it is likely a better practice to move on from the term since the term has a common meaning that defines a relationship rather than an occupancy. The issue is not necessarily occupancy limits, but instead the issue is local government defining relationships between cohabitating people.
Affordable housing siting allowances ORS 197A.445(1-8); ORS 197A.46	Ross: Yes, ORS 197A.445 and ORS 197A.460 make specific allowances for the siting of affordable housing, as defined in the statute. The statute is quite detailed as to where and how the allowances apply. Ross: Yes, ORS 197A.445 creates certain density and building height bonuses for certain affordable housing developments, as defined in the statute. Note that ORS 197A.445 was

<p>Density and height bonuses for affordable housing on land zoned for residential uses ORS 197A.445(9-10)</p>	<p>amended by HB 4037 (2026), but those amendments were specific to mixed-use developments as defined in the statute.</p>
<p>Administrative Approval of subdivisions, partitions, and non-conforming uses. ORS 197.015; ORS 197.19</p>	<p>Ross: Yes, ORS 197.015(12) creates a class of land use decisions called “limited land use decisions.” Within the definition of a limited land use decision are decisions for tentative partition, tentative subdivision, and for an extension, alteration, or expansion of a nonconforming use. Also included in the definition of a limited land use decision are applications for a replat and applications for a property line adjustment. The procedures for limited land use decisions, now mandatory, are found in ORS 197.195. The procedures are generally described as an administrative “Type II” process.</p> <p>Note that legislative changes to ORS 197A.146 via SB 974 (2025) treat residential variances, residential upzoning, and planned unit development applications as similar to limited land use decisions, but the legislation did not specifically fold those applications into the definition of limited land use decisions in ORS 197.015(12).</p> <p>Also note that legislative changes to ORS 197A.400 via HB 4037 (2026), make changes to the handling of “housing applications” that are subject to the clear and objective requirements of ORS 197A.400(1). The updates modify local review procedures for housing applications by: 1) limiting notice requirements to owners within 100 feet of the subject property or within 500 feet for developments of 20+ units; 2) removing mandatory public hearings; and 3) limiting appeals to applicants.</p>

<p>Removing design and development standards for manufactured homes <u>that do not</u> apply to detached single-unit dwellings. ORS197.476</p>	<p>Ross: Yes, with limited exceptions set out in the statute, ORS 197A.432 prohibits applying standards to these manufactured structures that would not apply to a site-built structure of the same housing type on the same land. ORS 197.478 was renumbered in 2025. The correct statutory reference is now ORS 197A.432.</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>Ross: Yes, this is an accurate summary of the statutes, which provide additional details. ORS 197.480 was also renumbered in 2025. The correct statutory reference is now ORS 197A.436.</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 <u>electrical supply</u> systems and a sewage disposal system. ORS197.493</p>	<p>Ross: Yes, this is a requirement of ORS 197.493. Manufactured dwelling park, mobile home park, and recreational vehicle park are terms defined in ORS 197.492.</p>

Cascadia Partners Handout: Optional Changes

The City of Yachats did not request a legal review of the optional modifications listed in the Cascadia Partners handout. Because these updates are not mandated by state law for a community of Yachats' size maintaining an Urban Growth Boundary (UGB).

Yachats Code Update Community Workshop #2- April 2, 2026 from 5:30-7PM

INFORMATIONAL HANDOUT

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."

Optional Changes
Allowing accessory dwelling units (ADU) in all locations that allow a detached single-unit dwelling.
Allowing a wider range of middle housing types (e.g. plexes, townhomes, and cottage clusters) in residential zones.
Allowing two unit dwellings in the R-1 zone and three unit dwellings in the R-2 zone.
Allowing mixed use (non-residential and residential on the same lot) in the Retail Commercial (C-1) zone.
Modified development standards (including lot area and lot coverage) for ADUs, middle housing, and multi-unit housing.
Modified parking standards for duplexes and ADUs.

Requiring design standards for residential development of 3 or more units.

Example ADU Zoning Codes and Programs in Oregon

Ashland, Oregon

<https://ashlandoregon.gov/ADU>

Page includes seven pre-approved ADU “detached in the backyard” style plans.

Ashland ADU Program Guide

Very thoughtful and well organized guide for ADUs of all types with instructions on planning, designing and building. More than a restating of the zoning code this is a program guide with detailed instructions for anyone wanting to add dwelling space inside a current structure or to add a structure to the side or back yard.

<https://ashlandoregon.gov/DocumentCenter/View/3023/Ashland-ADU-Guide-PDF?bidId=>

Highlights:

SDCs are assessed based on the ADU size in sq ft

- Units under 500 sq. ft. receive a 50% discount of the required SDCs.
- Units between 500 sq. ft. and 800 sq. ft. receive a 25% discount of the required SDCs.
- Units over 800 sq. ft. are charged 100% of the SDCs for the dwelling.

“This tiered approach to SDCs promotes the development of smaller ADUs, which typically have proportionately lower rents and are thus more affordable to renters. Consequently, the City's incentive for small ADUs supports greater affordability.”

“Renting your ADU

In Ashland's Single-Family Zones, it's important to note that Accessory Dwelling Units (ADUs) cannot be utilized as vacation rentals and cannot be rented for intervals of less than 30 days. This regulation is significant because it aims to prioritize the availability of full-time resident housing within the city. By restricting short-term rentals and promoting longer-term occupancy, the community seeks to ensure that ADUs contribute to the long-term housing supply, addressing the need for affordable, stable, and sustainable housing options for residents. This approach helps maintain the residential character of established neighborhoods while supporting the goal of fostering a vibrant and stable community.”

Ashland Comprehensive Plan

<https://ashlandoregon.gov/DocumentCenter/View/1473/Comprehensive-Plan---Updated-June-2019-PDF>

Ashland Zoning Map

<https://gis.ashland.or.us/planning/>

Ashland Land Use Code

<https://ashland.municipal.codes/LandUse>

Ashland Standards for Residential Zones

<https://ashland.municipal.codes/LandUse/18.2.5.040>

Salem, Oregon

Salem ADU Guide

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/create-an-accessory-dwelling-unit-on-your-property>

“A guest house is not an ADU.”

Highlights:

- *Number.* Only one accessory dwelling unit shall be allowed per lot.
- *Size.* Accessory dwelling units shall not exceed 900 square feet, or 75 percent of the main building gross area, whichever is less.
- *Condominium ownership.* Accessory dwelling units shall not be separated in ownership from the underlying property on which it and the main house to which it is accessory are located. Attached accessory dwelling units shall not be separated in ownership from the main house to which it is accessory.
- *Development with townhouses.* An accessory dwelling unit shall only be allowed on the same lot as a townhouse if the following standards are met:
 - The lot is at least 2,500 square feet in size; and
 - No more than two townhouses are attached in a row.
- *Other uses.* Accessory dwelling units shall be prohibited from being used as short-term rentals or accessory short-term rentals.
- *Exemptions.* Accessory dwelling units are exempt from the following standards required elsewhere in the UDC:
 - Dwelling unit density requirements, including requirements for a minimum or maximum number of dwelling units;
 - Development standards and design standards within overlay zones;
- *Detached accessory dwelling units.* The standards set forth in this subsection shall apply to all detached accessory dwelling units and are in addition to the standards in subsection (a) of this section.
- *Location.* Detached accessory dwelling units shall be located in the side yard or rear yard.
- *Lot coverage.* The total lot coverage for buildings, accessory structures, and accessory dwelling units shall not exceed a maximum lot coverage of 60 percent.
- *Height.* Detached accessory dwelling units shall be no more than 25 feet in height.
- (Ord. No. 10-17, § 23(700.006), 7-10-2017; [Ord. No. 8-24](#), § 1(Exh. A), 9-23-2024)

Ready to Build Plans

<https://www.cityofsalem.net/business/building-in-salem/residential/ready-build-plans-for-accessory-dwelling-units>

Salem ADU Zoning Code - Sec. 700.007. - Accessory dwelling unit.

https://library.municode.com/or/salem/codes/code_of_ordinances?nodeId=TITXUNDECO_UDC_CH700SPUSPR_S700.007ACDWUN

Lincoln County, Oregon

Lincoln County ADU Guide

<https://www.co.lincoln.or.us/DocumentCenter/View/5523/Converting-Attics-Basements-and-Garages-to-Living-Space-PDF?bidId=>

Highlights:

In Lincoln County, Oregon, Accessory Dwelling Unit (ADU) regulations require that units are a maximum of 900 square feet or up to 75-80% of the primary dwelling's size (whichever is smaller). Additionally, state mandates require that ADUs do not require additional off-street parking, nor do they mandate owner-occupancy on the property. [[1](#), [2](#), [3](#), [4](#)]

However, rules heavily depend on whether the lot is inside or outside an Urban Growth Boundary (UGB). Specific regional regulations include: [[1](#)]

Sizing and Design Standards

- Maximum Size: Limited to 900 sq ft, or 75% to 80% of the primary dwelling's footprint, whichever is smaller. [[1](#), [2](#)]
- Placement: May be attached, detached, or an interior conversion (such as an attic, basement, or garage). Detached structures must usually maintain standard setback and height requirements for the zoning district. [[1](#)]
- Building Permits: Converting existing spaces or constructing new structures requires building, electrical, and plumbing permits. Ceiling height for living spaces must be at least 6'8", with a 70 square foot minimum floor area. [[1](#), [2](#), [3](#)]

Zoning and Location

- Location Dependency: Unincorporated Lincoln County generally ties ADU allowances to Urban Growth Boundaries (UGBs).
- Municipality Discrepancies: If your property falls under the jurisdiction of specific cities (e.g., Lincoln City, Newport, or Toledo), you must abide by their municipal codes, which differ from unincorporated county rules. [[1](#), [2](#)]

Utilities and Septic

- Water & Sewage: Your ADU must connect to an approved water source and wastewater treatment. If on a septic system, you must prove the system can handle the increased capacity before gaining approval for an ADU. [[1](#), [2](#)]
-

Short-Term Rentals

- Restrictions: Using an ADU for short-term rentals (STRs) is heavily restricted. Many residential zones in unincorporated Lincoln County are under moratoriums regarding new STR licenses. [1, 2]
- For further details, zoning-specific constraints, or permit applications, consult [Lincoln County, OR](#) or consult a local builder specializing in [Lincoln County OR ADU Rules](#). [1]

Lincoln County ADU Guide from a building company

<https://wolfind.com/adu-rules-and-regulations-lincoln-county-or/>

Comprehensive Plan & Zoning Code

<https://www.co.lincoln.or.us/DocumentCenter/View/237/Chapter-1-Land-Use-Planning-Comprehensive-Plan-PDF>

Waldport, Oregon

- In Waldport, Oregon, Accessory Dwelling Units (ADUs) are permitted in residential zones. Key regulations include size limits, parking compliance, and strict prohibitions on their use as vacation rentals. [1, 2, 3]

Key rules and regulations to consider:

- Short-Term Rental Prohibition: You cannot use an ADU as a short-term or vacation rental (under 30 days). Building an ADU precludes either the ADU or the primary dwelling from being used for short-term rentals. [1]
- Size Limitations: Statewide standards generally limit ADUs to 900 square feet or 75% of the primary dwelling's floor area, whichever is smaller. [1]
- General Zoning & Codes: ADUs must meet standard development requirements for the property, including height restrictions, setbacks, and lot coverage rules. [1, 2]
- Permits and Fees: Building an ADU requires appropriate city permits. System Development Charges (SDCs) and utility hookup fees apply and can vary significantly depending on the project scope and connection requirements. [1, 2, 3]
- For the most up-to-date code text, specific zoning restrictions for your parcel, and current fee schedules, consult the City of Waldport Planning Department. [1]

Waldport Zoning Code

https://www.zoneomics.com/code/waldport-OR/chapter_1

Newport, Oregon

In Newport, Oregon, Accessory Dwelling Units (ADUs) are a permitted use in all residential zones. Key regulations allow one ADU per lot, limit the unit to a maximum of 800 sq. ft. or 75% of the primary dwelling, and require either the main house or the ADU to be owner-occupied. [[1](#), [2](#), [3](#), [4](#), [5](#)]

Zoning & Location Requirements

- Zoning Districts: ADUs are allowed by-right in residential zones, including R-3, R-10, R-10A, R-20, R-40, R-40A, R-60, R-120, and R-160.
- Density Exemptions: ADUs do not count against standard lot density requirements, provided there is only one ADU per lot. [[1](#), [2](#)]

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Size & Design Limitations

- Floor Area: The ADU cannot exceed 800 sq. ft. or 75% of the primary dwelling's floor area, whichever is smaller.
- Ownership: The property must feature undivided ownership, and either the primary residence or the ADU must be owner-occupied. A covenant/deed restriction to this effect must be recorded.
- Exterior Aesthetics: Exterior materials used for the ADU must match those of the primary dwelling or garage.
- Utility Connections: The ADU must share water, sewer, electric, and gas connections with the primary dwelling. [[1](#), [2](#), [3](#), [4](#)]

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Parking & Variances

- Off-Street Parking: One off-street parking space is required for the ADU, in addition to the parking required for the primary residence. [[1](#)]
- Conditional Use: If a proposed ADU cannot satisfy the exact standards above, homeowners may apply for a Conditional Use Permit with the city. [[1](#)]

State Statutes

- Short-Term Rentals: Under Oregon state law, ADUs are strictly prohibited from being used as short-term rentals (STRs). [[1](#)]
- *Note: For official building permit requirements or to confirm your specific lot's zoning designation, contact the City of Newport Department of Community Development.*

Newport ADU Standards

14.16.050 - Development Standards - Accessory Dwelling Unit Standards

Accessory Dwelling Units shall conform to the following standards:

- Accessory Dwelling Units are exempt from the housing density standards of residential zoning districts.
- A maximum of one Accessory Dwelling Unit is allowed for each detached single-family dwelling on a lot or parcel.
- Accessory Dwelling Units may be a portion of the primary dwelling, attached to a garage, or a separate free-standing unit.
- The maximum floor area for a freestanding Accessory Dwelling Unit shall not exceed 800 square feet or 75 percent of the area of the primary dwelling, whichever is less.
- The maximum floor area for an Accessory Dwelling Unit that is a portion of a primary dwelling or attached to a garage shall not exceed 800 square feet or 75 percent of the area of the primary dwelling, whichever is less. However, an Accessory Dwelling Unit that results from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than 800 square feet.
- The maximum height of an Accessory Dwelling Unit detached from the primary dwelling shall not exceed that of the primary dwelling. An Accessory Dwelling Unit attached to the primary dwelling is subject to the height limitation of the residential zone district within which it is located.
- Accessory Dwelling Units shall not extend beyond the required front yard setback lines of the adjacent lots or parcels.

([Ordinance No. 2152](#), November 4, 2019; [Ordinance No. 2182](#), May 17, 2021)

Newport Zoning Code

https://www.zoneomics.com/code/newport-OR/chapter_1

Florence, Oregon

The City of Florence, Oregon allows one Accessory Dwelling Unit (ADU) on any property with an existing primary single-unit detached dwelling across all residential zoning districts. These rules comply with Oregon State law and are codified under [Florence City Code \(FCC\) Title 10, Chapter 10, Section 6](#). [[1](#), [2](#)]

The primary zoning codes, sizing restrictions, and structural guidelines for building an ADU in Florence include the following parameters: [[1](#), [2](#)]

ADU Size Requirements

- Minimum Size: 201 square feet of habitable living space.
- Maximum Size: 1,000 square feet, or 75% of the primary dwelling's size, whichever is less.

- Small Primary Homes: If the primary home is 500 square feet or smaller, the ADU can be built up to 100% of the main home's size. [1]
- Structural & Configuration Rules
- Allowed Types: ADUs can be attached (sharing a wall/foundation), detached (separate structure), or interior (such as a garage or basement conversion). []
- Maximum Height: Detached ADUs have a maximum height limit of 28 feet. [1]
- Tiny Homes: A tiny home on wheels can be used as a permanent ADU if it is placed on a foundation, has its axle/tongue removed, is properly skirted, and pays standard Systems Development Charges (SDCs). [1]
- Site Standards & Setbacks
- Zoning Compliance: ADUs must meet the standard setbacks, lot coverage limits, and architectural standards of the property's underlying residential zoning district. [1]
- Standard Setbacks: Under Chapter 10 lot provisions, typical ADU side and rear setbacks are 10 feet (or 5 feet depending on specific district subclasses like HDR/MDR), while a 20-foot setback applies if the ADU contains a vehicular garage entrance. []
- Rental and Occupancy Restrictions
- No Short-Term Rentals: You are strictly prohibited from renting an ADU as a short-term or vacation rental for stays under 30 days. They must be used for long-term housing. []
- If you are planning a project, you can contact the Florence Planning Department at 541-997-8237 to submit a plot plan for compliance verification. [1]

Florence ADU Guide and FAQs

<https://www.ci.florence.or.us/465/Accessory-Dwelling-Units>

Florence Residential Zoning Code

<https://www.ci.florence.or.us/DocumentCenter/View/2187/Florence-City-Code-FCC-Title-10-Chapter-10-Section-6-PDF?bidId=>

Manzanita, Oregon

Accessory Dwelling Units (ADUs) are a permitted use in all residential zones (R-1, R-2, R-3, and R-4) in Manzanita, Oregon. Due to recent state middle housing legislation (SB 406/HB 2001), the city has expanded ADU allowances. [1, 2, 3, 4]

Key ADU zoning regulations include:

- Size: Maximum of 800 sq. ft. or (75%) of the primary residence, whichever is smaller.
- Owner-Occupancy: Owner occupancy of either unit is no longer legally required.
- Setbacks & Height: Units must meet standard accessory structure zoning, depending on the zone (e.g., in R-4, maximum building height is 28.5 ft and max lot coverage is (60%)).
- Short-Term Rentals: ADUs and primary residences utilized for ADUs cannot be operated as Short-Term Rentals.

- Permitting: Planning review is required prior to applying for a structural building permit. [1, 2, 3, 4]
- For a complete breakdown of your specific zoning district restrictions, view the [Manzanita Zoning Ordinance](#) and visit the [City of Manzanita ADU Guidelines](#). [1, 2]

Manzanita Public Discussion for ADUs, March, 2021

<https://ci.manzanita.or.us/adu/>

Manzanita Housing Types Table

<https://ci.manzanita.or.us/wp-content/uploads/2025/08/TownHall-Hand-Out.pdf>

Manzanita Comprehensive Plan

<https://ci.manzanita.or.us/wp-content/uploads/2024/05/Manzanita-Comprehensive-Plan-Amend-120623.pdf>

Manzanita Zoning Code

<https://ci.manzanita.or.us/wp-content/uploads/2020/03/Manzanita-Zoning-Ordinance-and-Index-080818.pdf>

Rockaway Beach, Oregon

Accessory Dwelling Units (ADUs) in Rockaway Beach, Oregon, are governed by the city's updated Zoning Ordinance. The regulations strictly control size, heights, and unit features. [1, 2, 3, 4]

Specific development standards for ADUs include:

- **Maximum Size:** An ADU cannot exceed 75% of the primary dwelling's living area or 800 square feet, whichever is less. [1]
- **Design & Foundation:** The structure must be set on a permanent foundation, have all wheels and running gear removed (no RVs, travel trailers, or yurts), and hook up to domestic sewer and water. [1]
- **Permitted Use:** ADUs are only allowed in conjunction with a single-family dwelling and must contain a kitchen, bathroom, and sleeping area entirely independent of the primary residence. [1, 2]
- **System Development Charges (SDCs):** Property owners may be subject to significant city SDC fees. [1]

Rockaway Beach City Codes

<https://www.rockawaybeachoregon.gov/224/City-Codes-Ordinances>

Rockaway Beach Zoning Codes

<https://www.rockawaybeachoregon.gov/DocumentCenter/View/146/Zoning-Ordinance---Amended-January-2026-PDF>

Rockaway Beach Comprehensive Plan

<https://www.rockawaybeachoregon.gov/224/City-Codes-Ordinances>

Tiny home guide for Rockaway Beach, by Wolf builders

<https://wolfind.com/location/or/rockaway/>

Tillamook County ADU Standards

https://www.tillamookcounty.gov/sites/default/files/fileattachments/community_development/page/104106/final_section_5.110_adu_ordinance.pdf

**Cascadia Proposed red line version for Yachats ADU zoning code
As of June 2026**

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 fifteen (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.

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.

DRAFT - June, 2026

Proposed ADU standards for Yachats, guided by the ADU standards that are used by other Oregon cities and Lincoln County (key discussion points in blue)

Introduction

Some property owners in the City of Yachats have added an additional dwelling unit to their home, although Yachats does not yet have a zoning code for ADUs. Property owners have converted space in their home or garage, added on to their main dwelling, or built an accessory dwelling structure in their yard, without guidelines or standards.

The heart of “city planning” is permitting land uses that fit into the community’s character and environment, and that promote a high quality of life for all residents. Clear and objective ADU guidelines and standards are needed. An ADU can be an internal remodel or addition to the main dwelling or a detached structure. Property owners who wish to build a small detached structure, on vacant space on their lot that has satisfactory room for the unit and off-street parking, placed in the backyard or side yard, can be achieved with minimal impact on the neighborhood and community overall. Ultimately, the ADU standards adopted by the City must align with the Comprehensive Plan.

ADU Definition

An ADU is a self-contained, separate entrance, residential dwelling unit that includes cooking facilities. The intent is for the unit to be used for family visits or for a monthly rental residence.

ADU Variations

- Detached in the backyard or side yard.
- Attached addition to the primary dwelling with an outside entrance.
- Above a garage.
- Conversion of existing floorspace, garage, attic, or basement.

Residential Accessory Structure (Guest House) Definition

A “residential accessory structure” (also known as a guest house) is a detached structure that does not contain a kitchen, and that is intended for temporary visitor or family use. A guest house cannot be rented or occupied as a dwelling.

Fitting into the Neighborhood

By adopting appropriate guidelines and standards, ADUs can create additional rental opportunities in our community without changing the character or quality of life of neighborhoods. The City Planning Department has pre-approved building plans for small detached ADU structures, with styles and sizes that are designed to maintain the “look and feel” of the Yachats coastal/forest vibe. Property owners can choose one of these plans or create their own custom design. The City Planner will assist with site planning and guideline compliance. With careful planning and quality construction, an ADU can improve the value of the property.

Yachats ADU Standards

(for consideration by the Planning Commission and City Council)

- **General.** 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.

- **Number.** Only one accessory dwelling unit shall be allowed per lot.
 - **Allowed Types.** ADUs can be attached (sharing a wall/foundation), detached (separate structure), or interior (such as a garage or basement conversion).
 - **Minimum Size.** 201 square feet of habitable living space.
 - **Tiny Homes.** A tiny home (generally less than 400 square feet) on wheels can be used as a permanent ADU if it is placed on a foundation, has its axle/tongue removed and is connected to city water and sewer.
 - **Maximum Size.** Accessory dwelling units shall not exceed 900 square feet, or 75 percent of the main building gross area, whichever is less. In the case of an internal ADU (basement, lower level, upper level or attic) the ADU can be as large as the footprint of the primary dwelling.
 - **Small Primary Homes.** If the primary dwelling is 900 square feet or smaller, the ADU can be built up to 100% of the main home's size.
 - **No Short Term Rentals or Bed & Breakfasts.** Accessory dwelling units shall be prohibited from being used as short-term rentals or Bed & Breakfast rentals. (Discuss the option of restricting the primary dwelling unit for short-term rental if there is an ADU.)
 - **Parking.** ADUs that are intended for rental residents will require off street parking for at least one vehicle.
 - **Design.** See attached pre-approved building plans for design ideas and examples. Detached ADU style and design will comply with the Comprehensive Plan.
 - **Location.** Detached accessory dwelling units shall be located in the side yard or rear yard.
 - **Lot coverage.** The total lot coverage for buildings, accessory structures, and accessory dwelling units shall not exceed a maximum lot coverage of 60 percent.
- **Height.** The maximum height of an Accessory Dwelling Unit, attached or detached from the primary dwelling, shall not exceed that of the primary dwelling, or 15 feet, whichever is less. (Possible exception for detached garage with ADU above. Or allow for a variance for those cases. See Accessory Structure code.)
- **Building Permits (Lincoln County).** Converting existing spaces or constructing new structures requires building, electrical, and plumbing permits. Ceiling height for living spaces must be at least 6'8", with a 70 square foot minimum floor area.
 - **Utilities.** Water, Sewer: The ADU must connect to the City of Yachats water and wastewater system. The ADU will use the same water meter as the main house. Since the City will not be installing a separate water meter, the SDCs for the ADU will be tiered based on square footage of the ADU. Preference will be given to smaller units since they are more desirable (less impact to the look and feel of the neighborhood) and will have less impact on the character of the City.

- **Occupancy.** In Oregon, state law prohibits local governments and public bodies from establishing residential occupancy limits based on familial relationships. However, landlords, HOA bylaws, and federal Fair Housing guidelines still dictate limits. Most landlords apply a "2 plus 1" standard (two people per bedroom plus one additional person for the entire household), subject to reasonable fire and building safety codes.

The Oregon State Fire Marshal and building code residential occupancy limits do not impose a strict numerical cap. For rental and multi-tenant housing, occupancy standards typically use a guideline of two people per bedroom, plus one additional person, to prevent overcrowding and avoid discriminatory practices. Specific limits are determined by structural fire safety rules and housing standards:

Square Footage and Bedroom Requirements

Bedroom Size: Under Oregon law, a room intended for sleeping must be at least 70 square feet.

Square Footage per Person: For general multi-family and congregate housing, the Oregon Fire Code requires a minimum of 200 square feet of floor area per occupant in some contexts, but specific bedroom square footages dictate individual capacity.

Emergency Exits: Any room used for sleeping must be equipped with safe, code-compliant emergency escape and rescue openings (like an approved egress window or exterior door).

ADUs are usually small dwellings, 400 to 900 square feet, intended for occupancy by one or two or three residents.

- **Trees.** Clearing space for a detached ADU must follow the guidelines of the Yachats Tree Preservation ordinance.
- **Surface water drainage and permeability.** Detached ADUs, driveways, patios and porches should be designed for water drainage and minimal erosion. Permeable surfaces are preferred.

Choose ready-to-build plans for detached ADUs, like Ashland and Salem.

Yachats ADU Program Guide

ADU VARIATIONS

- Detached in the backyard or side yard
- Attached addition to the primary dwelling
- Above a garage
- Conversion of existing floorspace, garage, or basement

TYPICAL HOUSEHOLD

These units are ideal for smaller households with a smaller housing budget and accommodate visitors and family.

FITTING INTO THE NEIGHBORHOOD

ADUs can create additional rental opportunities in our community without changing the character or quality of life of existing neighborhoods.

INTRODUCTION

An Accessory Dwelling Unit (ADU) is a secondary, self-contained housing unit within or on the same property as a primary residence, typically designed for independent living with its own kitchen, bathroom, and entrance.

Some property owners in Yachats have already added an additional dwelling unit to their home. Until recently, the zoning code did not address ADUs so there was a need for guidelines and standards. The zoning code assures that new ADUs will fit well into the community.

Our guiding land use principles are the Comprehensive Plan, the preservation of the natural beauty of our forests, beaches, river and ocean, and maintaining the character, vibe and history of our community. Properly implemented, the Yachats ADU Program can serve property owners, their families and tenants, with appropriate standards and guidelines.

This ADU Program Guide outlines the process steps for property owners, making it easier to create ADUs that fit well into our community. This approach reduces bureaucratic hurdles and expedites the development process. This Guide includes:

- Yachats ADU Standards List
- Pre-approved building plans for detached ADUs
- Site Plan example
- Lincoln County Building Permit forms

Yachats ADU Standards

(for consideration by the Planning Commission and City Council)

- **General.** 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.
 - **Number.** Only one accessory dwelling unit shall be allowed per lot.
 - **Allowed Types.** ADUs can be attached (sharing a wall/foundation), detached (separate structure), or interior (such as a garage or basement conversion).
 - **Minimum Size.** 201 square feet of habitable living space.
 - **Tiny Homes.** A tiny home (generally less than 400 square feet) on wheels can be used as a permanent ADU if it is placed on a foundation, has its axle/tongue removed and is connected to city water and sewer.
 - **Maximum Size.** Accessory dwelling units shall not exceed **900 square feet, or 75 percent of the main building gross area**, whichever is less. In the case of an internal ADU (basement, lower level, upper level or attic) the ADU can be as large as the footprint of the primary dwelling.
 - **Small Primary Homes.** If the primary dwelling is **900 square feet or smaller, the ADU can be built up to 100% of the main home's size.**
 - **No Short Term Rentals.** Accessory dwelling units shall be prohibited from being used as short-term rentals. **(Discuss the option of restricting the primary dwelling unit for short term rental if there is an ADU.)**
 - **Parking.** **ADUs that are intended for rental residents will require off street parking for at least one vehicle.**
 - **Design.** See attached pre-approved building plans for design ideas and examples. Detached ADU style and design will comply with the Comprehensive Plan.
 - **Location.** Detached accessory dwelling units shall be located in the side yard or rear yard.
 - **Lot coverage.** The total lot coverage for buildings, accessory structures, and accessory dwelling units shall not exceed a maximum lot coverage of **60 percent.**
- **Height.** The maximum height of an Accessory Dwelling Unit, attached or detached from the primary dwelling, shall not exceed that of the primary dwelling, or **15 feet, whichever is less. (Possible exception for detached garage with ADU above. Or allow for a variance for those cases. See Accessory Structure code.)**
- **Building Permits (Lincoln County).** Converting existing spaces or constructing new structures requires building, electrical, and plumbing permits. Ceiling height for living spaces must be at least 6'8", with a 70 square foot minimum floor area.
 - **Utilities.** Water, Sewer: The ADU must connect to the City of Yachats water and wastewater system. The ADU will use the same water meter as the main house. Since

the City will not be installing a separate water meter, the SDCs for the ADU will be tiered based on square footage of the ADU. Preference will be given to smaller units since they are more desirable (less impact to the look and feel of the neighborhood) and will have less impact on the character of the City.

- **Occupancy.** In Oregon, state law prohibits local governments and public bodies from establishing residential occupancy limits based on familial relationships. However, landlords, HOA bylaws, and federal Fair Housing guidelines still dictate limits. Most landlords apply a "2 plus 1" standard (two people per bedroom plus one additional person for the entire household), subject to reasonable fire and building safety codes.

The Oregon State Fire Marshal and building code residential occupancy limits do not impose a strict numerical cap. For rental and multi-tenant housing, occupancy standards typically use a guideline of two people per bedroom, plus one additional person, to prevent overcrowding and avoid discriminatory practices. Specific limits are determined by structural fire safety rules and housing standards:

Square Footage and Bedroom Requirements

Bedroom Size: Under Oregon law, a room intended for sleeping must be at least 70 square feet.

Square Footage per Person: For general multi-family and congregate housing, the Oregon Fire Code requires a minimum of 200 square feet of floor area per occupant in some contexts, but specific bedroom square footages dictate individual capacity.

Emergency Exits: Any room used for sleeping must be equipped with safe, code-compliant emergency escape and rescue openings (like an approved egress window or exterior door).

ADUs are usually small dwellings, 400 to 900 square feet, intended for occupancy by one or two or three residents.

- **Trees.** Clearing space for a detached ADU must follow the guidelines of the Yachats Tree Preservation ordinance.
- **Surface water drainage and permeability.** Detached ADUs, driveways, patios and porches should be designed for water drainage and minimal erosion. Permeable surfaces are preferred.

Choose ready-to-build plans for detached ADUs, like Ashland and Salem.

Getting Started Overview

The process of designing an Accessory Dwelling Unit (ADU) to fit on your property in Yachats involves careful planning and consideration of various factors. While the City can provide free plans that have been reviewed for building code compliance, customizing your ADU design may be necessary to meet your specific needs, property constraints, or design preferences.

1. Assess Your Property:

Begin by evaluating your property to identify potential locations for the ADU. Some considerations include:

- Zoning regulations and standards;
- Siting and setback requirements;
- Existing infrastructure (water, sewer, electric capacity);
- Off street parking, vehicular and pedestrian access;
- Any physical constraints such as existing trees, riparian areas, floodplains, wetlands, or steep slopes;
- Related city ordinances, particularly tree preservation and drainage requirements;
- Existing structure locations including buildings, decks, and garages;
- Potential conversion of existing floor areas within the primary home or garage into an ADU.

2. Determine Your Goals:

Clearly define the purpose of your ADU. Are you building it for rental income, housing a family member or another purpose? Understanding your goals will help answer design questions, such as layout, amenities and accessibility features.

Assess your Property and Prepare a Site Plan

A site plan is a detailed drawing or diagram that provides a bird's-eye view of a property, showing the arrangement and layout of structures (existing and proposed), landscaping, parking areas, utilities, easements, and other important elements. It will help visualize how various components fit together within a specific area. The site plan is used to identify:

- **Building Placement:** The site plan shows the exact location of the ADU or other buildings on the property, including setbacks from property lines and neighboring structures, as well as the location of any easements. While a property survey is not always necessary, it can be helpful for designing your site plan and identifying your property lines.
- **Solar Orientation:** When siting a new building, it must be positioned to minimize shading on neighboring properties. It should consider the benefits of passive natural lighting and onsite solar energy opportunities.
- **Access and Circulation:** Site plans illustrate driveways, walkways and pathways, showing how people and vehicles can access and move around the property safely.

3. Design your ADU:

The City of Yachats offers free ADU plans that meet local building codes, making them a great starting point. If these pre-approved plans don't quite fit your needs, you can work with an architect or designer who understands Yachats regulations and the State Building Code to create custom plans tailored to your goals.

Comprehensive construction documents, including architectural plans, structural details, electrical, plumbing layouts and visualizations of the project are essential. Along with all required submissions for the issuance of a building permit.

4. Budget and Financing:

Your design and local cost factors will drive the budget for your project. Consider your financing options - savings, a Home Equity Line of Credit (HELOC), cash-out refinancing of your primary residence or new construction or renovation loan. Each financing method has benefits and drawbacks.

Before starting the project, it is crucial that your budget and available financing are financially feasible and include a contingency fund for any unexpected expenses. Consult with design professionals, financial consultants and lenders for advice for your situation.

5. Construction:

Unless you are experienced in construction and development consider hiring a licensed and reputable general contractor. A professional contractor will ensure your ADU will be built according to approved plans, adheres to local building codes and regulations, and avoids potential issues, delays and additional costs.

6. Utilities and Infrastructure:

Coordinate with utility providers (electric, gas, water, sewer) to connect your ADU to the necessary services. The City of Yachats requires that your ADU is hooked up to city water and sewer systems. Electric service is available separately.

7. Landscaping and Access:

Create a landscape plan that provides a detailed illustration of fuel clearance areas for fire safety, indicates all trees to be retained, removed or planted, and details gardens, green spaces, accessible pathways, hardscaping, patios, drainage and water permeable surfaces.

8. Submit for Permits:

Once you have selected your pre-approved ADU plans and prepared a site plan, or finalized your custom ADU plans, submit them to the City for approval and obtain the necessary building permits from Lincoln County. Your design professional or general contractor may also handle the permit submission on your behalf. Once your final ADU plan is submitted to the City Building Department, they will review your application, calculate the building and SDC fees (explained later in this document), and check that everything meets Yachats zoning regulations

and standards. Once everything is in order, they'll issue a building permit and construction on your ADU can begin.

Lincoln County permit forms are available on the City of Yachats website – Document Center, Planning, Building & Construction Packets, Lincoln County Building Applications.

<https://www.yachatsoregon.org/DocumentCenter/View/2347/Building-Permit-Application---Residential-1-and-2-New-Single-Family-Dwelling---Form-PDF>

9. Inspections:

As construction progresses, you or your contractor will need to schedule inspections with the County at different stages of the build to make sure everything is up to code and meets safety standards. Once the construction is finished and all inspections are passed, you'll be able to get a Certificate of Occupancy, which means your ADU is ready to be used as planned.

10. System Development Charges (SDCs):

SDCs are one-time fees assessed by the city to cover the cost of expanding public infrastructure and services to accommodate new developments. Since Yachats ADU standards require the ADU to utilize the same water meter and sewer system hookup as the primary dwelling, the system costs are less than a new detached dwelling. Smaller dwelling units utilize less water and sewer capacity.

- Units under 500 sq. ft. receive a 50% discount of the required SDCs.
- Units between 500 sq. ft. and 900 sq. ft. receive a 25% discount of the required SDCs.

11. Other Financial Considerations

Insurance

Adding an Accessory Dwelling Unit (ADU) to your property may increase your homeowner's insurance policy. If the ADU is to be used as a rental, it may require additional personal liability coverage. Homeowners should contact their insurance provider to discuss potential changes to their policy.

Property Taxes

Property taxes may increase due to the added value of an ADU. Property tax assessments are based on the total valuation of both land and improvements, meaning a newly constructed or converted ADU will likely result in a reassessment and higher annual property taxes.

12. Rental Considerations

If you plan to use your ADU as a rental, researching expected rents for similar units in your area, along with average vacancy rates, can help you estimate the potential annual revenue it may generate. This information is valuable in determining how much income your ADU could bring in to offset loan payments, maintenance costs, and other expenses.

When considering renting your ADU In Yachats it's important to note that the ADU cannot be utilized as a vacation rental. This regulation prioritizes the availability of full-time resident housing. The City strives to ensure that ADUs contribute to the long-term housing supply, addressing the need for affordable, stable and sustainable housing options for residents. This approach helps maintain the residential character of established neighborhoods while supporting the goal of fostering a vibrant and stable community.

Several organizations can help landlords understand local rental market trends and stay up to date with any legal changes. They also provide guidance on ensuring a rental application process that is fair and free of discrimination.

These organizations can assist first-time landlords by providing model rental or lease agreements that comply with Oregon's landlord-tenant and fair housing laws. They can help ensure your renter application process, rental terms, rent collection, security deposits, late fees, and other provisions are clear and legally sound.

- Oregon Rental Housing Association (ORHA): A statewide organization that offers resources and legal guidance to rental property owners, with local chapters that can assist landlords in Rogue Valley. - oregonrentalhousing.com/
- Fair Housing Council of Oregon (FHCO): Provides education and assistance on fair housing laws, which can help landlords understand their legal obligations. - fhco.org/ It is essential to familiarize yourself with Fair Housing laws, which are federal regulations designed to prevent discrimination in housing based on factors such as race, color, national origin, religion, sex, sexual orientation, gender, disability, and familial status. These laws apply to all rental housing, including ADUs, and aim to ensure that every prospective tenant has an equal opportunity to secure housing without facing discrimination. Here are some best practices for renting a unit in compliance with Fair Housing laws:
 - Advertise Without Discrimination: When advertising your rental unit, avoid discriminatory language or preferences in your listings. Ensure that your advertisements are inclusive and do not discourage individuals based on protected characteristics.
 - Tenant Application Process: Treat all applicants fairly and equally. Create clear and consistent criteria for screening tenants. Use the same criteria for everyone, regardless of their background. Make choices based on objective factors like credit history, rental history, income, and, when relevant, criminal background. Avoid making subjective judgments that could be discriminatory.
 - Reasonable Accommodations: Be open to providing reasonable accommodations or modifications for individuals with disabilities. Engage in a dialogue with tenants to address their specific needs and ensure equal access to your rental property.

- **Document Everything:** Maintain thorough and well-documented records of your rental application process, communications with tenants, and any accommodation requests. These records can be crucial in demonstrating your compliance with Fair Housing laws if questions arise.
- **Educate Yourself:** Stay informed about Fair Housing laws, including federal, state, and local regulations. Attend training sessions or workshops to better understand your responsibilities as a landlord.
- **Respond to Complaints Promptly:** If a tenant or applicant raises concerns related to Fair Housing, take their complaints seriously and address them promptly. Investigate and resolve any potential issues to prevent further discrimination.

For more information about Fair Housing visit : Fair housing Council of Oregon <https://fhco.org>

Summary

If you choose to build an ADU, the City of Yachats is committed to simplifying and enhancing your experience. Building an ADU can be a rewarding endeavor that not only adds value to your property but also contributes to the community by providing more housing options for our residents.

A complete set of the selected free pre-approved ADU plans are made available to Yachats property owners after a 30-minute consultation with the Yachats Planning Division. During this meeting, a planner will review your particular site and provide valuable guidance on the permit application process, helping you understand zoning requirements, building codes, and any other considerations for your ADU project. This step helps ensure that the plans you choose are compatible with your property and the city's regulations, saving you time and potential setbacks later on. Contact the Planning Department to schedule your consultation. Our goal is to make your ADU project a positive and successful experience.

Yachats City Contacts

Yachats Planning Department

Email:

Phone:

References

State of Oregon Building Code 2023 Oregon Residential Specialty Code:
<https://codes.iccsafe.org/content/ORRC2023P1>

All codes and standards – Building Code Division:
<https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>

Off-Street Parking- As of the May 15th DRAFT

Zone	Currently Required	Proposed
R1	DSU: 2 spaces	DSU: 2 spaces
		DSU plus ADU: 3 spaces*
		Duplex: 3 spaces
		Cottage Cluster: 1.5 spaces per unit
		SRO (4-6 units): 2 spaces per every 3 units
R2	DSU: 2 spaces	DSU: 2 spaces
		DSU plus ADU: 3 spaces*
	Duplex: 4 spaces	Duplex: 3 spaces
		Triplex: 5 spaces
		Cottage Cluster: 1.5 spaces per unit
		SRO (4-6 units): 2 spaces per every 3 units
	Townhouse PUD: Determined by PC	Townhouse Project: 1.5 spaces per unit
R3	DSU: 2 spaces	DSU: 2 spaces
		DSU plus ADU: 3 spaces*
	Duplex: 4 spaces	Duplex: 3 spaces
	Triplex: 5 spaces	Triplex: 5 spaces
	Quadplex: 6 spaces	Quadplex: 6 spaces
	Multi-unit: 1.5 spaces per unit	Multi-unit: 1.5 spaces per unit
		Cottage Cluster: 1.5 spaces per unit
		SRO (4-6 units): 2 spaces per every 3 units
		SRO (6+ units): 1.5 spaces per every 3 units
	Townhouse PUD: Determined by PC	Townhouse Project: 1.5 spaces per unit
R4	DSU: 2 spaces	DSU: 2 spaces
		DSU plus ADU: 3 spaces*
	Duplex: 4 spaces	Duplex: 3 spaces
	Triplex: 5 spaces	Triplex: 5 spaces
	Quadplex: 6 spaces	Quadplex: 6 spaces
	Multi-unit: 1.5 spaces per unit	Multi-unit: 1.5 spaces per unit
		Cottage Cluster: 1.5 spaces per unit
		SRO (4-6 units): 2 spaces per every 3 units
		SRO (6+ units): 1.5 spaces per every 3 units
	Townhouse PUD: Determined by PC	Townhouse Project: 1.5 spaces per unit

*See Section 9.48 (B) for proposed on-street parking credit for ADUs.

From: [Lorraine Barrett](#)
To: [Kimmie Jackson](#)
Subject: Fw: changing zoning codes
Date: Wednesday, June 10, 2026 12:36:36 PM

I guess you can include this with your other input.

From: denise fyke <denisefyke@yahoo.com>
Sent: Wednesday, June 10, 2026 12:32 PM
To: Lorraine Barrett <Admin@YachatsMail.org>
Subject: changing zoning codes

Hi Lorraine,

I am not sure who I should direct this to. Please forward to the appropriate person.

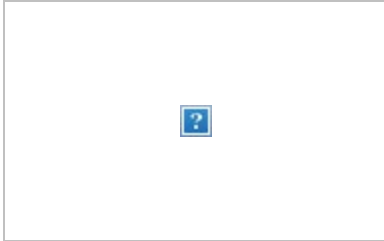
This is Denise and Andrew Fyke. We have been following the discussion on changing Yachats zoning codes and would like to register our input. We are unable to attend meetings in person as we are out of town for a few months. We are in favor of updating the zoning codes in general, and especially to allow ADUs in all zones. If citizens oppose ADUs in zone 1, they should be allowed in zone 2 and 3. Building setbacks should be decreased to encourage building and maximizing land use to decrease project costs, which may allow for housing that are more affordable. For the next 20 years, Yachats zoning codes should allow growth for all types of residents.

Thank you,

Denise and Andrew Fyke

From: [Bobbi Price](#)
To: [Kimmie Jackson](#)
Subject: Fw: Housing Code Review
Date: Thursday, June 4, 2026 4:45:02 PM

Can you attach the agenda for June 9th, please? Thank you.



Bobbi Price

City Manager, City of Yachats
Phone: 541-547-3565 ext. 102
citymanager@yachatsmail.org
501 Highway 101 N
PO Box 345
Yachats, OR 97498
www.yachatsoregon.org

From: Jacqueline Danos <jac.danos@gmail.com>
Sent: Thursday, June 4, 2026 8:56 AM
To: Kimmie Jackson <recorder@YachatsMail.org>
Cc: Bobbi Price <citymanager@YachatsMail.org>; Marc Sakamoto <marcsakamoto.planning@gmail.com>; Katherine Guenther <Planner@YachatsMail.org>
Subject: Housing Code Review

I appreciate the additional time that the Planning Commission is giving for this important process, thank you.

There are a few things I would recommend keeping in mind as the code is reviewed:

1. By allowing ADUs and duplexes in R1 zones the city is giving more flexibility to property owners in the use of their properties. Nothing is being taken away, rather people who would like, or need, to have additional housing would now be able to do so.
2. Lowering the front and side yard setbacks to 10 feet creates a more friendly walkable feel and gives needed land use flexibility to homeowners as well, especially for existing homeowners.
3. Commercially zoned properties are extremely limited. Making sure that properties zoned for commercial use remain commercial is economically important.
4. There do not seem to be any design standards for mixed use developments. How commercial and residential are combined can be done in many ways, not only with housing above and commercial below. Parking needs to be placed in the rear of any

development, as our current Comprehensive Plan recommends but does not enforce a policy of. Standards should be included for mixed-use; it is part of the housing update.

Again, thank you for taking the time to review this important and necessary revision of the Yachats housing codes.

Jacqueline Danos Purcell
760-861-8508 (cell)

“Stand for something or you will fall for anything. Today’s mighty oak is yesterday’s nut that held its ground.”

– ROSA PARKS

Prinz-Reed Family
772 NW Aqua Vista Loop
Yachats, OR 97498

May 23, 2026

Yachats City Council
P.O. Box 345 / 441 Highway 101 N.
Yachats, Oregon 97498

RE: Please Consider a Community First Approach-Opposition to Proposed ADU and Zoning Code Changes

Dear Mayor Berdie, Council President Hedlund, and Honorable City Council Members Whitten-Carey, O'Shaughnessey, and Collins,

We are writing as concerned residents of Yachats to formally express our opposition to the currently proposed accessory dwelling unit (ADU) and zoning code changes under consideration. While we understand and share the community's genuine concern about housing affordability and workforce housing, we believe the current proposal — developed largely in alignment with state mandates and consultant recommendations — moves too fast, too broadly, and without adequate safeguards for the unique character, infrastructure, and quality of life that define Yachats as the "Gem of the Oregon Coast."

We urge you to remember and consider what you love about our community. Why do you smile wide and breathe so deeply when you walk about town. Please keep these things in mind and think about how a vote in support of these proposed changes will negatively impact our collective ability to preserve the charm that makes Yachats special. We urge you to vote NO on the proposed zoning changes. Please see the following comments in support of our request for your NO vote.

1. Proposed Changes Risk Harming Yachats' Distinctive Character

Yachats is a community of approximately 772 residents. Its small scale, rugged coastline, and tight-knit character are not incidental — they are the foundation of the community's identity and the basis of its economy. A recent example illustrates the stakes: a four-condominium complex (each with an attached ADU) constructed at the corner of Highway 101 and East 9th Street has already drawn widespread concern. One of the builder/owners reportedly described the structure as ugly at a city council meeting. The complex, with parking for 8 households on a small lot, has been likened to a used car lot in appearance, and a unit was recently listed at \$2,800/month — well beyond workforce affordability.

This is precisely the type of unintended outcome that residents fear will multiply under looser zoning. We request:

- Mandatory design review standards for any ADU or multi-unit development visible from public streets, highways, or the ocean.

- Strict limits on lot coverage, building height, and massing to preserve the scale and rhythm of existing neighborhoods.
- A requirement that new housing developments demonstrate compatibility with the community's visual character before permits are issued.

2. Water Supply Is a Prerequisite, Not an Afterthought

Yachats has a well-documented and worsening water supply problem. Lincoln County has experienced repeated drought emergencies — in 2018, 2021, and again in 2025 — and coastal watersheds are projected to see streamflow reductions of 5–25% during summer and early fall months. Streamflows in summer 2025 reached historic lows.

The city's own 2025 goals acknowledge the need to "calculate the amount of water needed for resiliency and housing expansion" and to "plan and find money for a new reservoir." These are future goals — not completed actions. Proceeding with significant density increases before water infrastructure is resolved risks placing an unsustainable burden on an already strained system. We urge the council to:

- Complete and publish a water capacity study before approving zoning changes that would materially increase residential density.
- Establish a binding water availability threshold that triggers a pause in new residential permits if capacity is threatened.
- Secure a funded plan for the proposed new reservoir before expanding housing allowances beyond current levels.

3. ADU Expansion Does Not Guarantee Affordable Housing

Proponents of aggressive ADU expansion often cite housing affordability as the primary justification. However, the evidence from Yachats itself and from communities across Oregon does not support the assumption that more ADUs lead to lower rents. System development charges in Yachats currently stand at \$12,528 per dwelling unit — a significant cost passed on to renters. Without specific affordability conditions (income restrictions, rent caps, or deed restrictions), newly built ADUs are likely to be listed at market rates or used as short-term vacation rentals, further reducing available long-term housing stock rather than adding to it.

We ask the council to:

- Require that any ADU claiming an affordability rationale be subject to a deed restriction or rental agreement limiting occupancy to long-term tenants (12+ month leases) for a minimum of 10 years.
- Explicitly prohibit ADUs from being used as short-term vacation rentals (per existing or new ordinance).
- Study and potentially reduce or waive system development charges for ADUs that meet verifiable affordability standards.

4. Infrastructure and Services Must Keep Pace

Beyond water, increased residential density places pressure on Yachats' roads, stormwater systems, wastewater infrastructure, and public services — all of which are

already subject to improvement plans and budget constraints. The city's April 2025 staff report confirms that code updates are still being submitted to the Department of Land Conservation and Development for approval. This process is not yet complete. Rushing zoning changes before the full regulatory framework is in place risks adopting rules that cannot be undone and that outpace the community's ability to absorb growth.

- Condition any expanded ADU approvals on completion of the city's infrastructure capacity assessment.
- Require developers to contribute proportionally to infrastructure improvements necessitated by new density.

5. The Community Deserves Genuine Participation

Yachats residents have participated in surveys, attended community meetings, and submitted public comments on housing. However, the pace and scope of proposed code changes — driven in part by state mandate compliance and consultant timelines — has outrun meaningful community deliberation. Many residents feel that input is being solicited primarily to satisfy procedural requirements rather than to genuinely shape outcomes. With a community input meeting scheduled for September 30th and code updates targeting completion by April, the window for substantive change is narrow.

We respectfully request:

- An extended public comment period of at least 60 days on any draft code language before it is submitted for final adoption.
- A community vote or binding referendum on zoning changes that would permit density increases beyond a defined threshold in residential zones.
- Clear documentation distinguishing between changes required by state law and those that are discretionary — so residents can engage meaningfully with what is within the council's control.

Conclusion

I am not opposed to housing solutions for Yachats — I am opposed to housing solutions that sacrifice the very qualities that make Yachats worth living in. Thoughtful, incremental, and infrastructure-tied growth can address real community needs without irrevocably altering the town's scale and spirit. I urge the council to slow down, resolve the water situation, strengthen affordability conditions, and give the community a genuine voice in decisions that will shape Yachats for generations.

Thank you for your service to this community and for taking the time to consider these concerns.

Respectfully submitted,

Jennifer & Colleen Prinz-Reed
Yachats, Oregon Residents

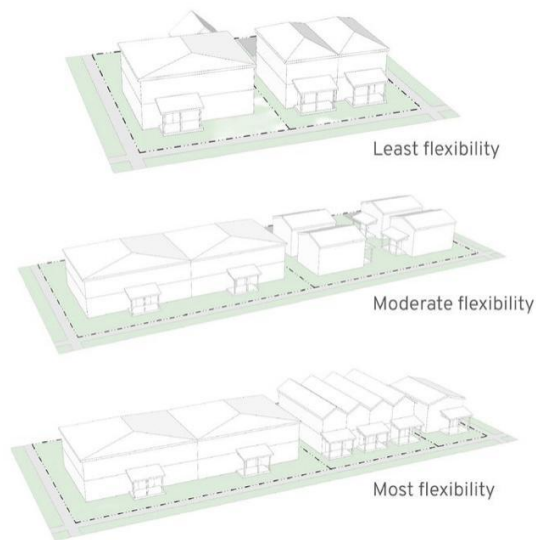
From Don Phipps to the Yachats Planning Commission on October 21, 2025:

Thanks for allowing me to voice my concerns. My partner, Cheryl Roth, and I moved to Yachats in 2020 to enjoy the peace and quiet afforded by this beautiful coastal hamlet. Recently we have become aware of a move by the city to open our town to massive development. The move would fundamentally alter the character of our town and neighborhoods.

In a nutshell, the changes proposed by the city's consultant include:

- Allowing apartment structures (multiplexes) to be built in ALL single-family resident zoned areas.
- Decreasing setbacks so developers and others can build these structures closer to a neighbor's property line.
- Allowing single-family homes within single family resident zoned areas to be converted into duplexes, fourplexes or multiplexes.
- Allowing every property in Yachats the ability to construct "ADUs" on their property. These ADUs are euphemistically described in the consultant survey as "granny flats" or "in-law suites." They are actually studio apartments (in my college days they were called efficiencies). The consultant advising the city advocates that these be available to any Tom, Dick or Henry as a rental unit. Please note, there is no limit on the number of persons that could live in these efficiency apartments. Finally, the consultant's plan is to modify setbacks in all neighborhoods to allow these efficiency apartments to be built closer to neighbor properties.
- Whether a duplex, multiplex, or an efficiency apartment is installed on the single-family property, the consultant has not modeled the effect on property values within neighborhoods if such changes were instituted. While the consultant promises that those persons who develop their properties will enjoy a gain in property value, the price effect on adjacent properties that do not want to have strangers living in ADUs on their properties or who do not want to create a multi-family dwelling out of their single-family home has not been modeled. That this commission and the city are willing to simply take a consultant's word for what will happen to property values is an oversight. I was not surprised to see that much of the on-line research that argues that property values will increase is sponsored by developers.
- Furthermore, the consultant has not considered parking needs for this influx of multi-resident properties in single family neighborhoods. Where on the narrow streets of Yachats will persons park their vehicles since the house itself will be an apartment building or have an added ADU stand-alone efficiency apartment on its premises?

- Disturbingly, the city is trying to frame this under the narrative that this will provide "workforce" housing. A recent fourplex at the corner of 9th and 101 Highway was built and the four apartments created rent for \$2,800 each. According to statistics, there are 264 persons who work in Yachats - the vast majority working in low pay service jobs at hotels and restaurants. No survey has been conducted on these persons to determine if they want to move their households to Yachats and what price they would be willing to pay to rent an apartment. Nor has any survey been done to determine the size of the worker's household and their requirements. It is likely very few, if any, can afford \$2,800 a month. So I'm highly skeptical that developers who are looking to buy up vacant properties within our neighborhoods will rent these apartments to workers. Instead, these will be marketed as long term rentals or second homes to persons on the I-5 corridor and beyond. Anyone that has followed Lincoln County's battle against short term rentals knows what rentals may lead to - overcrowding, unregulated noise, overuse of bathroom and other facilities within the rental unit, and parking issues.
- The city seems is falsely arguing that these changes are mandated by state law. **However, the consultant told me that these changes are voluntary and my research has determined the state law on affordable housing only applies to cities with populations of 10,000 or more.** Our city has a population of about 1,000 residents. **So this is a false narrative.**
- Additional input not in Don's original statement – Many of the residents in the city like the green space afforded by undeveloped properties. Now, imagine green spaces and the trees on them removed and replaced by multiplexes. That is what the city envisions as progress. Here's a picture of what the city consultant in its survey says a developed lot in a residential neighborhood would look like. Imagine this instead of green spaces and trees:



- The consultant said that the survey the city sponsored would be used to justify these zoning changes. This survey was open to anyone - and not restricted to those who own property in our town, which would be the affected constituency of any zoning changes in single family neighborhoods. For example, this demographic question comes up near the end of the survey. Please notice how many of these categories are directed at folks that don't live or own property in our town:

18 → Which of the following best describes your relationship to Yachats?

A	I live and work in Yachats.
B	I work in Yachats. I live in a different area.
C	I live in Yachats. I work in a different area.
D	I live in Yachats and am retired.
E	I live in Yachats for part of the year.
F	I am retired and own a second home in Yachats.
G	I want to live in Yachats but cannot find affordable housing.
H	I don't live or work in Yachats, but I enjoy visiting.
I	None of the above

So any Tom, Dick, or Henry can fill it out from anywhere in the country or around the globe and their opinion has the same weight as a person residing in Yachats when the results are compiled.

- As someone who has a 33-year career in marketing research, I believe the survey should have been restricted to the population of persons who reside and/or own

property within the city limits. This was not done. Even worse, anyone could go out on this survey and fill it out multiple times. There was no control on this.

- It is my belief that any ruling by this commission or the city council to broaden zoning in single family neighborhoods will be challenged by a ballot initiative.
 - It should be noted here that voters have the right to initiate petitions to repeal local ordinances, including zoning laws. This means that if a city council or planning commission enacts zoning changes, citizens can gather signatures to place a measure on the ballot to repeal those changes. Please note that voting on ballot initiatives is generally restricted to registered voters who reside in the jurisdiction where the initiative is being proposed. This means that individuals must have a physical address within the city to be eligible to vote on local ballot measures. Let me repeat this: **Voting on ballot initiatives is generally restricted to registered voters who reside in the jurisdiction where the initiative is being proposed.**

It is a shame that the city would permit a consultant to survey persons who do not reside in the jurisdiction of Yachats and permit these non-residents to offer their opinion on zoning changes that affect city residents. It is even more shameful that this consultant will say that the commission and city council should approve its recommendations based on such a survey. I will work diligently to see that this does not stand, and instead, that the residents of Yachats will determine changes that directly affect the quality of life in their neighborhoods and the value of the property they invested in.

Please remember that a development at Agate Point was rejected by the citizens that lived in the area in 2021 and this development scheme will likely receive a no vote from the citizens when a referendum is put in front of them. The wholesale changes being proposed by the city should be determined by a vote, not by 7 commissioners and 5 city council members. Thank you.

From: [Bobbi Price](#)
To: [Kimmie Jackson](#)
Subject: Fw: Project Management Team and Advisory Committee are neither transparent or open....
Date: Friday, June 5, 2026 12:17:48 PM

I believe we do have this one on record



Bobbi Price
City Manager, City of Yachats
Phone: 541-547-3565 ext. 102
citymanager@yachatsmail.org
501 Highway 101 N
PO Box 345
Yachats, OR 97498
www.yachatsoregon.org

From: Barry - Yachats city council <barry@YachatsMail.org>
Sent: Friday, June 5, 2026 10:31 AM
To: Bobbi Price <citymanager@YachatsMail.org>
Subject: Fw: Project Management Team and Advisory Committee are neither transparent or open....

For the record, a 5-20-26 email that was not sent to City staff.

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From: dl.phipps@yahoo.com <dl.phipps@yahoo.com>
Sent: Wednesday, 20 May 2026 18:23:38
To: Nicole Hedlund <nicole@YachatsMail.org>; Catherine <catherine@YachatsMail.org>; Mary Ellen O'Shaughnessey <MaryEllen@YachatsMail.org>; Mayor <Mayor@YachatsMail.org>; Barry - Yachats city council <barry@YachatsMail.org>
Subject: Project Management Team and Advisory Committee are neither transparent or open....

City Council Members,

In my discussion at the Dream Machine coffee house on May 12, Mayor Berdie agreed to an independent review of our zoning codes by either the city attorney or a reputable land use attorney that is knowledgeable about the state zoning regulations. **I ask that this review be completed before any vote by the planning commission on the upzoning code changes.** It should be noted that 99% of the planned zoning changes are not required by the state of Oregon. At the soiree I also asked that a serious workforce study be completed by a reputable

marketing research firm that would study all 260 or so full and part-time workers before any vote by the planning commission. It appears that there is convenience sampling being passed off as legitimate statistical research. **Mayor Berdie agreed at the coffee house soiree that a study of our workers would indeed be helpful and council member Collins expressed an interest in such a study at our roundtable during the April 2 community engagement session. Make it so.**

I must admit that, unlike most of you, I do not find these massive zoning changes necessary or even slightly good for our community. I believe it is disruptive to the character of our neighborhoods and will forever change what I and others love about our town. Furthermore, I believe it is out of step with the broad consensus of our residents. We want to preserve and protect Yachats and not turn it over to for-profit development to do carte blanche as they see fit to enrich themselves at our community's expense.

Which now leads me to the primary concern. **I have recently learned of two groups, a Project Management Team (I learned about this group on May 3, 2026) and an Advisory Committee (I learned about this group on May 18, 2026) that meet in an untransparent manner with no minutes or video of their meetings publicly available for residents to review.** According to the May 15, 2026 memorandum from the Portland consultants, "CP (Cascadia Partners) 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."

This Project Management Team is comprised of city manager Bobbi Price, city planner Katherine Guenther, planning commission chair Marc Sakamoto, planning commission vice chair Mary Aebi, and two Portland consultants. I would ask the city council to require that this team be transparent and open their deliberations to the public. **The document states that this Project Management Team provides feedback to the Portland consultant's Adoption Draft of zoning changes.** In my opinion, this runs counter to Oregon open meeting laws and will form a pillar of any appeal my group, the Yachats Preservation Alliance, makes to the Oregon Land Use Appeals Board. Secret meetings to provide feedback to Portland consultants who advocate for massive zoning changes to our town have no place in Yachats government.

Furthermore, we have another group that provides "feedback" to the Adoption Draft of zoning changes. It's called the "Advisory Committee." **The names of Advisory Committee members were read to the Planning Commission yesterday but there is no written record of who serves on this committee.** And in an additional document submitted by the city manager to the Planning Commission, the Advisory Committee is shown to provide Community and Stakeholder feedback. How is this done? Who are the "stakeholders?" **Should residents of Yachats know who is on this committee and what feedback they are providing to the Portland consultants and their adoption draft of code changes? Of course!** Again, this too will be part of any appeal my group makes to the Oregon Land Use Appeals Board. I would urge the council to require that this group meet in public and on the record. **In sum, it is imperative that Yachats maintain open and transparent government. I believe committees and teams that fall outside of this open government obligation are out of step with the sentiment of our community at large. I expect the city council to remedy this situation and admonish those**

responsible for creating backroom organizations that “provide feedback” to the adoption draft of massive zoning changes. I would also remind the council that there is a higher authority – the Oregon Government Ethics Commission. I will be putting this remedy request in writing by email to each member of this council. There is a timetable associated with an appeal to the Ethics Commission and I plan to meet it unless the Council remedies the situation quickly. Thanks.

Don Phipps
1010 Hanley Drive
Yachats, OR 97498
Phone: 541-974-8586
Email: dl.phipps@yahoo.com

From: [Jacqueline Danos](#)
To: [Kimmie Jackson](#)
Cc: [Bobbi Price](#); [Marc Sakamoto](#); [Katherine Guenther](#)
Subject: Housing Code Review
Date: Thursday, June 4, 2026 8:57:13 AM

I appreciate the additional time that the Planning Commission is giving for this important process, thank you.

There are a few things I would recommend keeping in mind as the code is reviewed:

1. By allowing ADUs and duplexes in R1 zones the city is giving more flexibility to property owners in the use of their properties. Nothing is being taken away, rather people who would like, or need, to have additional housing would now be able to do so.
2. Lowering the front and side yard setbacks to 10 feet creates a more friendly walkable feel and gives needed land use flexibility to homeowners as well, especially for existing homeowners.
3. Commercially zoned properties are extremely limited. Making sure that properties zoned for commercial use remain commercial is economically important.
4. There do not seem to be any design standards for mixed use developments. How commercial and residential are combined can be done in many ways, not only with housing above and commercial below. Parking needs to be placed in the rear of any development, as our current Comprehensive Plan recommends but does not enforce a policy of. Standards should be included for mixed-use; it is part of the housing update.

Again, thank you for taking the time to review this important and necessary revision of the Yachats housing codes.

Jacqueline Danos Purcell
760-861-8508 (cell)

“Stand for something or you will fall for anything. Today’s mighty oak is yesterday’s nut that held its ground.”

– ROSA PARKS

From: [Bobbi Price](#)
To: [Kimmie Jackson](#)
Subject: Fw: Proposed housing code change
Date: Wednesday, June 3, 2026 12:10:46 PM



Bobbi Price

City Manager, City of Yachats
Phone: 541-547-3565 ext. 102
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501 Highway 101 N
PO Box 345
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From: Lauren Casalino <laurencasalino@gmail.com>
Sent: Friday, May 1, 2026 11:37 AM
To: marcsakamoto.planning@gmail.com <marcsakamoto.planning@gmail.com>
Cc: Mayor <Mayor@YachatsMail.org>; lorendickinson.planning@gmail.com <lorendickinson.planning@gmail.com>; craigyachats@gmail.com <craigyachats@gmail.com>; Mary A <pccmaebi@gmail.com>; david diamond <daviddiamondpc955@gmail.com>; joleneplanning@outlook.com <joleneplanning@outlook.com>; steve.chase@groviewasher.com <steve.chase@groviewasher.com>; Nicole Hedlund <nicole@YachatsMail.org>; Catherine <catherine@YachatsMail.org>; Mary Ellen O'Shaughnessey <MaryEllen@YachatsMail.org>; Barry - Yachats city council <barry@YachatsMail.org>; Kimmie Jackson <recorder@YachatsMail.org>; Bobbi Price <citymanager@YachatsMail.org>
Subject: Re: Proposed housing code change

Dear Mr. Sakamoto, and all

First, thank you, Mr. Sakamoto, for the effort it took to respond to me.

I took Katherine and Bobbi up on their Facebook invitation to meet. They were extremely generous with their time and it was, for me, a positive interaction, although I would prefer to be getting to know them (and all of you) in less potentially conflictual circumstances.

Our meeting helped me have more understanding of the codes. It also gave me the opportunity to make some suggestions which, in my mind, could support both the process and the outcome of housing code changes. I believe I was heard and I think that the inclusion of "Fine Print" on yesterday's communication on Facebook from the City of Yachats was an immediate response to one of my suggestions. If so, thank you, Bobbi and Katherine!

These were the suggestions, with minor additions in this writing, that I made:

1 Detail the step-by-step actions involved in changing the housing code. Include dates of meetings, whether or not they are open to the public, and if open whether and how public questions and commentary can occur.

This could go a long way towards reducing peoples' upset with the process and concerns around transparency.

2 Address peoples' fears.

This could either allay or increase fears, but at least there would be a factual basis for how people are feeling

3 Create safeguards within the code so that our town doesn't:

3a overtax its infrastructure

3b become a near constant construction zone

3c ruin sight lines to ocean and river and mountains and greenery, not only for the few, but for everyone, resident and tourists alike.

To the degree that it is possible to mitigate these potentially seriously negative impacts, I have to imagine that there would be more support for the code.

4 Write code that doesn't perpetuate or possibly exacerbate the current housing problem, namely, that 60% of housing stock is unused or significantly under-utilized.

5 When statements are made about the code, include complete information, not partial information, as doing that erodes trust in all statements made when it becomes apparent that only partial information was shared, information which does not give the full picture and which either sidesteps or could be viewed as misleads around the potential negative impacts of the code.

This would create trust in the present, and avoid the potential for a lot of backlash in the future when people experience the impacts of the code changes, impacts which communications from Cascadia Partners and the City and perhaps some of you could be viewed as, at best, unintentional, or as not acknowledging downsides, or at worst, as intentional misleading/manipulation.

6 Create situations, ideally skillfully facilitated ones, in which there is enough time for actual discussion.

There are many possible outcomes of doing so, but ideally the outcomes would include people feeling heard and that their voices have been taken into account, people becoming more informed, people understanding why someone might be in favor of, or against, a particular aspect of the code given their lived experience, and ultimately, the greater intelligence, thus formation of the code that can occur when conversation intended to be constructive occurs and the intelligence of more minds is at play

I am considering how and where to make my views known, but I want to be sure that what I voice is based in fact. Below is what I believe to be fact. If I am inaccurate, please correct me, ideally giving the reasons/research which will help me to understand what is factual.

1 When housing codes are undergoing proposed changes, **the best practice** is for **policy to be established first**, which the code is then written to.

Policy dictates the goals—such as safety, sustainability, or affordability—while the code provides the technical, measurable standards to achieve those goals.

Perhaps the City has the cart before the horse?

2 Some of what the City is saying is an idea of how Policy could be written, with an indeterminate timeframe for that action.

This seems more like a promise than a way to shape outcomes of code changes. It leaves open the potential for a lot

of long-lasting negative impacts to develop prior to policy that could mitigate or negate those impacts.

3 There is nothing within the code that ensures housing that would be affordable for our workforce.

4 There are rationales, and some studies, that indicate that these code changes could increase land values (in fact, Cascadia states that as likely), along with increasing rents and home prices.

<https://www.urban.org/research/publication/land-use-reforms-and-housing-costs#:~:text=We%20find%20that%20reforms%20that,for%20new%20and%20existing%20stock.>

<https://yonahfreemark.com/2021/04/13/upzoning-chicago-impacts-of-a-zoning-reform-on-property-values-and-housing-construction/>

5 There is nothing within the code that ensures the “gentle density” named by Cascadia Partners.

6 Neighborhoods which were already designated as “high density” (R3 and R4 and maybe others) will have the ability, and possibly be incentivized, to become even more “high density”.

7 The character of Yachats is not safeguarded by this code.

8 The City is intending to incentivize development.

Cascadia Partners, backed, I assume, by most of you, but please correct me if my assumption is wrong, states that that is what the changes are meant to do. Nowhere is the “character” actually detailed. Nor is how the code safeguards Yachats’ character described.

As is, I am strongly opposed to the code as currently written.

My hope is that all of you are paying close attention (actually reading) the proposed code and considering the concerns I and others are voicing.

My hope is that more people become informed about the code and form their own views based, not on my or anyone else’s bias, but from clearcut communication of facts and actual knowledge and understanding of the code.

I hope to be constructive in my criticism, such that the changes that occur in the code support as best as possible the realities and the needs of those who will be impacted by these code changes in the near and the long term, whether resident or tourist or second home owner.

Hopefully, communication will be received in that spirit.

I have also been considering how I can be in support of this gargantuan project you are all involved in. I’m late for a luncheon so I will intend to share that later.

Thank you, very much, for your time and consideration, as well as for all your efforts to care for the present and the future of Yachats,

Lauren

On Apr 27, 2026, at 2:49 PM, Marc Sakamoto <marcsakamoto.planning@gmail.com> wrote:

Dear Ms Casalino: Thank you for your comments regarding the code changes we are considering. I found your comments to be very thoughtful and reflect some of the concerns that have been expressed by many of us. We feel, and the experience of other cities with similar code changes have shown, that having even a small number of additional rental units

to the housing supply tends to moderate rental rates (supply and demand). Granted a property owner having more building options could see a resulting modest increase in land values but since the intent of these codes is to give more flexibility to people who already own the land, the possible increase in land values over the short term should not significantly affect their decision to build. Also I would note that we do not anticipate ADU's or duplexes to be used for "second" homes and short term rental of ADU's will be prohibited so those two factors should not affect prices.

I would invite you to attend the Planning Commission meetings when we discuss these issues as I would very much like to hear more of your thoughts on this.

Regards,
Marc Sakamoto

On Sun, Apr 26, 2026 at 11:05 AM Lauren Casalino <laurencasalino@gmail.com> wrote:

Dear All

I appreciate your efforts to address our housing challenges and the stated goal of creating more housing opportunities for residents. I support the intent behind these proposed code changes. However, I am concerned that they **could actually worsen the cost of housing**. I hope you will read and consider the logic shared below. It details how the proposed changes could make housing even less affordable than it currently is.

My intent is to be a constructive member of the community and help in refining the proposed housing code changes. I'm new to interacting with the groups and the structures involved, so if it would be more helpful if I was communicating to a different group of people, or through a different form, I would appreciate your telling me how best to do that. I will take up the City of Yachats Facebook invitation to set up a meeting with the City Manager or City Planner.

Here's the potential problems with the code: In a market where a majority of housing is already removed from the long-term residential pool, increasing allowable density without mechanisms to ensure occupancy or local use is unlikely to reduce housing costs, and may increase land values and speculative demand, thereby worsening affordability.

IN SHORT: Why prices might actually increase

1. **Zoning increases development potential**
2. **Property values rise due to that potential**
3. **Outside demand (investors, second-home buyers) increases**
4. **New units skew toward high-end or short-term use**
5. **Local workforce housing supply remains constrained**

Net effect:

- **Home prices increase**
- **Long-term rental supply barely changes**
- **Rents remain high or rise**

IN MORE DETAIL:

The key issue: supply vs. *effective* supply

On paper, allowing ADUs and multiplexes increases housing supply. In most markets, more supply → lower prices.

But our town has an unusual constraint:

- ~60% of units are **not part of the long-term housing market** (vacant, second homes, occasional rentals)
- New units are projected to follow the same pattern
- Only ~5% of parcels are expected to redevelop

That means the policy may increase *theoretical supply* without meaningfully increasing *effective supply* (homes available to local residents full-time).

Why prices might NOT fall

1. New units may not enter the local housing pool

If new ADUs and multiplex units are:

- Used as vacation rentals
- Held as second homes
- Left vacant for speculative appreciation

...then they don't increase supply for local workers.

Result: No downward pressure on rents or home prices.

2. Induced demand (amenity + investment effect)

In a coastal tourist town, increasing development potential can make property *more attractive to outside buyers*:

- Investors see new income opportunities (ADUs, short-term rentals)
- Second-home buyers value flexibility and future build-out potential
- Developers may assemble parcels in multiplex zones

Result: Demand increases alongside (or faster than) supply → prices rise.

3. Land value capitalization

Zoning changes often get “priced into” land values.

If a lot can now hold:

- An ADU worth rental income, or
- A multiplex instead of a single home

...buyers will pay more for that lot upfront.

Result:

- Home purchase prices increase (especially for buildable parcels)
- Property taxes may rise over time
- Entry barriers for local buyers get worse

4. Small-scale infill is relatively expensive

ADUs and small multiplexes:

- Have higher per-square-foot construction costs than large developments
- Often target higher-end renters to recoup costs
- Are rarely “naturally affordable” without subsidy

Result: New units may be priced at the top of the local market, not the bottom.

5. Low adoption rate limits impact

With only ~5% of properties expected to build:

- The increase in total units is modest
- Any price effects (up or down) are diluted
- Market-wide affordability likely doesn't change much

What would need to be true for prices to fall?

For the policy to actually lower costs, at least one of these would need to change:

- New units are **restricted or incentivized** for long-term occupancy
- Short-term rentals are limited or regulated
- Vacancy rates decline
- A much higher share than 5% of parcels redevelop
- Development targets lower-cost housing (unlikely without subsidy)

IN SUMMATION:

1. Mismatch problem

The issue is not lack of structures, but lack of *occupied, long-term housing*.

2. Leakage problem

New units are likely to "leak" into the same underutilized categories.

3. Price signal problem

Up-zoning increases land value and attracts outside capital, raising costs.

It is my hope that you will discuss the concerns raised in this email, and address how the proposed changes could actually increase the cost of housing. I imagine that could lead to beneficial refinement of the proposed code.

Sincerely,
Lauren

From: [Bobbi Price](#)
To: [Lauren Casalino](#); marcsakamoto.planning@gmail.com; [Mayor](#); lorendickinson.planning@gmail.com; craigyachats@gmail.com; [Mary A](#); [david diamond](#); joleneplanning@outlook.com; [Nicole Hedlund](#); [Catherine](#); [Mary Ellen O'Shaughnessey](#); [Barry - Yachats city council](#); [Kimmie Jackson](#)
Cc: [Katherine Guenther](#)
Subject: Re: 2 more questions about facts
Date: Friday, May 1, 2026 8:31:22 PM

Hi Lauren,

Thank you for your questions. Katherine and I worked to answer these together. I think we're on to the start of a great Q&A document to add to our City Website. We've received some similar ones on Facebook. I will use these questions and others to create that Q&A.

1 Oregon regulations, beginning in 2027, will supersede/be the final legal say even if there are HOA covenants? So, for instance 16 ft height limits that currently exist in some of those covenants will no longer stand and 30 feet of building height will become possible.

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 (like height limits) are not seen as an obstacle 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.

2 The code does prevent short term (nightly?) ADU rentals.

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 alongside 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 of community stability.

3 The code does not restrict vacation rentals of 31 days or more for ADU's.

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."



Bobbi Price

City Manager, City of Yachats
Phone: 541-547-3565 ext. 102
citymanager@yachatsmail.org
501 Highway 101 N
PO Box 345
Yachats, OR 97498
www.yachatsoregon.org

From: Lauren Casalino <laurencasalino@gmail.com>

Sent: Friday, May 1, 2026 1:31 PM

To: marcsakamoto.planning@gmail.com <marcsakamoto.planning@gmail.com>; Mayor <Mayor@YachatsMail.org>; lorendickinson.planning@gmail.com <lorendickinson.planning@gmail.com>; craigyachats@gmail.com <craigyachats@gmail.com>; Mary A <pccmaebi@gmail.com>; david diamond <daviddiamondpc955@gmail.com>; joleneplanning@outlook.com <joleneplanning@outlook.com>; Nicole Hedlund <nicole@YachatsMail.org>; Catherine <catherine@YachatsMail.org>; Mary Ellen O'Shaughnessey <MaryEllen@YachatsMail.org>; Barry - Yachats city council <barry@YachatsMail.org>; Kimmie Jackson <recorder@YachatsMail.org>; Bobbi Price <citymanager@YachatsMail.org>

Subject: 2 more questions about facts

Dear All,

Please refer, prior to reading this email, to the one I sent earlier today.

I would like to check out whether this is fact, too:

1 Oregon regulations, beginning in 2027, will supersede/be the final legal say even if there are HOA covenants?

So, for instance 16 ft height limits that currently exist in some of those covenants will no longer stand and 30 feet of building height will become possible.

2 The code does prevent short term (nightly?) ADU rentals.

3 The code does not restrict vacation rentals of 31 days or more for ADU's.

With regard to how I might be able to help, as mentioned in my previous email, I need to give more thought to it so perhaps there will be a communication around that.

Sincerely,

Lauren

From: [Mary A](#)
To: [Kimmie Jackson](#)
Subject: Fwd: Proposed housing code change
Date: Monday, April 27, 2026 4:27:27 AM

----- Forwarded message -----

From: **Lauren Casalino** <laurencasalino@gmail.com>
Date: Sun, Apr 26, 2026, 11:05 AM
Subject: Proposed housing code change
To: <craig@yachatsmail.org>, <lorendickinson.planning@gmail.com>, <craigyachats@gmail.com>, <pccmaebi@gmail.com>, <daviddiamondpc955@gmail.com>, <joleneplanning@outlook.com>, <marcsakamoto.planning@gmail.com>, <marcsakamoto.planning@gmail.com>, <steve.chase@grovewasher.com>, <nicole@yachatsmail.org>, <catherine@yachatsmail.org>, Mary Ellen O'Shaughnessey <MaryEllen@yachatsmail.org>, <barry@yachatsmail.org>

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Sincerely,
Lauren

From: [Marc Sakamoto](#)
To: [Kimmie Jackson](#); [Bobbi Price](#); [Katherine Guenther](#)
Subject: Fwd: housing code change
Date: Saturday, April 25, 2026 11:18:20 AM

FYI

----- Forwarded message -----

From: **Marc Sakamoto** <marcsakamoto.planning@gmail.com>
Date: Sat, Apr 25, 2026 at 11:16 AM
Subject: Re: housing code change
To: Christine Barnes <greatlodges@aol.com>

Christine,

Thank you for sharing your background and detailed concerns regarding architectural impact and character. We will certainly take your perspective into account as we review the proposal.

Marc

On Fri, Apr 24, 2026 at 9:43 AM Christine Barnes <greatlodges@aol.com> wrote:

Hi Marc,

Thanks for the reply. Comparing Bend and Yachats is a stretch, but I'm familiar with good zoning intentions going very wrong.

As for height limits, I know Yachats is 3 stories. That is tall when set next to one story homes. I was not living in Yachats when the three-story limit was implemented but I can guess it was meant for hillside homes with the first story garden level. Whatever, in context, it's tall.

Think of it this way; the fill-in building of choice because they are cheap is what contractors call "house of cards". In the case of Yachats that could mean three story, straight up multiplex buildings. They are cheap to build, do not reflect the town's character, slip into any slot of land and would probably be plummeted by our weather rather quickly. I feel that the change in zoning is opening up a world of ugly. As you stated, landowners would have the freedom to develop their property. I doubt if architects would be involved.

I don't voice my opinion without a little background. I am a former journalist, author of numerous books on historic buildings, architectural historian and served on the Deschutes County Historical Society.

Saving a town's character simply means saving our little town. You are right, there is no room for sprawl, making what is built all the more important.

Thank you,
Christine Barnes

Sent from my iPhone

> On Apr 23, 2026, at 2:26 PM, Marc Sakamoto <marcsakamoto.planning@gmail.com> wrote:

>

>

> Dear Ms. Barnes:

>

> If I could summarize your concerns, I think you are concerned about "tall" multi-unit developments that can have secondary impacts on a community. While I am not familiar with the zoning regulations in Bend, in Yachats the city has a building height limit of 30 feet - approximately 3 stories. In addition, certain developments in the city have written into their CC&R's a height limit less than that which supersedes the city code. There is nothing in the recommendations from Cascadia Partners that would change this. Also, unlike Bend, Yachats does not have many large tracts of undeveloped land - as you may have noticed around town, most of the undeveloped lots are single lots located between developed lots. Because of this, we would not anticipate a large number of multi-unit buildings in one area. Instead we foresee at most a scattering of multi-unit developments on a few lots within the applicable height limits as they currently exist.

>

> With regards to the affordability of any new construction, Cascadia Partners has analyzed this question, and if units were built to the density permitted in the new code, it is possible to construct rentals that would be affordable to many workers in the city. We do not see these code changes as "solving" housing affordability in Yachats; that is too complex an issue to resolve that easily. Rather we see these changes as a step in the direction of giving landowners the flexibility, if they choose, to build a greater variety of housing that will add to the housing stock and therefore lower prices for renters.

>

> I hope that answers your questions. If not, please feel free to email me with any questions.

>

> Regards,
> Marc Sakamoto

>

From: [Marc Sakamoto](#)
To: [Kimmie Jackson](#)
Cc: [Bobbi Price](#); [Katherine Guenther](#)
Subject: Fwd: Yachats village
Date: Saturday, April 25, 2026 11:08:05 AM

FYI

----- Forwarded message -----

From: Lee White <Lee@northwestmedia.com>
Date: Fri, Apr 24, 2026 at 11:13 PM
Subject: Yachats village
To: marcsakamoto.planning@gmail.com <marcsakamoto.planning@gmail.com>

Hi,

When we bought property in Yachats 20 years ago, we bought because it was a delightful village. It had a special feeling to it compared to other coastal towns (cities). Is it progress to take a village with a special feeling and create it to be a city, with 3 story buildings or crammed together housing? Or should Yachats being looking more at how Monterrey CA kept their village feeling.

I felt the sidewalks along 101 was a downward move for Yachats and the art to attract tourist...town folks and tourists are drawn to Yachats because of the village feeling, not for the Dollar Store, but stores like Books and More or the Kitchen Store. Keep the village feeling, don't overpopulate it. We're good, we don't need to keep up with the other coastal "cities."

Thanks for considering my thoughts.

From: [Mary A](#)
To: [Kimmie Jackson](#)
Subject: Fwd: housing code change
Date: Wednesday, April 22, 2026 5:36:40 PM

Kimie;
I received this email and am forwarding it to you.
Mary Aebi
Planning Commission

----- Forwarded message -----

From: **Christine Barnes** <greatlodges@aol.com>
Date: Wed, Apr 22, 2026 at 12:46 PM
Subject: housing code change
To: <craigyachats@gmail.com>, <lorendickinson.planning@gmail.com>, <pccmaebi@gmail.com>, <daviddiamond955@gmail.com>, <joleneplanning@outlook.com>, <marcsakamoto.planning@gmail.com>, <steve.chase@groovewasher.com>
Cc: <citymanager@yachatsmail.org>

First, thanks to all of you who give your time to Yachats. It can be a thankless task.

Housing is certainly a hot button subject. I am fortunate to live in Bend and have a family cottage in Yachats. I have watched the city of Bend build up and out over the past twenty years. Affordable housing is the goal, but as you know, it is rarely met. I call what has happened in Bend “dense sprawl” with taller apartments/condos eliminating the views that make the town special and creating shade and wind corridors. Rarely, are these new apartments “affordable”.

While Yachats is a different geographic site, multiplex units, particularly tall ones dropped into existing neighborhoods will create unforeseen problems. The need for lower cost housing for the workers who make Yachats what it is very real, but ruining what is here is, in my opinion, a mistake. Perhaps the code could include duplexes of one story...or clusters of “tiny homes” like those at Overleaf Lodge. The townhouses on Diversity Land is another successful development. These homes are cohesive and create a community. The least impact on the coastal town should be the goal. And these units need to meet the needs of the workforce including restaurant and motel workers.

Like I said, this is thankless task, but an important one.

Thank you,

Christine Barnes
2021 Overleaf Loop
Yachats, OR

1177 NW Quincy Ave.
Bend, Or 97703

From: [Bobbi Price](#)
To: [Mayor](#); [Kimmie Jackson](#)
Subject: Re: Proposed Changes to Yachats Housing Code
Date: Thursday, April 9, 2026 4:58:22 PM

Thank you! We'll make sure it's added to the PC/CC meeting



Bobbi Price
City Manager, City of Yachats
Phone: 541-547-3565 ext. 102
citymanager@yachatsmail.org
501 Highway 101 N
PO Box 345
Yachats, OR 97498
www.yachatsoregon.org

From: Mayor <Mayor@YachatsMail.org>
Sent: Thursday, April 9, 2026 1:43 PM
To: Kimmie Jackson <recorder@YachatsMail.org>; Bobbi Price <citymanager@YachatsMail.org>
Subject: Fw: Proposed Changes to Yachats Housing Code

Forwarding an email sent to my personal email for public record

----- Forwarded message -----

From: **Marc A.** <macourtenay@gmail.com>
Date: Tue, Apr 7, 2026 at 6:06 PM
Subject: Proposed Changes to Yachats Housing Code
To: Craig & Sharon Berdie <cberdie@gmail.com>, City of Yachats <listserv@civicplus.com>, Mary Ellen O'Shaughnessey <MaryEllen@yachatsmail.org>

Comments on Proposed changes to Yachats housing code

Marc Courtenay
900 Hanley Drive
Yachats, OR 97498

After listening to and watching the community open session last Thursday, I wanted to express my opinion regarding the mandated and suggested housing code changes that were spelled out.

First, I want to point out that most of the state mandated changes are for Oregon cities of 10,000 population or higher.

A major “selling point” of the proposed changes argues that more “workforce housing” will be available. However, the material and analysis presented to date do not make a strong argument for this.

The examples showing increased affordability are for teachers (assumed salaries of \$51,000/year), police officers (\$77,000/year) and Judges ((\$174,000/year).

What was not presented is the fact that most representative examples of our workforce, such as restaurant workers, room cleaners and yard maintenance have far lower incomes than the examples given.

Will allowing duplexes, triplexes and fourplexes in areas currently zoned for one dwelling really help these workers, or will this enable more second homes for residents of the Willamette Valley and other areas to escape the increasing heat due to climate change?

Who will build the duplexes etc.? Probably builder/developers who would then market the units to out of area people for second homes. It is unlikely that local workers would be able to compete for these multifamily complexes.

I would support other types of housing that truly would help local workers afford housing in Yachats, if they desire it. Has anyone polled local workers to see what they want and can afford?

Since there are no schools in Yachats, only expensive groceries and very limited medical services, will our workforce employees choose to live here even if they could afford housing here (which I know as a fact that they can't afford).

Another concern I have is pedestrian safety. I typically walk a few miles per day in Yachats. Most streets do not have sidewalks so walking in the street is necessary. With the proposed increased housing density we can expect increased traffic on our roads, subjecting walkers to more risk.

What will be the impact of the changes on the total population? It seems logical that increased density will cause a larger population. Greater population would require greater water supplies which have been marginal in late summer and early autumn. Our sewage treatment facilities will be impacted as well.

It has been projected that with an agreement with the Southwest Lincoln Peoples Utility District, Yachats will have ample water for the next 20 years or so. However the projections did not account for the projected effects of climate change on water supply and water demand. This would exacerbate the effects from any zoning related population growth.

Before I can be satisfied with the proposed changes, I would like to see a more convincing analysis of the impact of the changes on workforce affordability, pedestrian safety and water availability. I am in favor of ADUs as long as they are not placed near or

on existing property boundaries.

Thank you for your service and consideration. Since I don't have the email addresses for Bobbi Price and the other Council members, please forward this message.

Respectfully,

Marc Courtenay

Relevant information and data for policy discussions for the Yachats zoning code revisions.

Information gathered by Steve Chase, April, 2026

(Note: Much of the following data was obtained using search questions on Google. The results are drawn from public sources but some of the information is out of date. The information is not comprehensive. Please excuse duplications.)

I. Demographics for Yachats and Lincoln County

II. Economic Drivers for Yachats and Lincoln County

III. Survey of below market rent/income restricted housing units in Yachats & Lincoln County

IV. Market rate, low cost housing alternatives in the area

V. Data on Waldport Public Schools and Oregon Community College, Waldport Campus

VI. Current and proposed new housing developments in the Waldport area

VII. Legislated advantages of Small Cities in Oregon

VIII. Lifestyle advantages of living in a small city in Oregon and Yachats specifically

IX. Public transportation resources

X. Development and Building Information

I. Demographics for Yachats and Lincoln County

Demographics Summary:

- Lincoln County population: 51,022
- City of Yachats population: 1,026
- City of Waldport population: 2,266
- Census tract 9517 population (Lane Co line to Tillicum Beach-includes City of Yachats): 2,163
- Census tract 9516 population (Tillicum Beach north to include City of Waldport): 3,830
- 97498 zip code population: 2,055

Population of Lincoln County.

As of April 2026, the estimated population of [Lincoln County, Oregon](#), is approximately **51,022**.

Recent Population Estimates

Recent data from the **U.S. Census Bureau** and state research centers show slight fluctuations in the county's total population over the last few years:

- **2026 Estimate: 51,022** (projected based on recent annual growth rates).
- **2025 Estimate: 50,636.**
- **2024 Estimate: 51,212.**
- **2020 Census: 50,395.**

Key Demographic Observations

- **Growth Trends:** Lincoln County is the **18th largest county** in Oregon. While it grew significantly (about 10.9%) between 2010 and 2020, recent annual growth has stabilized or seen a very slight decline of around **-0.19%**.
- **Age Profile:** The county has an older-than-average population, with **33.2%** of residents aged **65 years and over**. The median age is approximately **52.9 years**.
- **Population Density:** The county has a density of roughly **47 inhabitants per square mile**.



Census.gov +3

Population of the City of Yachats

The current population of Yachats, Oregon, is approximately **979 to 1,026 people**. While the 2020 Census recorded 994 residents, recent estimates suggest a slight increase or stabilization around 979–1,010. The small coastal city, known for its high retiree population, has grown by about 2.4% since 2020.

Key Population Data for Yachats, OR:

- **Population Range:** 979 – 1,026 (based on 2024/2025 data)
- **2020 Census:** 994
- **Median Age:** ~65–68 years

- **Location:** Lincoln County, Oregon



Wikipedia +4

Population of the City of Waldport, OR

Based on recent estimates and census data, the population of Waldport, OR, is approximately **2,177 to 2,266**. While the 2020 Census recorded 2,249 residents, 2024–2026 estimates suggest a very slow growth rate or minor fluctuation, maintaining a population in the low 2,200s.

Key Population & Demographic Data (Recent Estimates):

- **Population:** ~2,177–2,266
 - **Median Age:** 58–61 years (a retirement-aged community)
 - **Location:** Lincoln County, Oregon Coast.
 - **Growth Rate:** Very slow, around 0.09% annually, according to some projections.
- The city, located on the Alsea Bay, has experienced slight growth since the 2000s, with a population that remains relatively stable.

Census Tract 9517 – Including Yachats – Lane Co line to Tillicum Beach

The population in Census Tract 9517, Lincoln County, Oregon, was approximately 2,163 in 2023. This tract is located within Lincoln County, with a median age of 59.5 years and a median income of \$34,745 as of 2023.



Data Commons

Key Data for Census Tract 9517 (2023 Estimates):

- **Total Population:** ~2,163
- **Median Age:** 59.5 years
- **Median Income:** \$34,745
- **Group Quarters Population:** 212

For more precise or updated statistics, you can explore the [Data Commons profile for Census Tract 9517](#) or use the [Census Bureau's Census Tract Map](#).

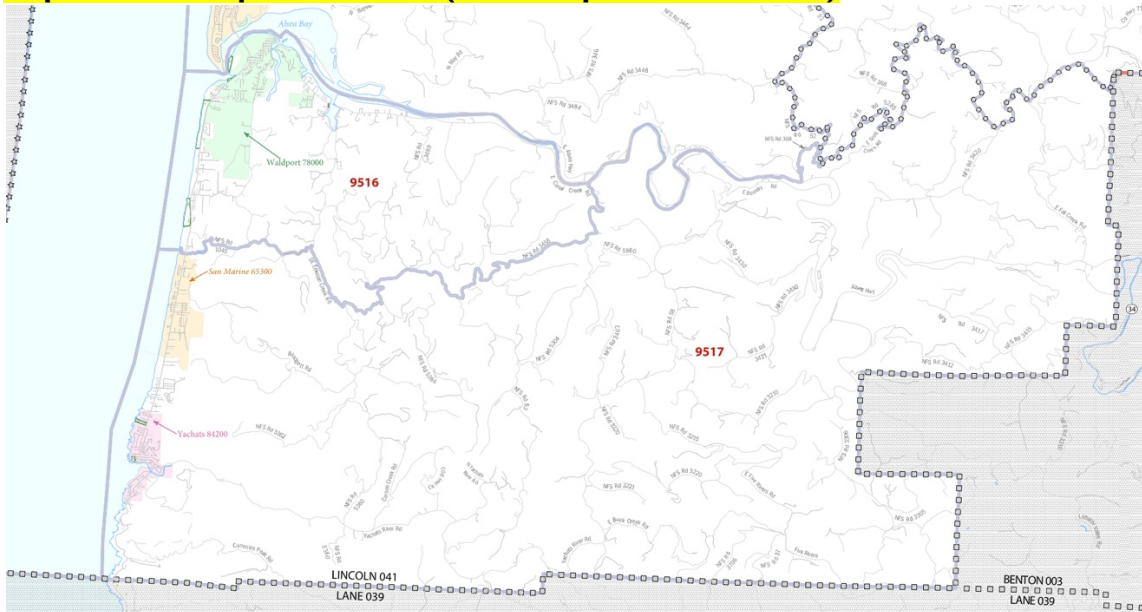
Census Tract 9516 – Waldport – Tillicum Beach to Waldport, Alsea River

Based on recent Census data, the total population of Census Tract 9516 in Lincoln County, Oregon, is approximately 3,830. This tract, which includes parts of Lincoln City, has experienced a demographic shift with an 8.8% change in total population compared to previous data.

- **Total Population:** ~3,830
- **Location:** Census Tract 9516, Lincoln County, OR
- **Key Demographic:** The population is primarily White (~85–92%), with a growing population of residents identifying as two or more races.

Note: Data for specific census tracts is often based on 5-year American Community Survey estimates, which may not reflect the absolute current year population, but rather the most recent available, detailed block-level data.

Population of zip code 97498 (Yachats postal code area)



The population of zip code 97498 (Yachats, Oregon) is approximately 2,055 to 2,251, based on recent 2024–2026 data. While the city limits of Yachats have a smaller population (around 979–1,026 residents), the wider 97498 zip code area covers a larger, less dense residential region, resulting in a higher total count.

Key 97498 Demographic Details

- **Population:** ~2,055 (2024 Data Commons)
- **Location:** Yachats, Lincoln County, Oregon
- **Median Age:** 62.2–68.7 years (notably older population)
- **Median Income:** ~\$67,125–\$71,213

- **Growth Rate:** ~0.39% annually



GreatData.com +3

The area, located in southern Lincoln County along the Pacific Ocean, includes both the city of Yachats and surrounding unincorporated residential areas.



Wikipedia +1

II. Economic Drivers – Retirement Income and Tourism

Economic Drivers Summary:

- Social Security Payments – 97498 zip (Yachats): \$1.8 million/month, \$21.7 million/year (970 of 2,055 residents in this zip code area--47%)
- Social Security Payments – 97394 zip (Waldport): \$4.7 million/month, \$56.7 million/year (2,645 of 3,830 residents in this zip code area—69%)
- Hotel/Motel Lodging 9% Tax/Gross Revenue – City of Yachats: \$1.1 million tax revenue on \$12.1 million in gross lodging revenue (seasonal—slow in winter).
- Short Term Rental 9% Lodging Tax/Gross Revenue – City of Yachats: \$308,000 tax revenue on \$3.4 million in gross lodging revenue (seasonal—slow in winter).
- Food & Beverage 5% Tax/Gross Revenue – City of Yachats: \$400,000 tax revenue on \$8.0 million in gross revenue (seasonal—slow in winter).
- Water and wastewater utility charges – City of Yachats: \$712,000 (Approx. 60% of homes are vacation homes that pay full minimum utility charges with only part time utility use. Check with City for stats.)
- Resident workforce incomes – 270 residents are employed for wages and 370 are self-employed. Total revenue TBD.

Total monthly social security payments to people in zip code 97498.

The total monthly Social Security (OASDI) payments to residents in the [Yachats, OR](#) zip code (97498) were approximately **\$1,819,000** as of late 2024.

Local Beneficiary Data (Zip Code 97498)

The following data represents Social Security beneficiaries in current-payment status for the Yachats area as of the most recent Social Security Administration (SSA) zip code report:

- **Total Monthly Benefits:** \$1,819,000 paid to all local beneficiaries.
- **Total Number of Beneficiaries:** 970 individuals.
- **Breakdown by Recipient Type:**

- **Retired Workers:** 835 recipients receiving a combined **\$1,617,000** monthly.
- **Widow(er)s and Parents:** 40 recipients receiving a combined **\$67,000** monthly.
- **Disabled Workers:** 55 recipients.
- **Beneficiaries Aged 65 or Older:** 865 individuals.

2026 Adjustments

While the \$1.819 million figure is the most recent localized data point available, total payments in 2026 are expected to be higher due to the **2.8% Cost-of-Living Adjustment (COLA)** that went into effect in January 2026.

- **Average Payment Increase:** Nationally, this adjustment added roughly **\$56 per month** to the average retiree's check.
- **Estimated Monthly Average:** For 2026, the estimated average monthly benefit for all retired workers is **\$2,071**.



Social Security Administration (.gov) +3

Social Security benefits for south Lincoln County, OR

In [South Lincoln County](#), the primary communities of [Waldport](#), [Yachats](#), and [Seal Rock](#) receive a combined total of approximately **\$7.43 million** in monthly Social Security (OASDI) benefits as of the most recent Social Security Administration ([SSA](#)) report.

Benefit Breakdown by Community (Late 2024)

Location (Zip Code)	Total Monthly Benefits	Total Beneficiaries	Retired Workers
Waldport (97394)	\$4,731,000	2,645	2,190
Yachats (97498)	\$1,819,000	970	835
Seal Rock (97376)	\$879,000	470	405

Total South County	\$7,429,000	4,085	3,430
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Key Statistics for the Region

- **Retired Worker Dominance:** Roughly **84%** of all beneficiaries in these south county zips are retired workers.
- **Lincoln County Totals:** For comparison, the entire county has approximately **18,470 beneficiaries** receiving payments, with about **15,650 residents** aged 65 or older [SSA County Data](#).
- **2026 Projections:** Due to the **2.8% Cost-of-Living Adjustment (COLA)** that took effect in January 2026, these local monthly totals are estimated to have increased by approximately **\$200,000** collectively across these three zip codes.

The top revenue sources for the City of Yachats OR

The top revenue source for the City of Yachats is the **transient lodging tax** (also known as a transient rental tax), which accounts for just over half of its annual budget.

Primary Revenue Streams

According to the 2025–26 proposed budget and recent financial reports, the city's key revenue sources include:

- **Transient Lodging Tax (TLT):** This 9% tax on hotel rooms and vacation rentals is the city's largest single income stream. In the 2022–23 fiscal year, it brought in approximately **\$1.4 million**.
- **Motels** contribute about **78%** of this tax revenue.
- **Vacation rentals** contribute the remaining **22%**.
- The revenue is split between the city's General Fund (61%) and a visitor amenities fund (39%) dedicated to tourism-related projects.
- **Urban Renewal District Funds:** This district captures increases in property values for specific projects and is estimated to bring in roughly **\$588,000** annually.
- **Food and Beverage Tax:** A 5% sales tax on prepared food and beverages, which generated more than **\$400,000** in a typical pre-pandemic year and is primarily used to pay debt on the wastewater treatment plant. (*\$8.0 million in taxable revenue*)
- **Utility Charges:** Revenue from consumer rates for water and wastewater services. For example, required wastewater revenues are approximately **\$712,000** annually.
- **Franchise Fees:** Estimated at **\$121,611** for the 2025–26 fiscal year, paid by private companies (electricity, cable, disposal) to use public property.

- **Property Taxes:** Notably, property taxes are a relatively small source for the city itself, estimated at only **\$48,815 to \$54,000** for the 2025–26 fiscal year. The city collects only about 17 cents per \$1,000 of assessed property value.
- **State Shared Revenue:** Includes the city's portion of state taxes on **liquor, marijuana, cigarettes, and gas** (Highway Trust Fund).

Economic Context

The city's finances are heavily tied to the **tourism and recreation** industry, which is the area's main economic driver. Employment data from 2024 shows that **Health Care & Social Assistance** (stale information), **Professional Services**, and **Accommodation & Food Services** are the largest employing industries for residents.



The city's financial focus is heavily geared toward supporting tourism-related projects, with a large portion of the lodging tax directed to tourism improvements.



Lincoln Chronicle

What are the total annual receipts from tourism in Yachats, OR?

Annual tourism-related receipts in

[Yachats, OR](#)

are primarily reflected through its **Transient Lodging Tax (TLT)**, which generated approximately **\$1.4 million** during the 2022-23 fiscal year.

Revenue & Spending Overview

While a specific "total receipts" figure encompassing all private business revenue (like dining and retail) is not publicly aggregated for just the city, the following data points provide a clear picture of the local tourism economy:

- **Lodging Tax Revenue:** The city's 9% transient rental tax is its largest single revenue source. In the 2022-23 fiscal year, it brought in \$1.4 million, with **78%** coming from motels and **22%** from vacation rentals.
- **Visitor Spending (County Level):** In nearby **Lincoln County**, total direct travel spending reached **\$605 million** in 2022.

- **Average Daily Spend:** Visitors to the Oregon Coast spend an average of **\$249 per day**.
- **Regional Growth:** Visitor spending on the central Oregon coast (which includes Yachats) surpassed **\$1 billion** for the first time in 2022, a significant jump from previous years.



Lincoln Chronicle +3

Tourism Infrastructure & Impact

- **Cape Perpetua:** Located just south of Yachats, this visitor center saw a surge in popularity, with over **13,000 more tourists** in the day-use area by late 2025 compared to the previous year.
- **Economic Reinvestment:** By city policy, **39%** of the lodging tax revenue is legally required to be placed into a **Visitor Amenities Fund** to support projects that directly benefit tourism.
- **Local Households:** Tourism generates significant tax relief for residents. In the Oregon Coast region, travel-related taxes represent a benefit of over **\$1,254 per local household**.



Lincoln Chronicle +4

List the top 10 employment categories and income levels for Yachats, OR

(Note this list relies on old data that is not entirely accurate.)

The employment landscape of [Yachats, OR](#), is relatively small, with approximately **270 working residents** as of 2024–2025. The economy is split between a dominant service sector that supports tourism and a growing segment of high-earning professional and healthcare roles.

Top Employment Categories and Earnings (2024–2025)

The following table highlights the primary industries for Yachats residents, ranked by the number of people employed.

Rank	Industry Category	Est. Employees	Median Annual Earnings
1	Health Care & Social Assistance-state information	75	\$60,238 (Women's median)

2	Management Occupations	57	\$95,000+ (Regional avg.)
3	Professional, Scientific, & Technical	46	\$244,712 (Men's median)
4	Education, Instruction, & Library	35	\$51,722 (Regional avg.)
5	Building & Grounds Maintenance	35	\$19.44 / hour (Regional avg.)
6	Accommodation & Food Services	31	\$32,404
7	Construction	~15	\$33,333
8	Retail Trade	~12	\$27,526 (County avg.)
9	Arts, Entertainment, & Recreation	<10	\$32,404
10	Finance & Insurance	<10	\$2,499 (Highly variable/part-time)

Note: Because Yachats is a small community, comprehensive data for 20 distinct categories is often aggregated into broader sectors (e.g., "Professional Services") or supplemented by regional Lincoln County data for specific wage estimates.

Yachats Key Economic Indicators

- **Median Household Income:** Estimated at **\$48,917** as of late 2023.
- **Self-Employment:** A significant **37.4%** of the working population is self-employed, reflecting a strong local entrepreneur and artisan culture.
- **High-Wage Specialists:** While the local median is modest, certain "Professional and Management" roles for men in the area show outliers as high as **\$244,712**, likely representing remote executives or specialized consultants.
- **Public Sector:** Approximately **18.5%** of residents work in the public sector, including city government and local educational services.

Regional Context (Lincoln County)

For roles not specifically detailed in Yachats-only data, regional averages provide a reliable benchmark:

- **Physical Therapist Assistants:** \$64,605
- **Construction Managers:** ~\$100,000
- **Hotel General Managers:** \$120,000 – \$150,000

What are the self-employment trends in Yachats?

Self-employment is a defining characteristic of [Yachats](#), with nearly **37% of the working population** identifying as self-employed. This is roughly **1.5 times the rate** seen in Oregon and the United States, reflecting a "special kind of entrepreneur" drawn to the central coast's natural beauty and tourism-driven economy.

Top Self-Employment Trends (2024–2026)

- **Rise of the "Parallel Entrepreneur":** Approximately **one-third** of self-employed individuals in the region now operate more than one active business concurrently. This often involves a mix of seasonal tourism work (like vacation rentals) and year-round remote professional services.
- **The "Gig" Economy Shift:** Non-employer businesses (independent contractors and freelancers) are becoming a major economic factor, with the population of gig workers in Oregon growing significantly through 2024 due to online platforms like **Airbnb** and **Etsy**.
- **Lifestyle-Driven Ventures:** The majority of local self-employment is concentrated in "**other services**" and **retail**, including:
 - **Art & Authorship:** High concentration of local artists and authors selling through local galleries or online.
 - **Specialized Hospitality:** Boutique lodging, bed and breakfasts, and private event planning for coastal weddings.
 - **Building Maintenance:** A high demand for independent contractors in landscaping and property management to service the high volume of vacation rentals.

Entrepreneurial Support & Challenges

- **Seasonality Constraints:** Entrepreneurs face the challenge of "stark seasonality," where revenue is high in summer but drops significantly in winter, leading to the "parallel" business model mentioned above.
- **Rural Innovation Initiatives:** Projects like [Reinventing Rural](#) and the [Oregon Coast SBDC](#) provide free one-on-one advising to help small coastal businesses adapt to these fluctuating conditions.
- **Growth Projections:** While non-farm payrolls saw some losses in 2025, the state expects to add roughly **7,400 new self-employed individuals** by 2034, with professional and business services leading that growth.

List of the top 10 employers in Yachats, OR.

The largest employers in Yachats are primarily concentrated in the **hospitality, healthcare, and government** sectors. Given the city's small size (employing approximately 270 residents in total), several of the "top" employers are individual resorts and service-based businesses.

Top 10 Major Employers in Yachats, OR

The following organizations are the primary sources of local employment:

1. [Overleaf Lodge & Spa](#)
: A major oceanfront resort and a significant source of hospitality jobs, frequently hiring for maintenance, housekeeping, and management.
2. [Adobe Resort](#)
: One of the largest lodging facilities in the city, providing substantial employment in guest services and food and beverage.
3. **City of Yachats**
: The municipal government employs staff for city administration, public works, and the local library.
4. **U.S. Forest Service (Cape Perpetua):** Provides federal employment for park rangers, maintenance staff, and visitor service roles at the nearby Cape Perpetua Scenic Area.
5. [Fireside Motel](#)

: Part of the local hospitality cluster, offering consistent employment in the lodging sector.

6. Yachats Community Health Clinic (this business is closed.)

: A key employer in the healthcare sector, which is the city's largest industry by headcount (employing ~75 people).

7. Yachats Brewing & Farmstore

: A prominent local business in the "Accommodation & Food Services" sector.

8. Silver Surf Motel

: Another significant lodging employer located on the city's northern edge.

9. Oceanview Senior Living (Regional): While some facilities are in nearby Florence or Newport, these organizations are major employers for Yachats residents commuting within the county.

10. Sweet Homes Vacation Rentals

: A property management company that employs local staff for maintenance and guest operations.

Employment Context

- **Sector Dominance: Healthcare & Social Assistance** (75 people) and **Professional Services** (46 people) are the top industries for residents, though many in professional roles are self-employed or work remotely.
- **Commuting Patterns:** Many Yachats residents find employment with larger Lincoln County employers like **Samaritan Health Services** or **Georgia-Pacific** in nearby cities.

The top 10 employers and the wage ranges of their employees in Yachats, OR

In Yachats, OR, the top employers are primarily found in the **hospitality and healthcare** sectors, with wages for the majority of service-related roles ranging between **\$14.05 and \$20.00 per hour** as of 2025–2026.

Top 10 Employers and Wage Ranges (2024–2026)

Rank	Employer	Primary Roles	Estimated Wage Range
1	Overleaf Lodge & Spa	Room Attendants, Guest Services	\$15.82 – \$20.00/hr
2	Adobe Resort	Hospitality, Food Service	\$14.70 – \$22.00/hr
3	City of Yachats	Administration, Public Works	\$22,880 – \$32,032/yr (Entry)
4	U.S. Forest Service	Rangers, Maintenance	\$34,603 – \$56,489/yr (GS-3 to GS-5)
5	Yachats Community Health	Medical Staff, Admin	\$60,238 (Industry Median)
6	Fireside Motel	Housekeeping, Front Desk	\$14.05 – \$18.00/hr
7	The Drift Inn	Servers, Cooks, Hosts	\$14.70 – \$17.00/hr + Tips
8	Silver Surf Motel	Guest Services, Cleaning	\$14.05 – \$17.50/hr
9	Sweet Homes Rentals	Property Management	\$16.00 – \$21.00/hr
10	Yachats Brewing (stale info)	Food & Beverage Service	\$14.70 – \$18.00/hr + Tips

Key Wage Insights

- **Minimum Wage Increases:** As a "nonurban" county in Oregon, the minimum wage in Yachats increased to **\$14.05/hr** on July 1, 2025, and is scheduled for another adjustment on July 1, 2026.

- **High-Earning Sectors:** While hospitality dominates in headcount, the highest median earnings for residents are found in **Professional, Scientific, & Management** services, where some earners reach upwards of **\$244,712**.
- **Federal Pay Stability:** Employees at the nearby Cape Perpetua Scenic Area (U.S. Forest Service) follow the 2025 General Schedule, which typically pays **36% higher** than the state average for similar education levels.
- **Self-Employment:** A significant portion (~37%) of the local workforce is self-employed, with many in the [building and grounds maintenance](#) sector earning between **\$30 and \$45 per hour**.

Compare the cost of living to wages in Yachats, OR

In [Yachats](#), the cost of living is approximately **12% higher than the national average** and **24% higher than the Oregon state average** as of early 2026. While the local economy is anchored by high-volume tourism, the wages for the majority of the local workforce—particularly those in the hospitality and service sectors—face significant pressure from rising housing and transportation costs.

Cost of Living vs. Wages Comparison (2026)

Category	Monthly Estimated Cost	Average Monthly Wage (Service Sector)	Status
Single Person	\$2,541 - \$2,783	\$2,435 - \$3,466 (FT @ \$14.05–\$20/hr)	Stretched
Family of Four	\$5,501 - \$6,127	\$4,870 - \$6,932 (2 FT Adults)	Tight / Deficit

Key Economic Gaps

- **The "Living Wage" Hurdle:** The calculated living wage for a single adult in Oregon is approximately **\$26.46 per hour**. Most top local employers in the hospitality sector (such as Overleaf Lodge & Spa or Adobe Resort) offer starting wages between **\$14.70 and \$20.00 per hour**, creating a significant gap between entry-level pay and true self-sufficiency.
- **Housing Affordability:** Housing is the primary driver of cost, with monthly expenses for a single person averaging **\$1,258**.

- **Rent:** Average rent in Yachats is roughly **\$1,485 to \$1,800** per month. At the current minimum wage of **\$14.05/hr**, a full-time worker would spend over **60% of their gross income** on a median-priced rental, far exceeding the recommended 30% threshold.
- **Buying:** The median home price in Yachats reached **\$750,000** in early 2026. To afford a median-priced home, a household would typically need an income well above the local median of **\$48,917**.
- **Food and Utilities:** Interestingly, food expenses in Yachats are roughly **8.8% below the national average**, providing a small amount of relief. However, this is often offset by transportation and healthcare costs, which remain **4.9% higher** than national benchmarks.
- **The "Struggling" Threshold:** Nearly **48% of Oregonians** report struggling to cover a \$500 emergency expense, a trend particularly acute in rural coastal areas like Lincoln County where low-wage service jobs predominate.

The sources of commercial and government revenue in Lincoln County, OR

In [Lincoln County, OR](#), the government budget for **2025–2026** totals approximately **\$207.5 million**, an increase from the previous year. Revenue is divided between direct taxes, intergovernmental funding, and commercial activity from key industries like tourism and manufacturing.

Government Revenue Sources

The county government relies on several primary streams to fund its General Fund and specialized services:

- **Property Taxes:** The **single biggest source** of revenue. For 2025–2026, the county's permanent tax rate is **\$2.8202 per \$1,000** of assessed valuation.
- **Transient Lodging Tax (TLT):** A critical stream reflecting the county's tourism-based economy. As of January 1, 2024, the tax rate for county-wide lodging is **12%**.
- **Intergovernmental Revenue:** This includes grants and payments from **federal, state, and other local governments**. Significant state-shared revenues come from taxes on **liquor, marijuana, cigarettes, and gas** (Highway Trust Fund).
- **Charges for Services & Fees:** Direct charges for county services, as well as **permits and fees** for specific activities.

- **Other Funds:** Includes revenues from the **Oregon Lottery**, specialized grants (e.g., housing and septic grants), and interest on investments.

Commercial Revenue & Economic Drivers

The local economy has transitioned from extractive industries like logging and fishing to a more diversified base driven by tourism, retirees, and professional services.

- **Top Industries by Employment (2025–2026):**
 - **Health Care & Social Assistance:** 20.6% of the workforce.
 - **Accommodation & Food Services:** 19.4%.
 - **Retail Trade:** 14%.
- **Key Commercial Sectors:**
 - **Manufacturing:** Includes major players like **Georgia Pacific** in Toledo, which is the county's largest taxpayer.
 - **The "Blue Economy":** Centered in Newport and Toledo, involving commercial ports, the **NOAA Pacific fleet**, and marine research facilities like the **Hatfield Marine Science Center**.
 - **Retiree Effect:** "Transfer payments" (Social Security/pensions) and investment income now account for **55% of total personal income** in the county.

 Lincoln County, OR +2

Top 10 Property Taxpayers (2024–2025)

These commercial entities contribute the most to the county's tax base:

1. **Georgia Pacific Toledo LLC** (\$3,609,128.82)
2. **Central Lincoln PUD** (\$1,499,581.56)
3. **Weyerhaeuser Company** (\$1,498,195.29)
4. **Northwest Natural Gas Company** (\$1,330,156.66)
5. **Charter Communications** (\$832,099.52)
6. **Pacificorp** (\$748,552.34)
7. **Worldmark the Club** (\$656,353.23)

- 8. **Lincoln City Outlets** (\$586,709.81)
- 9. **Hallmark Inns & Resorts Inc.** (\$443,137.15)
- 10. **Dulcich Realty/Pacific Choice Seafood** (\$347,767.31)

III. Survey of affordable (below market rent/income limited) housing units in Yachats & Lincoln County

Summary of Survey of Affordable Housing in Yachats and Lincoln County

- City of Yachats: 53 units of affordable, income restricted housing. A ratio of 53 units per 1,000 population. (All built by Layne Morrill, Our Coastal Village, Inc.)
- City of Waldport: 18 units of affordable, income restricted housing. A ratio of 8 units per 1,000 population.
- Lincoln County: 900 units of affordable, income restricted housing. A ratio of 17 units per 1,000 population.

Note: Yachats has 3 times the affordable housing units per thousand residents than all of Lincoln County.

Survey of affordable housing properties located in Lincoln County, OR.

In [Lincoln County, OR](#) there are approximately **860 to 900 physical units** of affordable and subsidized housing, supplemented by roughly **570 rental vouchers** that allow residents to live in private-market homes.

 [Housing Authority of Lincoln County \(.gov\)](#) + I

Core Inventory Breakdown

The inventory is managed by two primary organizations, though several other private or non-profit entities also maintain smaller developments.

Provider	Number of Units	Key Property Types
Housing Authority of Lincoln County (HALC)	242+ units	HUD Public Housing (99 units), income-restricted apartments, and townhomes.
Northwest Coastal Housing (NWCH)	168 units	Family affordable housing, veteran housing, and transitional recovery units.

Private/Other Subsidized ~450 units In Lincoln City alone, there are 450 units of income-restricted government-subsidized housing.

Additional Assistance Programs

Beyond physical apartment buildings, the county relies heavily on "tenant-based" assistance:

- **Housing Choice Vouchers (Section 8):** The [Housing Authority of Lincoln County](#) manages **570 vouchers** that help residents pay rent for standard apartments.
- **Transitional & Emergency Housing:** Specialized facilities like **Nate's Place** (35 units) and **Coastal Phoenix Rising** (38 units) provide transitional shelter and recovery-focused housing.



Northwest Coastal Housing +3

New & Upcoming Developments (2025–2026)

The inventory is currently expanding to meet high demand:

- **Depoe Bay Townhomes:** Recently completed **12-unit development** that opened for applications in February 2026.
- **Lincoln City Growth:** Multiple projects are in the pipeline, including a **107-unit development** on NE 25th Street aimed at those earning 30% to 60% AMI.
- **HALC Pipeline:** The housing authority is currently working on an additional **84 units** through various pre-development and construction phases.

 Housing Authority of Lincoln County (.gov) +3

Number of units of affordable housing located in South Lincoln County, OR.

In [South Lincoln County](#), there are approximately **71 physical units** of dedicated affordable housing across Yachats and Waldport. These are supplemented by "tenant-based" assistance like the **570 Section 8 vouchers** managed by the [Housing Authority of Lincoln County \(HALC\)](#) which can be used for private rentals throughout the county.

 Lincoln County, OR +1

Affordable Housing Units by City Yachats (53 Units)

Most affordable housing in Yachats is concentrated in the Fistera developments, which were specifically designed to support local workers.



Fistera Gardens Townhomes

Apartment building

Yachats, OR

A **25-unit** low-income tax credit complex managed by [HALC](#). It features 8 one-bedroom and 17 two-bedroom units.



Fistera Gardens Townhomes

Apartment building

Yachats, OR

A **21-unit** project managed by [Cascade Management](#). It includes 6 studios and 15 townhomes with 1 to 3 bedrooms.

Aqua Vista Square

A **7-unit** affordable townhouse development built by [Our Coastal Village \(OCV\)](#) for households earning up to 80% of the Area Median Income.

 Housing Authority of Lincoln County (.gov) +5

Waldport (18 Units)

Waldport’s primary affordable complex is dedicated to specific populations.

 [Housing Authority of Lincoln County \(.gov\)](#)



Vandehaven by the Bay Apartments

I.0

(1)

Furnished apartment building

Waldport, OR

An **18-unit** complex managed by [HALC](#). It provides 4 studio and 14 one-bedroom apartments specifically for income-eligible **elderly and disabled residents**.

 [Housing Authority of Lincoln County \(.gov\)](#) +2

Summary of Inventory

Development	City	Unit Count	Target Population
Fisterra Gardens Apartments	Yachats	25	Income-eligible (≤60% AMI)
Fisterra Gardens Townhomes	Yachats	21	Income-eligible (≤60% AMI)
Vandehaven-by-the-Bay	Waldport	18	Seniors and People with Disabilities
Aqua Vista Square	Yachats	7	Income-eligible (≤80% AMI)

Total Physical Units

71

Additional Capacity: The [City of Yachats](#) is currently assessing an eight-acre site for potential future **workforce housing**, and Waldport has recently modernised its codes to encourage **cottage cluster** developments to further expand these numbers.



Our Coastal Village, Inc. + I

<https://ourcoastalvillage.org/>

Layne Morrill, Developer

Affordable housing initiatives in South Lincoln County, OR

Affordable housing in South Lincoln County is currently being addressed through **long-term municipal planning, targeted tax-credit developments, and specialized support programs** for wildfire survivors and low-income families.

1. Municipal & Strategic Initiatives

- **Yachats Housing-Related Code Update:** The City of Yachats is currently updating its [zoning regulations](#) (expected adoption early Summer 2026) to allow for **"middle housing"** like duplexes, plexes, and small cottages.
- **Yachats Eight-Acre Site Exploration:** The city is assessing a wooded property for a combined **1.5 million gallon water reservoir** and **workforce housing lots**. While the water tank is the immediate priority, the city views the housing portion as a multi-year, multi-phase project. (rejected due to steep slope and high cost of excavation and foundations.) **Stale information.**
- **Regional Homelessness Response:** Lincoln County adopted a [Five-Year Strategic Plan](#) in March 2024 to coordinate regional responses to homelessness and housing instability.

2. Active Housing Developments

- **Hope Rises Village**

: Located in Lincoln County, this project will provide six 3-bedroom/2-bath homes specifically for **single-parent households** with minor children, with a scheduled opening in **Summer 2025**.

- **Our Coastal Village (OCV) Projects:** A Yachats-based developer, [Our Coastal Village](#), has completed several local projects including

[Fisterra Gardens Townhomes](#) and **Aqua Vista Square**.

Their newest project, [Elm Park Apartments](#) (38 units), is currently under development in nearby Florence and includes a large childcare center.

- **Depoe Bay Townhomes**

: While slightly north of the central Yachats area, the [Housing Authority of Lincoln County](#) began accepting waitlist applications in February 2026 for this new 12-unit affordable project.

3. Financial Assistance & Support Programs

- **ReOregon Housing Support (HSS)**: Provides **down payment assistance** for first-time homeowners and rental/utility aid specifically for survivors of the **2020 Labor Day wildfires**.
- **Lincoln County Impact Grants**: These grants support various affordable housing projects across the coast, with recent funding updates as of **March 2026**.
- **HUD Choice Vouchers (Section 8)**: Managed by the [Housing Authority of Lincoln County](#), these 570 vouchers assist low-income residents in paying rent for private-market housing, though the waitlist is currently closed.
- **Habitat for Humanity**: [Habitat for Humanity of Lincoln County](#) builds homes for low-income buyers using zero-percent loans and also offers home repair programs focused on safety and accessibility.

 Lincoln County, OR +4?

Waitlist for Fisterra Gardens and other low to moderate income housing in South Lincoln County, OR.

The waitlist for [Fisterra Gardens](#) in Yachats is generally **open** but subject to high demand, with historical waitlists reaching 40+ people and units typically remaining 100% occupied. Applications are processed based on bedroom size and the date/time they are received.

Fisterra Gardens Waitlist Details

Fisterra Gardens is comprised of two distinct sections managed by different entities. Applicants should verify which section they are applying for, as criteria and management differ:

- **Management:** [Housing Authority of Lincoln County \(HALC\)](#).
- **Waitlist Status:** Generally open for new applications. You must submit a [Wait List Application](#) directly to the HALC office in Newport.
- **Requirements:** Minimum monthly income of **1.5x the monthly rent** (e.g., ~\$905 for a 1-bedroom) and maximum annual income limits apply (e.g., **\$34,740** for 1 person).
- **Management:** [Cascade Management, Inc.](#)
- **Waitlist Status:** Continuously open; applications can be downloaded from their website or picked up from the local management office at 100A Diversity Dr..
- **Requirements:** Minimum monthly income of **2x the unit rent** is typically required for these units. *(50% rent to gross income)*

 [Housing Authority of Lincoln County \(.gov\)](#) +5

Other South Lincoln County Housing Waitlists (as of April 2026)

- **Depoe Bay Townhomes**

: The [Housing Authority of Lincoln County](#) began accepting new waitlist applications for this 12-unit project in **February 2026**.

- **Aqua Vista Square (Yachats)**

: This 7-unit affordable development is currently **100% occupied**. While it operates on a waitlist basis through [Our Coastal Village](#), vacancies are extremely rare. *(per Layne Morill on his website, 4 of the 7 units are still in the income limited “low rent” program.)*

- **Section 8 (Housing Choice Vouchers)**

: The county-wide voucher waitlist is currently **closed** and not accepting new applications. It last opened in April 2025, and notifications for those applicants were sent in late 2025.

- **Hope Rises Village**

: This project for single-parent households is scheduled to open in **Summer 2025**, with waitlist information managed through [Northwest Coastal Housing](#).

Important Application Tips

- **Maintain Your Address:** All waiting list notifications are sent via **U.S. Mail**. If a notification is returned as undeliverable, your application will be canceled.
- **Income Verification:** You will need to provide proof of all income sources (Social Security, pensions, employment) and bank statements for the last six months upon reaching the top of the list.

 Housing Authority of Lincoln County (.gov) +3

Income and asset limits for affordable housing in South Lincoln County, OR.

In South Lincoln County, OR, eligibility for affordable housing is primarily determined by **household size** and **Area Median Income (AMI)**. For 2026, most programs use limits established by [Oregon Housing and Community Services \(OHCS\)](#) and the [Housing Authority of Lincoln County \(HALC\)](#).

I. Income Limits (2025–2026)

Limits vary by program, but most "affordable" units are capped at **60% AMI**, while vouchers typically require being below **50% AMI**.

Household Size	Extremely Low (30% AMI)	Very Low (50% AMI)	Low (60% AMI)	Low (80% AMI)
1 Person	\$17,400 – \$22,600	\$28,950 – \$37,650	\$34,740 – \$45,180	\$47,040 – \$60,200
2 Persons	\$21,150 – \$25,800	\$33,050 – \$43,000	\$39,660 – \$51,600	\$53,760 – \$68,800
3 Persons	\$26,650 – \$29,050	\$37,200 – \$48,400	\$44,640 – \$58,080	\$60,480 – \$77,400
4 Persons	\$32,150 – \$32,250	\$41,300 – \$53,750	\$49,560 – \$64,500	\$67,200 – \$86,000

- **Fisterra Gardens (Yachats):** Units are generally restricted to households at or below **60% AMI**.
- **Housing Choice Vouchers (Section 8):** Eligibility typically requires an income at or below **50% AMI**, with a mandate that 75% of new vouchers go to those below **30% AMI**.

 Housing Authority of Lincoln County (.gov) +3

2. Asset Limits

While there is no universal "ceiling" on the total value of assets you can own to qualify for most rental programs, income **generated** from those assets (like interest or dividends) is added to your total annual gross income to determine eligibility.

 Housing Authority of Lincoln County (.gov) +1

- **Public Housing & Vouchers:** There is generally no hard asset limit, but assets over \$5,000 require the Housing Authority to include either the actual income earned or a "passbook rate" of imputed income in your eligibility calculation.
- **Homeownership Programs:** Programs like [Habitat for Humanity](#) or down payment assistance may have specific asset limits to ensure funds go to those without the means to purchase a home otherwise.

3. Minimum Income Requirements

Many affordable complexes in Yachats and Waldport also have a **minimum income** to ensure residents can afford the subsidized rent.

 Housing Authority of Lincoln County (.gov)

Requires a minimum gross monthly income of **1.5x the rent** (approx. \$905/month for a 1-bedroom).

Fisterra Gardens Townhomes Apartment building Yachats, OR

Typically requires **2x the monthly rent**.

 Cascade Management +1

The minimum and maximum rents for affordable housing in South Lincoln County, OR

In South Lincoln County, OR, rents for affordable housing are strictly regulated based on the unit's **income-restriction tier** (e.g., 30%, 50%, or 60% of Area Median Income) and the number of **bedrooms**.

Minimum and Maximum Rents (2025–2026 Estimates)

For subsidized complexes like [Fisterra Gardens](#) in Yachats, rents are significantly lower than market rates. Based on recent [Oregon Housing and Community Services \(OHCS\)](#) and [Housing Authority of Lincoln County \(HALC\)](#) data, expected rent ranges are:

Unit Type	30% AMI (Min. Subsidized)	60% AMI (Max. Affordable)	Market Rate Comparison
Studio	~\$330	~\$661	\$1,200 – \$1,699
1 Bedroom	~\$441	~\$603 – \$708	\$1,511 – \$2,097
2 Bedroom	~\$472	~\$819 – \$850	\$1,751 – \$2,728
3 Bedroom	~\$567	~\$743 – \$983	\$2,057 – \$2,784

Critical Rent Details

- **The "\$25 Rule":** According to the [Housing Authority of Lincoln County](#), the absolute minimum rent a household might pay (typically for public housing or specific vouchers) is a **\$25.00 minimum rent**, though some authorities set this up to \$50.00.
- **Voucher Rent Calculation:** For those with a **Section 8 Voucher**, your rent is not a fixed "maximum." Instead, you typically pay **30% of your adjusted monthly income**, and the [Housing Authority](#) pays the remaining balance up to a set "Payment Standard".
- **Utility Allowances:** In many affordable housing projects, the "maximum rent" includes a **utility allowance**. If you pay your own utilities, your actual rent check to the landlord may be lower than the maximums listed above to compensate for your out-of-pocket utility costs.
- **Rent Increases:** For existing tenants in non-subsidized units, the maximum annual rent increase for 2026 in Oregon is capped at **6%**.

 [Housing Authority of Lincoln County \(.gov\) +4](#)

Would you like to know the **specific payment standards** used by the Housing Authority to determine how much a Section 8 voucher will cover for a private rental?

Waitlist for Section 8 vouchers in South Lincoln County, OR.

As of April 2026, the **Housing Choice Voucher (Section 8) waitlist for Lincoln County is currently closed** and is not accepting new applications.

 [Housing Authority of Lincoln County \(.gov\)](#)

The Housing Authority of Lincoln County (HALC) issued a **Notice of Waiting List Closure** in December 2025. While the main voucher list is closed, there are several key details to keep in mind regarding future openings and alternative options in the area:

 Housing Authority of Lincoln County (.gov) +4

Current Status and Exceptions

- **Restricted Openings:** In some cases, the waitlist may remain open only for specific priority groups, such as **applicants who are disabled or 62 years of age or older**. You should contact the HALC directly at **(541) 265-5326** to verify if you meet any active priority criteria.
- **Project-Based Vouchers:** Unlike the "tenant-based" Section 8 vouchers (which you can take to any landlord), "project-based" vouchers are tied to specific buildings. You may still be able to apply for waitlists at subsidized complexes like **Fisterra Gardens** in Yachats or the new **Depoe Bay Townhomes**, which began accepting waitlist applications in February 2026.

 Housing Authority of Lincoln County (.gov) +4

How to Prepare for Future Openings

- **Notification Alerts:** You can subscribe to alerts on AffordableHousing.com to be notified immediately when the Housing Authority of Lincoln County begins accepting applications again.
- **Centralized Waiting List:** Oregon often uses a **Centralized Waiting List** partnership. When the list opens, you can submit one application that is made available to multiple participating housing agencies across the state.
- **Application Requirements:** When the list does open, you will typically need the full names, dates of birth, and Social Security numbers for all household members, along with a stable mailing address for all correspondence.

Local Contact Information

For the most up-to-date information on the next scheduled opening, you can reach the Housing Authority office:

- **Address:** 1039 NW Nye Street, Newport, OR 97365
- **Phone:** (541) 265-5326
- **Office Hours:** Monday – Thursday, 8:30 AM – 4:00 PM (Closed Fridays)

Is the Federal government out of money for the Section 8 rental assistance program?

No, the federal government is **not out of money** for the Section 8 program, but it is currently operating under a newly approved and highly scrutinized budget for Fiscal Year 2026.

While a full-year budget was signed into law in early February 2026, the program is facing a complex mix of **increased funding** and **new restrictive policies** that may affect how that money is used.

Current Funding Status (FY 2026)

Following a brief partial government shutdown in early 2026, Congress passed a final appropriations bill that sets HUD's budget through **September 30, 2026**.



Housing Assistance Council +3

- **Section 8 Vouchers:** Funding for Tenant-Based Rental Assistance was increased to **\$38.4 billion**, up from \$36.04 billion in 2025.
- **Project-Based Assistance:** Funding for this program also saw an increase to **\$18.5 billion**.
- **Administrative Caps:** While overall funding rose, the budget includes a **24% reduction in HUD staffing** and other administrative cuts.

Why You May Hear About "Running Out of Money"

Despite the increase in the total dollar amount, there are three main reasons why the program feels "strained":

- **Inflation Gap:** Advocacy groups like the [National Low Income Housing Coalition](#) have noted that the 2026 funding levels may still be insufficient to renew all existing vouchers due to sharply rising market rents across the country.
- **Proposed Policy Shifts:** HUD is currently proposing new rules that would allow local housing authorities to implement **time limits** (as short as two years) and **work requirements** for some non-elderly/non-disabled tenants.
- **Emergency Voucher Expiration:** Funding for the **Emergency Housing Voucher (EHV)** program, created during the pandemic, is ending this year. Many agencies are working

to transition those households to standard Section 8 vouchers, which adds pressure to the main system.

 National Low Income Housing Coalition +3

Is My Assistance at Risk?

- **Current Voucher Holders:** If you already have a voucher, your assistance remains **fully funded**.
- **New Applicants:** Because the budget does not provide enough to keep up with attrition, many local housing authorities (including the one for Lincoln County) have **closed their waitlists** to avoid over-committing their available funds.

 National Low Income Housing Coalition +3

Here are top web results for exploring this topic:



Oregon.gov · <https://www.oregon.gov>

[Rental and Housing Assistance - Oregon.gov](#)

Below are a wide range of housing support services, including homeownership assistance, rent and utility help, food resources, legal aid, fair housing ...



Northwest Housing Alternatives · <https://nwhousing.org>

[Northwest Housing Alternatives](#)

Northwest Housing Alternatives offers new opportunities for seniors, families, veterans and people with disabilities across Oregon through affordable housing.



accesshelps.org · <https://accesshelps.org/rental-assistance/>

[Rental Assistance - ACCESS](#)

ACCESS may be able to help if you need rental or utility assistance. Get connected with local programs and state resources to help keep your housing.



U.S. Department of Housing and Urban Development (HUD) (.gov) · <https://www.hud.gov>

[Oregon | HUD.gov / U.S. Department of Housing and Urban ...](#)

HUD has rental assistance and housing resources through the Public Housing and Housing Choice Voucher programs.



Oregon Law Help · <https://oregonlawhelp.org>

[Housing Assistance in Oregon](#)

Emergency rent assistance. Call or text 211 for assistance. · Dealing with problems with your landlord or rental · Long-term housing assistance.



Community Action · <https://caowash.org>

[Renter Support - Community Action](#)

Important Update: Emergency Rent Assistance Program · Tigard: 503-639-4179 · Beaverton: 503-906-4702 · Hillsboro: Apply online at <https://www.svdphillsboro.com/>.



Multnomah County <https://hsd.multco.us>

[Rent Assistance Programs - Joint Office of Homeless Services](#)

Rent assistance helps people leave homelessness by finding homes they can actually afford. The HSD coordinates short- and long-term rent assistance.



Oregon Coast Community Action <https://www.orcca.us>

[Housing Assistance - Oregon Coast Community Action](#)

Rental and Deposit Assistance One-time assistance per household within a 12-month period. · Eviction Prevention Assistance Help for households who have received ...



Northwest Human Services <https://northwesthumanservices.org>

[Emergency Financial Assistance \(EFA\)](#)

ATTENTION: Emergency Financial Assistance Applications are currently being accepted for limited assistance with rent and utilities.



pplfirst.com <https://pplfirst.com/programs/oregon/or-eprp/>

[OR Eviction Prevention Rapid Response \(EPRR\) - PPL](#)

Applicants can seek assistance with the following · Past due rent · Future rent up to 1 month · Rental security deposits · Utilities paid to landlord or utility ...

IV. Market rate, low to moderate cost, housing alternatives in the area

Is there a tiny home subdivision in Lincoln County, OR?

Yes, there are several tiny home communities and specialized subdivisions in Lincoln County, OR, ranging from amenity-rich residential parks to newly opened affordable housing villages.

Established Tiny Home Communities



Tiny Tranquility | Tiny House & Vintage RV Park

4.7

(103)

RV park

Waldport, OR

Often considered the "gold standard" for intentional tiny living on the coast, this park features **43 sites** for tiny houses on wheels and vintage trailers.

- **Amenities:** Includes a large communal lodge with ocean views, a game room, a dog park, and a community greenhouse.
- **Availability:** Nightly rentals are available, but long-term residential sites typically have a **waiting list**.



Coast Vineyard

3.9

(8)

Church

Lincoln City, OR

A newly completed **12-unit tiny home village** that held its ribbon-cutting on **March 6, 2026**.

- **Purpose:** Designed specifically for 2020 wildfire survivors and those facing housing instability.
- **Configuration:** Includes six transitional housing units and six affordable housing units for residents at or below 60% of the Area Median Income (AMI).



Instagram +6

Developments in Progress (2025–2026)

- **Luxury Tiny Home Development (Lincoln City):** A new Scandinavian-inspired project is currently in the city approval phase, with plans for an initial **8 luxury tiny homes**. This development focuses on a minimalist, "elevated" design concept for modern coastal living.
- **Camy Tiny Houses (Lincoln City):** A specific land-use case (**DEV REV 2022-13**) for a tiny house development was approved with conditions, indicating ongoing interest in expanding this housing type within city limits.

Zoning and Regulation Highlights

Lincoln County generally supports tiny homes in residential sectors, though specific rules vary by city:



Great Lakes Tiny Home

- **Density:** In Lincoln City, tiny house developments are permitted at a density of one unit per **1,200 square feet** of land.
- **Prohibitions:** Tiny houses in these formal developments are often prohibited from being used as **short-term rentals** to preserve long-term housing stock.
- **Safety:** Any tiny home with a sleeping loft must include an **automatic fire sprinkler system** under Oregon state code.



Oregon Legislative (.gov) + I

Would you like the **direct contact information** for the

[Tiny Tranquility](#)

waiting list or more details on the **eligibility criteria** for the

[Coast Vineyard Village](#)

units?

Are there any cottage cluster developments in Lincoln County, OR?

Yes, Lincoln County has several cottage cluster developments

, ranging from established "Cape Cod" style oceanfront villages to newly opened affordable housing projects designed for specific community needs.

Existing Cottage Cluster Developments



Coast Vineyard

3.9

(8)

Church

Lincoln City, OR

A project that officially opened **12 new cottages** on March 6, 2026. This "Tiny Home Village" was developed for wildfire-impacted residents through a partnership with Northwest Coastal Housing and land donations from Coast Vineyard Church.



Southshore Beach and Cottage Homes

4.7

(6)

Housing development

Newport, OR

An oceanfront development featuring **91 Cape Cod-style homes** alongside condominiums. It is designed as a managed village with shared amenities like a garden park, wildlife preserve, and a clubhouse with a pool.



Sanderling Sea Cottages

4.6

(22)

Vacation home rental agency

Waldport, OR

A standalone commercial property of cottages located directly on the Pacific Ocean, used for both residential and short-term lodging.

Municipal Code & Zoning Updates (2025–2026)

Recent legislation and local code modernizations have made cottage clusters a central part of "middle housing" strategies in the area:

- **Yachats**

: The city is currently in the process of adopting a **Housing-Related Code Update** (expected by **early Summer 2026**) that explicitly adds definitions for cottage clusters to its land-use regulations. This will allow for multiple units on single lots where previously only single-family homes were permitted.

- **Lincoln City**

: Local [planning updates](#) have modified requirements for cottage cluster developments to be more conducive to construction, specifically allowing them in **R-4 residential zones**.

- **State Mandates:** Oregon's **SB 1564** and subsequent 2025 legislative sessions updated the "model codes" that cities must use, standardizing the definitions for cottage clusters to include detached small-footprint units and shared courtyards.



www.ci.cannon-beach.or.us +7

Characteristics of Cottage Clusters in the Area

- **Design:** Typically composed of **4 to 12 smaller dwellings** clustered around a **common green space** or courtyard rather than a traditional street grid.
- **Size Limits:** Most local codes limit individual units to a footprint of less than **900 square feet** and an average floor area of **1,000 to 1,400 square feet**.
- **Amenities:** These communities often share common facilities such as parking clusters, community buildings, and shared utility infrastructure.

 Energy Trust of Oregon +4

Are there tiny homes for rent in Lincoln County, OR?

Yes, there are tiny homes for rent in Lincoln County, OR, with options ranging from **nightly vacation stays** to **long-term residential leases**.

Nightly and Short-Term Rentals

Short-term rentals are the most widely available option for those looking to experience "tiny living" on the coast.



Tiny Tranquility | Tiny House & Vintage RV Park

4.7

(103)

RV park

Waldport, OR

Offers **12 unique tiny homes** for nightly rental. These units, such as "Shorepine" and "[Azalea](#)," are fully furnished and include access to community amenities like a 5,500 sq. ft. dog park, a greenhouse, and a large communal lodge.



Sweet Homes Vacation Getaways

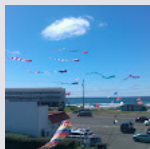
3.6

(138)

Property management company

[OpenYachats](#), OR

Manages several tiny homes, including a [dog-friendly unit in Newport](#) and multiple rentals within the Tiny Tranquility park.



SH

Vacation home rental agency

Offers two "Olivia Beach Camp Cabins"—

[By-the-Wind Sailor](#)

and

[By-the-Day Dreamer](#)

—which are approximately **600 sq. ft.** and designed as cozy, inspired coastal retreats.



Vrbo +3

Long-Term Residential Rentals

Finding long-term tiny home rentals is more challenging due to high demand and limited site availability.



Tiny Tranquility | Tiny House & Vintage RV Park

4.7

(103)

RV park

Waldport, OR

Primarily a long-term community for owners of Tiny Houses on Wheels (THOWs). Monthly site rental rates are approximately **\$775–\$800 plus electricity**.

- **Availability:** As of 2026, all long-term sites are currently occupied, and the **waiting list is closed**.



Coast Vineyard

3.9

(8)

Church

Lincoln City, OR

A new development of **398 sq. ft.** tiny homes specifically for long-term lease.

- **Requirements:** Applicants typically need a FICO score of 625+ and verified income of at least 3x the monthly rent.

Tiny Tranquility +2

Typical Rental Costs

- **Nightly Rates:** Usually range from **\$139 to \$167 per night**, depending on the size and luxury level of the unit.
- **Monthly Rates:** Long-term site rentals (where you provide the home) average around **\$975 per month** when utilities and community access are included.



Glamping Hub +2

Are there low income housing projects in Lincoln County, OR?

Yes, there are several low-income and affordable housing projects throughout Lincoln County, OR, managed by the [Housing Authority of Lincoln County \(HALC\)](#) and non-profit partners like [Northwest Coastal Housing](#).

Active Housing Complexes

The following properties are dedicated to low-income residents and typically require income verification at or below 60% of the Area Median Income (AMI).

Depoe Bay Townhomes

A new **12-unit affordable project** that recently opened in 2026. As of February 2026, it is actively accepting waitlist applications, with priority given to wildfire-impacted households.



Fisterra Gardens Townhomes

Apartment building

Yachats, OR

Features **25 units** (8 one-bedroom and 17 two-bedroom). Residents must meet specific income eligibility requirements to qualify.



Vandehaven by the Bay Apartments

I.0

(I)

Furnished apartment building

Waldport, OR

Offers **18 apartments** (4 studios and 14 one-bedrooms) specifically for income-eligible **elderly and disabled** residents.



Wecoma Properties

4.7

(23)

Vacation home rental agency

Lincoln City, OR

A **44-unit complex** consisting of one- and two-bedroom apartments for income-qualified individuals.



Agate Heights Apartments

4.2

(18)

Low income housing program

Agate Beach

A large **44-unit complex** located on NE 60th Street, requiring residents to be income-eligible.

The Ridge Apartments

3.6

(15)

Apartment complex

Lincoln City, OR

An 80-unit family affordable housing complex managed by [Northwest Coastal Housing](#) that includes on-site resident services.

 Housing Authority of Lincoln County (.gov) +3

Specialized & Transitional Housing

- **Blackberry Hill Apartments**

(Toledo): Provides **11 units for veterans**, including three permanent supportive housing units for those under 80% AMI.

- **Nate's Place**

(Newport): A 34-unit "Project Turnkey" facility providing **transitional recovery housing** for individuals in recovery from substance use disorders.

- **Hope Rises Village**

: Scheduled to open in **Summer 2025**, this project offers six 3-bedroom homes specifically for **single-parent households**.



Northwest Coastal Housing +2

Assistance Programs & Waitlist Status

- **Section 8 Vouchers:** HALC manages roughly **570 vouchers** for the county, though the main waiting list officially closed in December 2025 and is not currently accepting new general applications.
- **Habitat for Humanity:** Habitat for Humanity of Lincoln County helps low-income and first-time buyers with affordable homeownership and home repair programs.
- **ReOregon Support:** Provides intermediate housing and down payment assistance specifically for **survivors of the 2020 Labor Day wildfires**.

 Lincoln County, OR +1

Housing Authority of Lincoln County, OR

<https://housinglincolncountyor.gov/>

Info on Fistera Gardens Apts, Yachats

<https://housinglincolncountyor.gov/property-listings/fistera-gardens-apartments/>

Rent and Income Limits Sheet

<https://housinglincolncountyor.gov/wp-content/uploads/2023/08/Fistera-Gardens-info-sheet.pdf>

How many acres is the Tiny Tranquility Park in Waldport, OR

Tiny Tranquility

Is situated on a **12.5-acre** property located on the central Oregon coast.

Tiny Tranquility +1

The park's land is divided as follows:

- **Developed Area:** Approximately **6 acres** contain the 43 tiny house and vintage trailer sites, as well as the main community buildings.
- **Undeveloped Area:** Approximately **6.5 acres** consist of treed, undeveloped land and nature trails.
- **Outdoor Activity Area:** The southernmost **1 acre** is maintained as a grassy meadow for outdoor activities, picnicking, and fires.

Tiny Tranquility +4

The [Waldport location](#) is distinct from their second site, **Tiny Tranquility @ The Redwoods**, which is significantly larger at **27 acres**.

V. Data on Waldport Public Schools and Oregon Community College, Waldport Campus

The population and location breakdown of students in the Waldport, OR public schools?

For the

2025–2026 school year, public schools in

[Waldport, OR](#)

, serve a total of approximately **544 students**. These students are distributed across three primary campuses within the Lincoln County School District.

Student Population by School

Waldport's public education is divided into elementary, middle, and high school levels:

- [Crestview Heights School](#)

(K–6): The largest school in Waldport, enrolling approximately **279 students**.

- [Waldport High School](#)

(9–12): Serves approximately **187 students**.

- [Waldport Middle School](#)

(7–8): The smallest campus, with a student population of **78**.

Location Breakdown

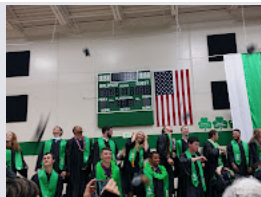
The schools are situated in a **fringe rural setting** along the central Oregon coast:

Crestview Heights School

Middle school

[Open](#)2750 S Crestline Dr

Located at [3000 S Crestline Dr, Waldport, OR 97394](#).



Waldport High School

High school

[Open](#)3000 S Crestline Dr

These programs often share facilities or are closely situated to serve the 7–12 grade range in the Waldport neighborhood.

 Waldport High School +3

Student Demographics (2025–2026)

The student body in Waldport is less diverse than the Oregon state average, though it has a high rate of economic disadvantage:

- **Ethnicity:** Approximately **79%–82%** of students are White, with minority enrollment at about **21%** (primarily Hispanic/Latino).
- **Economic Status:** A significant portion of the student body is classified as economically disadvantaged. For example, **94%** of students at [Waldport High School](#) and **67%** at [Crestview Heights](#) fall into this category.
- **Gender:** The population is nearly evenly split, with approximately **48% female** and **52% male** students.

The population and makeup of the students at Oregon Community College in Waldport, OR.

In Waldport, [Oregon Coast Community College \(OCCC\)](#) operates the **South County Center**, a 4,200-square-foot satellite facility located adjacent to Waldport High School. The center primarily serves as a local hub for credit courses, GED programs, and community education, rather than housing a distinct, self-contained student body.

Student Population & Makeup (2024–2026)

While specific "by-center" enrollment counts for Waldport are not publicly isolated, the following demographics represent the overall OCCC student population across Lincoln County:

- **Total Enrollment:** Approximately **470 to 729 students** across all campuses and online programs.
- **Full-Time vs. Part-Time:** About **39%** of students are enrolled full-time, while **61%** attend part-time.
- **Gender Breakdown:** The student body is heavily female-led, with approximately **69%–76% women** and **24%–31% men**.
- **Age Distribution:**
 - **Under 25:** ~59% of students (including dual-enrolled high schoolers).
 - **25 and older:** ~40% of students, reflecting a strong adult-learner and career-retraining population.

- **Race & Ethnicity:**
 - **White:** 58%
 - **Hispanic or Latino:** 21%
 - **Two or More Races:** ~5%
 - **Minority Enrollment Overall:** Reported as high as **47%** in recent 2026 diversity projections.

Waldport Center Features

- **Location:** [3120 S Crestline Dr, Waldport, OR 97394.](#)
- **Key Programs:** The center is known for its **Small Business Development Center** partnerships and hosting community education courses.
- **Dual Enrollment:** Because of its proximity to Waldport High School, it supports a significant number of high school students earning college credits.
- **Special Facility:** In 2023, the center welcomed the former **Yachats Community Garden** to its grounds, integrating community agriculture into its campus life.

What was the cost of the capital improvement to the walkway and bike path along Crestview Road in Waldport, OR?

The total estimated cost for the sidewalk and safety improvements along **NE Crestline Drive** (often referred to as the Crestview Road project) is approximately **\$1.92 million**.

The project, which connects local schools to residential neighborhoods, faced significant budget challenges due to post-pandemic cost escalations, with initial bids reaching as high as **\$2.7 million**. To manage these costs, the city implemented "value engineering" and divided the work into three phases.



Lincoln Chronicle +3

Cost & Phase Breakdown

The project was restructured into smaller contracts to allow local firms to bid more competitively:

- **Phase 1 (Crestview Heights to SW Range Dr):** Awarded to Dan Kauffman Excavating for **\$594,480**.
- **Phase 2 (Range Dr to Salmon St):** Estimated at **\$682,560**.
- **Phase 3 (Salmon St to SE Ball Blvd):** Estimated at **\$188,966**.
- **Planning & Engineering:** The city spent an additional **\$200,000** from its street reserves for design and preparation.

Funding Sources

The project is primarily funded through a combination of state grants and local reserves:

- **ODOT Safe Routes to Schools Grant:** A **\$1.69 million** grant awarded in 2020.
- **City Urban Renewal Budget:** Approximately **\$230,000** in local funds was allocated to cover the amount exceeding the original grant.

Project Features

The improvements include a **five-foot-wide raised concrete sidewalk** and **two lighted crosswalks**. The path runs along the east side of Crestline Drive from the entrance of [Crestview Heights School](#) and crosses to the west side at Range Drive to connect with existing pathways near Crestline Park.

VI. Land development for building new housing in the Waldport area

What are the total acres of vacant land for housing development near the Waldport public schools?

While there is no single "campus-adjacent" total for vacant land,

[Waldport](#)

has approximately **94 acres** of land currently listed for sale across the city. Several significant parcels suitable for housing development are located directly along

Crestline Drive

and

Cedar Street

, within 1.5 miles of the Crestview Heights and Waldport Middle/High schools.

 Martek Real Estate +2

Key Development Parcels Near Public Schools

The following vacant land opportunities are positioned in the immediate vicinity of the local school complex:

Cedar Street Parcels

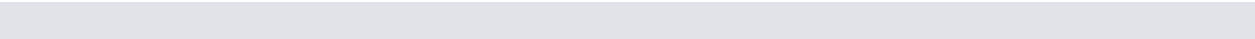
Two large, contiguous lots totaling **14.45 acres** (7.35 acres and 7.1 acres) are currently active on the market. These are among the largest buildable tracts near the Crestview Heights School area.

Crestview Heights School

Middle school

[Open2750 S Crestline Dr](#)

A **20.46-acre** lot is listed for sale, representing a major potential site for a larger residential subdivision or planned unit development.

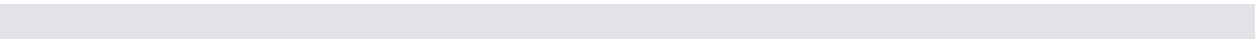


Crestview Heights School

Middle school

[Open2750 S Crestline Dr](#)

An **8.8-acre** lot is currently available, situated in a residential-zoned area suitable for multiple units.

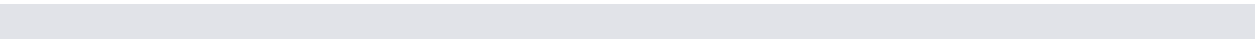


Crestview Heights School

Middle school

[Open2750 S Crestline Dr](#)

A **7.75-acre** site on SW Norwood Drive has preliminary approval for a **34-lot planned community**. This project is considered "development-ready" with permits valid through June 2026.



Crestview Heights School

Middle school

Open 2750 S Crestline Dr

A smaller **0.29-acre** buildable lot zoned for residential use (R-1) is available for single-family development.

Strategic & Former School Land

- **Former Middle School Site:** Approximately **3 acres** on two vacant lots near NW Cedar and Spring streets—where the old Waldport Middle School once stood—is currently being developed into a boutique "glamping" campground rather than permanent housing.
- **City-Owned Parks Site:** The City of Waldport holds title to a **15-acre undeveloped site** intended for park purposes, which may limit its availability for private housing development but serves as a buffer near residential zones.



Lincoln Chronicle + I

Market Context

As of April 2026, the average price for land in Waldport is roughly **\$133,050 per acre**. Most of the available vacant land is found in "fringe rural" settings that require careful coordination with the [Waldport Planning Commission](#) regarding city utility connections and environmental constraints.

ArcGIS Online +2

What are the zoning requirements for housing on these parcels?

In Waldport, OR, the vacant land parcels near the public schools primarily fall under **Residential R-1** and **Residential R-2** zoning districts. These designations determine the allowed density, structure types, and physical setbacks for any new housing developments.

Primary Residential Zoning Requirements

According to the [Waldport Municipal Code](#), the following standards apply to the residential zones in these areas:

- **Residential R-1 (Single-Family):**
 - **Allowed Uses:** Strictly devoted to **single-family dwellings**.

- **Minimum Lot Size: 6,000 square feet** for a single-family home with city water and sewer.
- **Lot Dimensions:** Interior lots must be at least **60 feet wide**; corner lots require **65 feet**.
- **Maximum Height:** Buildings are typically capped at **30 to 35 feet** depending on the specific sub-district.
- **Residential R-2 (Moderate Density):**
 - **Allowed Uses:** Permits single-family homes, **duplexes**, and multi-wide manufactured homes.
 - **Purpose:** Intended to utilize subdivided lots for more **affordable housing** options.
- **Residential R-3 (High Density):**
 - **Allowed Uses:** Intended for **apartments, condominiums, and townhouses**.



waldport.municipalcodeonline.com +3

Specific Parcel Standards

For the larger development tracts identified near the schools, additional requirements may trigger:

- **Planned Unit Developments (PUD):** Larger sites like the **7.75-acre Vista View** project or the

NW Legion Road

parcel can utilize PUD standards to allow for more flexible lot sizes and common open spaces.

- **Setback Requirements:**
 - **Front Yard:** Typically **20 feet** from the property line.
 - **Side Yard:** Generally **5 feet**, though corner lots may require **15 feet** on the street-facing side.
- **Lot Coverage:** Buildings, including garages and accessory structures, generally cannot occupy more than **45% of the total lot area**.
- **Clear Vision Areas:** Fences and plantings at intersections are limited to **3.5 feet** in height to maintain safety for school-zone traffic.



General Code +4

Recent Policy Changes (2025–2026)

New Oregon state laws now prevent local governments from blocking **duplexes and triplexes** on land previously zoned only for single-family homes, provided the infrastructure (water/sewer) can support the added density. (Small city exemption for cities of less than 10,000 residents)



Oregon Journalism Project + I

What are the total acres of vacant land for housing development near the Waldport public schools, price per acre and zoning?

For 2026, there are approximately **50.5 acres** of prominent vacant land for housing development within a 1.5-mile radius of the Waldport public school complex. This land is primarily zoned **Residential R-1** (Single-Family) and **R-2** (Moderate Density), with an average price of roughly **\$66,350 per acre** for large development parcels, significantly lower than the citywide average for smaller lots.

Available Vacant Development Land (Near Schools)

The following parcels are located near

[Crestview Heights School](#)

and

[Waldport High School](#)

.

Parcel Location	Total Acres	Zoning	Listing Price	Est. Price Per Acre
NW Legion Road (TL 1100)	20.46	R-1	\$225,000	~\$11,000
SW Norwood Drive (#TL0120)	7.75	R-1 (PUD)	\$898,700	~\$115,961
TL 500 Cedar Street	7.35	R-1	\$649,000	~\$88,300

500 SW Cedar Street	7.1	R-1	\$649,000	~\$91,408
Waldport Heights Drive	8.8	R-2	\$450,000	~\$51,136

Zoning and Development Requirements

- **Residential R-1 (Single-Family):**
 - **Allowed Uses:** Strictly **single-family dwellings**.
 - **Minimum Lot Size:** **6,000 square feet** per dwelling with city utility connections.
- **Residential R-2 (Moderate Density):**
 - **Allowed Uses:** Permitted for **single-family, duplexes, and triplexes**, allowing for higher density and more affordable housing options.
- **Planned Unit Developments (PUD):** Larger sites like the **7.75-acre SW Norwood** parcel utilize PUD standards, which offer flexibility in lot sizes to preserve open space or accommodate unique terrain.
- **Height and Coverage:** Most residential buildings are capped at **30 to 35 feet** in height, with a maximum lot coverage of **45%** for all structures.



Market Context

While the citywide average price per acre in Waldport is roughly **\$133,050**, larger undeveloped tracts near the schools often list at a lower per-acre rate (\$11,000–\$90,000) due to the substantial infrastructure investment required for subdivided development.

What are the SDCs and building permit fees in Waldport?

In [Waldport](#), the **total for a "typical" residential hookup** is estimated at **\$13,582**. This figure includes the primary System Development Charges (SDCs) and basic connection fees required by the city for a standard 5/8" residential service.

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System Development Charges (SDCs)

SDCs are one-time fees paid at the time of permit issuance to fund the expansion of city infrastructure. For a standard single-family home in Waldport, these charges include:

 ORCity.org +1

- **Water SDC:** \$5,327 (standard 5/8" hookup)
- **Sewer SDC:** \$5,162
- **Parks SDC:** \$1,093 (standard residential lot)
- **Total SDCs:** \$11,582

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City Connection & Service Fees

In addition to SDCs, the city charges direct fees for the physical connection to municipal lines:

- **Water Connection Fee:** \$1,800
- **Sewer Connection Fee:** \$200
- **Zoning and Setback Review:** \$75 for new construction

 cdns5-hosted.civiclive.com +1

Building Permit Fees

Waldport handles its permitting process in coordination with **Lincoln County**. While SDCs and hookup fees are paid directly to the City of Waldport, structural permit fees are calculated and collected by the county:

 City of Waldport (.gov) +2

- **Structural Permit:** Based on the **valuation of the project** (fair market cost of materials and labor).
- **Plan Review Fee:** Typically **65% of the structural permit fee**.
- **State Surcharge:** A mandatory **12% surcharge** on all permit fees.
- **Specialty Permits:** Plumbing, electrical, and mechanical permits are separate and based on the number and type of installations.
- **School Excise Tax:** For new habitable residential space, a tax of **\$1.17 per square foot** is added to the permit.

Next Steps for Developers

1. **City Review:** Submit your application to the [Waldport Planning Department](#) for code compliance and utility availability checks.
2. **Payment:** Pay all SDCs and connection fees to the City of Waldport.
3. **County Processing:** Once city fees are paid, the application is forwarded to Lincoln County for structural review and final permit issuance.

To get a new residential building permit approved in Waldport, you must coordinate between the **City of Waldport** (for zoning and utilities) and **Lincoln County** (for structural safety and inspections).

Step 1: City of Waldport Preliminary Review

Before the county will look at your plans, the City must sign off on local land-use rules.

- **[] Plot Plan/Site Plan:** A bird's-eye view showing property lines, the exact footprint of all structures, and distances (setbacks) to the property lines.
- **[] Zoning & Setback Review Application:** A city form confirming your project meets R-1 or R-2 standards.
- **[] Utility Availability Form:** Confirmation from the Public Works department that city water and sewer lines can reach your specific lot.

Step 2: Pay City Fees (The "Big" Check)

You must pay your **System Development Charges (SDCs)** and connection fees to the City before they "release" your application to the County.

- **[] SDC Payment (\$11,582):** Covers water, sewer, and parks.
- **[] Connection Fees (\$2,000):** Covers the physical hookup to city lines.
- **[] City Administrative Fee (\$75):** For the zoning review.

Step 3: Lincoln County Structural Submission

Once Waldport signs your "City Routing Form," you submit your technical blueprints to the Lincoln County Building Division.

- **[] Two Sets of Construction Plans:** Professional-grade drawings including:

- Foundation plan.
- Floor plans for each level.
- Cross-sections (showing wall, roof, and floor framing).
- Elevation views (showing the exterior from all four sides).
- **[] Energy Conservation Measure (Form N):** A state-required form detailing your insulation, windows, and heating efficiency.
- **[] Moisture Content Acknowledgement:** A signed form stating you will ensure the wood framing is dry before closing in the walls.
- **[] Engineering Calculations:** Required if your design uses "non-prescriptive" methods (e.g., massive windows, steep slopes, or complex steel beams).

Step 4: Specialized Permits

These are often "sub-permits" usually pulled by your licensed contractors:

- **[] Electrical Permit**
- **[] Plumbing Permit**
- **[] Mechanical Permit** (for HVAC, heat pumps, or wood stoves)

Step 5: Final Issuance

- **[] School Excise Tax:** Paid to the county (approx. **\$1.17 per sq. ft.** for the Waldport School District).
- **[] County Building Permit Fee:** Paid based on the total dollar value of the construction.

Housing building process and financial models in Yachats and unincorporated Lincoln County (between Yachats and Waldport, for example)

What are the steps to obtain a building permit in the city limits of Yachats, OR

To obtain a building permit in Yachats, you follow a "dual-agency" process similar to Waldport: the **City of Yachats** manages land use and utilities, while **Lincoln County** handles structural safety and inspections.

Step 1: City of Yachats Zoning & Utility Review

Before any construction begins, you must get "Land Use" approval from the City.

- **Submit a Plot Plan:** A detailed drawing showing property lines, existing and proposed structures, and precise setbacks (distances from building to property lines).
- **Zoning Compliance:** Ensure your project meets the requirements for your specific zone (e.g., R-1, R-2, or R-3).
- **Geotechnical Report:** Because of Yachats' coastal geography, many lots require a **Geotechnical (Soils) Report** to address steep slopes or potential erosion before approval.
- **Public Works Approval:** Confirm the availability of city water and sewer services for your specific lot.

Step 2: Pay City Fees (SDCs and Connections)

You must pay your **System Development Charges (SDCs)** directly to the City of Yachats to fund infrastructure capacity.

- **Water SDC:** ~\$5,327 (Standard 5/8" meter).
- **Sewer SDC:** ~\$5,162.
- **Storm Drain SDC:** ~\$1,000 (Varies by impervious surface area).
- **Connection Fees:** These cover the physical "tap" into city lines and the water meter installation.

Step 3: Lincoln County Structural Submission

Once Yachats issues a "City Routing Form" (your "Green Light"), you submit your technical blueprints to the Lincoln County Building Division.

- **Two Sets of Plans:** Professional drawings including foundation, floor plans, wall sections, and elevations.
- **Energy Conservation (Form N):** Documentation showing the home meets Oregon's energy efficiency standards.
- **Engineering:** Required for non-standard designs or homes built on significant slopes.

Step 4: Specialized "Sub-Permits"

These are typically pulled by your licensed contractors:

- **Electrical, Plumbing, and Mechanical Permits.**
- **School Excise Tax:** A tax paid to the county (approx. **\$1.51 per sq. ft.** for the Lincoln County School District) for all new habitable space.

Step 5: Final Permit Issuance & Inspections

- **Payment:** Pay the remaining County structural permit and plan review fees.
- **Inspections:** You or your contractor must call the County to schedule inspections at key milestones (foundation, framing, rough-in, and final).

Pro Tip: Yachats has a strict **Lighting Ordinance** (Dark Sky) and **Vegetation/Tree Protection** rules. Ensure your site plan includes your lighting fixtures and any planned tree removal to avoid delays.

What are the steps to obtain a home building permit in South Lincoln County, OR

To build a home in South Lincoln County (covering **Yachats, Waldport, and surrounding unincorporated areas**), you must navigate a "dual-agency" process. The local city or county planning department handles **land use**, while the Lincoln County Building Division handles **structural safety**.

1. Identify Your Jurisdiction

The first step is determining which office manages your land use (zoning):

- **Inside Yachats or Waldport City Limits:** Go to the respective **City Hall**.
- **Outside City Limits (e.g., Seal Rock, San Marine):** Go to **Lincoln County Planning & Development** in Newport.

2. Step-by-Step Permit Process

Step A: Land Use & Zoning Approval

Before you design a house, you must prove the project is legal for that specific lot.

- **Submit a Site Plan:** A "bird's-eye view" showing property lines, the house footprint, and distances (setbacks) to neighbors.
- **Geotechnical/Geologic Report:** Highly common in South County due to coastal erosion and steep slopes. You may need a certified engineer to sign off on the soil stability.
- **Septic vs. Sewer:**
 - If on city sewer, get a **Sewer Availability** sign-off.
 - If rural, you must obtain a **Septic Installation Permit** from County Sanitarian services first.

Step B: Pay System Development Charges (SDCs)

These are "impact fees" paid to the city or service district to fund infrastructure.

- **Typical Cost:** Expect to pay **\$11,000 – \$14,000** for water, sewer, and parks SDCs before your permit is released to the structural reviewers.

Step C: The "City Routing Form"

Once the city (or county planning) approves your zoning and you've paid your SDCs, they will issue a **City Routing Form**. This is your "green light" to move to the structural phase.

Step D: Structural Plan Review

Submit your technical blueprints to the Lincoln County Building Division. You will need:

- **Two sets of professional plans** (Foundation, Floor Plan, Elevations, Cross-sections).
- **Oregon Energy Trust "Form N"** (detailing insulation and efficiency).
- **Moisture Content Acknowledgement** (signed by the contractor).

Step E: Final Fees & Issuance

- **School Excise Tax:** Paid to the school district (approx. **\$1.17 - \$1.51 per sq. ft.** of habitable space).
- **Building Permit Fee:** Based on the total valuation (cost) of the home.
- **Sub-Permits:** Electrical, Plumbing, and Mechanical (HVAC) permits are usually pulled by your licensed subcontractors.

3. Key Local Challenges

- **Dark Sky Ordinance:** Yachats has specific rules on outdoor lighting types.
- **Height Restrictions:** Many coastal zones cap buildings at **28–30 feet** to protect views.
- **Wetlands:** If your lot has standing water or specific vegetation, you may need a **Wetland Delineation** from the Department of State Lands.

VII. Legislated advantages of Small Cities in Oregon

Oregon housing code exemption for cities of 2,500 to 10,000 population.

In Oregon, the **population threshold of 2,500** is a key trigger for specific housing requirements rather than a broad "exemption." Specifically, cities with a population of **2,500 or greater** must adhere to certain state-mandated housing codes that do not apply to smaller towns.

Key Requirements for Cities Over 2,500

- **Duplex Allowance:** Under [Oregon House Bill 2138](#) and related statutes, cities outside the Portland Metro area with a population between **2,500 and 25,000** must allow a duplex on each lot or parcel zoned for residential use that allows for detached single-family dwellings.
- **Accessory Dwelling Units (ADUs):** [ORS 197A.425](#) requires cities with more than **2,500 residents** to allow at least one ADU for each detached single-family home in areas zoned for single-family use.
- **Model Code Tiers:** The [Department of Land Conservation and Development \(DLCD\)](#) categorizes cities into three tiers for housing model codes:
 - **Small Cities:** Population less than 2,500 (often exempt from more intensive "Middle Housing" requirements).
 - **Medium Cities:** Population 2,500 to 25,000.
 - **Large Cities:** Population over 25,000.



Oregon.gov +4

Relevant Exemptions and Limitations

While 2,500 is the threshold for *inclusion*, there are specific exemptions for lands within those cities:

- **Lack of Urban Services:** Requirements typically do not apply to lands that lack "sufficient urban services" (like water or sewer) as defined in ORS 195.065.
- **Non-Residential Zones:** These housing mandates do not apply to lands zoned primarily for commercial, industrial, or agricultural uses.

VIII. Lifestyle advantages of living in a small city in Oregon and Yachats specifically

What are the quality of life advantages of living in a city of 2,500 or less in Oregon?

Living in an Oregon city with a population of 2,500 or less—such as **Yachats, Sisters,** or **Joseph**—offers a distinct lifestyle centered on **seclusion, community intimacy, and**

immediate nature access. While you trade off urban amenities like specialized healthcare and 24/7 shopping, you gain significant "peace of mind" advantages.

1. Enhanced Personal Safety & Security

- **Lower Crime Rates:** Small towns in Oregon typically report significantly lower violent and property crime rates compared to state averages.
- **Communal Vigilance:** Residents often describe a "look out for one another" atmosphere where neighbors know each other's vehicles and routines, fostering a deep sense of security.
- **Trust-Based Living:** It is not uncommon in these smaller communities for residents to leave doors unlocked or keys in the car, reflecting a high level of social trust.

2. Immediate "Backyard" Nature Access

- **Proximity to Recreation:** In towns like [Coquille](#) or [Chiloquin](#) world-class hiking, fishing, and mountain biking trails are often just minutes away, requiring virtually no commute.
- **Psychological Benefits:** Living near Oregon's forests and rivers is linked to reduced stress, lower blood pressure, and improved mental well-being.
- **Cleaner Environment:** Smaller populations mean significantly less air and noise pollution, leading to better sleep and clearer night skies for stargazing.

3. Slower "Human-Scale" Pace of Life

- **Reduced Decision Fatigue:** With fewer "big box" options (often just one local grocery store or post office), daily life is simplified and less overwhelming.
- **No Traffic Gridlock:** The absence of rush-hour congestion saves time and reduces the daily cortisol spikes associated with urban commuting.
- **Intentional Connection:** Social interactions—like chatting with a shop owner who remembers your name—are a default part of daily life rather than a rushed exception.

4. Financial Predictability

- **Lower Housing Costs:** While Oregon's market is generally competitive, property in smaller towns often provides more square footage and larger lots for a lower price than urban centers.
- **Reduced Routine Expenses:** Beyond housing, residents often save on car insurance (due to lower accident rates), parking fees, and local service costs.

5. Personalized Education

- **Small Class Sizes:** Local schools in these communities often offer more one-on-one attention from educators and stronger social bonds among students who have grown up together.

Are you considering a move to a specific region like the **Oregon Coast** or **Central Oregon**, where these advantages might vary based on tourism and seasonal shifts?



- 7 Best Small and Safe Towns to Live in Oregon (2026)
- 10 Pros and Cons of Living in a Small Town
Dec 15, 2025 — Benefits of Living in a Small Town * Lower Cost of Living. One of the most significant advantages of small-town life is the potent...

List the benefits of living in Yachats compared to other Oregon coastal cities.

Yachats, often called the "**Gem of the Oregon Coast**," distinguishes itself from larger hubs like Newport or Florence through its **dramatic rocky shoreline, high-elevation vistas, and intentional small-town seclusion.**



YouTube +3

I. Distinctive Natural Landscape

- **Basalt Shoreline vs. Sandy Dunes:** Unlike the sandy, sprawling dunes found in Florence, Yachats is built on **ancient volcanic basalt**. This creates a rugged, dramatic coastline with **world-class tide pooling** and "spouting horns" (blowholes) right at the town's edge.
- **Cape Perpetua Scenic Area:** Yachats sits at the foot of **Cape Perpetua**, the highest point on the Oregon Coast (803 feet). This provides residents with immediate access to 26 miles of hiking trails and panoramic views rarely found in flatter coastal towns.
- **Thor's Well & Devil's Churn:** These iconic geological features are located just south of the city limits, offering a level of natural spectacle that draws nature photographers and storm watchers.



Adair Homes +6

2. Strategic Financial Environment

- **Tourism-Funded Public Services:** Yachats leverages a high volume of tourism revenue to fund its general operations. This allows the city to maintain a **median effective property tax rate of 0.81%**, which is lower than the Oregon state median (0.86%).
- **Lodging Tax Advantage:** The city collects a significant amount in lodging taxes (historically directing a large portion to its general fund), which helps subsidize city services that might otherwise require higher local levies.

3. Intimate, "Artsy" Community Vibe

- **No "Coney Island" Commercialism:** Residents often compare Yachats favorably to towns like Seaside, noting a lack of "tourist trap" commercialism. The town is **intentionally limited in scale**, focusing on local artist galleries, boutique shops, and ethically sourced seafood.
- **Walkability & The 804 Trail:** While many coastal towns require a car to reach different districts, the **historic 804 Trail** and the [Village Circulation Plan](#) focus on a continuous pedestrian route along the ocean's edge for the entire length of the community—a feature unique among Oregon coastal cities.
- **Demographic for Quiet Living:** With a **median age of 64.1** (compared to the county average of 51.8), the community is skewed toward retirees and remote workers who prioritize privacy and a slower pace.

4. Comparisons at a Glance

Feature	Yachats	Newport	Florence
Primary Landscape	Rocky basalt bluffs & forest	Sandy beaches & bayfront	Sandy dunes & riverfront
Vibe	Quiet, artsy, secluded	All-purpose, commercial	Recreational, retirement-focused
Key Amenity	Cape Perpetua trails	Aquarium & major healthcare	Sand dunes & lake access
Shopping/Services	Boutique; limited groceries	Big-box (Walmart/Fred Meyer)	Large grocery & hardware

Note on Infrastructure: While Yachats offers superior privacy and scenery, residents typically travel **25–30 minutes** to [Newport](#) or [Florence](#) for major healthcare (hospitals) and bulk grocery shopping (Costco/Fred Meyer).

IX. Public transportation resources

Public transportation options for people who live in and near Yachats?

Public transportation in [Yachats](#) is primarily served by two regional bus connectors that link the town to larger hubs like [Newport](#) to the north and **Florence** to the south. Because Yachats is a small community, these services operate on fixed schedules with limited daily runs.

1. Lincoln County Transit (Northbound to Newport)

[Lincoln County Transit](#) operates the **South County** route, connecting Yachats to Waldport and [Newport](#).

 Lincoln County, OR +1

- **Route Highlights:** Stops include the Yachats Log Church (3rd & Pontiac), Waldport (Post Office/Clinic), Seal Rock, and [Newport City Hall](#)
- **Schedule:** Typically runs **4 round-trips daily**, Monday through Saturday.
- **Deviated Service:** You can request a "deviated pickup" up to **3/4 mile off the scheduled route** by calling dispatch at 541-265-4900 at least 30 minutes in advance.
- **Fare:** Approximately **\$1.00 to \$3.00** depending on the distance traveled (e.g., \$3.00 for Yachats to [Newport](#)).

 Lincoln County, OR +4

2. Link Lane (Southbound to Florence)

The [Florence-Yachats Connector](#) is operated by Link Lane, providing a vital link to Lane County.



Link Lane +1

- **Route Highlights:** Travels between the [Yachats Log Church](#) and the [Florence Grocery Outlet](#), with a stop at [Carl G. Washburne State Park](#)
- **Schedule:** Operates **4 round-trips daily**, Monday through Sunday (7:30 a.m. – 7:25 p.m.).
- **Flag Stops:** Riders can flag down the bus at designated spots like Tenmile Creek Road and [Stonefield Beach](#) by signaling the driver.
- **Fare:** **\$2.50 one-way** or \$5.00 for an all-day pass. Exact change is required as drivers cannot make change.



Link Lane +2

3. Regional & Long-Distance Connections

- **To [Eugene](#)/Amtrak**

From [Florence](#), residents can transfer to the **Florence-Eugene Connector** (also Link Lane) to reach the Eugene Amtrak station and Greyhound services.

- **NW Connector**

: Yachats is the southernmost point of the [NW Connector](#)

alliance, which allows for coordinated travel as far north as Astoria and inland to Portland through a network of five transit agencies.

- **Medical & Specialized Transport:**

- [RideSource](#)

: A curb-to-curb service for individuals with disabilities who cannot use fixed-route buses.

- [Friends of Florence](#)

: A specialized van service for cancer patients traveling to [Eugene](#) for treatment.



Florence, OR +4

4. Taxi & Shuttle Services

Local private options are limited but available for point-to-point travel:

- **River Cities Taxi**

: Based in Florence, they also manage the [Link Lane Yachats connector](#) and offer traditional taxi services.

- [Yaquina Cab](#)

: Operates 24 hours out of Newport.

- **PDX/Eugene Airport Shuttles:** Services like [Caravan Transportation](#) and [Hub Shuttle](#) provide van connections to Portland (PDX) and Eugene (EUG) airports, typically requiring advanced booking.

Link to NW Connector.

<https://nwconnector.org/routes/south-county/>

Yachats to Newport Bus Schedule

<https://nwconnector.org/wp-content/uploads/2017/03/South-County-New-Schedule-12.1.2023.pdf>

X. Development and Building Information

How many cottage cluster units can fit on one acre of land?

In Lincoln County, specifically under the updated codes for

Waldport and **Yachats**, you can typically fit between **8 and 12 cottage units** on a single acre.

The exact number depends on the specific "Middle Housing" or "Cottage Cluster" code for that zone, but here is how the math usually breaks down for a one-acre (43,560 sq. ft.) project:

I. Density Limits (The "How Many" Rule)

- **Waldport/Yachats Standards:** Most local codes allow for a density of one cottage per **2,500 to 3,500 square feet** of lot area.
 - At 3,500 sq. ft. per unit = **12 units per acre.**
 - At 5,000 sq. ft. per unit (more conservative) = **8 units per acre.**
- **Minimum/Maximum Clusters:** Oregon model codes typically require a minimum of **3 units** and a maximum of **8 to 12 units** per individual "cluster" group. On a large acre, you might actually build two separate clusters of 6 units each.

2. Space Requirements (The "Fit" Rule)

To get 12 units on an acre, the development must follow these typical "South County" footprint rules:

- **Unit Size:** Individual cottages are usually capped at a **900 sq. ft. footprint** (though they can be larger if they have a second story, often up to 1,400 sq. ft. total).
- **Common Green Space:** You must set aside at least **150 to 250 sq. ft. of shared open space** per unit. For 12 units, that is about 3,000 sq. ft. of communal garden or courtyard.
- **Parking:** Most codes require **1 to 1.5 parking spaces per cottage**. These are usually "clustered" in a single lot on the edge of the acre to keep the center green and walkable.

3. Site Constraints

While the code might allow 12 units, physical reality often limits an acre to **8 or 10 units** because of:

- **Setbacks:** A 10-foot buffer around the entire perimeter of the acre.
- **Stormwater Management:** Space for swales or detention ponds to handle coastal rain.
- **Topography:** In Yachats or Waldport, steep slopes or wetlands can easily "eat" 20% of your buildable acre.

Would you like to see the System Development Charges (SDCs) for a 10-unit cottage project, or should we look at specific vacant acres currently for sale that allow this density?

https://www.zillow.com/homedetails/TI-100-300-Ne-Starr-Creek-Dr-Yachats-OR-97498/459899338_zpid/

6.74 acres across two adjoining tax lots in a highly desirable Yachats-area setting. Zoned R-1, this undeveloped property offers a peaceful, wooded backdrop with a gentle westward slope and room to create a private coastal retreat. with public water available at the street and power nearby. Offered as two adjoining parcels and being sold as-is. A beautiful canvas for those seeking space, privacy, and the long-term value of coastal land on the Central Oregon Coast.

<https://datacommons.org/place/geoid/41041951700>

What is the cost to extend sewer lines per foot?

The cost to extend or install a sewer line in Oregon typically ranges from **\$50 to \$250 per linear foot**, including materials and labor. For a standard 40-foot run from a home to the street connection, homeowners can expect to pay between **\$2,000 and \$10,000**.



Repipe Solutions Inc +2

Cost Breakdown per Linear Foot (2026)

The method of installation significantly impacts the total cost per foot.

- **Traditional Trenching: \$50 – \$250 per foot.** This is the standard method but can be more invasive, requiring separate costs for landscaping restoration.
- **Trenchless Methods: \$60 – \$250 per foot.** Options like pipe bursting or CIPP lining are less disruptive and can save on long-term restoration costs.
- **New Construction:** Often lower, ranging from **\$50 – \$90 per foot** when land is already cleared.



Material Costs (Materials Only)

The choice of pipe material directly influences the upfront material portion of the project:

- **PVC:** \$3 – \$8 per foot (most common/affordable).
- **ABS:** \$3 – \$11 per foot.
- **Cast-Iron:** \$20 – \$75 per foot.
- **Copper:** \$30 – \$80 per foot (most expensive).



Repipe Solutions Inc +1

Key Cost Drivers

- **Distance and Depth:** Longer runs increase material and labor totals, while pipes deeper than 5 feet may require specialized shoring equipment, raising costs.

- **Obstacles:** Trenching under concrete driveways or patios can add **\$300 – \$350 per foot** to cover demolition and restoration.
- **Soil Conditions:** Rocky or clay-heavy soil can increase excavation costs by **\$500 to \$2,000** due to the need for heavier machinery.
- **Permits and Inspections:** In the Lincoln County area, permit fees generally range from **\$400 to \$1,600**.



Lincoln County Local Estimates

In Lincoln City, the typical range for sewer line work is cited between **\$50 and \$150 per linear foot**, with pipe materials specifically accounting for **\$10 to \$30** of that total.

Would you like to know more about the **System Development Charges (SDCs)** required for a new sewer hookup in Yachats or Waldport?

Is there a model tree preservation ordinance for Oregon cities?

Yes, several organizations and government bodies provide **model tree ordinances** and recommendations to help Oregon cities develop their own tree preservation laws.

Key Resources for Model Tree Ordinances

- **League of Oregon Cities (LOC):** The LOC maintains a [Reference Materials](#) library that includes sample ordinances and "models" designed specifically for member cities to use as starting points.
- **Oregon Department of Forestry (ODF):** Through its [Urban and Community Forestry](#) program, the ODF provides technical assistance and resources to help nearly 70 "Tree City USA" communities in Oregon maintain required tree ordinances.
- **Housing Production Advisory Council (HPAC):** HPAC provides specific [Tree Code Recommendations](#) intended to balance tree preservation with housing density. These guidelines suggest that cities should offer prescriptive protection plans as a primary option for developers.



Oregon.gov +4

Typical Provisions in Oregon Tree Ordinances

While each city adapts its code, several standards are commonly seen across the state:

- **Diameter Thresholds:** Many cities regulate "significant" or "regulated" trees based on diameter at breast height (DBH), often starting at **6 inches**.
- **Preservation Ratios:** Larger cities like

[Portland](#)

often require preserving **at least 1/3** of non-exempt trees 12 inches or larger on a development site.

- **Protection Zones:** A standard requirement is a **Root Protection Zone (RPZ)**, typically calculated as a **one-foot radius** for every inch of tree diameter.
- **Coastal Specifics:** Cities like

[Cannon Beach](#)

implement policies aimed at maintaining a minimum density, such as **four trees per 5,000 square foot lot**.

- **Heritage Designations:** Most ordinances include a "Heritage Tree" program to voluntarily protect trees of special historical, ecological, or horticultural value.



City of Bend (.gov) +8

State-Mandated Exemptions

Oregon law and recent recommendations (like HPAC's) specify that within **Urban Growth Boundaries**, cities cannot generally deny removal permits for trees **less than 48 inches** in diameter if they are located in areas needed for essential infrastructure like streets and utilities.



Oregon.gov

League of Oregon Cities

<https://www.orcities.org/>

Tiny Home Maker

<https://oregoncottagecompany.net/>

What are the special construction techniques needed for building a home on the coast?

Coastal home construction focuses on elevating structures on deep-driven piles, using corrosion-resistant materials, and creating a continuous load path to withstand high winds, flooding, and storm surges. Key techniques include using pressure-treated wood, stainless steel hardware, and impact-resistant windows to ensure durability against salt and wind.



YouTube +4

Foundation and Elevation (Flood Mitigation)

- **Pile Foundations:** Driven piles (wood, concrete, or steel) are preferred in high-risk zones, extending deep into the ground to resist erosion, scour, and lateral water forces.
- **Elevated Structures:** Homes are typically raised on piles or piers 8–15 feet above sea level to exceed base flood elevations (BFE).
- **Breakaway Walls:** Lower areas below the elevated first floor are often enclosed with "breakaway" walls designed to collapse under high water pressure without damaging the main structure.



FEMA.gov +4

Structural Reinforcement (Wind Resistance)

- **Continuous Load Path:** A robust connection system, including hurricane straps, heavy-duty clips, and tie-down rods, binds the roof, walls, and foundation together to prevent uplifting.
- **Shear Walls:** Reinforced shear walls are used to provide stability against horizontal wind loads.
- **Hip Roofs:** A 30-degree sloped hip roof is generally more wind-resistant than gabled roofs.

 Strobel Design Build +3

Durability and Materials (Corrosion Resistance)

- **Fasteners and Hardware:** Only hot-dip galvanized or stainless steel bolts, screws, and nails should be used to prevent corrosion from salt air.

- **Exterior Cladding:** Fiber cement siding, brick, stucco, or high-quality engineered wood are preferred for their resistance to rot, salt, and humidity.
- **Windows and Doors:** Impact-resistant, laminated glass windows and doors are essential for protection against wind-borne debris.



Swift Creek Homes +4

Site Management

- **Site Inspection:** An elevation certificate is required to determine the risk and necessary foundation height.
- **Setbacks:** Coastal properties often have strict zoning setbacks that dictate the buildable area of the lot.



Coastal Home Plans

Typical Coastal Building Materials

- **Roofing:** Metal roofing (aluminum or galvanized steel) or thick wood shingles are used for wind resistance.
- **Framing:** Pressure-treated lumber is used for all exposed or structural elements below the floor.
- **Sheathing:** CDX plywood or structural OSB with high moisture resistance is required for roof and wall sheathing.



Wolf Industries +4

Note: For detailed, professional guidance, refer to FEMA's [Coastal Construction Manual \(FEMA P-55\)](#).



FEMA.gov

Opinion article in Washington Post, April 2026

Congress is threatening a leading source of single-family homes

A great, bipartisan housing bill could undermine its own objective.

By Brad Hargreaves

Brad Hargreaves is a Manhattan Institute senior fellow and editor in chief of Thesis Driven.

Congress rarely manages to assemble bipartisan housing legislation of any real ambition, which makes the Senate's recent passage of the 21st Century ROAD to Housing Act a remarkable feat. The legislative package streamlines environmental review, modernizes standards for manufactured housing and creates meaningful incentives for zoning reform — supply-side changes that housing economists have been urging for decades. It attempts to address a crisis that has priced working families out of major metropolitan areas and left younger generations with diminishing options. That makes it all the more frustrating that the bill includes a provision, Section 901, that would hollow out its core promise.

Titled “Homes Are for People, Not Corporations,” the provision requires large investors who build or purchase homes specifically for rental to sell those homes to individuals within seven years, regardless of market conditions at the time. The section's ostensible goal is to prevent those investors — companies that own at least 350 homes — from competing against individual home buyers. But its end result will be the evisceration of one of the fastest-growing and most promising sources of new family-oriented housing in the United States today: build-to-rent communities.

Lumping in build-to-rent development with institutional purchases of existing homes reflects a misunderstanding of what build-to-rent is. These are not scattered single-family homes acquired opportunistically from the for-sale market. They are purpose-built rental neighborhoods, often sharing a single tax lot, functioning in practice like horizontal apartment complexes. They typically have leasing offices, shared amenities and professionally managed common areas. The individual units may look like houses from the street, but the underlying ownership structure is indistinguishable from a conventional apartment building. Requiring these properties to be sold off unit by unit within seven years is mandating the breakup of an asset that was never designed to be divided.

Build-to-rent is growing as a market sector even though it generates some of the lowest returns of any institutional real estate asset class. Investors accept those returns because the demand profile is unusually stable. Once families with children have settled into a neighborhood with good schools and reasonable commute times, they tend to stay. That predictability produces consistent cash flow over long periods, appealing to investors with a long-term mindset. A time-limited, forced-sale mandate eliminates that predictability, exposing investors to liquidation at whatever price the market happens to offer at a legislatively prescribed moment. The National Association of Home Builders, which had been prepared to support the broader legislation, withdrew its backing over this provision alone, warning it would effectively shut down future build-to-rent construction.

That would mean fewer homes. Build-to-rent development is producing between 70,000 and 130,000 new homes in the United States a year, housing that disproportionately serves families who cannot assemble a down payment, who need geographic flexibility or who want access to a good school district without committing to a 30-year mortgage. (It is particularly important in the fast-growing Sun Belt, where roughly 57 percent of all BTR homes currently under construction are located.) Surveys of build-to-rent residents show that more than one-third actively prefer renting. Among those who say they would eventually like to buy, the most common obstacles specified are a lack of savings and a need to stay mobile, not a shortage of homes for sale.

Preserving build-to-rent is as much about education as it is housing. School quality in the United States has long been one of the most consequential advantages attached to homeownership. Families who can afford to buy in a high-performing district gain access to better resources and measurably better long-run outcomes for their children. Families who cannot afford to buy have historically been limited to whatever schools happen to serve the rental options available to them, which in most markets means older apartment stock in lower-performing districts.

Build-to-rent housing provides a new path to quality schools. Because it is purpose-built for suburban markets and designed for families, it is often built in Zip codes with the schools that working parents are trying to reach. A family earning \$80,000 a year that cannot put \$60,000 down on a house can, in a functioning build-to-rent market, lease a three-bedroom home in a district with strong public schools. For many families, it is the best option realistically available to them.

The politics behind Section 901 are understandable. Institutional landlords are unpopular, and legislators balk at the image of large investors outcompeting families to buy suburban homes. But industry analysts estimate that institutional investors own less than 1 percent of all single-family homes in the United States, and restricting that small number will not materially change the supply-and-demand dynamics driving prices and rents. What it will do is redirect capital away from new housing construction and into other asset classes, and fewer homes will be built as a result.

The Senate has assembled and passed, overwhelmingly, something genuinely useful in the current package. Its supply-side reforms, its zoning incentives and its support for modern, family-style manufactured houses are worth fighting for. The bill has now moved back to the House, where members have the opportunity to fix what the Senate got wrong, as well as consider other issues. Stripping Section 901's disposal requirement should be a condition of passage, not an afterthought. The families this legislation claims to champion deserve better than a bill that offers housing options with one hand while taking them away with the other.

Analysis of Greater Yachats, compared to City of Yachats.

No city limit signs.

Some nearby residents think they live “in Yachats” when they actually live in Lincoln County.

Suitability of all vacant land inside the City of Yachats, for housing and commercial uses.

Advantages of residing in the city vs the county.

Resource constraints of living in the city vs Newport and Florence.

List the small R-1 lots (5,000 SF and less). Suitable for small factory or stick built homes, cottages. Plan for build for rent.

List the R-1 lots that qualify for the revised code (7,000 SF and above).

List the R-2 lots: List by size in SF. Identify which lots are suitable for duplex and triplex. Plan for build to rent. Identify the minimum income required for a 33% income to housing cost ratio, for market rents inside Yachats and in Lincoln County.

List the R-3 lots: List by size in SF. List which are suitable for fourplex and 5+. Build to rent.

List the R-4 lots: List by size in SF. List which are suitable for motel, hotel, resort and multi-dwelling.

List the C-1 lots: List by size in SF. List which are suitable for 5+ rentals, mixed use, etc.

Suitability of vacant land in “Greater Yachats” – River road land and the south Lincoln County land north of the Yachats city limits, to the southern city limit line of the City of Waldport . Which has Lincoln County residents who can choose to work in Yachats or Waldport.

Economically constrained income/asset estimate.

Minimum income/assets to afford to own or rent a modest home, cottage, townhome, apartment in the city of Yachats.

Minimum income/assets to afford to own or rent a modest home, cottage, townhome, apartment in

--Yachats

--Unincorporated Lincoln County between Yachats and Waldport,

--Along the Yachats River Road.

Infrastructure Financial Constraints

The City has multiple demands for capital, with clean water security at the top. Capital expenses for street improvements (widening, curbs, sidewalks, drainage, utility lines) will be

necessary to support higher density housing. System development charges to developers will cover only part of these costs.

Legislative Constraints/Benefits

Federal

State

County

City

ADU Constraints

- Parking—Review the current parking for SFD and the proposed for SFD & ADU
- Sq footage of SF lots that allow an ADU addition, considering setbacks

Commercial – Residential Mixed Use Constraints

Mixed use is exclusive to C-I Zoning

Look at the C-I zoned lots that are adjacent to R-I lots, to anticipate conflicts.

April 15, 2026

To: Marc Sakamoto, Chair Yachats Planning Commission
Bobbi Price, Yachats City Manager
Katherine Guenther, Yachats City Planner

CC: Planning Commission Housing Advisory Committee
Rachel Cotton, Cascadia Partners

From: Jacqueline Danos, Resident, P.O. Box 161

Re: Follow-up to Yachats Housing Related Code Update

Listening to the follow-up presentation I was happy to learn about the community responses and concerns about affordability. Throughout this process I have been worried that the voices of NIMBYs would dominate but what has happened instead is the community has spoken not only for these changes, but many community members believe these changes don't go far enough. It makes me proud to be a Yachatian. The Planning Commission has the opportunity right now to create a housing code that makes Yachats "Housing Ready" now and into the future.

There are a few areas I would like to ask for more clarity or suggest continued review.

1. Height

As was obvious by the reaction to my question regarding the State changes regarding the ability of local CC&R restrictions to limiting what types of housing are allowed, I would suggest that Yachats investigate the following:

- a. As recommended speak to a land use attorney about the implication of the changes made at the State level.
- b. Create a map showing how and where current CC&R restrictions have artificially kept Yachats a city of single-story homes.
- c. Review revising the current city-wide 30' height allowance. Certain areas, such as along the Highway 101 corridor, might lend themselves to a 30' height allowance, but others might benefit from a lowering, to a 24' height allowance. An example would be King Street south & west, jumping the Hwy 101 corridor, wrapping all the way to Ocean View Drive.

2. 5' Side Yard Setback for ADUs

It was discussed to remove the change of allowing an ADU to be built at the 5' side yard setback. Reviewing existing homes and how much land is available to them for adding an ADU it seems to be extremely difficult for many ADUs to be built if existing setbacks remain. This requirement then also goes against what community members say they are concerned with – that these changes do not go far enough in adding housing options that will become affordable to the average worker. If there is a size limitation of, for example of 1.5 stories and 800-900 sq. ft. for ADUs built up to the 5' setback perhaps a compromise can be reached. This sized ADU most likely be more affordable as well as lessening any perceived impacts by neighbors.

3. ADU Size and Parking:

Raising the size allowance of an ADU to 1200 sq. ft seems more like what might be considered a detached duplex rather than an ADU. Height and parking become issues when the dwelling units are larger, need to fit within existing developed lots and are more family focused.

4. C1

It seems that the minimum density requirements for the C1 properties might not have the desired effect of stopping single dwelling residences being built on properties zoned specifically for commercial or mixed-use. The standards recommended would allow a single detached dwelling to be built on a 6000 sq. ft. lot. Either increasing the density requirements, or preferably, banning anything but commercial and/or mixed-use development by-right on C1 zoned properties is needed.

5. 100% Lot Coverage

This was not discussed but like height over development of a property would give a community such as Yachats too dense a feeling.

6. Increasing density requirements for R3 and R4

This was very reassuring for me to hear that community members are in favor of this change. Given that community members understand the limitations of having more affordable housing options built depends on having land appropriately zoned and available for it rezoning select R1 properties to R2 or R3 would be extremely helpful in moving the needle in the direction the community is in favor of. Doing both, the code revisions as well as re-zoning, would work together. Attached is a rough example of where upzoning would be beneficial and logical.

7. Carrot vs Stick changes

The urge to make changes that do not "take away" anything is understandable but, the responsibility of a City and its Planning Commission is to review and develop land use for the benefit of a City's long term social, environmental, and economic sustainability and resilience. The work that Yachats began with the Housing Needs Analysis showed that Yachats is lacking the needed variety of housing types to accomplish the task required of incorporated cities. Previous land use patterns and decisions have left the city unable to have the density it was always zoned for and with too few properties left zoned for current and future needs. Given the fact that Yachats has a very limited footprint of available and easily buildable properties zone and code changes are needed to accomplish the required task without eventually having to go through the lengthy and expensive process of UGB expansion.

Of all the work that Yachats has done over the years thoughtfully increasing housing density is the most important work Yachats can do in support of the community's values as stated in its mission statement:

"Our village is a place where natural resources are valued and protected, where diversity is celebrated and where a vibrant economy and sense of community pride create and recreate a living spirit. The Yachats community cares for its citizens' basic needs and supports them in their efforts to thrive mentally, physically, artistically and spiritually. It is a community with an enduring sense of itself."

Thank you,

Jacqueline Danos

April 20, 2026

TO: Mark Sakamoto, Chair, Yachats Planning Commission
FROM: John Theilacker, Yachats resident
RE: Housing Related Municipal Code Changes
CC: Katherine Guenther, City Planner; Bobbi Price, City Manager

I wish to commend the Planning Commission for its work to implement the City of Yachats Housing Needs Analysis (HNA) and Housing Implementation Plan (HIP) by amending Title 9, Zoning and Land Use, of the Yachats City Code. I also appreciate the concerted efforts of the City's planning consultant, Cascadia Partners, to gather public input on their initial public review draft and have submitted written comments to them and attended community informational meetings. From recent comments by Cascadia, I am encouraged by many of the changes proposed for the next iteration of the public review draft.

However, I would like to call to the Planning Commission's attention two key planning issues that remain unresolved.

1. **Preserving High-Density Zoned Land for High-Density Uses:** The code amendments need to more aggressively protect the very limited vacant land that remains in zoning districts intended for high-density development, in particular the R-3, R-4, and C-1 Districts. The code changes should focus growth intentionally. By doing so, we reduce the need for increased density in other areas of our community that do not have the infrastructure (roads, sewer, water, etc.) to support higher intensity uses.
2. **Managing the Impact of High-Density Uses:** Growth and development, including high-density development, is an inevitability when living in a desirable community. When properly managed, our community can enjoy the benefits of growth and development while mitigating the harmful impacts some residents may fear or associate with population increases and higher-density development. The code changes should include basic design and parking standards, such as paved parking requirements, which would apply to higher-density residential and non-residential projects.

Regarding the first unresolved planning issue, it is equally important to consider what the intended character of our high-density zoned districts is as it is to consider the intended character of our low-density residential districts. It would not appear to be in the best interest of our community to continue to permit detached single-unit dwellings and ADUs in the C-1 District when it has been documented that vacant or underutilized C-1 zoned land is scarce. Section 9.28.010.B of Chapter 9.28, C-1 Retail Commercial Zone proposes to permit "any use which would be permitted outright in any residential zone, subject to applicable design standards". As worded, "any use" would include, but not be limited to, detached single-unit dwellings, plexes, townhomes, multi-unit dwellings, Single-Resident Occupancy (SROs), and accessory dwelling units (ADUs).

In order to utilize vacant C-1 zoned land more efficiently, the public review draft proposes: a) reduced minimum lot sizes for residential uses; and b) the use of a minimum residential density standard. Within the C-1 District, Section 9.28.020.A.2.e. states that the minimum density standard shall be 10 dwelling units (du's) per acre for any residential development. Using the example of an existing 6,000 sq.ft. lot zoned C-1, 1,377 units could be established at a density of 10 du's per acre. This minimum density permits a 6,000 sq.ft. commercially-zoned lot to be used for a detached single-unit dwelling, and possibly an ADU. Use of vacant or underutilized C-1 zoned land for low-density, detached single-unit dwellings and ADUs is inconsistent with the HNA's findings that surplus R-1 zoned land exists to meet the City's 20-year housing demand for detached single-unit dwellings. The Planning Commission should recommend to its consultant that either detached single-unit dwellings and ADUs be removed as a permitted use in the C-1 District, or the minimum density standard must be increased (ex. 15 du's/acre) for any residential development.

As another example, the soon-to-be completed mixed-use development opposite City Hall on the eastern side of Highway 101 has a gross density of 20+ dwelling units per acre (based on 9 du's and an approximate lot size of 19,400 sq.ft.). I would expect that most people would view the intensity of that development as suitable for the core of our C-1 District. The minimum density standard proposed for the C-1 District could easily be increased to 15 du's per acre to encourage multi-unit or mixed-use developments while discouraging lower density residential uses.

The second unresolved issue that I call to the Planning Commission's attention is Cascadia's proposed residential design standards found in Chapter 9.50. I do not believe these standards go far enough to yield attractive-looking, higher-density residential development. Using the relatively new development at the corner of 9th Street and Highway 101 as an example, and applying Cascadia's proposed design standards for townhouses, I see three possible changes to this development: 1) screened trash enclosure located on-site; 2) single-car garages; and 3) walkway from building entrance to....? While these are good standards, an additional design standard should be included requiring architectural relief (ex. building offsets) between the individual units for the street facing wall.

An equally important and timely code change relates to site design. Chapter 9.48, Off-Street Parking and Loading, should be amended now to require minimum parking lot design and landscaping standards. These changes would require paved, striped, and landscaped parking areas for any residential use of 4 dwelling units per acre or greater, as well as any commercial, institutional, or religious use. Gravel parking lots encourage disorganized parking and haphazard site circulation.

Finally, Cascadia's public review draft does not define the process by which the City will ensure compliance with the proposed design standards of Chapter 9.50 when an applicant proposes a higher-density residential development. What will be required of an applicant when submitting a) a building permit application, or b) an application for conditional use or variance?

WATER BANKRUPTCY

TO: Marc Sakamoto, Craig Birdie, Bobbi Price

FROM: David Diamond, Planning Commissioner

CC: Dr. Mark Greene, Yachats Resident

If the dead Gray Whales that are washing up on Yachats Beaches and aphids attacking our beloved Sitka Spruce Trees haven't told us that Climate Change is moving faster than science anticipated, then Mark Greene and I won't be able to convince you that Climate Change is exposing Yachats to potential water bankruptcy. I recommend that we should not increase our population density in Yachats.

MEMO Yachats Housing Related Code Recommendations

TO: Marc Sakamoto, Chairperson, Yachats Planning Commission, Planning Commission members, City Council

CC: Kimmie Jackson, City Clerk

FROM Jolene Gosselin, Planning Commission Member

DATE: March 31, 2026

I joined the Planning Commission (PC) because I understood a need and a desire to provide workforce housing, i.e., what I thought as “affordable housing”. Part of the job as a PC member is to listen to the community. The following are concerns brought to my attention in regard to the draft housing related code recommendations and its potential (dis)connect to workforce housing needs.

What is the goal here?

There is a “thought” that more housing will translate to more affordable housing but in tourist cities across America that has not proven to be the case there is just more tourist related housing or second homes. At one point affordable housing (for workers) was considered an issue to flush out but there's no discussion at the PC to increase affordable housing, the proposed code revisions provide incentives to increase the status quo housing including for tourism. See relevant article in the San Francisco Chronicle March 29, 2026 ‘This Tahoe town is losing the fight against ‘mushroom homes’, Read in San Francisco Chronicle: <https://apple.news/AuF-cWNf7TPuuX9GbJs7Gdw>.

In order to provide affordable housing incentives and regulations would be needed. The Housing Needs Analysis and subsequent Housing Implementation Plan, identify a need for housing diversity. We have zoning in place that if regulated could go a long way toward housing diversity but somewhere along the line the city allowed R1 in all zones. We have R1, R2, R3, R4 and C1. To my knowledge no discussion has transpired to simply enforcing what is zoned. The basic issue is Yachats allows any lot to be an R1, a single family residence. Steve Chase, Planning Commission member wrote a analysis dated March 16, 2026, to the City identifying conflicts and missed opportunities in the housing documents so I am not going to rehash that discussion here but focus on community voices.

The recommendations proposed for code changes include options to diversify housing types by what the consultants are calling “gentle” upsizing in all zones still allowing R1 in all zones except C1.

Concerns expressed by community members include the unintended consequence of not doing what's necessary and instead “gently” affecting full time residences who live in Yachats specifically in R1 zoning.

Yachats like many tourist communities has an abundance of homes they just are not occupied, 9+ months of the year, 65% of the homes in our community are second homes. Solutions could include de-incentivize (charge) second homes to help build

“affordable” housing. We do know that many areas of the city are encumbered with CCR’s, HOA’s and Deed restrictions that will not allow increase density. There are areas of Yachats that are already higher density than code allows today, i.e., the cottage clusters and smaller lots surrounding the city core that could be codified allowing infill following neighboring standards.

Horizon Hill has two issues that limit increasing density that should be well thought out. First off is the road system, it’s a steep grade, narrow lane width, one way in and out for vehicular traffic most of the year and no on street parking. These are real concerns especially during an emergency. And secondly, the steep hillside is prone to landslides. Seems wise to keep as much vegetation as possible and not to increase lot coverage.

Developing ADU design standards for size and height will be worth the effort. Additionally, will we propose incentives to restrict some ADU’s to affordable housing stock? There is no information on how many ADU’s already exist in Yachats. We know that duplex’s and ADU’s exist throughout the city, built in the past and surprisingly being built today even though they are not “allowed”. What we don’t have is the actual numbers. Community members state that duplex’s and ADU’s were built in the past year and at least one built in the last year now has a sign as a short term vacation rental.

It appears R1, single family lots will take the burden of “gently” increasing density by allowing ADU and proposed yard setback reductions with increased lot coverage, while R3 and R4 which are designated for higher density can still be a single family home on a larger lot. **Allowing ADU’s within existing setbacks and lot coverage allowance for R1 lots while designating higher density zoning for R2, R3 and R4 with reduced lot coverage may be a more appropriate path.**

Homes construction in Yachats unless CCR’s, HOA’s, or Deed restricted can be constructed 30 ft in height. Codifying lower building heights would have real positive impacts on properties. Seems logical to promote an ocean view on as many properties as possible. As a coastal community Yachats could restrict building height at the waters edge including new homes and ADU’s. As well, current code changes for nuisance vegetation on lots is in the works why not include restrictions on vegetation (tree) height retaining views.

On a related issue the PC had discussions recently in regard to domestic water capacity and how that relates to increased population and climate change. Community members have questioned PC members repeatedly on water security and increasing population due to our higher than average cost of domestic water. The PC heard from Public Works and Mark Green, PhD Research Professor in Atmospheric Science and local resident (his research papers were submitted to the city, April & March 2026). The city purports that with the interconnect with Southwest Lincoln County Water PUD we are now ‘water secure’ for the foreseeable future. The scientist brought reports showing increased water due to climate change that may not be sustainable. Public works maintains that if there ever was a problem we could build a desalination plant. Droughts

do not have borders so if Yachats is in trouble water wise most likely other communities will be in a similar situation. Undoubtedly, we should be vigilant in seeking water supplies as Increased population, drought and climate change will cause water supply issues.

Bottom line, for many residents the proposed changes provide no actual affordable workforce housing and indeed appear to negatively impact many residents. Additionally, It's important to provide data to support assumptions to thwart unintended consequences of code changes which is missing in the submitted documents. My hope is there will be working groups and discussions regarding the above issues identified. It's definitely a challenge as full-time residents want a livable city, businesses need year around commerce and workforce housing and the City needs tourism dollars. Residents, businesses and the city have created a unique, quirky and much sought after place in the world, let's do the work necessary to keep it that way.

From: [Mayor](#)
To: [Kimmie Jackson](#); [Bobbi Price](#)
Subject: Fw: Proposed Changes to Yachats Housing Code
Date: Thursday, April 9, 2026 1:43:33 PM

Forwarding an email sent to my personal email for public record

----- Forwarded message -----

From: **Marc A.** <macourtenay@gmail.com>
Date: Tue, Apr 7, 2026 at 6:06 PM
Subject: Proposed Changes to Yachats Housing Code
To: Craig & Sharon Berdie <cberdie@gmail.com>, City of Yachats <listserv@civicplus.com>, Mary Ellen O'Shaughnessey <MaryEllen@yachatsmail.org>

Comments on Proposed changes to Yachats housing code

Marc Courtenay

900 Hanley Drive

Yachats, OR 97498

After listening to and watching the community open session last Thursday, I wanted to express my opinion regarding the mandated and suggested housing code changes that were spelled out.

First, I want to point out that most of the state mandated changes are for Oregon cities of 10,000 population or higher.

A major “selling point” of the proposed changes argues that more “workforce housing” will be available. However, the material and analysis presented to date do not make a strong argument for this.

The examples showing increased affordability are for teachers (assumed salaries of \$51,000/year), police officers (\$77,000/year) and Judges ((\$174,000/year).

What was not presented is the fact that most representative examples of our workforce, such as restaurant workers, room cleaners and yard maintenance have far lower incomes than the examples given.

Will allowing duplexes, triplexes and fourplexes in areas currently zoned for one dwelling really help these workers, or will this enable more second homes for residents of the Willamette Valley and other areas to escape the increasing heat due to climate change?

Who will build the duplexes etc.? Probably builder/developers who would then market the units to out of area people for second homes. It is unlikely that local workers would be able to compete for these multifamily complexes.

I would support other types of housing that truly would help local workers afford housing in

Yachats, if they desire it. Has anyone polled local workers to see what they want and can afford?

Since there are no schools in Yachats, only expensive groceries and very limited medical services, will our workforce employees choose to live here even if they could afford housing here (which I know as a fact that they can't afford).

Another concern I have is pedestrian safety. I typically walk a few miles per day in Yachats. Most streets do not have sidewalks so walking in the street is necessary. With the proposed increased housing density we can expect increased traffic on our roads, subjecting walkers to more risk.

What will be the impact of the changes on the total population? It seems logical that increased density will cause a larger population. Greater population would require greater water supplies which have been marginal in late summer and early autumn. Our sewage treatment facilities will be impacted as well.

It has been projected that with an agreement with the Southwest Lincoln Peoples Utility District, Yachats will have ample water for the next 20 years or so. However the projections did not account for the projected effects of climate change on water supply and water demand. This would exacerbate the effects from any zoning related population growth.

Before I can be satisfied with the proposed changes, I would like to see a more convincing analysis of the impact of the changes on workforce affordability, pedestrian safety and water availability. I am in favor of ADUs as long as they are not placed near or on existing property boundaries.

Thank you for your service and consideration. Since I don't have the email addresses for Bobbi Price and the other Council members, please forward this message.

Respectfully,

Marc Courtenay

From: [Marc Sakamoto](#)
To: [Kimmie Jackson](#)
Cc: [Steve Chase](#); [Craig Hogan](#); pccmaebi@gmail.com; daviddiamond955@gmail.com; [Jolene Gosselin](#); [Katherine Guenther](#); [Mark Green](#)
Subject: Fwd: proposed housing code changes
Date: Thursday, April 2, 2026 1:38:02 PM

Kimmmie: Can you include this email in the packet for the next commission meeting?

Thanks.

Marc

----- Forwarded message -----

From: **Mark Green** <mark.cgreen@gmail.com>
Date: Thu, Apr 2, 2026 at 10:14 AM
Subject: proposed housing code changes
To: lorendickinson.planning@gmail.com <lorendickinson.planning@gmail.com>, craigyachats@gmail.com <craigyachats@gmail.com>, pccmaebi@gmail.com <pccmaebi@gmail.com>, daviddiamond955@gmail.com <daviddiamond955@gmail.com>, <joleneplanning@outlook.com>, marcsakamoto.planning@gmail.com <marcsakamoto.planning@gmail.com>, Steve Chase <steve.chase@groovewasher.com>
Cc: citymanager@yachatsmail.org <citymanager@yachatsmail.org>

Dear Yachats Planning Commissioners

Below are comments, questions and concerns I have about the proposed housing code revisions.

Comments on Proposed changes to Yachats housing code

Mark Green

1120 Saki Lane

Yachats, OR 97498

After looking at numerous locations on the Oregon Coast my spouse and I chose Yachats to retire to. I am concerned that the proposed code changes will adversely affect my enjoyment of Yachats.

A major “selling point” of the proposed changes argues that more “workforce housing” will be available. However, the material and analysis presented to date do not make a strong argument for this. The examples showing increased affordability are for teachers (assumed \$51,000/year), police officers (\$77,000/year) and Judges ((\$174,000/year). What are not presented are most representative examples of our workforce, such as restaurant workers, room cleaners, etc.). These employees have far lower incomes than the examples given.

Will allowing duplexes in areas currently zoned for one dwelling really help these workers, or will this enable more second homes for residents of the Willamette Valley and other areas to escape the increasing heat due to climate change? Who will build the duplexes? Probably builder/developers who would then market the units to out of area

people for second homes. It is unlikely that local workers would be able to compete for these duplexes.

I would support other types of housing that truly would help local workers afford housing in Yachats, if they desire it. Has anyone polled local workers to see what they want and can afford? As there are no schools in Yachats, only expensive groceries, and few other services, they may not choose to live here even if they could afford housing here.

Another concern I have is pedestrian safety. I typically walk a few miles per day in Yachats. Most streets do not have sidewalks so walking in the street is necessary. With the proposed increased housing density we can expect increased traffic on our roads, subjecting walkers to more risk.

What will be the impact of the changes on total population? It seems logical that increased density would allow for greater population. Greater population would require greater water supplies which have been marginal in late summer and early autumn. It has been projected that with an agreement with the Southwest Lincoln Peoples Utility District, Yachats will have ample water for the next 20 years or so. However the projections did not account for the projected effects of climate change on water supply and water demand. This would exacerbate the effects from any zoning related population growth.

Before I can be satisfied with the proposed changes, I would like to see a more convincing analysis of the impact of the changes on workforce affordability, pedestrian safety and water availability.

Thank you for your attention.

Mark Green

April 1, 2026

To: Marc Sakamoto, Chair Yachats Planning Commission
Bobbi Price, Yachats City Manager
Katherine Guenther, Yachats City Planner

CC: Planning Commission Housing Advisory Committee

From: Jacqueline Danos, Resident, P.O. Box 161

Re: Yachats Housing Related Code Update

After several years of work with Cascadia Partners on the City of Yachats' housing needs it is good to see some movement towards revising the City's Municipal Code to allow and encourage the needed housing options. I would like to take this time to respond to both the DRAFT amendments as well as the memo submitted by Steven Chase.

As a former Planning Commissioner who worked closely on the two previous housing grants I believed when I resigned from the Commission that the next phase, the code revisions, would follow the recommendations brought forward in the Housing Implementation Plan. Unfortunately, that does not always seem to be the case. I believe that the Planning Commission should review the language and scope of the DRAFT proposal again before it is submitted to the City Council.

Mr. Chase's assessments are very well written and in my opinion touch on important elements that should have been discussed and included in the code revisions. His summary points 2 and 3 in particular; the rezoning of lower density properties to higher density and the need to prohibit single dwelling units in R3, R4 and C1. As he mentions these were recommendations in the Housing Implementation Plan and it is good to see that a minimum density requirement has been included for the C1 properties. The limited number of properties zoned for commercial and higher density left undeveloped make removing the allowance of single dwelling units on these properties imperative. Realizing that the contract with Cascadia Partners is nearing completion a re-mapping of the City's zoning code to upzone sections of R1 to higher density might necessitate, immediately following acceptance of the revised code, moving into a Phase 2 of revision work.

Reviewing beyond Mr. Chase's memo there are several other areas where I believe the DRAFT changes do not move the needle far enough to see the needed variety of housing built in Yachats. Yachats has a very limited number of properties available for development and what is available is at a higher premium than most properties in Lincoln County. The ability to increase density makes it more economically feasible for development.

Following are a few additional points where I see the possibility of creating a code that can be more economically viable while maintaining the look and feel of a small coastal community which residents and tourists appreciate.

Lot Size

Clarification is needed when calculating the required minimum lot areas in all zones.

During the previous grants an estimate of developable land was done. At that time I questioned the figure and still do. I believe given the limited easily developed lands perhaps lowering the R1 and R2 minimum lot areas below the stated 7000 and 6000 square feet might be in order. Many coastal communities have a 5000 square foot lot area minimum.

ADU

ADUs have been shown to be the first easily accessible step towards increasing housing availability through a gentle densification. The new code revises allowing an ADU on all residential properties, but the allowance needs clarification.

R2 Zone, as written, allows a duplex or triplex. An ADU is only allowed as one accessory dwelling unit per legal detached single-unit dwelling. Does this mean that if a duplex or triplex is attached no ADU is allowed but if they are detached each single unit is allowed an additional ADU?

R3 and R4 Zones have a similar issue, and there is no mention for C1 zoned properties. Currently there are many single dwelling units built on commercially zoned properties. Can those properties add an ADU?

Height

There has been no change to the 30' height allowance throughout the city. Currently, CC&Rs in place across much of the community have kept homes under the 30' allowance. In R1 and R2 zoned areas building out rather than up allows the community to densify without being overshadowed by height. Lowering the allowable height to 24', in specified R1 and R2 zoned areas, while expanding the allowed footprint of homes would help maintain the smaller feel of the city while still increasing density.

Setbacks

Similarly the front yard setbacks have not been revised for R1 and R2, they remain 20'. Requiring a 20' front setback takes away not only from the ability to add an ADU but also continues the disconnect between the common areas such as sidewalks from homes. Visually moving the front entryway of homes closer, with a 10' front setback, creates a more pedestrian friendly and visually appealing atmosphere while opening needed space for the new allowances such as ADUs. Currently many homes have no ability to add an ADU because of existing structures and setbacks, but they could if the front setback was lowered to 10'. And by allowing a 10' front setback for R1 and R2 properties as density increases there will be more of a visual connection between those and the R3 and R4 developed properties where a 10' setback is allowed.

I did not see any recommendation for a front porch to be allowed within 8' of the front property line such as the city of Ashland allows. This too would create a more visually inviting atmosphere within the community.

Design Standards

The fact that R1 and R2 zones are inherently different than zones meant for multi-family housing the parking design is understandable, but the design standards for R3, R4 and C1 should be different. The revised standards do not take into consideration the desire expressed in the current Comprehensive Plan to have parking situated in the rear of properties. We have examples of where this has created discord within the architectural look of the community. Allowing parking in the front, with driveways that cross sidewalks, thereby hindering pedestrian traffic, takes away from what is trying to be saved in terms of visual appeal, economic vibrancy, and pedestrian safety.

No design standards are mentioned for the C1 properties. This is a major concern for the feel and look of the city. Updating the code to allow mixed-use by right on commercial properties makes this a housing as well as a commercial issue. Also, the ability to occupy 100% of the lot overwhelms the neighboring properties and takes away from the desired small community feel.

The code does not seem clear about configuration of commercial properties. Can they have multiple buildings, some of which would be housing and some commercial space? Allowing a mix of types would help avoid a large box of two stories of housing over a commercial first floor while also allowing for the potential of community shared space.

Alleys are included in the new code referencing parking, but Yachats does not have, nor ever will have, alleys. This seems to be superfluous, confusing and unnecessary.

Administrative Approval

The revised code allows for Administrative Approval for sub-divisions, partitions, and non-conforming uses. I believe in a community such as Yachats these continue to need to go before the Planning Commission for review before approval.

In summary, Yachats is a well-loved small coastal city which prides itself on its environmental leanings and for its calls for social equity. Higher density developments create opportunity for more people to afford to live here through the development of smaller homes and options for a variety of housing choices which opens older homes to new owners or renters. Environmentally, increased density also does the following:

- Preserves undeveloped land elsewhere by accommodating growth in existing urban footprints
- Reduces overall energy consumption through shared walls/heating/cooling
- Decreases per capita carbon emissions through reduced car dependency
- Enables more efficient delivery of services and infrastructure
- Can incorporate green design elements including rooftop gardens, green spaces, and sustainable transportation
- Since most water usage in residential homes is used outdoors properties with less garden space use less water.

Providing housing in existing urbanized areas is one of the most effective strategies for combating climate change and creating more diverse, equitable and economically resilient communities.

The work that Yachats and Cascadia Partners have done together over the last several years has been well done, well received, and important. The toughest part of this work comes now with the code revisions that will enable the changes needed. Unfortunately, in my opinion, the current DRAFT proposal does not adequately move us towards better housing equity.

Respectfully submitted.

Jacqueline Danos

From: [Paul Thompson](#)
To: [Kimmie Jackson](#)
Subject: Fw: Please say NO to up-zoning changes
Date: Monday, June 1, 2026 8:42:06 AM

Hi Kimmie,

Please add this to the correspondence received for the 16 June meeting

Paul Thompson

----- Forwarded Message -----

From: Paul Thompson <majorstwo@yahoo.com>
To:
Subject: Fw: Please say NO to up-zoning changes

---- Forwarded Message ----

From: Paul Thompson <majorstwo@yahoo.com>
To: mail.org>
Sent: Monday, May 25, 2026 at 03:05:53 PM PDT
Subject: Please say NO to up-zoning changes

First, I would like to thank you all for your work on this issue.

My wife and I have lived in Yachats for 16 years and these zoning changes are the worst idea to come out of our city government.

We are totally against implementing these Draconian measures to the Yachats city code. While there are some laudable reasons to increase housing opportunities for low wage workers, there is no guarantee that these changes will do that at all, so that makes this a waste of time and effort.

There are lots of reasons/issues NOT to do these changes. Listed below are some BUT not all the reasons:

1. In 16 years there has NEVER been a functioning Code Enforcement System due to NO commitment from the City Councils to enforce the relatively simple code we have now. Code Enforcement has been a part time job for personnel assigned and the previous mayors and councils have all but ignored the problem. I can only imagine how awful code enforcement will be with 125 additional pages of details added to the code. If these changes are implemented this will require a FULL time Code Enforcement Officer(s) and numerous additional hours of work from the City Planner(s). The lack of Code Enforcement makes these changes into a "fool's folly" and will quickly destroy the joy of living in Yachats.

2. Parking problems are bad enough now in our residential and business zones. How much worse will they become with these code changes? We now allow parking on the street edges and with more structures our streets and roads will be terribly crowded and unsafe for walkers and bicyclists.

3. With closer proximity of buildings, out of control structure fires become an extreme and constant danger. This is a prime reason for throwing out these code changes in total.

4. More people living in Yachats means more water needed for residents. There's a great potential for less water availability in the future due to climate change. The fact is there are few water resources near Yachats to provide additional water as the city population grows

with these code changes. Water shortages will most likely get worse with no viable solution.

5. How 'bout the livability of Yachats? Will the code changes make things better? Definitely NO WAY. We moved to Yachats for the livability and others will come after us with same thoughts. These code changes will destroy the LIVABILITY of Yachats. It will turn into a high priced slum and decline in the years to follow. These code changes will destroy Yachats. It's as simple as that. If you vote for these changes you're voting to destroy the fabric of Yachats for future generations and it will NEVER recover.

6. Yachats does not have enough infrastructure to support an increase in population. There will be few additional businesses coming in to support the increase. We will need a bigger fire department, that we have trouble funding now. The lack of services will strangle growth in the future.

If you care about Yachats and future residents you SHOULD vote no on these very Draconian code changes. I do not fault the staff and commissioners for looking into this whole code change. You SHOULD do studies to decide the viability of various changes for now and in the future. Some ideas will need to be discarded after study, like these code changes. but there is no fault in studying them in the first place. We do not fault anyone for studying this but DON'T vote yes just to NOT embarrass leadership on this issue. For those who are behind this PLEASE don't vote yes because YOU don't want the embarrassment of failing. The only thing that

matters is DON'T VOTE YES if you think this could be bad for Yachats.

Thank you for your time and serious consideration of all these issues,

Paul Thompson & Elida Canales
Long time Yachats residents

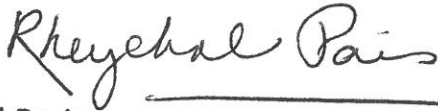
Paul

June 5, 2026

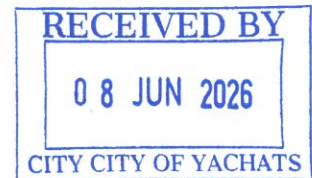
Please make sure all of the members of the Planning Commission and the City Council receive a copy of this letter complete with this letter and all of the signatures received by me personally.

None of this has been undertaken with hostility of any kind, we are all attempting to understand the nature of what our wonderful city is planning and how they are going about some of the changes they have in mind.

Kindly,



Rheychol Paris



Residents living in the Overlook, Crestview and Greenhill neighborhood need some clarity with regard to lot # 2700 on 521 Overlook Drive.

#1 Mr. Connor, the owner of the lot on Overlook, (two thirds of which is on a steep hillside) has apparently decided to enlarge the footprint for a duplex he plans on building by cutting into the steep slope above the intended building site and has constructed a retaining wall.

We are very concerned because we believe that this action has

- a. Increased the potential for a landslide after a heavy rain.
- b. Would compromise the safety of nearby residents and their homes on Crestview and Overlook during such an event.

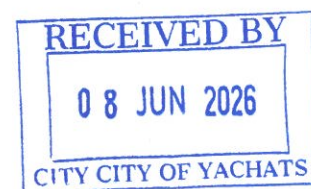
The area has had landslides in the past as shown on the STATEWIDE LANDSLIDE INFORMATION OREGON website(<https://gis.dogami.oregon.gov/maps/slido/>).

This issue also ties into the following points regarding the creek which runs through our neighborhood and Mr. Connor's lot.

#2 He has installed a culvert on the creek that runs E to W along the North boundary of his lot, he then filled in most of the original channel with dirt covering the culvert in order to get rid of the excavated soil from the hillside and enlarge his building/parking area. Whereas previously, there was room in the creek channel for rainwater to back up behind the original culvert crossing the road, now there is virtually none as the channel has been mostly filled in.

Neighbors have noticed that the creek now flows partly through the culvert and partly under it. The placing of a large concrete barrier parallel with the culvert presumably to protect Mr. Connor's building site would probably direct any flooding onto the neighbor's property.

SOME HISTORY:



The creek originates on the Yachats Ridge about 850' above our neighborhood and runs through a recently installed (2015) large culvert on Crestview, through several properties on Greenhill and Overlook and eventually drains to the ocean going under Hwy 101, through neighborhoods, into the wetlands, under Yachats Ocean Road and into the ocean. The creek is currently low, as is usual during this time of year but a rain deluge quickly creates an unpredictable flow. Such an event occurred in 2015 after several days of heavy rain, resulting in flooding on Crestview. This caused extensive road and property damage and evacuation of some residents on Greenhill and Overlook.

Although this upstream problem was fixed with a new culvert on Crestview it also necessitated placing very large amounts of riprap on the slope eroded by the flood. Repairs to the damaged foundation of the home at the top of Greenhill were extensive.

Two years ago, the creek flooded Overlook Dr. as the water backed up behind the culvert under Overlook Drive resulting in water exiting from the culvert like a firehose and carved itself a new route down toward Lily Court and flooded the basement of Luke Parson's house (on Lily Court).

#3. There is an industrial size metal container which has been on the property for many months, obviously used for storage. We don't believe this is permitted according to the municipal code. It is placed right next to the road and on top of the recently covered creek.

Issues regarding the above property have recently been brought to City of Yachats attention resulting in no meaningful action or communication with the residents.

There are numerous references to streams/drainages/culverts/setbacks/permit requirements which the City is aware of. Sources are listed below.

REFERENCES re: Yachats Planning and Municipal codes, Yachats Comprehensive Land Use Plan and STATEWIDE LANDSLIDE INFORMATION OREGON. (<https://gis.dogami.oregon.gov/maps/slido/>)
The Statewide Landslide information map clearly shows past landslides in our neighborhood.

GEOLOGIC HAZARD ZONE.

(Ord. 187 § 2, 1996)

Streams and Creeks That Intersect the Shoreland

Any other streams and creeks that intersect the shoreland, shall be in accordance with Yachats Comprehensive Plan Goal A, Protection of Natural Resources, Policy 13.

Other Drainage Ways

Other drainage ways are identified in the Yachats Local Inventory. The Planning Commission determined these other drainage ways should continue to be subject to the Drainage Way Protection Standards identified in this section.

Joanne Kittel has generously helped in providing some of this information.

We would appreciate a response to our comments and confirmation of any inspections done or permits issued.

Signed by:
Greenhill, Overlook and Crestview Residents.

Ellen Goldschmidt
Ellen Goldschmidt
112 Greenhill Dr.

Ron Dworkin
112 Greenhill Dr

Richard Jacob
76 Crestview
5/30/74 Richard Jacob

SCOTT MACEATHERN
38 GREENHILL DRIVE
Scott Mather

George Giroux
215 Crestview Dr
and
123 Greenhill Dr

JERRY GRANT
Jerry Grant
112 GREENHILL DR.

Lassie Cullin
101 Green Hill D.

Julie

JOHN DWORKIN
John Dworkin
112 Greenhill Dr.

6/20 Trish Qualls
230 Crestview Dr.

Spencer Spink

PAUL PETERSON
67 GREENHILL DR.

Don Korman
539 Overlook Dr.

Dina Leira
Dina Leira

J Lynn Schellhase
LYNN STREET SCHELLHASE 470 OVERLOOK DR

Lynn Schellhase
Lynn Schellhase

The below names are by residents and concerned neighbors in the Green Hill, Overlook and Crestview area of Yachats.

Due to circumstances some will be actual signatures while some with permission given by either text message, phone call or by email have asked to be included below.

Eric & Chandra Anderson
504 Lily Ct
Yachats, OR

Carissa & John Nelson
Greenhill/Overlook
Yachats, OR

Damasita Sanchez
Greenhill, Yachats, OR

Keith & Dawn Hartman
78 Greenhill, Yachats, OR

Vicki Wooten
37 Greenhill
Yachats, OR

Asher Doyle
Yachats, OR

Michelle & Eric Walker
Yachats, OR

Christine Demol
Crestview

From: [Kimmie Jackson](#)
To: [Carolyn Ackerman](#); [City Hall](#)
Cc: [Bobbi Price](#)
Subject: RE: Recent newsletter
Date: Monday, June 8, 2026 8:32:42 AM

Received



Kimmie Jackson, CMC

City Recorder / Notary
City of Yachats

Phone: 541-547-3565 ext. 108
Fax : 541-547-3063
Email: kimmie@yachatsmail.org

501 Highway 101 N
PO Box 345 Yachats, OR 97498

www.yachatsoregon.org

From: Carolyn Ackerman <carolynackerman1@yahoo.com>
Sent: Sunday, June 7, 2026 3:36 PM
To: City Hall <cityhall@YachatsMail.org>
Subject: Recent newsletter

Good day!

My name is Carolyn Ackerman. 1 year ago, I made Yachats my forever home purchasing a cottage on Marine Drive.

I love Yachats and I appreciate how hard the city seems to work to keep it lovely. Our village is beautiful, safe and engaging. I love how quiet it is and DEEPLY appreciate not seeing bunches of homeless people loitering in the streets, like Newport does.

I own a large retail shop in Newport, and the city officials are seemingly lining their pockets by allowing Portland and Salem to bus over their homeless populations to the coast as Newport is the county seat for welfare services. Please, I DO NOT EVER want to see our beautiful little village being infested with this type of clientele. I am NOT inhumane and I have experienced the influx of this type of person in both Portland and now, sadly, in Newport and it NEVER ends well for ANYONE concerned.

My shop has been in the Nye Beach shopping district for 8 years. Having survived the pandemic and other setbacks, I have worked very hard to run a solid business while at the same time supporting our community members by being, in part, a fund raiser for animal welfare.

I have also witnessed what the Newport city officials have allowed to happen to this once beautiful coastal town. We are overrun with drug addicts and homeless people lining our streets. Since 2018 when I opened, my corporation has realized a 20% increase, year after year of petty vandalism to the commercial property I own. I have also had huge increases in theft and violence in my shop. In 2025, my company had nearly \$15,000 (YES, FIFTEEN THOUSAND DOLLARS) in losses from both theft and vandalism damages; this would put most other stores out of business. I have voiced my concerns to the chief of police and at council meetings and NOTHING gets done; NOTHING improves, it just keeps

getting worse.

I beg you, PLEASE DO NOT ALLOW THIS TO HAPPY TO THE BEAUTIFUL VILLAGE OF YACHATS! I am too old to move again, and I absolutely love my little cottage!!! I have worked hard in my life to get to where I am, and that way of life has been threatened on many occasions; I cannot afford to allow for it to be threatened again...I am too old and honestly, the residents of Yachats all deserve to live in a peaceful, safe, clean environment; if we didn't, we'd move to Portland!

I appreciate your time in reading this today!

My best wishes,

Carolyn Ackerman

Land Use Application

City of Yachats
441 Hwy 101 N
PO Box 345
Yachats OR 97498
(541) 547-3565

Fee: \$250
Date Received: 5/11/26 KLG

- Conditional Use \$250
 - Nonconforming Use \$250
 - Variance \$250
 - Zone Change \$500
 - Comprehensive Plan Change \$500
 - Urban Growth Boundary Change \$1000
- (Actual expenses in excess of the application fee will be billed.)

Applicant: DANIEL WRIGHT Phone: () [REDACTED]

Address: 111 SPRUCE AVE

City: YACHATS State: OR Zip: 97498

Relationship to property: OWNER
(Owner, Contract Purchaser, etc.)

Legal Description: 14-12-24-CB-4801 Current Zone: R1

Lot Dimensions: 75' x 100' Area: 7500 SF Flood Zone: N/A

Natural Hazard: Topography:

Directions to Property:

Previous Planning Actions on Property:

Reason for Request: NEW FENCE AT 7'6"

Existing Structures on Property:

Proposed Use and Structures:

Current Utilities and Providers:


Anticipated Date of Development:

Supplemental Required Information

Attachments to Application (check all that apply)

- Plot Plan of subject property showing all property lines
- Existing and proposed structures and their location in relationship to property lines (PHOTOS)
- Total floor area, use and height of all existing and proposed uses
- Operating characteristics of all proposed commercial use
- Location, extent, arrangement, and proposed improvements of all off-street parking and loading facilities.
- Location of access to adjacent arterial or collector
- State or County Road Approach Permit
- Narrative which address applicable ordinance standards (required for all land use actions)
- Other: _____

I have read the above application and hereby certify all information contained therein to be true and complete to the best of my ability. I understand that this application will not be processed until all required information is submitted to the City.


Signature of Applicant

Signature of Property Owner (if other than applicant)













CASE FILE: #1-CU-PC-26
DATE FILED: May 11, 2026
DATE APPLICATION DEEMED COMPLETE: May 11, 2026
HEARING DATE: June 16, 2026
PREVIOUS ACTION: None

STAFF REPORT: Conditional Use Application
APPLICANT: Dan Wright

A. REPORT OF FACTS

1. **Property Location:** The subject property is located at 111 Spruce Avenue and described on the Lincoln County Assessor's Map 14-12-26-CB as Tax Lot 4801.
2. **Applicant's Request:** The applicant is requesting a conditional use permit for a fence of up to 7.5 feet in height. The proposed fence is immediately adjacent to a retaining wall.
3. **Zoning:** R-1 Residential Zone
4. **Plan Designation:** Residential
5. **Lot Size and Dimensions:** The subject property is 75' x 100' (7,500 square feet) or 0.17 acres.
6. **Surrounding Land Use:** Surrounding land uses consist of detached single dwelling units.
7. **Utilities:**
Water & Sewer: City of Yachats
Electricity: Central Lincoln PUD
8. **Development Constraints:**
None

B. EVALUATION OF REQUEST

1. **Applicant's Proposal:** The applicant submitted the required application form and fee.
2. **Relevant Yachats Municipal Code (YMC) Criteria:**

[YMC Chapter 9.12 R-1 Residential Zone](#)

Section 9.12.030 R-1 Residential Zone Conditional Uses

In an R-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. Governmental structure or use of land; and public utility facility;
- B. Home occupation;
- C. Temporary real estate office offering residential property in the immediate vicinity for sale;
- D. Private boat dock;

- E. Bed and breakfast facility.

Section 9.12.040 R-1 Residential Zone Standards

B7. 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.

YMC Chapter 9.72 Conditional Uses

Section 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. Prior to taking action on a conditional use permit application, the Planning Commission shall consider whether the proposed use complies with the following general standards and criteria:
 - 1. The proposed use conforms with the Yachats Comprehensive Plan.
 - 2. The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
 - 3. The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.
 - 4. The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.
 - 5. Public services for water, sanitary and storm sewer, water management, and for fire and police protection, can serve the proposed use.
 - 6. The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to:
 - (a) noise, glare, odor, litter, or hours of operation;
 - (b) privacy and safety issues.
 - 7. The proposal complies with all applicable provisions of the Yachats Municipal Code, or where the applicant has identified where the proposal does not comply, the applicant has obtained a variance for such in accordance with Chapter 9.80 of this Code.
 - 8. Activities and developments within special purpose districts must comply with the regulations described in Section 9.52.050 (Geologic Hazard), Chapter 9.36 (Estuary Natural), and Section 9.54 (Flood Hazard), as applicable.
- C. In permitting a conditional use or the modification of a conditional use, other than a manufactured dwelling, manufactured dwelling park or multifamily 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.
- D. 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.
- E. 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.

Section 9.72.020. Procedure for taking action on a conditional use application.

- A. A property owner, contract purchaser, etc. may initiate a request for a conditional use by filing an application with the City Recorder.
- B. The application shall consist of a completed conditional use application form signed by the property owner and contract purchaser or agent, if applicable, and a basic or detailed site plan, as specified below.
- C. Application for approval of the following uses permitted by conditional use shall include the submittal of a basic site plan:
1. Home occupation;
 2. Temporary real estate office;
 3. Bed and breakfast facility;
 4. Residential facility;
 5. Private boat dock.
- D. Basic Site Plan. Two-dimensional plan accurately drawn, clear, measurable, and fully dimensioned, showing the following information:
1. Written scale, graphic scale, and north arrow.
 2. Property boundaries with dimensions of each boundary.
 3. Building setbacks to property lines.
 4. Required off-street parking spaces and space dimensions.
 5. Required yards, including streetside setback, if applicable.
 6. Driveway and point(s) of ingress and egress.
 7. Existing fences, walls, and hedges at property boundaries.
 8. All zoning tabulations.
- E. Application for approval of all other uses permitted by conditional use shall include submittal of a

detailed site plan.

- F. Detailed Site Plan. Two-dimensional plan accurately drawn, clear, measurable, and fully dimensioned, showing the following information:
1. Date drafted, space(s) for revision date, with north arrow, drawn to scale of one inch equals twenty (1" = 20') feet, unless otherwise approved by the City Planner.
 2. Written and graphic scale, if other than 1" = 20'.
 3. Total gross and net land areas of the entire site. ("Net" is minus the square footage of any land proposed for dedication to the public, not including easements.)
 4. Label and show the lengths of all existing property lines of the development site.
 5. Label and show the zoning designations, property boundaries, land uses, and approximate building locations of all adjacent properties.
 6. Label and show the locations, widths, and names of all existing or platted adjacent public streets, alleys, sidewalks, planter strips, curbs, and other public rights-of-way, and other important features such as City boundary lines.
 7. Either as part of the detailed site plan, or on a separate sheet drawn to the same scale as the site plan, existing site features shall be shown, including ground topography (contours), wooded or naturally vegetated areas, trees of eight inches diameter of breast height (DBH) or greater, floodplains, shorelines, wetlands, riparian corridors, geologic hazard zone, and any existing buildings, roads, trails, fences, or other physical improvements, and all existing easements.
 8. Label and show all existing natural drainage patterns, flow arrows showing existing and proposed drainage patterns, and existing and proposed swales, ditches, or other drainage ways.
 9. Location, dimensions, use, coverage, and height of proposed buildings and proposed improvements in relation to property and street lines. Clearly indicate and label existing and proposed building elements, and their dimensions to adjacent property lines.
 10. Dimensional features showing compliance with the applicable area, width, coverage, yard, vision clearance, natural resource protection standards, and other design standards as specified in this title.
 11. Location, dimension, and arrangements of proposed site elements including sidewalks, parking areas, site access, and interior circulation, off-street loading and unloading, trash disposal areas, and lighting for these areas.
 12. Zoning tabulations based on the underlying zone or zones if split, including minimum lot area and proposed lot area (measured in square feet, or acres if exceeding one acre); maximum gross floor area and proposed gross floor area, if applicable; maximum residential density and proposed residential density (measured in dwelling units per acre), if applicable; minimum yard areas and proposed yard areas; maximum building height and proposed building height, as defined and calculated in accordance with Section 9.52.171 of the Yachats Municipal Code; maximum building and impervious lot coverage and proposed building and impervious lot coverage; and minimum required parking and proposed (off-street) parking.
 13. Location, dimensions, and arrangement of all areas devoted to open space, retention of existing trees and vegetation, proposed ground cover, trees and other native plantings, and recreation.
 14. A copy of the last recorded subdivision plan of which the property is part.
 15. Locations and designs of all on-site and off-site improvements related to access control and traffic capacity.
 16. State or County road approach permit, if applicable.
 17. Any application for conditional use shall be accompanied by fully dimensioned design drawings, elevations, and plans for any proposed principal building or structure, or any

addition to an existing principal structure. Drawings shall provide building height, materials, and colors to be used.

- G. In the case where any or all of the above are unnecessary as in the case of a change of use in an existing structure, the City Planner shall determine which items in subsection (F)(1) through (17) of this section will not be required for application. The Planning Commission may request additional items if they determine that these additional items are necessary to understand and make a decision on the application.
- H. If the request for conditional use meets the requirements of this title, the City Recorder shall set a time for a public hearing on the request before the Planning Commission within 40 days from the filing thereof and shall cause notice to be given in accordance with Section 9.88.060.
- I. At the conclusion of the public hearing, the Planning Commission may approve, approve with conditions, or deny the request, based upon the general and specific standards addressing the conditional use, pursuant to Chapter 9.88.

Section 9.72.030. Building permit for an approved conditional use.

Building permits for all or any portion of a conditional use shall be issued only on the basis of the plan as approved by the Planning Commission. Any change in the approved plan shall be submitted to the City Recorder as a new application for conditional use.

Section 9.72.040. Time limit on a conditional use permit.

Authorization of a conditional use shall be void after one year or such lesser time as the authorization may specify unless substantial construction pursuant thereto has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed six months on request.

Section 9.72.050. Standards and procedures governing conditional uses.

In addition to the standards of the zone in which the conditional use is located and the other standards of this title, conditional uses shall meet the following standards:

- A. Special Setback Requirements. **(Not applicable)**
- B. Standards for public utility facilities **(Not Applicable)**
- C. Standards for a Home Occupation. **(Not applicable)**
- D. Standards for Bed and Breakfast Facilities. **(Not applicable)**
- E. Standards for Formula Businesses. **(Not applicable)**
- F. Standards for Light Industrial. **(Not applicable)**

Section 9.72.060. Standards for conditional uses in the estuary natural zone. (Not applicable)

YMC Chapter 9.80 Variances

Section 9.80.010 Authorization to grant or deny variances.

The Planning Commission may authorize variances from the requirements of this title where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this title would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this title.

Section 9.80.020 Circumstances for granting a variance.

A variance may be granted only in the event that all of the following circumstances exist:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control;
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;
- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy;
- D. The variance requested is the minimum variance which would alleviate the hardship;
- E. The hardship asserted as a basis for the variance does not arise from a violation of the zoning ordinance.

Section 9.80.030 Variance procedure.

The following procedures shall be followed in applying for action on a variance:

- A. A property owner may initiate a request for a variance by filing an application with the City Recorder, using forms prescribed pursuant to Section **9.88.040**. The application shall be accompanied by a site plan drawn to scale showing the condition to be varied and the dimensions and arrangement of the proposed development. The City Council or Planning Commission may request other drawings or material essential to understanding of the variance.
- B. If the request for a variance meets all the requirements of this title, the City Recorder shall set a time for a public hearing before the Planning Commission on the request within 40 days from the filing thereof and shall cause notice to be given in accordance with Section **9.88.060**.
- C. At the conclusion of the public hearing the Planning Commission may approve or deny the request, based on findings which address applicable variance criteria, pursuant to Chapter **9.88**.

Section 9.80.040 Time limit on a variance.

Authorization of a variance shall be void after one year unless substantial construction pursuant thereto has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one year, on request.

- 3. **Public Testimony Received:** At the time this staff report was prepared, the City had received no written testimony.

C. STAFF ANALYSIS

1. Variance vs. Conditional Use

YMC Section 9.12.040 R-1 Residential Zone Standards B (7) is problematic. It states that a fence may be constructed of “no more than eight (8) feet in height when permitted by conditional use in accordance with Chapter 9.80”. Chapter 9.80 governs variance requests.

The following links are excerpts from the DLCD’s “Introductory Guide to Land Use Planning for Small Cities and Counties in Oregon”. The links provide some clarification of variance vs. conditional use.

[Variance](#)

[Conditional Use](#)

The Guide describes a variance as follows: “A variance is a planning term that refers to a permit that allows some deviation from a development standard. An example of the common use of the term is: “You need to get a variance to place your single-family dwelling within 10 feet of the easterly property line instead of the 15 feet required by the zoning ordinance.””

The Guide describes conditional use as follows: “A conditional use permit is probably best described as a process rather than a permit. It is a process by which the jurisdiction reviews a proposed land use that is listed in the zoning ordinance as a conditional use in a given zone. A conditional use permit allows the local government to (1) determine whether the proposed use is appropriate for the site and neighborhood, and (2) attach conditions to an approval to assist in reducing the impact of the proposed use on the surrounding area.”

2. The Request and the R-1 Residential Zone

Except for Section 9.12.040 (B)(7), the YMC provides no standards for this conditional use in the R-1 Zone. As mentioned in C1 above, this particular application can be interpreted as both a conditional use and a variance request. As such, the Planning Commission has some discretion when it comes to the interpretation of 9.12.040 (B)(7).

3. Conditional Use

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. In permitting a conditional use the Planning Commission may impose conditions which are considered necessary to protect the best interests of the surrounding city as a whole.

D. CONCLUSIONS

If the request is denied, the Planning Commission should state the general reasons and facts relied on, and direct staff to prepare findings for adoption at the next meeting. If the request is approved, the Planning Commission should state any conditions of approval.

Submitted by,

Katherine Guenther
City Planner

**City of Yachats Building Activity
June 15, 2026**

Project Name	Description	Parcel #	Address	Zone	Opened	Status
TAYLOR	Accessory Structure	14-12-27-DA-10601	160 West 2nd Street	C1	1/10/25	Under Inspection
DE LEON	New SDU	14-12-34-AA-200	264 Highway 101 S	R1	1/29/25	CoC Issued
MOORE	Addition to SDU	14-12-26-CB-2200	337 East 2nd Street	R1	2/5/25	Under Inspection
FISCHER	New SDU	14-12-34-AC-6700	30 Surfside Drive	R1	2/5/25	Under Inspection
CHOWDHURY	New SDU	14-12--26-BC-5300	1040 Horizon Hill Road	R1	3/5/25	Finald
VALENTIN/TAYLOR	New SDU	14-12-27-DA-5100	536 West 4th Street	C1	3/7/25	Inspections Done
RAMSEY	New SDU	14-12-27-DA-8400	221 West 2nd Street	C1	6/5/25	Finald
RUSSELL	New Attached Garage	14-12-26-CB-5300	479 Yachats River Road	R1	6/18/25	Inspections Done
PENWELL	New SDU	14-12-26-BC-6300	1017 Keenah Lane	R1	7/15/25	Permit Issued
FROHNAUER	New SDU	14-12-26-BB-2900	227 Windsong	R1	7/30/25	Under Inspection
FROHNAUER	Dining Room Addition	14-12-26-BB-2900	227 Windsong	R1	8/8/25	Under Inspection
UHAN	New SDU	14-12-26-BB-6700	502 Creekside Lane	R1	9/8/25	Permit Issued
SHEPHERD	New SDU	14-12-27-AD-3400	969 Highway 101 N	C1	9/11/25	Ready to Issue
SMITH	Deck Replacement	14-12-34-AA-400	18 Reeves Circle	R1	9/15/25	Expired
MOINE	Install New Window Opening	14-12-34-AA-1701	390 Yachats Ocean Road	R4	10/15/25	Under Inspection*
REICHEL	Bedroom Addition	14-12-26-CC-6300	216 Combs Circle	R1	10/23/25	Under Inspection
LEVINE	New Deck	14-12-26-CB-5500	416 East 2nd Street	R1	12/8/25	Under Inspection
ORNELAS	New Manufactured Home	14-12-27-DD-2001	175 Shell Street	R1	3/5/26	Under Inspection
RAY	New SDU	14-12-23-CC-2300	1690 Highway 101 N	R3	3/10/26	In Review (LC)*
PELICAN BREWING CO	Interior Alteration	14-12-27-AD-1501	580 Highway 101 N	C1	3/20/26	Under Inspection
HAYNES	Laundry room addition	14-12-26-CB-7000	360 Spruce Ave	R1	4/1/26	Ready to Issue
SULLIVAN	New SDU	14-12-26-BC-3900	893 Horizon Hill Road	R1	4/28/26	In Review (LC)
CONNOR	New SDU	14-12-34-AD-2700	512 Overlook Drive	R1	4/30/26	Under Review (CoY)
BROOKS	Kitchen Remodel	14-12-26-CC-500	187 Jennifer Drive	R1	5/6/26	Permit Issued



**CITY OF YACHATS
PLANNING WORK SESSION & REGULAR
COMMISSION**

**MEETING SUMMARY MINUTES
City Hall, 441 Hwy 101 N, OR 97498
Tuesday, May 19, 2026, 2026**

WORK SESSION

- I. Planning Work Session Commission Meeting 2:12 pm**
- II. (11:55) Call to Order** (started late due to technical difficulty)
- III. Roll Call**

Committee Members	P/A
Marc Sakamoto, Chair	P
Craig Hogan	A
Loren Dickinson	P
Mary Aebi, Vice Chair	P
Jolene Gosselin	P
David Diamond	P
Steve Chase	P

Staff Members	
Bobbi Price, City Manager	
Kimmie Jackson, Recorder	Katherine Guenther, Planner

Work Session

- I. (12:33)** City Manager Bobbi Price explained that the code amendment project originated from the City's Housing Needs Analysis (HNA) and Housing Implementation Plan (HIP), both funded through state grants. She reviewed state land-use requirements, the City's obligation to maintain a 20-year supply of buildable land, and findings indicating that Yachats has sufficient overall land capacity but lacks adequate opportunities for diverse housing types. The presentation highlighted projected shortages in middle housing, townhomes, plexes, and

multi-unit housing, while noting a surplus of capacity for detached single-family homes.

Bobbi reviewed the three phases of the housing project: the Housing Needs Analysis, the Housing Implementation Plan, and the current code amendment phase. Price discussed how the proposed amendments are intended to support workforce housing, economic resiliency, and compliance with state planning goals while preserving Yachats' village character through design standards and development regulations.

Bobbi also reviewed the project's governance structure, including the roles of the Project Management Team, Advisory Committee, Planning Commission, consultants, and public participation process. She addressed compliance with the Oregon Public Meetings Law and explained safeguards to prevent serial communications and deliberations outside public meetings.

Commissioners discussed recent state housing legislation and its impact on local planning requirements. Staff explained that some proposed code amendments are required by state law, while others are discretionary policy choices available to the City.

The Commission then began a page-by-page review of the draft code amendments. Discussion focused primarily on state-mandated Single Room Occupancy (SRO) housing provisions, including definitions and parking requirements. Staff explained that the SRO language was required under state legislation and discussed how the proposed regulations would apply locally. Commissioners also reviewed updates to housing terminology and discussed outdated definitions within the existing code.

Recognizing the size and complexity of the draft amendments, the Commission agreed that additional work sessions would be necessary to complete its review. Staff were directed to coordinate scheduling options for future work sessions.

Adjourn Work Session at 2:55 pm

Regular Session 3:00 pm (1:02:18)

- I. Announcement/Correspondence - None**
- II. Citizens' Concerns - (1:02:37)** Several members of the public provided comments regarding the housing code amendment project, housing policy, public outreach efforts, and the proposed zoning changes. Public testimony reflected a variety of perspectives regarding housing needs, development standards, affordability, community character, and the ongoing code revision process.
- III. Ongoing Business**
 - a. **(1:21:27)** Noxious Weeds -The Planner is working on this document and will provide an update at a later meeting.
 - b. **(1:25:23)** Tree Ordinance - This document is also in progress and will provide an update at a later meeting.
 - c. Review current draft of proposed code amendments - **(1:28:20)** The Commission continued discussion of the housing code amendment project. It reviewed the next steps associated with the adoption of the Housing Needs Analysis into the Comprehensive Plan. Staff explained that incorporating the HNA into the Comprehensive Plan would formally recognize the identified housing needs and support the City's ongoing efforts to address housing deficits through zoning and development code updates. The Commissioners asked for additional work sessions before moving toward public hearings and recommendations to the City Council. Consensus supported scheduling additional work sessions to allow for thorough review.
- IV. (2:08:01) Reports**
 - a. The Commission Chairs' Meeting - The Chair announced that the pickleball tournament raised \$2,400.
 - b. Planners' Report - No report
 - c. Meeting Summary Minutes - No comments

Adjourn City Council Meeting 4:15 pm

Minutes prepared by Kimmie Jackson, Recorder

PLANNING COMMISSION ISSUES LIST as of 06/16/26

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 DLCD 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>05/19: CP to address Goal 9. 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	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.
8	Ordinance for ADU's		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
11	Consolidate minor updates to ordinances		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.

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		05/19: KG reviewing. 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		05/19: Outline of ordinance drafted Reviewing other cities ordinances. 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.

