

**WALDPORT PLANNING COMMISSION
APRIL 22, 2019
MEETING NOTICE AND AGENDA**

THE WALDPORT PLANNING COMMISSION WILL MEET ON MONDAY, APRIL 22, 2019 AT 2:00 P.M. IN THE **CITY COUNCIL MEETING ROOM**, 125 ALSEA HIGHWAY, TO TAKE UP THE FOLLOWING AGENDA:

1. CALL TO ORDER AND ROLL CALL
2. MINUTES: (March 25, 2019)
3. CITIZEN COMMENTS AND CONCERNS
4. CORRESPONDENCE - None
5. PUBLIC HEARING - None
6. DISCUSSION/ACTION ITEMS:
 - A. Planning Report
 - B. Waldport Development Code Amendments
 - a. Accessory Dwelling Units (ADUs)
 - b. Tsunami Resilience Measures
 - c. Planning Commission recommendations to City Council
 - C. Other Issues*
7. COMMISSION COMMENTS AND CONCERNS
8. ADJOURNMENT

*Denotes no material in packet

The Council Chambers are accessible to all individuals. If you will need special accommodations to attend this meeting, please call City Hall at (541)264-7417 during normal business hours.

Notice given this 16th day of April 2019

City of Waldport

WALDPORT PLANNING COMMISSION
MARCH 25, 2019
MEETING MINUTES

1. CALL TO ORDER AND ROLL CALL: Chair Barham called the meeting to order at 2:00 p.m. Chair Barham and Commissioners Woodruff, Stole, Schlosser, Kelleher and Lambert answered the roll. Commissioner Phillips was excused. A quorum was present.

2. MINUTES: The Commission considered the minutes from the February 25, 2019 meeting. Commissioner Schlosser moved to approve the minutes as presented. Commissioner Kelleher seconded, and the motion carried unanimously.

3. CITIZEN COMMENTS AND CONCERNS: None.

4. CORRESPONDENCE: None.

5. PUBLIC HEARING: None.

6. DISCUSSION/ACTION ITEMS:

A. Planning Report: City Planner Lewis reviewed his report, noting that the City Council had heard the appeal on the Vista View decision on March 14, and upheld the Commission's approval. The 21-day appeal period is now in effect.

B. Waldport Development Code Amendments: Mr. Lewis noted distribution of materials regarding tsunami resilience measures that the City may want to incorporate into the Comprehensive Plan or the Development Code, this topic will be for discussion at the April meeting. He then reviewed the Council's hearing on the Code amendments at their last meeting, noting that changes to the mobile vending may be in order, and the livestock was still under discussion. Changes to the Conex verbiage was also pending, to allow for temporary uses and uses in residential zones with screening provisions. Commissioner Kelleher indicated that, in her experience, the containers are often used for remodeling, to store items as well as tools. Commissioner Woodruff asked if the Code changes would all be adopted at once. Mr. Lewis concurred, noting that the adoption probably won't happen until May.

The Commission utilized a spreadsheet that Chair Barham had created to facilitate the review of ADU standards. A lengthy discussion ensued, regarding the number of ADUs that should be allowed, whether the calculation should be based on lot size or lot coverage, issues regarding utilities and parking, handling zone compliance issues through the variance process, and whether ADUs should be considered as conditional uses. It was also noted that the State has not yet reached final legislation on the issue, which means that some of the standards could change.

C. Other Issues: None.

7. COMMISSION COMMENTS AND CONCERNS: None.

8. ADJOURNMENT: At 4:24 p.m., there being no further business to come before the Commission, the meeting was adjourned.

Respectfully submitted,

Reda Q Eckerman, City Recorder

APPROVED by the Planning Commission this _____ day of _____, 2019.

SIGNED by the Chair this _____ day of _____, 2019.

Steve Barham, Chair

**City of Waldport
2019 LAND USE / BUILDING PERMIT ACTIVITY**

Date	Application/ Activity	Applicant	Zoning	Tax Map/Lot Location	Description	Status
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For the Period March 19, 2019 through April 15, 2019

3/26/19	Building Permit	April Swift	R-2	13-11-19DC/327 1025 Hill St	Install foundation system under existing manufactured home	Approved 3/26/19
4/1/19	DMV Application for Supplemental Business Cert.	Dahl & Dahl	I-P	13-11-31B/400 235 Dahl Ave South Lincoln Landfill	Renewal for Dahl & Dahl to continue dismantler business – local gov't sign off that use is permitted in the zoning district	Approved 4/1/19
4/12/19	Building Permit	Richard Snow	RR-2	13-12-36AB/1201 Fernwood Ln	New single family dwelling	Approved 4/15/19
4/12/19	Building Permit	Robert & Sheri Weir	R-1	13-11-19BD/10600 190 Maple St	2 nd level addition to garage	Pending resolution or withdrawal. Current plan creates 2 nd dwelling unit. Not allowed in the R-1 zone.
4/16/19	Building Permit	Carl Andry	I-P	13-11-31BA/900 223 Dahl Ave	New storage building	Approved per #1-CU-PC-18 conditions

Draft Waldport Development Code Amendment to Allow ACCESSORY DWELLINGS

The Draft Accessory Dwelling Unit (ADU) regulations, per the March Planning Commission meeting are provided below for the Commission's review and recommendations.

Chapter 16.04 Introductory Provisions and Definitions

16.04.030 Definitions.

(The following definition matches the definition for Accessory Dwelling found in ORS 197.312)

“Accessory Dwelling” means an interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

Zoning Districts

(Zoning Districts that allow single family dwellings include R-1, R-2, R-3, R-4, C-1 and C-2. Therefore, 'accessory dwelling unit' would be added as a 'conditional use permitted' in each of these zones.)

Chapter 16.84 Conditional Uses

16.64.070 Standards and procedures governing conditional uses.

O. Accessory Dwelling Units.

Accessory dwellings are subject to the standards identified below.

- 1. One Accessory Dwelling Unit per Lot.** A maximum of one Accessory Dwelling is allowed per lot. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
- 2. Unity of Ownership.** An accessory dwelling unit shall not in any way be segregated in ownership from the principal dwelling unit.
- 3. Owner Occupied.** Either the principal dwelling or the accessory dwelling unit shall be occupied by the property owner. The property owner shall prepare, execute, and record a covenant or deed restriction in favor of the city, in a form acceptable to the city, providing future property owners with notice of this restriction. The owner-occupied unit may not be rented to other parties.
- 4. Exempt from Density Limits.** Accessory dwelling units are exempt from the density standards of the zoning districts in which they are located.

5. **Floor Area.** A detached accessory dwelling unit shall not exceed 900 square feet of floor area.
6. **Other Development Standards.** Accessory Dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district.
7. **Parking.** One on-site parking space shall be provided for each Accessory Dwelling Unit. This requirement is in addition to off-street parking standards that apply to the primary dwelling.
8. **Water Service.** An Accessory Dwelling Unit shall be connected to public water service. The water connection may be shared with the primary dwelling or a separate water service. If a separate service, System Development Charges and connection fees shall apply.
9. **Sewer Service.** If available, an Accessory Dwelling Unit shall be connected to the public sewer service. The sewer connection may be shared with the primary dwelling or a separate sewer service. If a separate service, System Development Charges and connection fees shall apply.

If public sewer service is not available, the Accessory Dwelling Unit must be connected to an approved on-site waste management system, e.g. septic system.
10. **Vacation/Short-Term Rentals Prohibited.** Neither the Primary Dwelling nor the Accessory Dwelling shall be vacation/short-term rentals (less than 30 days).

Variance. If one or more of the standards of this section cannot be met, an owner may apply for a variance per WDC 16.92.

April 16, 2019

To: Waldport Planning Commission
From: Larry Lewis, City Planner
Re: Tsunami Land Use Resilience Measures

At the April 22, 2019 Planning Commission meeting, the Commission will consider whether or not to develop and implement land use measures to reduce tsunami risk.

The first question that needs to be addressed is “Should a tsunami hazard overlay zone be established that would prohibit certain land uses and/or require certain standards when developing in a tsunami hazard zone?” To help address that question, a spreadsheet is attached that identifies potential land use regulations. Please note that many of the prohibited or restricted land uses are currently prohibited per Oregon Revised Statute (ORS).

If the City decides to proceed with tsunami resilient land use regulations, then consideration should be given to a Comprehensive Plan amendment to add tsunami-related policies to Goal 7 (Natural Hazards).

Attached: Spreadsheet – Tsunami Hazard Overlay Zone – Development Code Options
(Portion of) Waldport Inundation Map

TSUNAMI HAZARD OVERLAY ZONE - DEVELOPMENT CODE OPTIONS

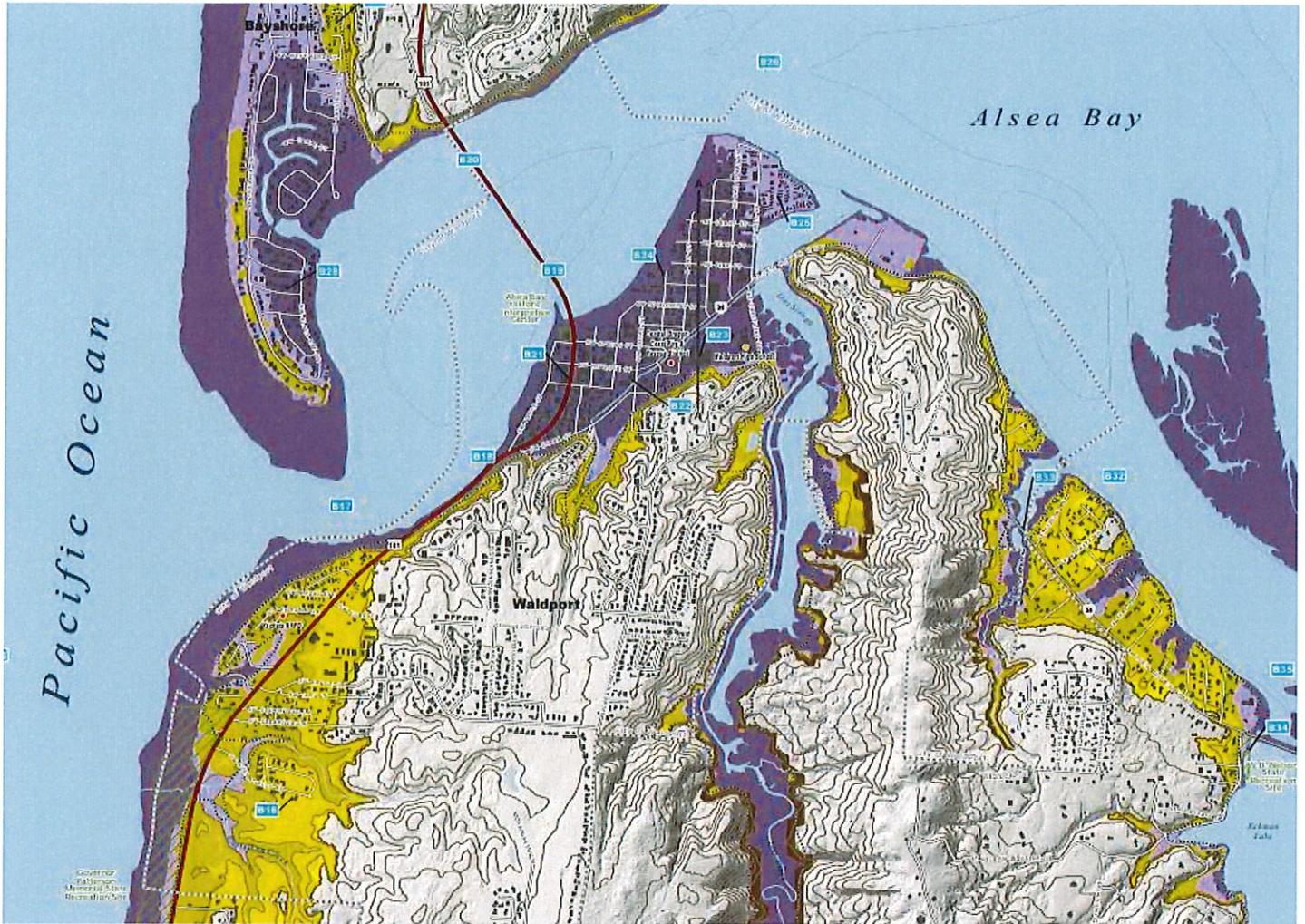
The overall question is "Should Waldport establish a tsunami hazard overlay zone that would prohibit certain uses and/or require certain standards when developing in a tsunami hazard zone."?

Regulation	Include	Don't Include	Notes
<p>Tsunami Hazard Overlay Zone. The Tsunami Hazard Overlay Zone (TH) includes the following sections: 1) Purpose, 2) Applicability, 3) Uses, 4) Prohibited Uses, 5) Use Exceptions, 6) Evacuation Route Improvement Requirements, 7) Tsunami Vertical Evacuation Structures, 8) Flexible Development Options</p>			<p>The Overlay Zone would be established if the City wants to develop and implement tsunami resilient measures.</p>
<p>1) Purpose</p>			<p>The purpose of the TH zone is to increase resilience to a tsunami by establishing land use-related standards, requirements, incentives, and other measures.</p>
<p>2) Applicability of the TH Zone</p>			<p>The overlay zone would apply to all lands subject to inundation as identified on the Tsunami Inundation Maps published by the Oregon Dept. Geology and Mineral Industries (DOGAMI)</p>
<p>3) Uses</p>			<p>In the TH zone, all uses permitted in the underlying zone would be allowed except for the prohibited uses identified in Section 4) below.</p>
<p>4) Prohibited Uses (in Earthquake Size Events: S – L)</p>			
<p>Hospitals and other medical facilities having surgery and emergency treatment areas</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Fire stations</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Police stations</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Structures and equipment in government communication centers and other facilities required for emergency response.</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Buildings with a capacity greater than 250 individuals for every public, private or parochial school through secondary level or child care centers.</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Buildings for colleges or adult education schools with a capacity of greater than 500 persons.</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Jails and detention facilities.</p>			<p>Currently prohibited under ORS 455.446</p>
<p>Prohibited Uses (in Earthquake Size Events: (S – M) Additional prohibited uses: tanks/structures containing housing or supporting water or fire-suppression materials or equipment; emergency vehicles shelters/garages; emergency preparedness centers; standby power generating equipment for essential facilities; covered structures for public assembly greater than 300 people; medical facilities with 50 or more residents and/or incapacitated patients.</p>			<p>These "Essential Facilities and Special Occupancy Structures" are currently permitted in the tsunami inundation zone, subject to consultation with DOGAMI regarding mitigation for tsunami risks. See ORS 455.447(4).</p>

Regulation	Include	Don't Include	Notes
<p>Prohibited Uses (in Earthquake Size Events: (S – M) Additional prohibited uses: Residential uses exceeding 10 dwelling units per acre, hotels/motels with more than 50 units.</p>			<p>These uses are not currently subject to regulation or review under ORS.</p>
<p>5) Use Exceptions (to allow the following uses in tsunami zones) Public schools upon findings that cannot otherwise be accomplished unless in the tsunami zone. Fire or police stations may be permitted upon findings that there is a need for a strategic location.</p>			
<p>Other uses identified in Section 4 may be permitted upon findings that a) there are no reasonable, lower-risk alternative sites available for the proposed use; b) adequate evacuation measures will be provided and; c) buildings will be designed and constructed in a manner to minimize the risk of structural failure during an earthquake and tsunami event.</p>			
<p>6) Evacuation Route Improvement Requirements</p>			<p>These provisions are largely dependent upon an adopted Tsunami Evacuation Facilities Improvement Plan that identifies evacuation needs, designates routes, establishes system standards, and identifies needed improvements to the local evacuation system.</p>
<p>On-site improvements necessary to a) ensure adequate pedestrian access from the development to evacuation routes, b) frontage improvements adjacent to an evacuation route, c) vertical evacuation structures. Off-site improvements, i.e. evacuation route signage, evacuation route improvements, payment in lieu of identified improvements.</p>			
<p>7) Tsunami Vertical Evacuation Structures</p>			<p>The identified standards are largely dependent upon an adopted Tsunami Evacuation Facilities Improvement Plan.</p>
<p>Sufficient height to place evacuees above the level of inundation for the XXL local source tsunami event. Structures are not subject to building height limitations.</p>			
<p>8) Flexible Development Options</p>			<p>Relaxes standards of the underlying zone, i.e. setbacks, height, lot coverage, etc. if it results in lower risk exposure to tsunami hazards.</p>

Portion of Local Source (Cascadia Subduction Zone) Tsunami Inundation Map Waldport, Oregon

https://www.oregongeology.org/pubs/tim/Linc12_Waldport_Plate1_onscreen.pdf



Earthquake Size	Average Slip Range (ft)	Maximum Slip Range (ft)	Time to Accumulate Slip (yrs)	Earthquake Magnitude
XXL	59 to 72	118 to 144	1,200	~9.1
XL	56 to 72	115 to 144	1,050 to 1,200	~9.1
L	36 to 49	72 to 98	650 to 800	~9.0
M	23 to 30	46 to 62	425 to 525	~8.9
S	13 to 16	30 to 36	300	~8.7
XXL Wet/Dry Zone				