

**WALDPORT PLANNING COMMISSION  
JUNE 25, 2018  
MEETING NOTICE AND AGENDA**

THE WALDPORT PLANNING COMMISSION WILL MEET ON MONDAY, JUNE 25, 2018 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: (May 21, 2018)
3. CITIZEN COMMENTS AND CONCERNS
4. CORRESPONDENCE – None
5. PUBLIC HEARINGS – None
6. DISCUSSION/ACTION ITEMS:
  - A. Planning Report
  - B. Waldport Development Code Amendments
  - D. 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 19<sup>th</sup> day of June 2018

City of Waldport

**WALDPORT PLANNING COMMISSION**  
**MAY 21, 2018**  
**MEETING MINUTES**

1. CALL TO ORDER AND ROLL CALL: Chair Woodruff called the meeting to order at 2:00 p.m. City Recorder Eckerman administered the oath of office to new Commissioners Paul Virtue and Michael Schlosser, who then took their seats at the table. Chair Woodruff and Commissioners Virtue, Schlosser, Stole, Kelleher, Barham and Phillips answered the roll. A quorum was present.

2. MINUTES: The Commission considered the minutes from the March 26, 2018 meeting. Commissioner Barham noted a scrivener's error in Section B under Waldport Development Code Amendments, where "foot carts" should be "food carts". He then **moved** to approve the minutes as corrected. Commissioner Phillips **seconded**, and the motion **carried** unanimously on a voice vote.

3. CITIZEN COMMENTS AND CONCERNS: None.

4. CORRESPONDENCE: None.

5. PUBLIC HEARING: Chair Woodruff opened the public hearing, calling for abstentions, bias, conflicts of interest and ex parte contact. None were announced.

City Planner Lewis explained that the request was to construct two 40 X 40' buildings in the Planned Industrial Zone, with one building proposed to be used as an artisan cabinet shop and for storage. The second building will be constructed at a later date and leased for a use under either manufacturing, or automobile storage, repair, etc. He reviewed the criteria and the conditions of approval. There were no opponents and the applicant felt the staff report covered the request adequately.

Chair Woodruff closed the public hearing and opened the Planning Commission meeting for deliberations. Commissioner Barham noted that he felt that completion of the initial building would satisfy the condition for substantial construction within the two year period. He then **moved** to approve with that amendment. Commissioner Stole **seconded**, and the motion **carried** unanimously. Planner Lewis asked if the Commission desired him to amend the findings accordingly and obtain the signature of the Chair, consensus of the Commission was favorable.

6. DISCUSSION/ACTION ITEMS:

A. Planning Report: Mr. Lewis reviewed the planning report. Chair Woodruff asked about the building permit for Splitrock Properties, and Mr. Lewis responded that the notation represented his signoff on the permit. Chair Woodruff noted that it was his understanding the County was going to require a complete remodel of the building.

B. Development Code Amendments: Mr. Lewis reviewed the standards for mobile vending stands. Following discussion, the Commission determined that the draft language should read as follows:

"Mobile vending, provided:

1. The entire mobile vending structure, cart, trailer, or stand, and serving area is

located on private property (not in public right-of-way).

- 2. A business license is maintained, unless participating in a city-sanctioned event.
- 3. All County and State health standards are met,
- 4. Water, sewer and electrical connections must be made in a safe manner,
- 5. Any person operating a mobile vending structure, cart, trailer, or stand shall pick up any litter in any form which is deposited by any person within fifty (50) feet of the mobile vending structure, cart, trailer, or stand at any time the person is conducting business, and shall be responsible for the disposal of same,
- 6. Parking requirements for the property are met.”

The Commission then took up the subject of affordable and work force housing. Chair Woodruff noted that Portland has relaxed their standards for RV dwellings to allow such during the housing crisis. Following discussion, consensus of the Commission was to continue not allowing this. With regard to accessory dwelling units, the Commission determined that this may be one way to get additional affordable housing, and draft language will be brought back to the next meeting. In the discussion of multifamily housing, it was pointed out that the lack of large multi-family zoned land and parcels may be a deterrent to building multifamily complexes. The Commission discussed the concept of incentives to encourage multifamily developments.

C. Other Issues: None.

6. COMMISSION COMMENTS AND CONCERNS: None.

7. ADJOURNMENT: At 4:20 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 \_\_\_\_\_, 2018.

SIGNED by the Chair this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Ray Woodruff, Chair

June 18, 2018

**To: Waldport Planning Commission**

**From: Larry Lewis, City Planner**

**Re: 2018 Waldport Development Code Amendments  
UPDATED DRAFT AMENDMENT FOR MOBILE VENDING**

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The following draft amendment is based on input received at the May 21, 2018 Planning Commission meeting.

**WDC 16.04.030 Definitions**

*“Mobile Vending” means a structure, cart, trailer, or stand which is movable from place to place, and is used for the purpose of selling merchandise, foods, and beverages to the public and is equipped to dispense food or beverage and/or prepare the food or beverage for consumption. A mobile vending stand does not contain space for customers to enter the stand to purchase or consume products.*

The draft amendment language for mobile vending is proposed to be added to the following sections.

**16.28 Retail Commercial Zone C-1**

**16.28.010 Uses Permitted Outright**

**Chapter 16.30 Downtown District Zone DD**

**16.030.010 Uses Permitted Outright**

**Chapter 16.32 General Commercial Zone C-2**

**16.32.010 Uses Permitted Outright**

Draft amendment language for the above identified sections:

*Mobile vending, provided:*

- 1. the entire mobile vending structure, cart, trailer, or stand, and serving area is located on private property (not in public right-of-way).*
- 2. a business license is maintained, unless participating in a city-sanctioned event,*
- 3. all County and State health standards are met,*
- 4. water, sewer and electrical connections must be made in a safe manner,*
- 5. any person operating a mobile vending structure, cart, trailer, or stand shall pick up any litter in any form which is deposited by any person within fifty (50) feet of the mobile vending structure, cart, trailer, or stand at any time the person is conducting business, and shall be responsible for the disposal of same,*
- 6. parking requirements for the property are met.*

June 18, 2018

**To: Waldport Planning Commission**

**From: Larry Lewis, City Planner**

**Re: 2018 Waldport Development Code Amendments  
Accessory Dwelling Units**

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A draft Accessory Dwelling Unit ordinance is attached for Planning Commission review and discussion at the June 25, 2018 meeting. This draft ordinance is based on the model code developed by the Oregon Department of Land Conservation & Development (DLCDC).

There are several possible standards to consider when developing an Accessory Dwelling (ADU) ordinance. Considerations include:

- A. **Density.** Should an ADU only be allowed if the property can meet the density standard, i.e. an R-1 zone property requires a minimum 6,000 square foot lot therefore 12,000 square feet would be required for an ADU?
- B. **Number of Units:** Should a property be limited to one ADU or two ADUs?
- C. **Siting Standards:** Should ADUs be subject to all or some standards of the underlying zone, i.e. building setbacks, height, lot coverage?
- D. **Parking:** Should ADUs be required to have parking spaces? The DLCDC guidelines do not recommend this.
- E. **Nonconforming Structures.** Should ADUs be allowed when an existing dwelling is nonconforming, i.e. substandard setbacks? If so, the ADU should not increase the degree of nonconformity.
- F. **Design Standards.** Should ADUs have design standards, i.e. "compatible" with the primary dwelling, i.e. materials, roof pitch, window, etc.
- G. **Owner Occupancy.** Should the property owner be required to live on the property that has an ADU? The DLCDC guidelines do not recommend this.
- H. **Public Utilities.** Should an ADU have separate water and sewer connections? The DLCDC guidelines do not recommend this.
- I. **System Development Charges (SDCs).** Should SDCs be charged for ADUs? If so, DLCDC recommends they be charged a lower SDC and a primary detached single family dwelling because ADUs generally house fewer people than the average single family dwelling.
- J. **Short-term/Vacation Rentals.** Should short-term (less than 30 days) stays be prohibited?

## DRAFT ACCESSORY DWELLING UNIT ORDINANCE

*This italicized paragraph is a paraphrased excerpt from the Oregon Department of Land conservation and Development (DLCD) model code for Accessory Dwellings. Oregon Revised Statutes (ORS) 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone within an urban growth boundary that allows detached single-family dwellings (for cities with a population of 2,500 or greater). Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. They provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with single-family detached dwellings. Accessory dwelling regulations can be difficult to enforce when local codes specify who can own or occupy the homes. Requirements that accessory dwellings have separate connections to and pay system development charges for water and sewer services can pose barriers to development. Concerns about neighborhood compatibility, parking, and other factors should be considered and balanced against the need to address Oregon's housing shortage by removing barriers to development. The model development code language provides recommended language for accessory dwellings. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.*

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### Draft Waldport Development Code Amendment to Allow ACCESSORY DWELLINGS

#### 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. An alternative is to add the accessory dwelling unit as a ‘use permitted outright’ 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.

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

*Note: An alternative is to allow a maximum of two Accessory Dwellings. One unit must be detached, or in a portion of a detached accessory building (e.g. above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g. an addition or the conversion of an existing floor).*

**B. Floor Area.**

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

**C. Other Development Standards.**

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

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity; and
2. One off-street parking space is required for an Accessory Dwelling.

**City of Waldport  
2018 LAND USE / BUILDING PERMIT ACTIVITY**

<b>Date</b>	<b>Application/ Activity</b>	<b>Applicant</b>	<b>Zoning</b>	<b>Tax Map/Lot Location</b>	<b>Description</b>	<b>Status</b>
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For the Period May 9, 2017 through June 18, 2017

5/9/18	Manufactured Placement Permit	Mary Matney	D-D	13-11-19BD/2900 145 Verbina St	New structure	Pending additional information
5/21/18	Building Permit	Susan Kelly	R-1	13-11-19DC/148 1010 Rolph Ct Township 13	Helical piers for additional foundation support	Approved 5/21/18
6/18/18	Building Permit	Dwayne Denbow	R-2	13-11-20BA/700 1475 Alsea Hwy	New single family dwelling	Approved 6/18/18