

Dunes City Planning Commission ~ Regular Session

Thursday, January 23, 2025 ~ 6:00 pm

If Agenda items are not completed, the meeting will continue on a date to be announced. Please sign in on the "Request for Recognition" form, if you wish to address the Commission or present testimony at a Public Hearing.



AGENDA

- 1. Call to OrderChair/Vice Chair**
- 2. Oath of Office..... City Staff**
- 3. Roll Call City Staff**
- 4. Selection of Chair and Vice Chair.....Action Item**
- 5. Pledge of Allegiance Participants**
- 6. Consideration of the Agenda Action Item**
- 7. Consideration of the Consent Agenda Action Item**
 - 1) Planning Commission Minutes from December 12, 2024, Special Session
- 8. Announcements / Correspondence**
 - 1) City Council Regular Session Minutes from December 18, 2024 meeting
 - 2) City Council Special Session Minutes from January 8, 2025 meeting
- 9. Citizen Input**

Maximum time is 20 minutes. Each speaker is allowed three (3) minutes.
If there are more than seven speakers, each speaker’s time may be reduced to fit within the 20 minutes.
- 10. New Business**
 - 1) Schedule Next Planning Commission Meeting.....Discussion/Action Item
 - 2) Amend Agenda Order for Citizen Input..... Discussion/Action Item
- 11. Unfinished / Old Business**
 - 1) Chapter 155 Remand from City Council (Continued)Discussion/Action Item
 - Follow up on Multi-Family Housing
 - Follow up on Accessory Dwelling Unit
 - Follow up on Building an Outbuilding Before a Home
 - Follow up on Density

12. Unscheduled Items Not Listed on the Agenda / For the Good of the Order

13. Adjournment



**PLANNING COMMISSION MEETING MINUTES ~ DRAFT
SPECIAL SESSION DECEMBER 12, 2024 AT 6:00 PM**

City Hall ~ 82877 Spruce St. Westlake, OR

These proceedings of the Dunes City Council were recorded and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available online at www.DunesCity.gov

1. CALL TO ORDER

Chair Rapunzel Oberholtzer called the Thursday, December 12, 2024 Special Session of the Dunes City Planning Commission meeting to order at 6:00 p.m.

2. ROLL CALL

City Administrator Lila Timmons called the roll.

Present: Chair Rapunzel Oberholtzer, Vice Chair Ken Pesnell, Commissioner Sean Grundon, Commissioner Gail Nichols, and Commissioner Jamie Gorder.

Also Present: City Administrator Lila Timmons, Jeanne Jackson, and Fred Beloin.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

All who were present stood for the Pledge of Allegiance.

4. CONSIDERATION OF THE AGENDA

Chair Rapunzel Oberholtzer mentioned that she would like to amend the Agenda and add a number 2 to New Business to discuss adding Citizen Input to Old Business on the January Agenda.

Commissioner Gail Nichols made a motion to approve the Agenda as amended. Commissioner Sean Grundon seconded the motion. The motion passed unanimously.

5. CONSIDERATION OF THE CONSENT AGENDA

Chair Rapunzel Oberholtzer asked if there were any questions or comments.

Vice Chair Ken Pesnell made a motion to approved the consent agenda.

Commissioner Jamie Gorder seconded the motion. The motion passed unanimously.

6. ANNOUNCEMENTS / CORRESPONDENCE

- A. City Council Regular Session Minutes from November 20, 2024 meeting.
- B. Oregon Department of Land Conservation & Development Senate Bill 1537
- C. Elected Officials/Ethics Training

Chair Rapunzel Oberholtzer stated that Senate Bill 1537 did not seem to have an effect for Dunes City but that the Planning Commission could look at it further in January.

City Administrator Lila Timmons stated that she was trying to setup a full day of training for Elected Officials and on Ethics.

Chair Rapunzel Oberholtzer stated that the Councilors will be sworn in at the January 8, 2025 City Council meeting, and the Water Master will be at the January 22, 2025 City Council meeting if the Commissioners would like to attend.

7. CITIZEN INPUT

Citizen Jeanne Jackson stated that the Citizens have no choice but to approach the Commissioners after a meeting due to the Citizen Input being before business is discussed. She further stated that she has made numerous requests for a copy of the changes of Chapter 259. Chair Rapunzel Oberholtzer stated that there is no current list of changes for Chapter 259 because they are still working on Chapter 259. Once the changes have been finalized, the changes will be made available to the public.

Citizen Fred Beloin read his letter.

There were angry words spoken.

Chair Rapunzel Oberholtzer asked Mr. Beloin to take his seat but to continue to read the letter and there were to be no more comments during or after the meeting.

Chair Rapunzel Oberholtzer stated that no personal attacks are allowed.

Chair Rapunzel Oberholtzer stated that the meeting was adjourned.

Chair Rapunzel Oberholtzer adjourned the meeting at 6:14 pm.

**APPROVED BY THE DUNES CITY PLANNING COMMISSION ON THE 23rd DAY OF
JANUARY, 2025**

Rapunzel Oberholtzer, Planning Commission Chair

ATTEST:

Lila Timmons, City Administrator/Recorder

LT12.12.2024

Planning Commission Meeting Minutes - Draft



**DUNES CITY, OREGON
CITY COUNCIL
MEETING MINUTES**

REGULAR MEETING
December 18, 2024
CITY HALL

Call to Order

The meeting was called to order at 6:00 pm by Mayor Ed McGuire.

Pledge of Allegiance to the Flag

Mayor Ed McGuire led the meeting in the Pledge of Allegiance.

Roll Call

Mayor Ed McGuire stated that all Councilors were present. Also present were other various citizens.

Agenda

Mayor Ed McGuire asked if there were any amendments or corrections to the Agenda. City Administrator Lila Timmons stated that Item B under New Business was no longer needed and should be deleted. Council President Susan Snow asked to add a Water Committee item to the Agenda.

MOTION MADE BY: Council President Susan Snow

MOTION: To approve the amended agenda for the December 18, 2024 Regular Session Agenda.

SECONDED: Councilor Tom Mallen

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

Consent Agenda

Mayor Ed McGuire asked if there were any changes or corrections to the Consent Agenda. City Administrator Lila Timmons stated that she had changed the signature line on the November 20, 2024 minutes. Mayor Ed McGuire stated that the expense for West Coast Media was the last for the old website.

MOTION MADE BY: Council President Susan Snow

MOTION: To approve the consent agenda.

SECONDED: Councilor Chris Clemons

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

Announcements/Correspondence

City Administrator Lila stated that the Siuslaw Watershed Council was looking for Dunes City to donate \$50 as membership for the continued support of their causes.
MOTION MADE BY: Councilor Chris Clemons
MOTION: To donate \$50 to Siuslaw Watershed Council
SECONDED: Council President Susan Snow
IN FAVOR: Councilor Joe Giammona, Council President Susan Snow, Councilor Melissa Stinson, Councilor Tom Mallen and Councilor Chris Clemons
OPPOSED: Councilor Rich Olson
Motion Passed

City Administrator Lila Timmons mentioned that there is a health alert for Pertussis (Whooping Cough) cases in Lane County.

Citizen Input

Jeanne Jackson expressed her concern about the election results.
Geneva Jackson stated that she felt that the survey was poorly designed and unscientific.
Rick Watts expressed many different concerns.

Reports

Mayors Report
Mayor Ed McGuire stated that he loved living in this town without many public facilities or expenses.

Permit Report
Mayor Ed McGuire asked if there were any questions regarding the permit report. There were none.

New Business

Election Results
Mayor Ed McGuire stated that Lane County certified the election results on December 2, 2024 and that 70 names had write in votes. The City is required to go with the top three since there were 3 Councilor positions open. The top three were Chris Clemons, who was already on the ballot, Larry Farnsworth and Duke Wells. Mayor Ed McGuire further stated that all paperwork has been completed and that all will take the oath of office at the City Council meeting on January 8, 2025.

Appoint Sean Grundon to the Planning Commission
Mayor Ed McGuire stated that Sean Grundon's seat is up for renewal and that he recommends to re-appoint him to the Planning Commission
MOTION MADE BY: Council President Susan Snow
MOTION: To appoint Sean Grundon to the Planning Commission
SECONDED: Councilor Chris Clemons
IN FAVOR: Unanimous

OPPOSED: None
Motion Passed

Water Quality Committee
Council President Susan Snow asked Councilor Joe Giammona what he found out about the Coast Guard helping with water testing. Councilor Joe Giammona stated that the Coast Guard can only help by being “a vehicle on the water.”

Executive Session

None

For the Good of the Order

Council President Susan Snow thanked Councilor Joe Giammona and Councilor Tom Mallen for their service on the City Council. Councilor Melissa Stinson suggested that citizens reach out to their phone service carrier to enhance service between Dunes City and Gardiner for emergency purposes.

Adjournment

MOTION MADE BY: Council President Susan Snow
MOTION: To adjourn.
SECONDED: Councilor Tom Mallen
IN FAVOR: Unanimous
OPPOSED: None
Motion Passed
Meeting adjourned at 6:30 pm

APPROVED BY THE DUNES CITY COUNCIL ON THE 22nd DAY OF January, 2025.

Ed McGuire, Mayor

ATTEST:

Lila Timmons, City Administrator



**DUNES CITY, OREGON
CITY COUNCIL
MEETING MINUTES**

**REGULAR MEETING
January 8, 2025
CITY HALL**

Call to Order

The meeting was called to order at 6:00 pm by Mayor Ed McGuire.

Oaths of Office

City Administrator administered the Oath of Office to the Mayor, Councilor Chris Clemons, Councilor Larry Farnsworth and Councilor Duke Wells

Pledge of Allegiance to the Flag

Mayor Ed McGuire led the meeting in the Pledge of Allegiance.

Roll Call

Mayor Ed McGuire stated that all Councilors were present. Also present were other various citizens.

Agenda

Mayor Ed McGuire asked if there were any amendments or corrections to the Agenda.

MOTION MADE BY: Council President Susan Snow

MOTION: To approve the agenda for the January 8, 2025 Regular Session Agenda.

SECONDED: Councilor Chris Clemons

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

Announcements/Correspondence

City Administrator Lila stated that CLPUD is granting Dunes City a credit of \$93.33 per month instead of changing out upgraded lighting.

Citizen Input

There were no comments.

Executive Session

There were none.

New Business

Updated Council Rules of Procedure

MOTION MADE BY: Councilor Melissa Stinson

MOTION: To adopt the updated Council Rules of Procedure as amended and adding City Council Norms.

SECONDED: Councilor Richard Olson

IN FAVOR: Unanimous
OPPOSED: None
Motion Passed

Work Session

Chapter 91
After much discussion, the Council decided that the Councilors will review the Newport Municipal Code's Chapter 8.10 Nuisances and details and be prepared to discuss at the February 5, 2025 meeting.

For the Good of the Order

Richard Olson and Susan Snow congratulated the elected Councilors and Mayor.
Melissa Stinson stated that the League of Oregon Cities is having their Spring Conference in North Bend on May 1 and 2, 2025. City Administrator Lila Timmons stated that the City will be having a Game Day on January 25, 2025 from 1-4 pm. City Administrator Lila Timmons stated that the Water Master would be attending the January 22nd meeting and asked if the Councilors had any questions the Water Master could be prepared to address.

Adjournment

MOTION MADE BY: Council President Susan Snow
MOTION: To adjourn.
SECONDED: Councilor Chris Clemons
IN FAVOR: Unanimous
OPPOSED: None
Motion Passed
Meeting adjourned at 7:25 pm

APPROVED BY THE DUNES CITY COUNCIL ON THE 22nd DAY OF January, 2025.

Ed McGuire, Mayor

ATTEST:

Lila Timmons, City Administrator

MEMORANDUM

TO: Dunes City Planning Commission

FROM: Commissioner Rapunzel O

DATE: 21 November AND ~~13~~ DECEMBER 2024

RE: Chapter 155 Follow Up Discussion:
Miscellaneous Additional Notes/Comments for Final Discussions
Multifamily Housing
Guest Houses/ADUs

FOLLOW UP TO 7 NOVEMBER MEETING

I. MULTIFAMILY HOUSING

Page 21 of 268 from 155.1.3 Definitions @12/13 REVISIT THESE DEFINITIONS

(As amended) “Multi-Family Dwelling – A building in which three or more residential units each have space for eating, living and sleeping and permanent provisions for cooking and sanitation.”

(As amended) “Multi-Family Housing – Multi-family housing is housing that provides for three (3) or more separate dwelling units on a single legal lot and sharing common walls, floors, ceilings, courtyard, playground, parking area, or other communal amenities.”

NOTE DEFINITION OF DWELLING: A living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the uniform Building Code, for not more than one family, excluding hotels, motels, mobile homes, camping vehicles, and travel trailers.

Page 45 of 268 from 155.2 TOC

155.2.1.240 was Guest Houses, could be Multifamily Housing. @11/21 PC OK TO CHANGE

Page 50 of 268 from 155.2.1 Residential (R-1) Zone TOC

155.2.1.240 was Guest Houses, could be Multifamily Housing. @11/21 PC OK TO CHANGE

Page 50 of 268 from 155.2.1.110 Allowed Land Uses

(A)(1) “One single-family dwelling per lot, which may include site-built, pre-fabricated, or manufactured housing, which meets the requirements of applicable building codes and standards established by the State.” **MAY NEED TO REVISIT CHANGE TO “A maximum of four dwelling units per lot”**

Look at definitions of “dwelling” on page 13 of 268. See also page 55 Residential Density language (below).

Page 51 of 268 from 155.2.1.111120 (A) Conditional Uses/Uses Subject to Review
Remove "Multifamily Housing" from list of uses requiring a CUP.
Renumber list. @11/21 PC OK TO DELETE MULTIFAMILY AND GUEST HOUSES FROM LIST

Page 54 of 268 from 155.2.1.122160 Specific Requirements Table
Structure Height. "Height from average grade" lesser of 32 feet or 2 ½ stories maximum.
Are there height restrictions in multifamily language that need to change? @11/21PC OK TO KEEP AS IS

Page 55 of 268 from 155.2.1.130180 Residential Density
"The following density standards apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

"New land divisions and site developments shall provide for housing at a maximum density of no more than one (1) dwelling per acre."

Page 56 of 268 from 155.2.1.200190 Special Standards for Certain Uses
Model Development Code lists Multifamily Housing under similarly named subsection with this intro blurb:
"Special uses included in Chapter 2.3 are uses which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These special use standards may differ from the development standards established for other uses in the same zoning district."

Suggest replacing our existing second sentence, "They provide standards..." with the above from Model Code.

Page 57 of 268 from 155.2.1.240 was Guest Houses, could be Multifamily Housing
See Page 195, Paragraph B, for beginning of Multifamily Housing language under CUP to edit and move here
or replace with Model Dev Code.
See also Model Development Code Multifamily Development below.
INSERT NEW TEXT OR MODIFIED TEXT

Page 194 of 268 from 155.4.4.3120(H) Application Submission Requirements
Delete entire paragraph?

Page 194 of 268 from 155.4.4.4130(A) Criteria, Standards and Conditions of Approval
Suggest deleting "...including multifamily housing."

II. ACCESSORY DWELLING UNITS (ADU)

Page 7 of 168 from 155.1.3 Definitions

(As amended) "Accessory Dwelling Unit (ADU) – an interior, attached or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling."

Page 15 of 268 from 155.1.3 Definitions

(As amended) "Guest House – A subordinate residential structure that is accessory to, and dependent on, an existing primary dwelling located on the same lot or parcel as the guest house. A guest house shall be temporarily occupied solely by members of the family residing in the primary dwelling, their nonpaying guests, or by nonpaying employees who work on the premises. A Guest House is not an accessory dwelling unit (ADU).

Delete definition of guest house?

Page 45 of 268 from 155.2 TOC

155.2.1.220 was Bed and Breakfast, could be Accessory Dwelling Units (ADU).

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155.2.1.220 was Bed and Breakfast, could be Accessory Dwelling Units (ADU).

Page 51 of 268 from 155.2.1.111120 (A) Conditional Uses/Uses Subject to Review

Remove "Guest Houses" from list? Unless ADUs should be Conditionally permitted, then adjust accordingly.

Renumber list.

Page 52 of 268 from 155.2.1.112130 Uses Not Allowed

"Accessory dwelling units, and all other uses not listed under Sections 155.2.1.110 and 155.2.1.111120 are not allowed."

Delete "Accessory dwelling units"?

Page 57 of 268 from 155.2.1.230220 was Bed and Breakfast could be Accessory Dwelling Units (ADU)

See Page 58 for existing "Guest House" text.

See also Accessory Dwellings Model Code from "ADU Guidance" 2018 below.

INSERT NEW TEXT

NOTE RE SEPTIC SYSTEMS

From DC ORD 256-B (Short Term Rentals)

Septic Expanded Use Approval. If the property is served by a private on-site septic system, the

property owner shall provide an approved On-Site Wastewater Authorization Notice from the Lane County Sanitarian that indicates the maximum number of people the septic system is able to accommodate.

Model Development Code 2015

2.3.080 Multifamily Development

User's Guide: The following provides clear and objective standards for multifamily housing, per state law. Local governments may apply discretionary standards or guidelines to what is defined as "needed housing" under ORS 197.303 only where their code also offers a clear and objective decision making option pursuant to ORS 197.307.

A. Purpose. The following standards are intended to ensure that multifamily developments are planned with adequate open space and are designed to prevent conflicts between residential uses, on-site recreation, and vehicle circulation and parking areas. The standards supplement the design standards of Article 3.

B. Applicability. This applies to new multifamily developments.

C. Standards.

1. Common Open Space and Landscaping. A minimum of [15-20] percent of the site area in the R districts and [10] percent of the site area in the CR district shall be designated and permanently reserved as common area or open space, in accordance with all of the following criteria:

a. "Site area" for the purposes of this section is defined as the subject lot or lots after subtracting any required dedication of street right-of-way.

b. The common area or open space shall contain one or more of the following: outdoor recreation area, tree grove (e.g., existing mature trees), turf play fields or playgrounds, sports courts, swim pool, walking fitness course, natural area with picnic benches, or similar open space amenities as appropriate for the intended residents.

c. In order to be counted as eligible toward the minimum open space area, such areas shall have dimensions of not less than 20 feet.

d. Open space and common areas not otherwise developed with recreational facilities shall be landscaped; alternatively, the [City decision-making body] may approve a tree preservation plan (retain mature tree groves) in lieu of landscaping.

2. Private Open Space. Private open space areas shall be required for dwelling units based on the following criteria:

a. A minimum of [40] percent of all ground-floor dwelling units shall have front or rear patios or decks containing at least [48] square feet of usable area. Ground floor housing means the housing unit entrance (front or rear) is within five feet of the finished ground elevation (i.e., after grading and landscaping).

b. A minimum of [40] percent of all upper-floor housing units shall have balconies or porches containing at least [48] square feet of usable area. Upper-floor housing means housing units that are more than five feet above the finished grade.

3. Access, Circulation, Landscaping, Parking, Public Facilities. The standards of Chapters 3.2 through 3.6 shall be met.

4. Trash Storage. Trash receptacles, recycling, and storage facilities shall be oriented away from building entrances, setback at least 10 feet from any public right-of-way and adjacent residences, and shall be screened with an evergreen hedge or solid fence or wall of not less than six feet in height. Receptacles must be accessible to trash pick-up trucks.

Accessory Dwellings (model code) 2018 ADU Guidance (DLCD)

Note: ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone that allows detached single-family dwellings. 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 below provides recommended language for accessory dwellings. The italicized sections in brackets indicate options to be selected or suggested numerical standards that communities can adjust to meet their needs. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.

Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure [*pursuant to Section _____,*] and shall conform to all of the following standards:

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

A. Two Units. A maximum of two Accessory Dwellings are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).]

B. Floor Area.

1. A detached Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75] percent of the primary dwelling's floor area, whichever is smaller.

2. An attached or interior Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75] percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than [800-900] square feet.

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

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity; and

2. No off-street parking is required for an Accessory Dwelling.

Definition (This should be included in the "definitions" section of the zoning ordinance. It matches the definition for Accessory Dwelling found in ORS 197.312)

Accessory Dwelling – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

MEMORANDUM

TO: Dunes City Planning Commission

FROM: Commissioner Rapunzel O

DATE: 21 November 2024

RE: Chapter 155 Follow Up Discussion:-
Miscellaneous Additional Notes/Comments for Final Discussions
Multifamily Housing
Guest Houses/ADUs

FOLLOW UP TO 7 NOVEMBER MEETING

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(A)(1) "One single-family dwelling per lot, which may include site-built, pre-fabricated, or manufactured housing, which meets the requirements of applicable building codes and standards established by the State."

Look at definitions of "dwelling" on page 13 of 268. See also page 55 Residential Density language (below).

Page 51 of 268 from 155.2.1.111-120 (A) Conditional Uses/Uses Subject to Review

Remove "Multifamily Housing" from list of uses requiring a CUP.

Renumber list.

Page 54 of 268 from 155.2.1.122160 Specific Requirements Table

Structure Height. "Height from average grade" lesser of 32 feet or 2 ½ stories maximum.
Are there height restrictions in multifamily language that need to change?

Page 55 of 268 from 155.2.1.130180 Residential Density

"The following density standards apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan. *(Add and State law?)*

"New land divisions and site developments shall provide for housing at a maximum density of more than one (1) dwelling per acre."

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INSERT NEW TEXT

Page 194 of 268 from 155.4.4.3120(H) Application Submission Requirements

Delete entire paragraph?

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Renumber list.*

Page 52 of 268 from 155.2.1.112-130 Uses Not Allowed

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INSERT NEW TEXT

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From DC ORD 256-B (Short Term Rentals)

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b. A minimum of [40] percent of all upper-floor housing units shall have balconies or porches containing at least [48] square feet of usable area. Upper-floor housing means housing units that are more than five feet above the finished grade.

3. Access, Circulation, Landscaping, Parking, Public Facilities. The standards of Chapters 3.2 through 3.6 shall be met.

4. Trash Storage. Trash receptacles, recycling, and storage facilities shall be oriented away from building entrances, setback at least 10 feet from any public right-of-way and adjacent residences, and shall be screened with an evergreen hedge or solid fence or wall of not less than six feet in height. Receptacles must be accessible to trash pick-up trucks.

Accessory Dwellings (model code) 2018 ADU Guidance (DLCD)

Note: ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone that allows detached single-family dwellings. 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 below provides recommended language for accessory dwellings. The italicized sections in brackets indicate options to be selected or suggested numerical standards that communities can adjust to meet their needs. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.

Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure [*pursuant to Section _____,*] and shall conform to all of the following standards:

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

A. Two Units. A maximum of two Accessory Dwellings are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).]

B. Floor Area

1. A detached Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75] percent of the primary dwelling's floor area, whichever is smaller.

2. An attached or interior Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75] percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than [800-900] square feet.

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

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity; and

2. No off-street parking is required for an Accessory Dwelling.

Definition (This should be included in the "definitions" section of the zoning ordinance. It matches the definition for Accessory Dwelling found in ORS 197.312)

Accessory Dwelling – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.