



City Council

Thursday, August 12, 2021 at 2:00 pm

Attendees: Mayor Greg Holland, Council President Greg Dunn,
Councilor Susan Woodruff, Councilor Jayme Morris, Councilor Rick
Booth, Councilor Heide Lambert, Councilor Jerry Townsend

MEETING NOTICE AND AGENDA

The Waldport City Council will meet at 2:00 p.m. on Thursday, August 12th, 2021 in the City Council Meeting Room, 355 NW Alder Street to take up the following agenda:

1. Call to Order

2. Roll Call

3. Consent Calendar

- a. Minutes of Council Meeting June 10th, 2021**
- b. Solid Waste Advisory Committee Reports**
- c. Lincoln County Sheriff Office monthly update**
- d. Public Works Report**
- e. Library Report**
- f. Parks Committee Report**

4. Proclamations

a. National Health Center Week August 8th thru 14th

August 8th through the 14th is National Health Center Week. As part of that, we recognize the Lincoln Community Health Center for the primary care and behavioral health services they make available to all members of our community, regardless of their ability to pay. In 2020, more than 4,000 individuals received services at clinics in Newport, Lincoln City, and at the school-based health centers. Having these healthcare resources for the people of our county is a real asset and we are thankful for their contributions to the health and wellbeing of our residents.

5. Public Comments

(Please no comments on items covered by the Public Hearing - there will be time allotted for those during the hearing)

6. Public Hearing - Land Use Amendments

7. Discussion/Action Items

- a. COVID-19 - Discussion**
- b. Drought Update**
- c. Fiber RFP award**

(Scoring expected Monday)

- 8. City Manager's Report**
- 9. Additional Public Comments**
- 10. Council Comments and Concerns**
- 11. Executive Session - NONE**
- 12. Good of the Order**
- 13. Adjournment**

The City Council Meeting Room is accessible to all individuals. Due to rise in COVID numbers, we are asking all visitors to either wear a mask, or provide proof of vaccination. Please be prepared to do so for entry.

Pursuant to Order 20-16, comments prior to the meeting may be emailed to: reda.eckerman@waldport.org. The public is also encouraged, if they see fit, to mail written testimony to the City. Comments may be mailed to PO Box 1120, Waldport, OR 97394, and must be received no later than 1:30 p.m. on the day of the meeting in order to be considered.

Notice given this 6th day of August, 2021
Dann Cutter, City Manager

Contact: Reda Eckerman (reda.eckerman@waldport.org 541-563-3561) | Agenda published on
08/06/2021 at 12:37 PM

WALDPOR CITY COUNCIL
JUNE 10, 2021
MEETING MINUTES

1. CALL TO ORDER: Mayor Holland called the meeting to order at 2:00 p.m.

2. ROLL CALL: Mayor Holland and Councilors Dunn, Booth, Lambert, Woodruff and Townsend answered the roll. Councilor Morris was excused. A quorum was present.

3. MINUTES: The Council considered the minutes from the May 13th and May 20th, 2021 meetings. Councilor Booth moved to approve the minutes as presented. Councilor Dunn seconded, and the motion carried unanimously.

4. CONSENT CALENDAR: The Council considered the Consent Calendar, which contained a proclamation for Beachcomber Days, a proclamation for Pride Month, the vote abstract from the May 2021 election, the Lincoln County Sheriff's office report for May, and a memo regarding the cancellation of the regular July Council meeting. Councilor Woodruff moved to approve the Consent Calendar. Councilor Townsend seconded, and the motion carried unanimously.

5. PUBLIC COMMENTS: None.

6. DISCUSSION/ACTION ITEMS:

a. Covid-19 Discussion: City Manager Cutter noted that the Community Center will be reopening on June 16th, and several of the previous users have already been added to the calendar. It is anticipated that the museum will be opening on July 1 at the Interpretive Center, along with the public restrooms there. The City is planning for special coverage for cleaning the restrooms on July 3, in anticipation of increased usage due to Beachcomber Days and the fireworks display. With regard to connectivity at the Interpretive Center, currently there is DSL provided by Pioneer, but Mr. Cutter is looking at trying to get a fiber connection and will be putting out an RFP for that in the near future, and anticipates being

1 able to provide a visitor node as part of that process. A brief discussion took place
2 regarding various efforts to increase the number of vaccinations in the community, one
3 suggestion was to contact individuals through the Meals on Wheels program, and maybe
4 setting up a station at the Wednesday Market and other upcoming community events.

5 b. Budget Reconciliation Resolution for FY 2020/21: Mr. Cutter explained that this
6 resolution was intended to identify some unanticipated revenues and expenses, and there
7 will probably be an additional resolution forthcoming, once he has secured accounting
8 services. Councilor Townsend moved to approve Resolution 1275. Councilor Booth
9 seconded and the motion carried unanimously.

10 c. Drought Discussion: City Manager Cutter reported that the City was switching to
11 the secondary supply for water this week, normally this doesn't happen until August.
12 However, all reports indicate that we are currently in moderate drought condition that will
13 likely move into a severe drought rating before the end of the month. This means that the
14 City will likely have to implement specific curtailment measures as outlined in the City's
15 Emergency Operations Plan by July 1. The two ordinances and three resolutions included
16 in the packet materials were drafted to enable the City to act without the necessity of
17 convening a special meeting to do so. Discussion ensued. The Mayor was asked to draft
18 a letter to the County to encourage similar measures.

19 The Council considered Ordinance 780, a ordinance amending Waldport Municipal
20 Code Section 13.12.020(H) (Summer Sewer Averaging) by adding language stating that
21 the program shall be at the will of the Council and can be amended by resolution. Hearing
22 no objection, Mayor Holland read the ordinance twice by title only. Councilor Townsend
23 moved to approve Ordinance 780. Councilor Lambert seconded, and the motion carried
24 unanimously.

25 The Council then considered Resolution 1276, which would terminate summer
26 sewer averaging for this year. Councilor Woodruff noted that the City may already see a
27 decreased usage due to the rate increase in July, and felt that this could impact those who
28 are watering for reasons which may include supplemental food. Following further
29 discussion, the resolution was amended to read that the summer sewer averaging would
30 be determined at the discretion of the City Manager for this summer. Notification will be

1 provided by notices on the back of the bills, media releases, and other available means.
2 Councilor Woodruff moved to approve Resolution 1276. Councilor Townsend seconded,
3 and the motion carried unanimously.

4 Resolution 1277 was then considered. This resolution empowers the City Manager
5 to declare a water emergency and implement the drought emergency operations plan and
6 curtailment program without further Council action if a drought is declared. Councilor
7 Woodruff moved to approve Resolution 1277, Councilor Townsend seconded, and the
8 motion carried unanimously.

9 The Council then considered an ordinance amending Waldport Municipal Code
10 Section 8.08.105(B) regarding fireworks. This amendment would allow a ban on fireworks
11 for a specified duration by resolution of the Council. Mayor Holland read Ordinance 781
12 by title only for the first and second readings. Councilor Dunn moved to approve Ordinance
13 781. Councilor Booth seconded, and the motion carried unanimously.

14 The final resolution was to implement a ban on fireworks for the summer of 2021.
15 Although the draft resolution allowed for an exception of time, Councilors Booth and Dunn
16 expressed concern and were in favor of a total ban due to the potential fire danger.
17 Following discussion, consensus of the Council was to amend the resolution to simply state
18 that fireworks were banned. Councilor Booth moved to approve Resolution 1278 as
19 amended. Councilor Dunn seconded, and the motion carried unanimously. City Manager
20 Cutter confirmed that this did not affect the planned fireworks display on July 3rd, as the
21 public display permit under the terms of ORS 480.130 to ORS 480.150 has already been
22 obtained. He also noted that the penalty for violation was up to \$1000, and the Sheriff's
23 department was in charge of enforcement.

24 d. Comprehensive Plan Review: Mr. Cutter noted that City staff would like to begin
25 the update process on the City's Comprehensive Plan, which will involve a review of the
26 goals and the City's Municipal Code over a series of meetings. Following a brief discussion,
27 Councilor Woodruff moved to authorize staff to proceed. Councilor Lambert seconded, and
28 the motion carried unanimously.

29 e. Authorization to Accept Accounting Contract: Mr. Cutter indicated that the search
30 for an in-house accountant had not yet been successful, so he was now looking at pursuing

1 an agreement with an accounting firm to bring the City's books into order. The anticipated
2 expenditure might exceed the amount that he had authority to award, so he was asking
3 permission from the Council to move forward even if the aggregate expenditure exceeded
4 \$50,000 over the year. Councilor Townsend moved to grant him the authority. Councilor
5 Woodruff seconded, and the motion carried unanimously.

6 f. Annexation of 110 SE Midge Lane: City Manager Cutter noted that the property
7 was in the Urban Growth Boundary and, as a result of two other recent annexations, was
8 part of an area that is also now surrounded by the City. The property owner would like to
9 hook up to the City's sewer system, which is not allowed unless they are in the City's limits.
10 At some point it is anticipated that the rest of the properties will also be annexed, but not
11 at this time. Hearing no objections, Mayor Holland read Ordinance 782 by title only for the
12 first and second readings. Councilor Booth moved to approve Ordinance 782. Councilor
13 Lambert seconded, and the motion carried unanimously.

14
15 7. COMMITTEE REPORTS: Councilor Woodruff reviewed the Parks Committee report
16 and the Solid Waste Advisory Committee report. She noted that, with the City contracting
17 its landscaping services, the Parks Committee would be working on long-range planning
18 rather than maintenance. The Solid Waste Advisory Committee was currently working on
19 sustainability features, such as Juno project for baling waste to be reused as fuel, and the
20 annual Hazardous Waste and E-Cycling programs.

21
22 8. CITY MANAGER'S REPORT: Mr. Cutter reviewed his written report, and noted that the
23 City is now contracting with Buck's Landscaping to maintain City properties. He was also
24 working with Dahl's Disposal on a program to assist property owners with Code violations
25 due to solid waste accumulation. With the annual League of Oregon Cities fall conference
26 coming up, Mr. Cutter asked about the number of Councilors who wished to attend, so that
27 room reservations can be made. Councilors Townsend, Booth and Lambert indicated their
28 interest. Mr. Cutter noted that Ms. Morris may also wish to attend, and indicated that he
29 would provide information on the proper procedures to avoid any violations of public
30 meetings law if that is the case.

1 9. ADDITIONAL PUBLIC COMMENTS: Sandy Staples addressed the Council regarding
2 traffic concerns for vehicles, pedestrians and bicyclists on Maple Street, the condition of
3 the paint on crosswalks throughout town, and one of the parking spaces at the Port of
4 Alsea that she felt may be hazardous. Mr. Cutter responded that he was looking at
5 improvements on Maple Street, but noted that part of that process might also involve
6 removal of the speed humps as they were technically not allowed. The crosswalks will be
7 painted as the weather improves, and he will speak to the Port Manager regarding the
8 parking space.

9
10 10. COUNCIL COMMENTS AND CONCERNS: Mayor Holland noted that the
11 Beachcomber Days Committee was requesting street closures for sections of John Street,
12 Verbena Street, and Spring Street for periods of time during the upcoming festival.
13 Consensus of the Council was favorable. Mayor Holland then asked if the Council had
14 interest in scheduling an evening meeting, as there had been a request for them to
15 consider it. Following discussion, the Council decided to hold a meeting on August 10th at
16 6:00 p.m. Councilor Dunn asked about the graduation banners, and Mr. Cutter responded
17 that he had not been contacted since the initial query. Councilor Lambert mentioned that
18 Yachats may be interested in a joint meeting, and Mr. Cutter noted that they are currently
19 somewhat short-staffed so it may be a while before that can happen, but it certainly is a
20 possibility.

21
22 11. EXECUTIVE SESSION: At 4:35 the Council recessed into Executive Session pursuant
23 to ORS 192.660(2)(I), to evaluate the performance of the City Manager. The Council
24 reconvened into Open Session at 4:45 p.m.

25
26 12. ACTIONS, IF ANY, FROM EXECUTIVE SESSION: Councilor Townsend moved to
27 increase Mr. Cutter's salary by 5%, including the cost of living increase. Councilor Lambert
28 seconded, and the motion carried unanimously.

29
30 13. GOOD OF THE ORDER: Nothing further.

1 14. ADJOURNMENT: At 4:47 p.m., there being no further business to come before the
2 Council, the meeting was adjourned.

3
4 Respectfully submitted,

5
6 Reda Q. Eckerman, City Recorder
7

8 APPROVED by the Waldport City Council this ____ day of _____, 2021.

9 SIGNED by the Mayor this ____day of _____, 2021.
10

11 _____
12 Greg Holland, Mayor



OFFICE OF THE SHERIFF

Sheriff Curtis L. Landers

251 W. Olive Street
Newport, Oregon 97365
Records (541) 265-4912
Civil (541) 265-4915
General (541) 265-4277
Fax (541) 265-4917

M E M O R A N D U M

DATE: August 3, 2021

TO: Waldport City Council

FROM: Doug Honse, Patrol Deputy

RE: WALDPOR NEWS BRIEF – July 2021

Sheriff Office News

It already feels like a long time ago, but the July 4th holiday celebration in Waldport felt like a huge success. The parade and beach combers festivities seemed to go off without a hitch, it was wonderful to see our community out and enjoying themselves. We had no major crime, and no major fire or fireworks calls. We have heard nothing but positive feedback from stakeholders and the community. Many veterans of our agency said they have never seen Waldport so busy. Congrats to everyone involved.

The patrol division of LCSO has two openings. If you are aware of friends or family with a high moral character, please encourage them to apply to our team.

LEAD program – You will see that LEAD was accepted for one individual, in the criminal citation section of this report. LEAD stands for Law Enforcement Assisted Diversion. LEAD is a partnership between the DA's Office, the LCSO, and Reconnections Counseling. When low level offenders are identified by deputies as good candidates for the program, they are offered a spot in the LEAD program, in lieu of criminal charges. If they accept, they are connected with a navigator from LEAD, who assists them in accessing resources, to help them break the cycle of poverty, addiction, or other circumstances that led to the criminal activity in the first place. We hope the program will help rehabilitate some offenders, as an alternative to jail.

We are sad to announce the departure of Sergeant Rene Lopez. Sgt. Lopez has been an important leader in our agency, and will be sorely missed as a friend and peer. Sgt.

Lopez and his wife are moving to Sugarland, TX to open a restaurant together. We wish them the best!

Calls For Service

Sheriff's Deputies responded to or initiated **175** calls for service in the City of Waldport in July 2021. This accounts for **27%** of all calls for service in south county (South County including South Beach, Seal Rock, Waldport, Yachats, Tidewater, Five Rivers, and everything in between).

(3) People received criminal citations, within the City of Waldport, and were released. Crimes included: Criminal Driving While Suspended, DUII, Reckless Driving, Theft III, LEAD accepted.

(1)** Person was taken into physical custody for criminal arrests within the City of Waldport, charges included Theft III & Disorderly Conduct I.

******Due to the COVID-19 pandemic, the jail has strict criteria for who they will lodge, this is certainly having an effect on fewer people being taken into custody, compared to past practice. LCSO also tries to make phone contact when possible, on calls, so there is still less person to person contact than in normal years.

Traffic Enforcement

There were **22** traffic stops, within the City of Waldport, resulting in **4** citations and **18** warnings.

The City of Waldport had **33%** of all traffic stops for South County.



OFFICE OF THE SHERIFF

Sheriff Curtis L. Landers

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Newport, Oregon 97365
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General (541) 265-4277
Fax (541) 265-4917

MEMORANDUM

DATE: August 3, 2021

TO: Waldport City Council

FROM: Doug Honse, Patrol Deputy

RE: WALDPOR NEWS BRIEF – June 2021

Sheriff Office News

Chris Schwender was finally lodged at the jail, a Waldport citizen who has been abandoning vehicles, driving while suspended, and causing other trouble. Because of COVID procedures, he was not lodged on his many FTA's (fail to appear to court). He was finally lodged, and will be in jail for 7-12 months. I would not usually call out / identify an individual in this forum, but Chris Schwender has been the focus of many city council, city manager, and LCSO discussions. We hope he can get some help while he serves his time, so he can come out and be a healthy citizen and father.

Calls For Service

Sheriff's Deputies responded to or initiated **140** calls for service in the City of Waldport in July 2021. This accounts for **24%** of all calls for service in south county (South County including South Beach, Seal Rock, Waldport, Yachats, Tidewater, Five Rivers, and everything in between).

(4) People received criminal citations, within the City of Waldport, and were released. Crimes included: Fail to Report as a Sex Offender, 3x Warrant FTA.

(4)** People were taken into physical custody for criminal arrests within the City of Waldport, charges included Assault II, DUII, Harassment, Menacing, Reckless Endangering, Tampering with Evidence, Unlawful Use of a Weapon, Warrant FTA.

**Due to the COVID-19 pandemic, the jail has strict criteria for who they will lodge, this is certainly having an effect on fewer people being taken into custody, compared to past practice. LCSO also tries to make phone contact when possible, on calls, so there is still less person to person contact than in normal years.

Traffic Enforcement

There were **18** traffic stops, within the City of Waldport, resulting in **8** citations and **10** warnings.

The City of Waldport had **42%** of all traffic stops for South County.

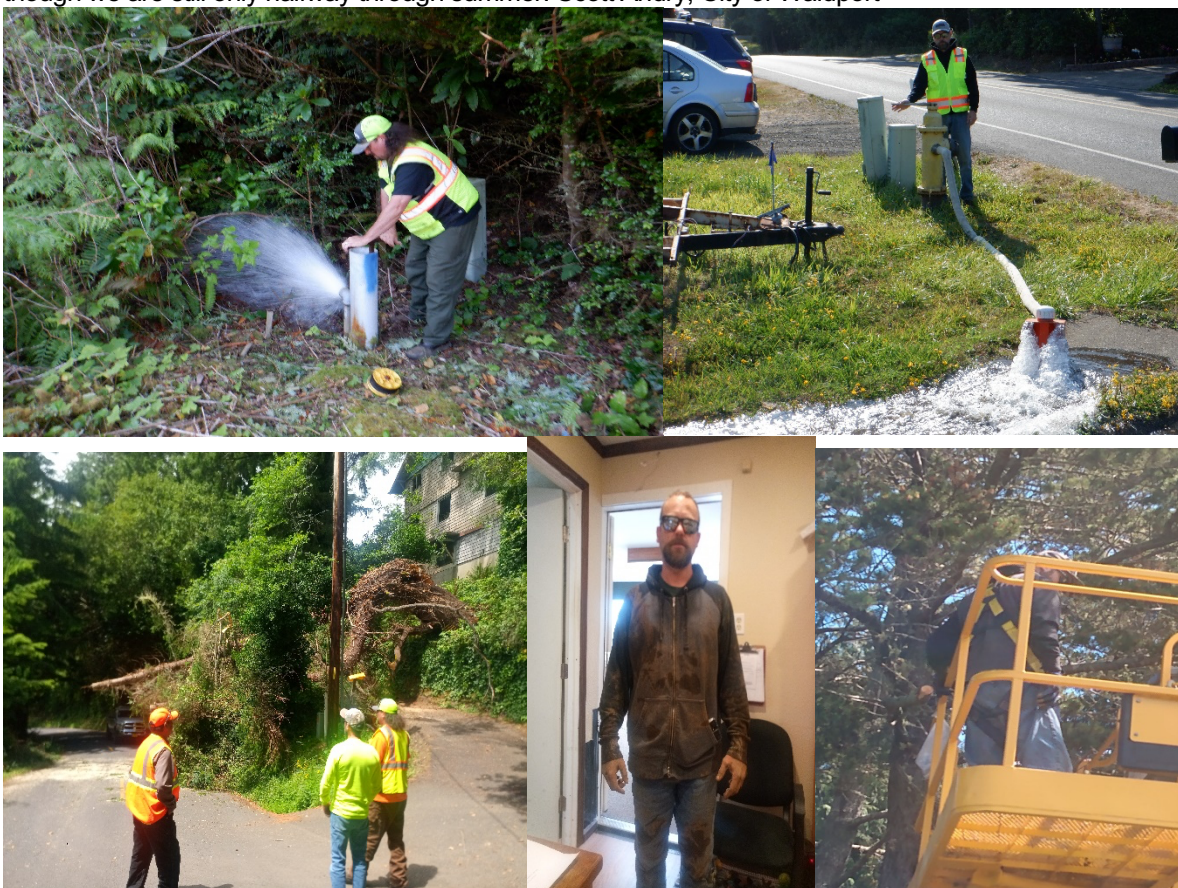


City of Waldport

P.O. Box 1120
Waldport, OR 97394
Phone: (541) 563-3561
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TTY: (800) 735-2900

For July, 2021

The City of Waldport Public Works Team has been busy during July, ensuring the safe distribution of clean drinking water and recollection for the safe retreatment after use. Most of July's work activities were consumed by flushing Waldport's water system to remove any impurities collected in the pipes, a standardized process among Public Works Teams across the industry. Outside the significant project scope, the team also reacted to community and customer's concerns, up kept community investments such as parks including the open space, mowed right of ways and easements, and applied for the Small City's Allotment grant through ODOT. The water treatment plant made close to eleven million gallons and had no rainfall recorded. The wastewater plant treated the four million gallons of water that returned through the collection system. Overall the water sources are adequate and have raised no significant concerns for drought-caused consumer restrictions though we are still only halfway through summer. Scott Andry, City of Waldport



Waldport Public Library
Monthly Circulation FY 2020-21

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	TOTAL
Patron Category													
LCLD-Adult	1011	1,005	1,110	2,274	2,319	1,330	1134	1,071	2,616	2,644	2,529	2,752	21,795
LCLD-Youth	13	11	4	51	29	7	3	38	119	67	65	68	475
Waldport Adult	749	683	755	1,108	1,002	602	614	598	1,157	1,016	996	1,311	10,591
Waldport Youth	1	0	6	9	21	0	1	1	14	12	30	62	157
CITIES (Adult & Juv)	12	10	15	25	14	4	0	14	24	8	10	4	140
Temporary 1 yr	0	0	0	0	0	0	0	0	0	0	0	0	0
Temporary	0	0	0	28	44	4	0	0	0	6	3	1	86
OCCC	1	0	0	1	9	10	0	0	2	6	4	14	47
Oregon Passport	26	12	24	128	54	33	15	25	120	71	71	99	678
Interlibrary loan out	<u>0</u>	<u>0</u>	<u>0</u>	<u>15</u>	<u>25</u>	<u>37</u>	<u>82</u>	<u>43</u>	<u>49</u>	<u>65</u>	<u>54</u>	<u>53</u>	423
Chinook Circ	1,813	1,721	1,914	3,639	3,517	2,027	1,849	1,790	4,101	3,895	3,762	4,364	34,392
FY2021	1,813	1,721	1,914	3,639	3,517	2,027	1,849	1,790	4,101	3,895	3,762	4,364	34,392
FY2020	5,644	5,304	4,582	4,928	4,890	5,118	5,025	4,789	3,859	1,749	1,477	1,472	48,837
FY2019	5,159	5,368	4,832	5,552	4,888	5,179	4,888	4,829	5,309	5,059	4,711	4,958	60,732
% circ in public lib	55%	56%	58%	66%	59%	50%	51%	48%	64%	58%	60%	59%	
Library2Go *	<u>546</u>	<u>589</u>	<u>473</u>	<u>653</u>	<u>570</u>	<u>424</u>	<u>445</u>	<u>411</u>	<u>633</u>	<u>523</u>	<u>608</u>	<u>552</u>	6,427
GRAND TOTAL Fy2021	2,359	2,310	2,387	4,292	4,087	2,451	2,294	2,201	4,734	4,418	4,370	4,916	40,819
FY2020	6,042	5,732	4,973	5,348	5,280	5,569	5,441	5,246	4,326	2,226	1,970	1,962	64,742
Interlibrary loan In	0	0	0	2	23	13	20	21	33	35	37	23	207
Computers	0	0	0	199	0	0	23	16	176	216	290	382	1,302
WiFi	445	402	437	490	465	507	508	555	808	765	723	849	6,954
Patrons added	7	5	9	31	5	9	6	12	21	21	23	22	171
Webpage Visits*	385	373	456	488	350	419	378	337	663	735	370	211	5165
Program attendance	167	140	96	124	76	102	215	154	205	427	354	451	2511
Program attendance													
FY2020	1112	962	270	530	459	636	443	357	270	511	353	473	6376
Closed March 18, 2020 and Reopened October 5, 2020. Drive-thru service													Page 14
Fy2020 Program Attendance in April based on YouTube visits													
Building closed November 18, 2020 - Porch side service													
Building opened March 1, 2021													

Director's Report

June/July 2021

Programs

The Summer Reading Program started on June 9th. The theme for this year is "Reading Colors Your World." The theme is from a national program that all the libraries are using. However, instead of using the artwork, Sharon McCrum created the artwork for our program. The kids participating in the program received a passport and their summer reading t-shirt when they sign up. The kids receive a stamp each time, they attend a program or take-n-make. They also receive a raffle ticket to enter a drawing at the end of summer for prizes. Take-n-makes centered around different countries. We received a grant from Trust Management for summer reading supplies: summer reading t-shirts, give-away books, prizes, and supplies.

The Lincoln County Library District is paying for performers this year. All performances are recorded and viewed on YouTube with two performances live over zoom. Attendance for the recorded performances averages around 15-20 where our in-person performances average from 80-100 attendees. Hopefully, we will have in-person performers next year.

We also have a few small in-person programs and clubs that meet throughout the year continue meeting during the summer; children's clubs are held over zoom for Little Bugs Zoom preschool, Art, Lego, and a book and writing club.

The RC Club is meeting every other Wednesday at the RC track. We average about 12 kids per meeting. Work began on the track in the open space in June and they continue to work on it. Kids attended several workdays to help with moving and raking the dirt. We desperately need rain to compact the track. Many from the RC community around Oregon have asked about the track. A professional RC race car driver came to our club meeting in July to check it out and give us pointers on what can be improved.

The library is currently raffling a donated RC car to help raise funds for the club.

The adult summer reading program started on June 14. Adults recorded what they read during the week and received a ticket for each book to enter the weekly drawing with all the tickets entered the grand prize at the end of the summer. This is the third year we have had the drawing. We have not started up other adult programs such as the book club or the craft night but are hoping to again this fall.

Usage Statistic

The usage statistics are attached. The highlighted numbers represent the time the building was closed. Generally, the previous year is included in the report to compare with the current year, but the previous two years are included since FY2020. Circulation is not where it was prior to the closing but is slowly starting to increase.

Miscellaneous

Trust Management also provided funds to replace the chairs in the public computing area and three new windows that have degraded and are scheduled to have the work completed in September.

The library was in the Beachcombers Day Parade on July 3rd to promote the summer reading program and the RC club.

Once the mask mandate was lifted, we removed the requirement from the library. We are seeing more people coming in with masks since CDC has recommended the wearing of masks inside. I have also suggested that staff wear a mask when working closely to someone where distancing is not possible.

City of Waldport Parks Committee

DRAFT Minutes of July 7, 2021 Meeting @ Old City Hall

Present: Jan, Pattie, Laura, Julie, Jerry, and Sue. **Absent:** Sandy. **Guests:** None. A quorum was present, so the meeting began at 10:10 a.m.

Minutes: Jan moved, Laura seconded, and a unanimous vote accepted the June meeting minutes as written.

Treasurer's Report: None

Comments/Discussions:

- Sandy would like to turn over deadheading to others for a while. Julie will deadhead Saturday, the 9th. She is working on weeding Meridian Park until Buck's Landscaping has a chance to get to that park space. Sue will be solely responsible for deadheading the 5 planters at the Hwy 101 & 34 in front of the chamber's Welcome Center.

Mission Statement: We looked over Jerry's concept and discussed it. In summary, he suggested three elements:

- Develop a creative vision for developing and enhancing our parks and trails for all ages,
- Lobby for improvements, expansion, and budget for these outdoor spaces,
- Create ways to encourage greater use by publicizing them and measuring their use and public opinions regarding them.

Julie asked if we are still all in, should we disband since the city has contracted out much of what we were doing, or what role is there for us to play—and do we want to play it? Commenting on Jerry's concept, Sue mentioned that reaching the community with info is a need for not just the city, but also the Port of Alsea and the chamber, so might there be a community newsletter with a wider interest and readership? This discussion will be discussed at our next meeting.

Planter Project: In order to cut down on moisture loss, we scheduled a mulching event for July 15, using Jan's truck to get the donated bark chips from Dahl Disposal and a team with buckets to put it in the planters.

To-Do Items:

- We talk monthly about businesses not taking care of their plantings. Sue contacted Jamie Michel about the Sweet Homes property, and Paul and Terry Lopez about the Waldport Inn property. Both responded quickly and greatly

improved the looks of their plantings. Gradys about Grand Central's property have yet to be contacted.

- She let Dann know that no progress has been made on removing weeds and accumulated dirt on and under the grates in the sidewalks along both sides of Hwy 101.
- The IC planters are still not ready for planting: the water system is yet to be fixed and worthless soil was dumped in part of them that will need to be removed and replaced before planting. Sue continues to water the plants intended for there, hopeful of their planting before they are useless.

The meeting was adjourned at 11:37 a.m.

Next Meeting: August 12, 10 a.m. at old city hall.

Respectfully submitted,
Sue Woodruff
8/4/2021

PROCLAMATION

National Health Center Week, Aug 8-14, 2021 ***(Acknowledging Lincoln Community Health Center)***

Whereas: For over 50 years, Community Health Centers have provided high-quality, affordable, comprehensive primary and preventive health care in our nation's underserved communities, delivering value to, and having a significant impact on America's health care system; and

Whereas: As the country's largest primary care network, Community Health Centers are the health care home for 30 million Americans in over 14,000 communities across the nation. One in every twelve people in the United States gets their care in a Community Health Center; and

Whereas: Community Health Centers are a critical element of the health system, serving both rural and urban communities. Nationwide, Community Health Centers serve one in every five residents of rural areas; and

Whereas: Lincoln Community Health Center, with locations across Lincoln County, is celebrating its 15th year of providing high quality primary care, behavioral health, immunization, and maternity case management services to members of the community; and

Whereas: In Lincoln County, the Lincoln Community Health Center operates eight sites and, in the most recent year, treated more than 4,000 individuals for primary care and mental health needs during a world-wide pandemic; and

Whereas: the Lincoln Community Health Center also adapted to the unusual circumstances of 2020 by supporting public health during the COVID-19 pandemic by providing drive-up testing, as well as assisting in mass vaccination clinics, and by staffing the Red Cross Emergency Center for wildfire evacuees during the Echo Mountain fire, and providing on-going support to those displaced after the fire; and

Whereas: Community Health Centers, including Lincoln County's, are governed by patient-majority boards, ensuring that the patients are engaged in their own health care decisions; and

Whereas: The Community Health Center model continues to prove an effective means of overcoming barriers to healthcare access, including geography, income, and insurance status - improving health care outcomes and reducing health care system costs; and

Whereas: During National Health Center Week, we celebrate the legacy of America's Community Health Centers, and their vital role in shaping the past, present, and future of America's health care system.

NOW, THEREFORE, BE IT RESOLVED that I, _____, on behalf of the _____ City Council declare August 8-14, 2021, as **National Health Center Week** and, as such, I offer our Council's thanks and appreciation to the Lincoln Community Health Center for its contributions to the health and wellness of our community.

DATED _____.



CITY COUNCIL MEETING AGENDA COVER SHEET FOR PUBLIC HEARING

TITLE OF ISSUE: Public hearing regarding development code amendments

FOR MEETING DATE: August 5th, 2021

SUMMARY OF ISSUE:

We have 9 different development code amendments under consideration.

The process for a public hearing is:

1. Open the Public Hearing
2. Declaration/Announcement - Conflict of Interest, Bias, Ex Parte Contact, etc.
3. Staff Report (repeated per topic)
4. Public Comments (repeated per topic)
5. Close Public Hearing
6. Deliberations

STAFF RECOMMENDATION or ACTION REQUESTED:

We will leave the record open for 14 days post the meeting, and present any correspondence to the Council by September 3rd packet deadline. We strongly suggest discussing changes today, and then closing the deliberations after we bring back any changes suggested at the September 9th Council meeting. We would then bring the completed Ordinance for adoption at the October meeting.



CITY OF WALDPOR
PROPOSED AMENDMENTS
CHAPTER 16 – DEVELOPMENT CODE

AMENDMENTS REQUESTED BY: City Manager / City Planner / Planning Commission

MEETING DATE: August 12th, 2021 @ 2:00 PM

SUMMARY of AMENDMENTS, REVISED CODE and STAFF RECOMMENDATIONS

The Planning Commission is proposing nine (9) amendments to **Chapter 16** of the **Waldport Development Code**. The Planning Commission from 2018-2021 held numerous discussions spanning a change in Commission Members and Planning Staff. A summary of each of the nine (9) amendments, the proposed revisions by development code section, and staff recommendations follows:

PROPOSED AMENDMENT 1

SUMMARY:

Chapter 16.08.020.B.4 Basic Provisions, Classification of Zones, Commercial. *Addition of Zone C-T Commercial Tourist.* Adopts existing zone language from Lincoln County's Zoning Code as a result of the request and consent to annex by the Kampgrounds of America (Tax Lot ID: 13-11-18-CC-00400-00 *et al*). The State of Oregon, Department of Land Conservation and Development requires that with annexation, an existing zone comes in with the annexed property to ensure that the same development and use, conditions and standards follow.

CODE REVISION:

Zone Addition: C-T, **Commercial Tourist Zone** to **Chapter 16.08.020.B.4 Classification of Zones, Commercial.**

Chapter 16.08.020.B.4. Basic Provisions, Classification Of Zones, Commercial Zones, **Commercial Tourist (C-T).**

Chapter 16.08.060. Zone Descriptions. Q. Tourist Commercial Zone C-T. **The C-T Zoning district is intended to support tourism to Waldport and the Bay Area Region; providing accommodations, related retail, dining and commercial services.**

Chapter 16.34. Commercial Tourism C-T

Chapter 16.34.010 Uses Permitted Outright

In a C-T zone, the following uses and their accessory uses are permitted outright, subject to the applicable provisions of Chapters 16.72, 16.76, 16.80 and 16.96 of this title:

A use permitted outright in the C-T Zone;

- A. Automobile service station, including minor repair provided it is conducted entirely within an enclosed building.**
- B. Barber or beauty shop.**
- C. Boat launching or moorage facility, marina, boat charter service.**
- D. Car wash.**
- E. Clinic.**

- F. Club, lodge, or fraternal organization.
- G. Food store.
- H. Gift shop.
- I. Hotel, motel, or resort, when served by a public or community sewer system.
- J. Indoor commercial amusement or recreation establishment such as bowling alley, theater, or pool hall.
- K. Laundromat.
- L. Office.
- M. Private museum, art gallery, or similar use.
- N. Restaurant, bar, or tavern.
- O. Retail sale of sporting goods, or bait.

Chapter 16.34.020 Conditional Uses Permitted

In a C-T zone, the following uses and their accessory uses may be conditionally permitted subject to the applicable provisions of Chapters 16.72, 16.76, 16.80, 16.84 and 16.96 of this title:

- A. A use permitted as a conditional use in the R-4 zone.
- B. Recreational vehicle park.
- C. Outdoor recreation development.
- D. 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.
- E. Automobile repair garage provided all repair shall be conducted entirely within an enclosed building.
- F. Signs, advertising.
- G. Heliport.
- H. Pilings, piers, docks, and similar in water structures.
- I. Mini-storage.

Chapter 16.34.030 Standards

In addition to standards required in this section and in Chapters 16.72, 16.76, 16.80, 16.84 and 16.96 of this title, the standards applicable in the C-1 zone shall apply in the C-T zone:

- A. Residential uses shall be subject to lot size, dimension, coverage, yard, and building height and special setback standards of the R-4 zone.
- B. All yards abutting a lot in a residential zone shall be a minimum of ten (10) feet.
- C. No structure shall be located closer than 30 feet from the right-of-way of any state highway, nor 30 feet from the right-of-way of any collector or arterial street.
- D. No building shall exceed a height of 35 feet.
- E. Outdoor storage shall be screened with a sight-obscuring fence.
- F. Non-residential uses outside of Urban Growth Boundaries or acknowledged Goal 14 exception areas shall be limited to a building or buildings not exceeding 4,000 square feet of floor space.
- G. Non-residential uses outside of Urban Growth Boundaries, acknowledged Goal 14 exception areas, Rural Community Centers, or Rural Service Centers shall be limited to a building or buildings not exceeding 3,500 square feet of floor space.
- H. Notwithstanding paragraphs (f) and (g) of this subsection, any conforming use existing as of the effective date of this amendment may be expanded in floor area up to thirty percent, provided other applicable dimensional standards are met.
- I. Hotels, motels or resorts within Rural Community Centers or Rural Service Centers not subject to an acknowledged Goal 14 exception shall be limited to no more than 35 units. Hotels, motels or resorts outside of Urban Growth Boundaries, Goal 14 exception areas, Rural Community Centers, or Rural Service Centers shall be limited to no more than 25 units.

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BOLD CAPITALS	Existing Section Titles
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Chapter 16.72.040 General Provisions Regarding Accessory Uses

An accessory use shall comply with all requirements for a principal use, except as the code specifically allows to the contrary, and shall comply with the following limitations:

- A. An accessory structure not used for human habitation and separated from the main building may be located within five (5) feet of a rear property line if the structure is no more than fifteen (15) feet in height. Structures over fifteen (15) feet must meet the standard setbacks. Conex or other metal cargo containers are:
 - 1. Permitted outright in the Planned Industrial (I-P) and Public Facilities (P-F) zones;
 - 2. Permitted outright in the Retail Commercial (C-1) and General Commercial (C-2), **and Commercial-Tourism (C-T)** zones located east of Lint Slough and south of the Hwy 101/Maple Street intersection; and,

16.84.70 Standards And Procedures Governing Conditional Uses

- C. Public utilities facilities such as an electric substation or transformer, public or community domestic water supply reservoir or pumping station, or public or community sewage disposal plant or pumping station shall meet the following standards:

Public utility tower facilities are permitted as conditional uses in the R-1, R-2, R-3, R-4, C-1, C-2, **C-T**, I-P, and P-F zoning districts and are subject to Municipal Code Chapter 16.84 Conditional Uses.

STAFF RECOMMENDATION or ACTION REQUESTED:

The City Council consider adopting the attached ordinance incorporating the C-T Commercial Tourism Zone as the annexation has previously been approved by City Council.

PROPOSED AMENDMENT 2

SUMMARY:

Chapter 16.12.030, Residential Zone R-1, Standards, Yards. *Revision, and Addition:* All new single-family homes are required to have a garage or carport of like materials. A garage or carport may only be converted to living space if another garage or carport is provided. Approval of a garage conversion to livable space (versus storage) would be conditioned on the property owner constructing a replacement garage or carport.

CODE REVISION:

Chapter 16.12.30.B, Residential Zone R-1, Standards, Yards. The minimum yard requirements in the R-1 zone shall be as follows:

6. All new single-family homes **upon adoption** are required to have a garage or carport constructed of like materials.
7. **Garage Or Carport Conversions. A garage or carport may only be converted to living space if another garage or carport is provided on the same parcel, following standards and conditions for the established zone. Approval shall be conditioned on constructing a replacement garage or carport.**

See also Chapter 16.74.020 – Parking Table by Use / Zone.

STAFF RECOMMENDATION or ACTION REQUESTED:

The City Council consider reviewing the attached ordinance incorporating the requirement to construct a replacement garage or carport, where an existing garage/carport is to be converted to living space.

Comment: Parking within the City of Waldport is a long-discussed concern. The Council may consider that parking issues throughout the City lie primarily with development policy *i.e.* lack of sidewalk construction to delineate street parking *and* driveway access, and code enforcement which would compel the removal of non-operational vehicles, and appropriate storage of recreational vehicles. Higher development standards and enforcement will mitigate a number of these concerns.

The construction of a garage or carport creates an economic burden that may act as a barrier to limit the creation of housing and is a noted concern by the Fair Housing Council of Oregon. If developers bear the burden of creating sidewalks, gutters, and roadways. *i.e.* critical infrastructure, then the decision and cost to construct a garage would lie with the property owner – it may be an appropriate offset.

PROPOSED AMENDMENT 3

SUMMARY:

Chapter 16.72.040.E.1-11. Addition: Accessory Dwelling Unit. Adoption of the State of Oregon, recommended municipal code language.

CODE REVISION:

Chapter 16.72.040.E. 1-11. General Provisions Regarding Accessory Uses, Accessory Dwelling Units.

Chapter 16.12 Through 16.34, Residential Zone R-1 To C-T.

Zoning Districts

Note: ADUs would be allowed in zoning districts that allow single family dwellings, R-1, R-2, R-3, R-4, C-1, C-2, D-D and C-T. Therefore, 'accessory dwelling unit' would be added as a 'use permitted outright' in each of these zones.

Any request for more than one ADU on a tax lot would be reviewed through the Conditional Use permitting process. Therefore, 'two or more accessory dwelling units' would be added as a 'conditional use permitted' in the R-1, R-2, R-3, R-4, C-1, C-2, D-D and C-T Zones.

Chapter 16.12 Residential Zone R-1

16.12.010 Uses Permitted Outright

H. One Accessory Dwelling Unit *(see Section 16.72.040.E)*

This would also be added to each of the R-2, R-3, R-4, C-1, C-2, D-D and C-T Uses permitted outright.

16.12.020 Conditional Uses Permitted

N. Two or more Accessory Dwelling Units *(see Section 16.72.040.E)*

This would also be added to each of the R-2, R-3, R-4, C-1, C-2, D-D and C-T Conditional Uses permitted.

Chapter 16.72 Supplementary Regulations

16.72.040 General Provisions Regarding Accessory Uses.

E. Accessory Dwelling Units.

Purpose. Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing, increase home and personal security, provide supplemental earnings for primary homeowners, and increase residential densities. This should occur by utilizing existing infrastructure and community resources throughout the City of Waldport while ensuring that the creation of additional housing aligns with the existing character of each neighborhood.

ADUs are subject to the standards identified below.

- 1. One Accessory Dwelling Unit (ADU) per Lot.** A maximum of one ADU is allowed per lot as an outright permitted use. Two or more ADUs are allowed per lot as a conditional use. ADUs 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 ADU cannot in any way be segregated in ownership from the principal dwelling unit.
- 3. Exempt from Density Limits.** ADUs are exempt from the density standards of the zoning districts in which they are located.
- 4. Floor Area.**
ADUs shall not exceed 900 square feet of floor area or 85% of the primary dwelling's floor area, whichever is smaller.

5. **Other Development Standards.** ADUs shall meet all other development standards, e.g., height, setbacks, lot coverage, etc., for buildings in the designated zone district.
7. **Parking.** **One on-site paved parking space shall be provided for each ADU, 499 square feet or less. Two on-site paved parking spaces shall be provided for each ADU over 500 square feet. *This requirement is in addition to off-street parking standards that apply to the primary dwelling. See Chapter 16.74.020 Parking Tables.***
8. **Water Service.** An ADU 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.** An ADU shall be connected to the public sewer service, if available. 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 ADU must be connected to an approved on-site waste management system, e.g. septic system. The on-site waste management approval shall be for both the primary dwelling and the ADU(s).
10. **Conversion** of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;
11. **Vacation / Short Term Rentals Prohibited.** **Neither the primary dwelling nor the ADU shall be vacation / short term rental (less than 30 days).**
12. **Variance.** If one or more of the standards of this section cannot be met, an owner may apply for a variance per WMC 16.92.020.

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the ordinance which reflects the State of Oregon's full language incorporating Accessory Dwelling Units (ADUs) into the Waldport Development Code and further recommends that City Council then direct the Planning Commission to review how C-T Zoning will integrate with the City of Waldport Zoning.

The City of Waldport is presently under the mandated 2,500 population baseline requiring implementation of ADU Standards and Guidelines. As a result, the Planning Commission recommends including on-site parking conditions and restricting ADUs for long-term rental use only to support the creation of additional rental stock.

The State of Oregon: Guidance On Implementing the Accessory Dwelling Units (ADU) Requirement Under Oregon Senate Bill 1051 Updated To Include HB 2001 (2019)

As housing prices in Oregon go up, outpacing employment and wage growth, the availability of affordable housing is decreasing in cities throughout the state. While Oregon's population continues to expand, the supply of housing, already impacted by less building during the recession, has not kept up. To address the lack of housing supply, House Speaker Tina Kotek introduced House Bill (HB) 2007 during the 2017 legislative session to, as she stated, "remove barriers to development." Through the legislative process, legislators placed much of the content of **HB 2007** into Senate Bill (SB) **1051**, which then passed, and was signed into law by Governor Brown on August 15, 2017 (*codified in amendments to Oregon Revised Statute 197.312*). In addition, a scrivener's error¹ was corrected through the passage of **HB 4031** in 2018.

Among the provisions of *SB1051* and *HB4031* is the requirement that cities and counties of a certain population allow Accessory Dwelling Units (ADUs) as described below:

- a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single- family dwellings the

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development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

- b) As used in this subsection, “accessory dwelling unit” means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

This requirement became effective on *July 1, 2018* and subject cities and counties must now accept applications for ADUs inside urban growth boundaries (UGBs).

On August 8, 2019, Governor Brown signed *HB2001*, which established that off-street parking and owner-occupancy requirements are not “reasonable local regulations relating to siting and design.” This means that, even if a local development code requires off-street parking and owner-occupancy, as of January 1, 2020, local jurisdictions may not mandate off-street parking spaces for ADUs nor require a property owner to live in either a primary or accessory dwelling. The law provides an exception for *ADUs that are used as vacation rentals*, which may be mandated to provide off-street parking or have owner-occupancy requirements.

Some local governments in Oregon already have ADU regulations that meet the requirements of *SB1051* and *HB2001*, however, many do not. Still others have regulations that, given the overall legislative direction to encourage the construction of ADUs to meet the housing needs of Oregon’s cities, are not “reasonable.” The Oregon Department of Land Conservation and Development (DLCD) is issuing this guidance and model code language to help local governments comply with the legislation. The model code language [is provided as follows].

The law requires subject cities and counties to allow “at least one accessory dwelling unit for each detached single-family dwelling.” While local governments must allow one ADU where required, DLCD encourages them to consider allowing two units. For example, a city or county could allow one detached ADU and allow another as an attached or interior unit (such as a basement conversion). Because ADUs blend in well with single-family neighborhoods, allowing two units can help increase housing supply while not having a significant visual impact. Vancouver, BC is a successful example of such an approach.

In order to simplify standards and not create barriers to development of ADUs, DLCD recommends applying the same or less restrictive development standards to ADUs as those for other accessory buildings. Typically that would mean that an ADU could be developed on any legal lot or parcel as long as it met the required setbacks and lot coverage limits; local governments should not mandate a minimum lot size for ADUs. So that lot coverage requirements do not preclude ADUs from being built on smaller lots, local governments should review their lot coverage standards to make sure they don’t create a barrier to development. Additionally, some jurisdictions allow greater lot coverage for two ADUs. To address storm water concerns, consider limits to impermeable surfaces rather than simply coverage by structures.

PROPOSED AMENDMENT 4**SUMMARY:**

Chapter 16.30.090.A.2. Downtown District, Limit on Street Level Housing. *Revision:* Allow new construction of residential, multi-family units of up to five (5) units or greater permitted on arterials (Highway 101 and 34) and "Residential Only" development of three (3) units or greater on interior streets. For full D-D Text, see Appendix A.

CODE REVISION:

Chapter 16.30.090.A.2. Downtown District, Limit On Street Level Housing. *Revision:*

16.30.090 Special Standards For Certain Uses

This section supplements the standards contained in Sections 16.30.030 through 16.30.070 providing standards for the following land uses in order to control the scale and compatibility of those uses within the Downtown District:

- A. Residential Uses. Higher density residential uses, such as multi-family buildings and attached townhomes, are permitted to encourage housing near employment, shopping and services. All residential developments shall comply with the standards in items 1-6, below. **These conditions which are intended to require mixed use development encourage multi-family residential and mixed use development; facilitate development of the community's supply of land for commercial uses on primary arterials and the creation of higher-density housing in the downtown core provide to support for design which are is compatible with the existing fabric of the City of Waldport. impacts associated with traffic and parking; and ensure management and maintenance of common areas.**
1. ~~Mixed Use Development-Required~~ **Requirements:** Residential **only** uses shall be permitted ~~only when part of a mixed-use development~~ **on properties fronting the following streets** when part of mixed-use development (residential with commercial or public/institutional use).
 - **Hwy 101**
 - **Hwy 34 (Alder St. to Maple St.)**

Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed, subject to the standards in items 2-6 below.

Properties fronting other streets (not identified above) are permitted to have residential-only uses, commercial uses, or mixed uses.

Limitation on street-level housing. Residential uses are not permitted at street-level on arterials (Hwy. 34 and Hwy. 101). This standard is intended to **p**reserve storefront space for commercial use and public/institutional use. It does not limit residential uses above the street level on upper stories, or behind street-level storefronts.

2. ~~Density. There is no residential density standard.~~ **Residential Density Standard shall be multi-family units of up to five (5) units or greater permitted on arterials (Highway 101 and 34). "Residential Only" development permitted on interior streets may be three (3) units or greater.**

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the attached ordinance and revised language regarding the adaptation of the Downtown-District Commercial / Residential Standard and Guidelines to support the creation of higher density residential-only development in the downtown area. It is also recommended that City Council direct the Planning Commission to review the Downtown District Zone, Standards and Guidelines with other core areas of Historic Waldport (R-3, C-1 and C-2) to evaluate and identify sub-areas which may more accurately reflect the current growth and needs of the community.

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PROPOSED AMENDMENT 5

SUMMARY:

Chapter 16.72.020.E. Supplementary Regulations, Off-Street Parking And Off-Street Loading Requirements.

Revision: "Truck" changed to "Vehicle." Text for parking revised to Chapter 16.74 *et al.*

CODE REVISION:

Chapter 16.72.020.E. Supplementary Regulations, Off-Street Parking And Off-Street Loading Requirements.

16.72.020 Off-Street Parking And Off-Street Loading Requirements

At the time a new structure is erected, the use of an existing structure is enlarged, or the category of use is changed, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established. If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this code.

- E. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of ~~trucks~~ **vehicles** used in conducting the business or use.

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the attached ordinance as the code change is a correction which serves to include all vehicle types (trucks or cars) used for commercial purposes.

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PROPOSED AMENDMENT 6**SUMMARY:**

Chapter 16.72.040.B. General Provisions Regarding Accessory Uses, Fences. *Revision:* Height limitation within Clear Vision Area from two and one-half (2 ½) feet to three and one-half (3 ½) feet. Corresponding change in 16.72.10 Clear Vision Area.

CODE REVISION:**Chapter 16.72.040.B. General Provisions Regarding Accessory Uses, Fences.****16.72.040 General Provisions Regarding Accessory Uses**

An accessory use shall comply with all requirements for a principal use, except as the code specifically allows to the contrary, and shall comply with the following limitations:

- A. Fences, hedges and walls limited to six (6) feet in height may be located within required yards, but shall not exceed three and one-half (3 1/2) feet in height in any required yard setback which abuts a street other than an alley, ~~and two and one-half (2 1/2) feet in a clear vision area~~ **including within a clear vision area** as stipulated in Section 16.72.010 of this chapter. Exceptions to the height limitation or use of electrified, barbed wire, or razor wire for fencing shall have prior approval of the Planning Commission . The Planning Commission shall use the authority and procedure for conditional uses as set forth in Chapter 16.84 of this title.

16.72.010 Clear Vision Areas

A clear vision area shall be maintained on the corners of all property at the intersection of two streets.

- B. A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding ~~2.5 feet~~ **three and one-half (3 1/2) feet** in height measured from the top of the curb, or, where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided that all branches and foliage are removed to a height of eight (8) feet above grade.

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the attached ordinance as the height restriction for fencing is functionally too low. The proposed revision allows for clear site lines for approaching traffic.

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PROPOSED AMENDMENT 7

SUMMARY:

Chapter 16.74. Addition: Parking Summary Table and Universal Access for Off-Street, On-Street Parking, all Zones. Summarized current parking conditions and standards, with separate, identified Parking section.

CODE REVISION:

Chapter 16.72. Summary of Parking Conditions and Standards for Off and On-Street parking. Removed.

This is an **addition** of a **Parking Table** which also references The City of Waldport Zoning Map (Appendix B).

16.74.010 Off-Street Parking and Off-Street Loading Requirements (See Appendix C for text)

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the attached ordinance as the Parking Table organizes existing information, to support reference and compliance. The revision also separates parking from the existing Supplementary Regulations for ease of access and review and includes Universal Parking Standards, previously not included.

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Chapter 16.74.020 – Parking Table By Use and Zone

The City Of Waldport – Parking Table By Use															
Use or Zone		Description								Parking Space Requirements		On-Site Parking		Notes	
A. RESIDENTIAL															
R1	R2	R3	R4	C1	C2	CT	DD	IP							
									1	Single-Family Residential (SFR) R-1 to R-4, C-1, C-2, C-T, D-D	Garage or carport required for new single family residences constructed after adoption.	Minimum 1 on-site spaces per D.U. Garage or Carport required. Garage or Carport Conversion requires replacement.	Off-street parking spaces shall be located on the same lot or on an adjoining lot unless otherwise approved.		
									2	Duplex dwelling units R-2 to R-4, C-1, C-2, C-T, D-D	Spaces equal to 1.5 times the number of dwelling units	1.5 per D.U.	Street parking determined by property line extents		
									3	Multifamily dwelling units R-3 to R-4, C1, C2, C-T, D-D	Spaces equal to 1.5 times the number of dwelling units	1.5 per D.U.	Street parking determined by property line extents		
									4	Apartment house, rooming house, or boarding house R-4, C1, C2, C-T, D-D	Spaces for eighty (80) percent of the guest accommodations plus one additional space	0.80% + 1	Street parking determined by property line extents		
									5	Manufactured Home and Park C1, C2, C-T, D-D	Two spaces per MH unit. Additional guest parking required.	2 per D.U.	Parking provided on site in guest parking.		
									6	Accessory Dwelling Unit R-1 to R-4, C-1, C-2, C-T, D-D, I-P	One (1) per dwelling unit under 500 square feet, and Two (2) for ADUs greater than 500 sf.	1 per D.U. <499 sf. 2 per ADU >500 sf. - on-site only	Cannot claim allotted parking for DUs		
Use or Zone		Description								Parking Space Requirements		On-Site Parking		Notes	
B. COMMERCIAL RESIDENTIAL															
R1	R2	R3	R4	C1	C2	CT	DD	IP							
									1	Hotel C-1, C-2, C-T, D-D	One space per guest room plus one space per two employees.	1 per room and ½ space per employee	On-street parking cannot count toward requirements.		
									2	Motel C-1, C-2, C-T, D-D	One space per guest room or suite plus one additional space for the owner or manager.	1 per room and 1 per owner / manager	As above.		
									3	Club or lodge C-1, C-2, C-T, D-D	Space to meet the combined requirements of the uses being conducted, such as a hotel, restaurant, auditorium, etc.	1 per 100 sf of floor area and 1 per 2 employees	As above.		
									4	Bed & Breakfast Establishments C-1, C-2, C-T, D-D	One (1) off street parking for owners/operators with one (1) additional space for each authorized guest room	1 per owner / manager and 1 per guest room	As above.		

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Use or Zone										Description	Parking Space Requirements	On-Site Parking	Notes
C. INSTITUTIONS													
R1	R2	R3	R4	C1	C2	CT	DD	IP					
									1	Convalescent Hospital Senior Housing Advanced Care C-1, C-2, C-T, D-D	Three spaces (3) for each two beds	3 per 2 beds	On-street parking cannot count toward requirements.
									2	Hospital C-1, C-2, C-T, D-D	Three spaces (3) for each two beds	3 per 2 beds	As above.
Use or Zone										Description	Parking Space Requirements	On-Site Parking	Notes
D. PLACES OF PUBLIC ASSEMBLY													
R1	R2	R3	R4	C1	C2	CT	DD	IP					
									1	Spiritual – Places of Worship or Church C-1, C-2, C-T, D-D	One space (1) per six seats or one (1) per 50 sf of assembly area	1 per 6 seats or 1 per 50 sf	On-street parking cannot count toward requirements.
									2	Library or Reading Room C-1, C-2, C-T, D-D	One space (1) per three hundred (300) square feet of floor area and per two employees	1 per 300 sf and 1 per 2 employees	As above.
									3	Preschool nursery or kindergarten (primary school) C-1, C-2, C-T, D-D	Two spaces (2) per classroom	2 per classroom	As above.
									4	Elementary or junior high school C-1, C-2, C-T, D-D	Two spaces (2) per classroom	2 per classroom	As above.
									5	High school C-1, C-2, C-T, D-D	Fives spaces (5) per classroom.	5 per classroom	As above.
									6	Other auditorium or meeting room C-1, C-2, C-T, D-D	One space (1) per four seats or 1 per fifty (50) square feet of floor area	1 per 4 seats or 1 per 50 sf of floor area	As above.
									7	Clubhouse or Multi-functional C-1, C-2, C-T, D-D	One space (1) per four seats or 1 per fifty (50) square feet of floor area	1 per 4 seats or 1 per 50 sf of floor area	As above.
									8	Instructional Classes eg. Martial Arts or Dance Studio C-1, C-2, C-T, D-D	One (1) spaces per one hundred (100) sf plus one (1) space per employee	1 per 100 sf of floor area and 1 per employee	As above.
									9	Parks and Open Space C-1, C-2, C-T, D-D	As determined by the Planning Commission and/or City Council		As above.

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Use or Zone										Description	Parking Space Requirements	On-Site Parking	Notes
E. COMMERCIAL AMUSEMENTS													
R1	R2	R3	R4	C1	C2	CT	DD	IP					
									1	Stadium, arena or indoor theater C-1, C-2, C-T, D-D	One (1) space per four seats	1 per 4 seats	On-street parking cannot count toward requirements.
									2	Bowling establishment w/o restaurant C-1, C-2, C-T, D-D	Five (5) spaces per alley plus one space per two employees.	5 per alley and 1 per 2 employees	As above.
									3	Bowling establishment w/restaurant C-1, C-2, C-T, D-D	Eight (8) spaces per alley plus one space per two employees.	8 per alley and 1 per 2 employees	As above.
									4	Dance hall or skating rink C-1, C-2, C-T, D-D	One space (1) per one hundred (100) square feet of floor area plus one space per two employees.	1 per 100 sf of floor area and 1 per 2 employees	As above.
Use or Zone										Description	Parking Space Requirements	On-Site Parking	Notes
F. COMMERCIAL													
R1	R2	R3	R4	C1	C2	CT	DD	IP					
									1	Retail store, except as provided in subsection (F)(2) of this table C-1, C-2, C-T, D-D	One space (1) per three hundred (300) square feet of floor area.	1 per 300 sf of floor area	On-street parking cannot count toward requirements.
									2	Service or repair shop, retail store handling exclusively bulky merchandise such as automobiles and furniture C-1, C-2, C-T, D-D	One space (1) per six hundred (600) square feet of floor area. WMC: two (2) off street parking spaces per operator station	1 per 600 sf of floor area or WMC 2 per operator station	As above.
									3	Home Business	None	0 allowable	As above.
									4	Bank or office (except medical and dental) C-1, C-2, C-T, D-D	One space (1) per six hundred (600) square feet of floor area plus one space per two employees.	1 per 600 sf of floor area and 1 space per 2 employees	As above.
									5	Medical and dental office or clinic C-1, C-2, C-T, D-D	One space (1) per three hundred (300) square feet of floor area plus one space per two employees.	1 per 300 sf of floor area and 1 space per 2 employees	As above.
									6	Eating or drinking Establishment C-1, C-2, C-T, D-D	One space (1) per two hundred (200) square feet of floor area. OR WMC One (1) space per four seats	1 per 200 sf of floor area or 1 space per 4 seats	As above.
									7	Mortuaries C-1, C-2, C-T, D-D	One (1) space per four (4) seats or eight feet of bench length in the chapel	1 space per 4 seats or 1 space per 8' of bench length in the Chapel	

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Use or Zone										Description	Parking Space Requirements	On-Site Parking	Notes
G. INDUSTRIAL													
R1	R2	R3	R4	C1	C2	CT	DD	IP					
									1	Storage warehouse, manufacturing establishment, freight terminal C-1, C-2, C-T, D-D	One space (1) per employee.	1 per employee	Storage warehouse, manufacturing establishment, freight terminal C-1, C-2, C-T, D-D
									2	Wholesale establishment C-1, C-2, C-T, D-D	One space (1) per employee and one (1) space per seven hundred (700) square feet of patron serving area	1 per employee and 1 space per 700 sf of patron serving area	

CHAPTER 16.74.030 – UNIVERSAL PARKING SPACES

MINIMUM NUMBER OF REQUIRED UNIVERSAL PARKING SPACES Source: ADA Standards for Accessible Design 4.1.2(5)			
Total Number of Parking Spaces Provided (per lot)	Total Minimum Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)	Van Accessible Parking Spaces (with min. 96" wide access aisle)	Accessible Parking Spaces (with min. 60" wide access aisle)
1 to 25	<i>Column A</i> 1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of total parking provided in each lot	1/8 of Column A**	7/8 of Column A***
1001	20 plus 1 for each 100 over 1000	1/8 of Column A**	7/8 of Column A***
*vans and cars may share access aisles **one out of every 8 accessible spaces ***7 out of every 8 accessible parking spaces			

PROPOSED AMENDMENT 8**SUMMARY:**

Chapter 16.108.020.B.4. Review Procedures. *Revision:* Increase of “notification distance” to 300' from 250' *and* Planner's discretion to increase (*only, not decrease*) boundary of notification area for Planned Developments and Subdivisions.

CODE REVISION:

CHAPTER 16.108.020.B.4. REVIEW PROCEDURES. *Revision.*

16.108.020 REVIEW PROCEDURES

The review of applications received under the provisions of this title shall be conducted according to the following procedures:

- B. Procedure for City Planner action on applications subject to property owner notification requirements:
 - 3. The applicant and the owners of record of property on the most recent tax assessment roll of Lincoln County within ~~two hundred and fifty (250)~~ **three hundred (300')** feet of the boundaries of the subject property shall be notified in writing of the City Planner's action. The notification requirement shall be deemed met when the City can provide an affidavit or other certification that such notice was given. Said notice shall also be provided to any neighborhood or community organization recognized by the City Council and whose boundaries include the subject property. Such notification shall:
 - 4. **For Subdivision and Planned Development, Land Use applications, the City Planner shall have discretion to increase (only) the notification area based on potential transportation system impact or increase expected, or other conditions as determined which may affect the level of public impact and interest.**
 - 5. **Notifications shall also be provided to any neighborhood or community organization (including Homeowners Associations) voluntarily registered with the City of Waldport and whose boundaries are within three hundred (300') of the subject property.**
- C. Notice of Public Hearing.
 - 2. Quasi-Judicial Hearing. Notice of a public hearing shall be published in a newspaper of general circulation in the City at least ten (10) days prior to the date of the hearing. In addition, at least twenty (20) days prior to the hearing date, the applicant and the owners of record of property on the most recent tax assessment roll of Lincoln County within ~~two hundred and fifty (250)~~ **three hundred (300)** feet of the subject property shall be notified in writing of the City Planner's action. Said notice shall also be provided to any neighborhood or community organization recognized by the City Council and whose boundaries include the subject property. Such notification shall:

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the attached ordinance as the proposed change increases the distribution area, and therefore the number of community members who will receive notifications for upcoming hearings. This change also encourages the registration of community associations which further extends the reach of notification buffers and supports the State's **Goal 1, of Citizen Engagement**.

PROPOSED AMENDMENT 9

SUMMARY:

Chapter 16.04.030 Definitions. *Definition of terms relevant to proposed revisions and common, required planning terms.*

The Planning Commission presents the following amendments to the Waldport Development Code for public discussion, and will direct staff to prepare the amendments for consideration on August 12th with City Council, revisions and adoption to follow at a subsequent City Council Meeting.

CODE REVISION:

CHAPTER 16.04 INTRODUCTORY PROVISIONS AND DEFINITIONS

16.04.030 DEFINITIONS.

"Accessory Dwelling" means a second dwelling unit added to, created within, or detached from a single-family detached dwelling for use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation, and sleeping.

"Finding(s)" means the result(s) of an investigation and the basis upon which decisions are made. Findings are used by government agents and bodies to justify action taken by the entity.

"Grade, existing" means the surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project.

"Grade, finished" means the surface of the ground at a stated location as it exists after completion of a project.

"Grade, natural" means the unaltered natural surface of the ground at a stated location.

"Live-work unit (land use)" means a structure or spaces within structures that are used jointly for commercial and residential purposes.

"Pervious surface" means any material or surface that permits infiltration, percolation, or absorption of water into the ground through the material or surface.

"Revetment" means a sloped retaining wall; a facing of stone, concrete, blocks, riprap, etc., built to protect an embankment, bluff, or development against erosion by wave action and currents.

Short-Term Lodging (STRs). See "Visitor accommodations."

"Slope" means land gradient, described as the vertical rise divided by the horizontal run, and expressed in percent or ratio. Slope is determined using the following equation:

Slope = (V/H) x 100, where:

V = Vertical distance between the highest elevation and lowest elevation of a straight line drawn perpendicular to the sloping surface; H = Horizontal distance of a straight line drawn perpendicular to the sloping surface.

"Transportation systems plan (TSP)" means a comprehensive plan which identifies traffic congestion, safety concerns and anticipated growth patterns toward increasing the overall efficacy of the transportation system. Examples include improved road development, traffic signal timing, coordination of multiple traffic signals, spot improvements, addition of pedestrian/bicycle or multi-modal paths, as well as public transportation which improve the overall functionality of the transportation system.

Visitor Accommodations (Land Use).

1. **"Bed and Breakfast"** See Bed and Breakfast.
2. **"Eco-Resort"** means a destination resort which primarily focuses on a region's natural areas while operationally conserving resources. Its purpose may be to educate the traveler, provide funds for conservation efforts, or to benefit responsible economic development within the local community.

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3. **"Hostel"** means establishments offering supervised overnight sleeping accommodations, primarily for travelers who use nonmotorized transportation or commercial or public transportation. Such sleeping accommodations are designed, intended to be used and are used, rented or hired out as temporary or overnight accommodations for guests in which daily services of linen change, towel change, soap change and general cleanup are provided by the management. If kitchen or eating facilities are provided, they are communal in nature.
4. **"Hotel"** See Hotel.
5. **"Motel"** See Motel.
6. **"Recreational vehicle (RV) park"** See Recreational Vehicle Park.
7. **"Resort"** means a destination **resort** which is a self-contained development that provides for visitor-oriented accommodations and developed recreational facilities in a setting with high natural amenities.
8. **"Short-term lodging"** means a dwelling unit that is rented or leased as a single housekeeping unit (see "Single housekeeping unit") for a period of less than thirty (30) days.
9. **"Single room occupancy, residential hotels (SRO)"** means buildings with six or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are also the primary residences of the hotel guests.
10. **"Time share project"** means a development in which a purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of an ownership interest in a lot, unit, room(s), or segment of real property, annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided and shall include, but not be limited to, time share estate, interval ownership, fractional ownership, vacation license, vacation lease, club membership, time share use, hotel/condominium, or uses of a similar nature See also "Limited use overnight visitor accommodations (LUOVA)."
11. **"Time share estate"** means a right of occupancy in a time share project that is coupled with an estate in the real property.
12. **"Time share interval"** means the period or length of time of occupancy in a time share unit.
13. **"Time share unit"** means each portion of the real property or real property improvement in a project that is divided into time share intervals.
14. **"Time share use"** means a license or contractual or membership right of occupancy in a time share project that is not coupled with an estate in the real property.

STAFF RECOMMENDATION OR ACTION REQUESTED:

The City Council consider adopting the attached ordinance which provides definitions related to the first eight development code amendments.

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APPENDICES – WALDPOR MUNICIPAL CODE CHAPTER 16**APPENDIX A****16.74.010 OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS** (from 16.72.010)

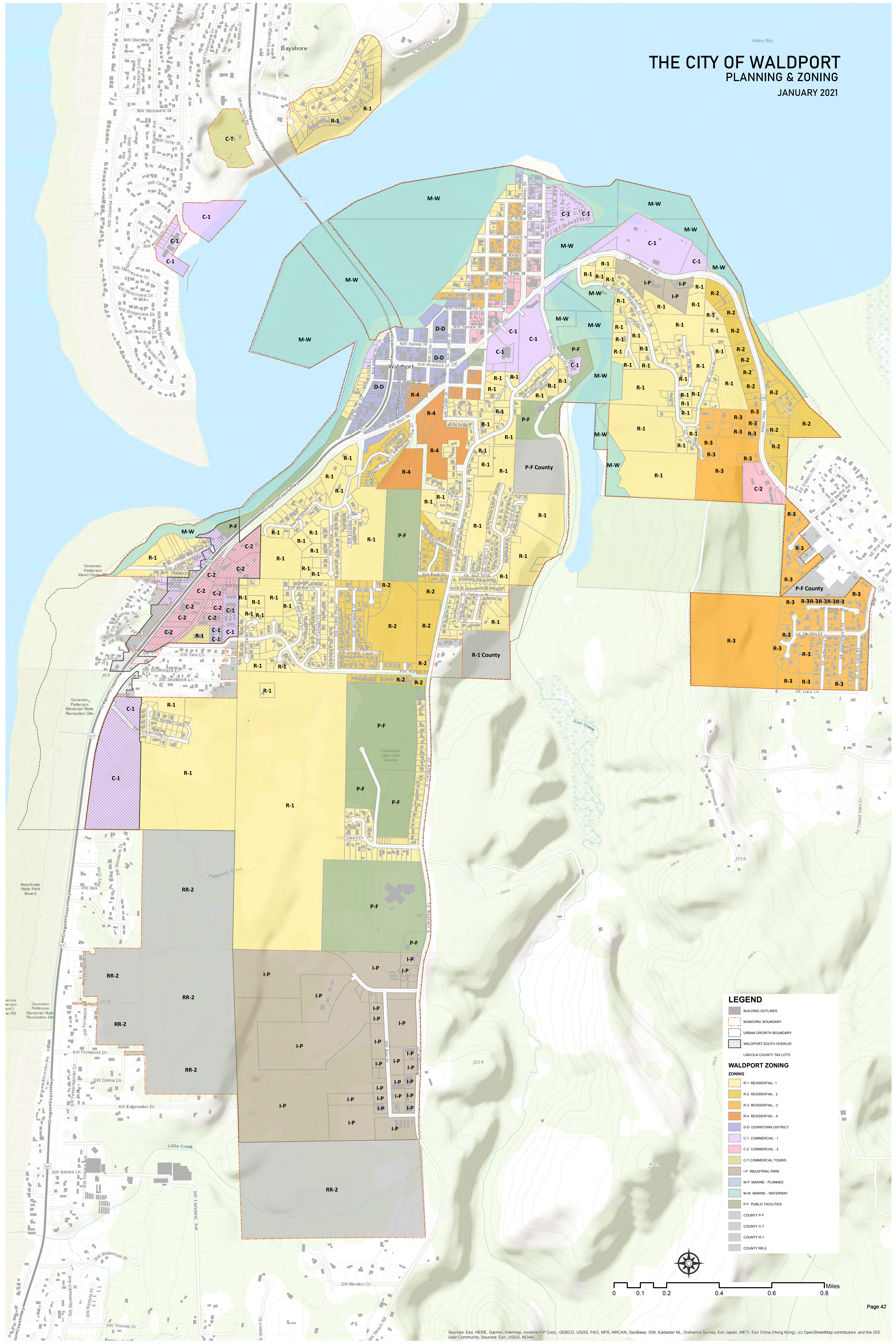
At the time a new structure is erected, the use of an existing structure is enlarged, or the category of use is changed, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established. If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this code.

- A. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.
- B. In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately.
- C. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the Planning Commission in the form of deeds, leases or contracts to establish the joint use.
- D. Off-street parking spaces shall be located on the same lot or on an adjoining lot unless otherwise approved by the Planning Commission.
- E. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
- F. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces improved to minimum public road standards, maintained adequately for all-weather use, and be so drained as to avoid the flow of water across public sidewalks.
- G. Except for parking to serve dwelling uses, parking and loading areas adjacent to or within residential zones shall be designed to minimize disturbances of residents by the erection between the uses, of a sight-obscuring fence or vegetative buffer, of not less than five (5) feet in height, except where vision clearance is required.
- H. Artificial lighting which may be provided for parking areas shall not create or reflect substantial glare in a residential zone, on any adjacent building, or on any street or highway.
- I. Required off-street parking shall not be provided in the required front or street side-yard areas in a residential zone.
- J. Groups of more than four parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street, other than an alley, will be required and shall be enclosed or defined by a curb or bumper rail at least four inches high and set back a minimum of four and one-half (4 1/2) feet from the property line.
- K. Passenger Loading. A driveway designated for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity of greater than twenty-five (25) students.
- L. Loading of Merchandise, Materials or Supplies. Buildings or structures which receive and distribute materials or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use.
- M. Off-street parking areas used to fulfill the requirements of the code may be used for loading and unloading operations during periods of the day when not required to take care of parking needs.
- N. Compact parking spaces may be permitted at a ratio of one (1) space to every three (3) full-sized spaces (See "Parking Space" definition under Section 16.04.030 of this title for dimension requirements).
- O. Except for parking intended to serve dwelling uses, parking spaces shall be clearly delineated through striping or some other means.

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- P. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.
- Q. Required off-street parking must be provided when the category of use of an existing structure is changed, except under the following circumstances:
 - 1. The number of parking spaces required by the code for the new use will be equal to or less than the code requirements for the previous use, and there will be no reduction in the number of parking spaces, or
 - 2. No additional area is available for new parking spaces and at least seventy-five (75) percent of the number of spaces required for the new use will be provided, with no reduction in the number of parking spaces.
- R. For the purpose of calculating the number of off-street parking spaces required, the total floor area of a structure shall be used.
- S. **Off-street parking requirements.**
 - 1. Dwelling. One (1) space for each dwelling unit.
 - 2. Mobile Home Park. Two (2) spaces for each mobile home space.
 - 3. Motel, Hotel or Resort. One (1) space for each accommodation.
 - 4. Hospital. Three (3) spaces for each two (2) beds.
 - 5. Nursing home or similar institution. One (1) space for each three (3) beds.
 - 6. Church, club or similar place of assembly. One (1) space for each six (6) seats, or one (1) space for each fifty (50) square feet of floor area used for assembly.
 - 7. Library. One (1) space for each three hundred (300) square feet of floor area.
 - 8. Skating rink, or similar commercial amusement enterprise. One (1) space for each one hundred (100) square feet of floor area.
 - 9. Bowling alley. Five (5) spaces for each alley.
 - 10. Retail Store: One (1) space for each three hundred (300) square feet of floor area.
 - 11. Eating and drinking establishments. One (1) space for each four (4) seats.
 - 12. Service or repair shop, retail store handling bulky merchandise such as automobiles and furniture. One (1) space for each six hundred (600) square feet of floor area.
 - 13. Bank, office. One (1) space for each six hundred (600) square feet of floor area.
 - 14. Instructional classes, such as martial arts or dance studios. One (1) space for each instructor plus one (1) space for each one hundred (100) square feet of floor area.
 - 15. Schools:
 - a. Pre-school, Kindergarten, Elementary and Junior High: Two (2) spaces per classroom.
 - b. High School: Five (5) spaces per classroom.
 - 16. Bed and breakfast establishments: One (1) off-street parking space for owners/operators with one (1) additional space for each authorized guest room.
 - 17. Personal services establishment (i.e. barber, beauty shops). Two (2) off-street parking spaces per each operator station.
 - 18. Multi-family dwellings. One and one-half (1.5) spaces per dwelling unit.

THE CITY OF WALDPOR
PLANNING & ZONING
JANUARY 2021



LEGEND

- BUILDING OUTLINES
- MUNICIPAL BOUNDARY
- URBAN GROWTH BOUNDARY
- WALDPOR SOUTH OVERLAY
- LINCOLN COUNTY TAX LOTS

WALDPOR ZONING

ZONING

- R-1 RESIDENTIAL - 1
- R-2 RESIDENTIAL - 2
- R-3 RESIDENTIAL - 3
- R-4 RESIDENTIAL - 4
- D-D DOWNTOWN DISTRICT
- C-1 COMMERCIAL - 1
- C-2 COMMERCIAL - 2
- C-T COMMERCIAL TOURIS
- I-P INDUSTRIAL PARK
- M-P MARINE - PLANNED
- M-W MARINE - WATERWAY
- P-F PUBLIC FACILITIES
- COUNTY P-F
- COUNTY C-T
- COUNTY R-1
- COUNTY RR-2

APPENDIX C**CHAPTER 16.30 DOWNTOWN-DISTRICT ZONE DD** (excerpted code reference)**16.30.010 Uses Permitted Outright**

In a DD zone, the following uses and their accessory uses are permitted outright, subject to the applicable provisions of Chapters 16.72, 16.76, 16.80, 16.84 and 16.96 of this title:

- A. Retail store or shop, such as food store, drug store, apparel store, hardware store, furniture store or similar establishment;
- B. Mixed commercial and residential use;
- C. Residential uses in accordance with Section 16.30.090;
- D. Repair shop for the type of goods offered for sale in retail trade establishments permitted in a C-1 zone, provided all repair and storage shall occur entirely within an enclosed building;
- E. Personal or business service establishments such as barber or beauty shop, tailor shop, laundry or dry cleaning establishment, or similar establishment;
- F. Clinic;
- G. Club, lodge or fraternal organization;
- H. Financial institution;
- I. Hotel, motel or resort;
- J. Indoor commercial amusement or recreation establishment such as bowling alley, theater or pool hall;
- K. Newspaper office, print shop;
- L. Office;
- M. Private museum, art gallery or similar facility;
- N. Restaurant, bar or tavern;
- O. Laundromat;
- P. Mobile vending. (Ord. 768 § 3, 2019)

16.30.020 Conditional Uses Permitted

In a DD zone, the following uses and their accessory uses may be conditionally permitted, subject to the applicable provisions of Chapters 16.72, 16.76, 16.80, 16.84 and 16.96 of this title:

- A. Governmental structure or use of land for necessary public utility facilities excluding "towers" as defined in 16.04.030;
- B. Parks;
- C. Schools or other instructional institution;
- D. Animal hospital;
- E. Automobile oriented uses and facilities;
- F. Other uses similar to the above, subject to meeting applicable criteria listed in Section 16.72.070 of this title.

16.30.030 Building Setbacks

In the Downtown District, buildings are placed close to the street to create a vibrant pedestrian environment, to slow traffic down, provide a storefront character to the street, and encourage walking. The setback standards are flexible to encourage public spaces between sidewalks and building entrances (e.g., extra-wide sidewalks, plazas, squares, outdoor dining areas, and pocket parks). The standards also encourage the formation of solid blocks of commercial and mixed use buildings for a walkable downtown.

The setback standards apply to primary structures as well as accessory structures. The standards may be modified only by approval of a variance in accordance with Chapter 16.92, Variances.

- A. Front Yard Setbacks.
 - 1. Minimum Setback. There is no minimum front yard setback required.
 - 2. Maximum Setback. The maximum allowable front yard setback is 20 feet. This standard is met when a minimum of 75 percent of the front building elevation (façade) is placed no more than 20 feet back

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from the front property line. In any event, a building must be within the required setback and cover a minimum 75% of lot width. The setback standard may be increased when a usable public space with pedestrian amenities (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area or town square with seating) is provided between the building and front property line. (See also, Pedestrian Amenities Standards and Architectural Standards in this Chapter.

- B. Rear Yard Setbacks. There is no minimum rear yard setback.
- C. Side Yard Setbacks. There is no minimum side yard setback required, except that buildings shall conform to the clear vision standards in Chapter 16.72.010 and the applicable fire and building codes for attached structures, fire walls, and related requirements.

16.30.040 Lot Coverage

There is no maximum lot coverage requirement, except that compliance with other sections of this code may preclude full (100 percent) lot coverage for some land uses.

16.30.050 Building Orientation

This section is intended to promote the walkable, storefront character of Downtown Waldport by orienting (placing or locating) buildings close to streets. Placing buildings close to the street not only slows vehicular traffic, but also provides more “eyes on the street”, increasing the safety of public spaces. The standards, as listed below, compliment the front yard setback standards in Section 16.30.030.

Building Orientation Standard. All development shall be oriented to a street, i.e. arterial if the property has frontage on an arterial. The building orientation standard is met when all of the following criteria are met:

- A. The minimum and maximum setback standards in Section 16.30.030 are met;
- B. Buildings have their primary entrance(s) oriented to (facing) the street. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance facing a side yard when a direct pedestrian walkway not exceeding 20 feet in length is provided between the building entrance and the street right-of-way.
- C. New land divisions and developments may be configured to provide a driveway or interior parking court. If parking courts are created, then pedestrian pathways shall be provided from the street right-of-way to interior parking courts between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. Off-street parking, driveways or other vehicular circulation shall not be placed between a building and the street. On corner lots, buildings shall be oriented to the street corner. Parking, driveways and other vehicle facilities shall be prohibited between buildings and street corners.

16.30.060 Building Height

All buildings in the Waldport Downtown District shall comply with the following building height standards. The standards are intended to allow for development of appropriately-scaled buildings incorporating a storefront character:

Maximum Height. Buildings shall not exceed a height of 35 feet. The maximum building height may be increased by 10 feet when residential housing is provided above the ground floor (“vertical mixed use”). The building height increase for housing shall apply only to that portion of the building that contains residential housing.

16.30.070 Architectural Guidelines and Standards

- A. Purpose and Applicability. These architectural guidelines and standards are intended to encourage innovative design and be of human-scale while affording flexibility to use a variety of building styles and materials complementary to and with materials used in existing downtown buildings. This section applies to all building types as listed in Section 16.30.150.

- B. **Building Elevation Design Standards.** All buildings shall contribute to the storefront character and visual relatedness of Downtown Waldport buildings. This criterion may be met by providing architectural features as listed in items 1-4 below, in the front or “main street” façade or elevation, as applicable. Buildings situated on corners shall include the stated criteria in the side street elevation or façade as well. Buildings on through-lots (lots that face a street along the front and rear of the property) shall treat the secondary street façade in a manner similar to that as the main street façade is treated. Additionally, if the architectural character along the secondary street is other than commercial, that façade should be compatible with the architectural character of that neighborhood as much as possible while maintaining the architectural integrity of the main building.
1. **Building entrances on corner lots.** A building entrance may be located away from the corner when the building corner is beveled or incorporates other design aspects or features to reduce the angular appearance of the building at the street corner.
 2. **Fenestration and decoration.** Appropriately spaced and/or shaped windows with window hoods, cornices and/or canopies or special trim at all windows on all building stories.
 3. **Display windows.** Large display windows on the ground-floor should be set off by extended mullions, applied columns, or a storefront cornice to separate the ground floor from upper stories. Display windows are not for residential use.
 4. **Decoration.** Decorative cornices and/or fascia on street facades at top of building (flat roof), or eaves on buildings with pitched roofs and/or expressions of roof structure such as projected roof trusses or decorative roof overhangs.

16.30.080 Pedestrian Amenities

- A. **Purpose and Applicability.** This section is intended to complement the building orientation standards in Section 16.30.050 by providing comfortable and inviting pedestrian spaces within the Waldport Downtown District. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment of the Downtown, and contribute to a walkable district. This section applies to all building types as listed in Section 16.30.050.
- B. **Guidelines and Standards.** Every development shall provide one or more of the “pedestrian amenities” listed in subsections 1-3 below. Pedestrian amenities may be provided within a public right-of-way when approved by the agency having jurisdiction over the right-of-way.
1. A plaza, courtyard, square or recessed area next to the building;
 2. Sitting space (i.e., dining area, benches or ledges between the building and sidewalk (minimum of 16 inches in height and 30 inches in width);
 3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space).

16.30.090 Special Standards For Certain Uses

This section supplements the standards contained in Sections 16.30.030 through 16.30.070 providing standards for the following land uses in order to control the scale and compatibility of those uses within the Downtown District:

- A. **Residential Uses.** Higher density residential uses, such as multi-family buildings and attached townhomes, are permitted to encourage housing near employment, shopping and services. All residential developments shall comply with the standards in items 1-6, below, which are intended to require mixed use development; conserve the community’s supply of commercial land for commercial uses; provide for designs which are compatible with a storefront character; avoid or minimize impacts associated with traffic and parking; and ensure proper management and maintenance of common areas. Residential uses which existed prior to the effective date of this code are exempt from this Section.
1. **Mixed Use Development Required.** Residential uses shall be permitted only when part of a mixed use development (residential with commercial or public/institutional use). Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the standards in items 2-6 below.

Plain Text:	Existing language to remain
BOLD CAPITALS	Existing Section Titles
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Blue Bold Text:	Text to be added

2. Limitation on street-level housing. Residential uses are not permitted at street-level on arterials (Hwy. 34 and Hwy. 101). This standard is intended to reserve storefront space for commercial uses and public/institutional uses. It does not limit residential uses above the street level on upper stories, or behind street-level storefronts.
 3. Density. There is no residential density standard.
 4. Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots, garages, and parking structures, shall be oriented to alleys, or in parking areas located behind or to the side of the building; except that side yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side-street (i.e. away from Highway 101 or Highway 34) when access cannot be provided from an alley.
 5. Creation of Alleys. When a subdivision (e.g., four or more townhome lots) is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns make construction of an alley impracticable. As part of a subdivision, the City may require dedication of right-of-way or easements, and construction of pathways between townhome lots (e.g., between building breaks) to provide pedestrian connections through a development site.
 6. Common Areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the City prior to building permit approval.
- B. Accessory Uses and Structures. Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the Waldport Downtown District may include small workshops, studios, storage sheds, and similar structures. Accessory uses and structures are allowed for all permitted land uses within the Waldport Downtown District. Accessory structures shall comply with the following standards:
1. Primary use required. An accessory structure shall not be allowed before or without a primary use.
 2. Setback standards. Accessory structures shall comply with the setback standards in Section 16.30.030, except that the maximum setback provisions shall not apply.
 3. Design guidelines. Accessory structures shall comply with the Downtown design guidelines, as provided in Section 16.30.070.
 4. Restrictions. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
 5. Compliance with subdivision standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
- C. Automobile-Oriented Uses and Facilities. Automobile-oriented uses and facilities, as defined below, shall conform to all of the following standards in the Waldport Downtown District. The standards are intended to provide a vibrant storefront character, slow traffic down, and encourage walking.
1. Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be accessed from alleys, placed in structures above the ground floor, or located in parking areas located behind or to the side of a building; except that side-yards on corner lots shall not be used for surface parking. All garage entrances facing a street (e.g., structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side-street (i.e., away from Highway 101 or Highway 34 when vehicle access cannot be provided from an alley. Individual surface parking lots shall not exceed a total of 50 parking spaces, or one-half City block, whichever is smaller.

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2. Automobile-Oriented Uses. "Automobile-oriented use" means automobiles and/or other motor vehicles are an integral part of the use. These uses are restricted because, when unrestricted, they detract from the pedestrian-friendly, storefront character of the district and can consume large amounts of land relative to other permitted uses.
- D. Sidewalk Displays. Sidewalk display of merchandise is permitted, however a minimum clearance of 6 feet shall be maintained.
 - E. Light Manufacture. Light manufacture uses, i.e. manufacturing of small- scale goods, such as crafts, electronic equipment, bakery products, printing and binderies, furniture, and similar goods shall conform to all of the following standards which are intended to protect the pedestrian-friendly, storefront character of Downtown Waldport:
 1. Retail or Service Use Required. Light manufacture is allowed only when it is in conjunction with a permitted retail or service use.
 2. Location. The light manufacture use shall be enclosed within a building.

16.30.100 Parking Requirements

- A. Parking Requirements: Parking requirements within the Downtown District shall conform to Section 16.72.020 with the following exception:
Retail Store: One (1) space for each 500 square feet of floor area.
- B. On-Street Parking: On-street parking spaces that front the lot and is adjacent (on the same side of the street) may be counted in the required parking.
- C. Parking Restrictions: No person who works or resides in the Downtown District shall park a vehicle on arterials (Hwy. 34 and Hwy. 101) while in his/her place of employment, or in his/her residence between nine a.m. and five p.m. on any day.
- D. General Purpose/Public Parking: Within the Downtown District, all parking shall be general purpose parking/public parking with the exception of Subsection C above. Residential uses may have designated off-street parking spaces. (Ord. 710, 2006)

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1 **WALDPORT PLANNING COMMISSION**

2 **JUNE 28, 2021**

3 **MEETING MINUTES**

4
5 A. CALL TO ORDER AND ROLL CALL: Chair Barham called the meeting to order at 2:00
6 p.m. Chair Barham and Commissioners Snider, Miklic, Buck, Crall, Buck and Campbell
7 answered the roll. A quorum was present.

8
9 B. MINUTES: The Commission considered the minutes from the May 25, 2021 meeting.
10 Commissioner Miklic moved to approve the minutes as presented. Commissioner Buck
11 seconded, and the motion carried unanimously.

12
13 C. CITIZEN OPENING COMMENTS: Bernice Barnett addressed the Commission
14 regarding the availability of information on the website, and noted that it was difficult to
15 ascertain which website contained the more recent information. She suggested archiving
16 the “old” website and using the same address for the “new” site. Hollis Lundeen added that
17 she had been unable to find the agenda as well. Staff explained that there was a message
18 on the waldport.org website that directed viewers to the waldportoregon.gov site, along with
19 a link.

20
21 **D. DISCUSSION AND ACTION ITEMS:**

22 1. Legislative Hearings, Chapter 16 - Development Code Proposed Amendments:
23 a. Chapter 16.08.020(B)(4) Basic Provisions - Classification of Zones, Commercial -
24 adding language for Commercial Tourist (CT) Zone: Chair Barham opened the hearing at
25 2:13 p.m. Ms. Lundeen asked for a map of where this zone would be. City Planner
26 Hamilton explained that the annexation of the KOA property north of the bridge had
27 prompted the need to add the language to the City’s Code, as the property was currently
28 outside the Urban Growth Boundary and would therefore retain the underlying County
29 zoning designation. The language is from the County’s zoning code. Chair Barham
30 explained that the language may be changed at some point or may be applicable to other
31 properties in the future, but that was not part of this process. There were no other

1 comments, and Chair Barham closed the public hearing at 2:20 p.m.

2 b. Chapter 16.12.040, Residential Zone R-1, Standards, Yards, Garage
3 Conversions: Chair Barham opened the public hearing at 2:20 p.m. Ms. Lundeen asked
4 how the standards will be enforced. Ms. Barnett stated that there were a variety of lot sizes,
5 and expressed concern regarding the date of 2019 and where this standard would apply.
6 City Planner Hamilton noted receipt of a letter from Kärün Virtue regarding this
7 amendment, which was distributed to the Commission. There were no other comments,
8 and Chair Barham closed the hearing at 2:26 p.m.

9 c. Chapter 16.72.040(E)(1-11) - Accessory Dwelling Units (ADUS): Chair Barham
10 opened the public hearing at 2:27: Ms. Lundeen noted that the City was not required to add
11 this language as the population has not yet reached the State's minimum of 2500. She
12 wondered how it was determined that this should be added to the Code at this time.
13 Sherrie Smolen asked about enforcement, noting that the additional dwellings may
14 generate issues with regard to parking of cars and recreational vehicles, along with the
15 potential for additional animals and garbage generation. There were no other comments,
16 and Chair Barham closed the hearing at 2:33 p.m.

17 d. Chapter 16.30.090(A)(2) - Downtown District (D-D): Chair Barham opened the
18 public hearing at 2:34 p.m. Rosetta Dimicelli addressed the Commission regarding the lack
19 of affordable housing and indicated interest in a property on Spring Street that could
20 potentially be additional housing but for the current zoning restrictions. There were no
21 other comments, and Chair Barham closed the public hearing at 2:40 p.m.

22 e. Chapter 16.72.020(E) - Supplementary Regulations - Off-Street Parking and Off-
23 Street Loading Requirements: Chair Barham opened the public hearing at 2:40 p.m. Ms.
24 Lundeen commented that she supported the change from "truck" to "vehicle", and
25 suggested that the Commission look at implementing time limitations on street
26 loading/parking as well as enforcement. There were no other comments, and Chair
27 Barham closed the public hearing at 2:41 p.m.

28 f. Chapter 16.72.040(B) - General Provisions Regarding Accessory Uses - Fence
29 Height: Chair Barham opened the public hearing at 2:42 p.m. There were no comments,
30 and Chair Barham closed the public hearing at 2:43 p.m.

g. Chapter 16.74 - Parking Summary Table and Universal Access for Off-Street, On-Street Parking, All Zones: Chair Barham opened the public hearing at 2:43 p.m. There were no comments, and Chair Barham closed the public hearing at 2:44 p.m.

h. Chapter 16.108.020(B)(4) - Review Procedures: Chair Barham opened the public hearing at 2:44 p.m. Ms. Barnett and Ms. Hollis encouraged the Commission to consider increasing the notification further when a development proposal such as a subdivision may have impacts on an area. It was noted that expansion of the notification area was included as proposed language under 16.108.020(B)(4) for subdivisions and planned developments. There were no other comments, and Chair Barham closed the public hearing at 2:52 p.m.

i. Chapter 16.04.030 - Definitions: Chair Barham opened the public hearing at 2:53 p.m. There were no comments, and Chair Barham closed the public hearing at 2:53 p.m. 2:54.

Deliberations:

Commercial-Tourist (CT) Zone: Chair Barham noted the main questions asked during the hearing were "Why now?" and "Where?", both of which were answered in the hearing. Following a brief discussion, Commissioner Miklic moved to forward the amendment to the City Council for hearing. Commissioner Campbell seconded, and the motion carried unanimously.

Garage Conversions: Chair Barham indicated that the date of 2019 had been brought up, as well as whether or not the requirement should be connected to lot size during the hearing. Discussion ensued regarding parking on lawns and the street, and the fact that some homeowner's associations do require garages as well. Commissioner Miklic moved to forward the amendment to the City Council for hearing. Commissioner Snider seconded, and the motion carried unanimously.

Accessory Dwelling Units: Chair Barham noted that the State required cities with a population over 2500 to allow for ADUs, but smaller cities could also allow them. Cities over 2500 could not require owner occupation or off-street parking, and owner occupation was removed from the final amendment as the intent is to increase affordable housing in general. The state statute doesn't apply yet for off-street parking, so the requirement remained in the amendment. Following discussion, Commissioner Crall moved to forward

1 the amendment to the City Council for hearing. Commissioner Campbell seconded, and
2 the motion carried unanimously.

3 Residential Uses in Downtown District: Commissioner Miklic noted that affordable
4 housing has been a topic for a long time. Discussion ensued regarding the identified
5 streets for requiring mixed-use. It was noted that removing the additional streets would not
6 prohibit commercial development but would encourage residential development.
7 Commissioner Miklic moved to amend the proposed language to remove all streets except
8 Highway 101 and Highway 34 (Alder Street to Maple Street) from the list of required mixed-
9 use properties. Commissioner Crall seconded, and the motion carried unanimously.
10 Commissioner Miklic then moved to forward the amendment to the City Council for hearing.
11 Commissioner Snider seconded, and the motion carried unanimously.

12 Supplementary Regulations -Off Street Parking/Loading: Commissioner Barham
13 indicated uncertainty as to whether the City has the jurisdiction to limit times. Staff noted
14 that this was actually the purview of the City Manager, subject to approval by the City
15 Council, in accordance with Chapter 10.08 of the Municipal Code. Commissioner Crall
16 moved to forward the language amendment of “trucks” to “vehicles” to the City Council for
17 hearing. Commissioner Snider seconded, and the motion carried unanimously.

18 Accessory Uses - Fence Height: Commissioner Schlosser moved to forward the
19 amendment to the City Council for hearing. Commissioner Miklic seconded, and the motion
20 carried unanimously.

21 Parking Summary Table: Chair Barham suggested that when the recommendation
22 is forwarded to the City Council, it should include an amendment to Section 16.70.010 to
23 remove Item “s” from the Code, as parking would now occupy a separate section rather
24 than being included in the Supplementary Regulations. Commissioner Snider moved to
25 forward the amendment to the City Council for hearing. Commissioner Buck seconded, and
26 the motion carried unanimously.

27 Notice Requirements: Following a brief discussion, Commissioner Miklic moved to
28 forward the amendment to the City Council for hearing. Commissioner Schlosser
29 seconded, and the motion carried unanimously.

30 Definitions: Commissioner Snider moved to forward the amendment to the City

1 Council for hearing. Commissioner Crall seconded, and the motion carried unanimously.

2 2. Quasi-Judicial Hearing - Land Use Application - Conditional Use, International
3 Four Square Church:

4 Chair Barham opened the public hearing at 3:55 p.m., calling for abstentions and
5 declarations of bias, conflicts or ex parte contact. Commissioner Schlosser recused himself
6 as he was the contractor for the project. There were no other announcements.

7 City Planner Hamilton explained that this procedure was initiated by the City as it
8 was discovered during the permitting process for a proposed expansion that there had not
9 been a conditional use application on record for either a change in use or a church/place
10 of assembly in an R-3 zone. The building was already compliant with the zoning
11 requirements and sufficient parking for the expansion existed, so approval was
12 recommended. She noted that staff had recommended future replacement of gravel with
13 a durable surface and designated handicapped spaces, dependent on available funding.

14 David Wirick, representing the church, was present to address any questions.
15 There were no other proponents or opponents.

16 Chair Barham closed the public hearing and opened deliberations. Commissioner
17 Crall asked about additional screening, and Mr. Wirick responded that he was in
18 conversation with the neighbors about what they might like to see, but at present there was
19 no desire expressed or plans developed to install additional screening. Commissioner
20 Snider moved to have the City Planner draft the findings for Chair Barham's signature.
21 Commissioner Miklic seconded, and the motion carried unanimously.

22
23 E. PLANNER'S REPORT: City Planner Hamilton gave a verbal review of activities in the
24 department, noting that there had been over seventy conversations with prospective
25 developers and home buyers, along with three building permits, a sign permit, and work
26 on the development code amendments, annexations, and the new website.

27
28 F. CITIZENS FINAL COMMENTS: Ms. Smolen asked about potential developments on
29 the former school property on Spring Street and Ms. Hamilton responded that several ideas
30 have been proposed, from eco-tourism ventures to multifamily housing. However, no plans

1 have yet been formally presented. June O'Conner asked about potential problems with the
 2 development of affordable housing in light of eventual sea rise, and Ms. Hamilton noted
 3 that the area was in the flood zone, which meant that at minimum, construction would have
 4 to be elevated at least one foot above the floodplain. Commissioner Schlosser agreed,
 5 noting that his recent construction on Spencer Street had to meet that standard, and also
 6 mentioned the increased cost of construction materials in general. A general discussion
 7 in that regard ensued. Sandy Staples noted concerns regarding Maple Street, wondering
 8 if that was an area that was being considered for rezoning. The response was not at the
 9 present time.

10
 11 G. COMMISSION COMMENTS AND CONCERNS: Chair Barham commented on the new
 12 website, noting that staff is continuing to work on improvements. Commissioner Miklic
 13 mentioned that she was working with City staff regarding the installation of two benches
 14 and parking bumpers at the skatepark. She has spoken with Lincoln County Transport and
 15 they are looking for a bench near Ray's Food Store. Ms. Hamilton added that LCT is
 16 looking at increasing their route coverage in the Waldport area, with the locus of transport
 17 at that location, so ideas would be forthcoming.

18
 19 H. ADJOURNMENT: At 4:22 p.m., there being no further business to come before the
 20 Commission, the meeting was adjourned.

21
 22 Respectfully submitted,

23
 24 Reda Q Eckerman, City Recorder

25 APPROVED by the Planning Commission this _____ day of _____, 2021.

26 SIGNED by the Chair this _____ day of _____, 2021.

27
 28 _____
 29 Steve Barham, Chair



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: COVID-19 (recurring)

FOR MEETING DATE: August 12th, 2021

SUMMARY OF ISSUE:

Lincoln County is currently experiencing a surge in COVID cases similar to that of the March peak. Statewide we are at 2/3 the cases of the full peak in December.

As always, information on the current status can be found at:

<https://www.co.lincoln.or.us/hhs/page/lincoln-county-covid-19-dashboard>

Buildings

We are open across the board. Bathrooms, and buildings. We are limiting the usage of the Community Center to groups and not generally opening it, but primarily because we cannot staff it.

Vaccine status

Recent data showed that the City of Waldport is over 60% vaccinated, but overall, surrounding areas are poor. This suggests we may see continuing numbers of cases.

Custodial and Cleaning

We have held off hiring the cleaning staff as we saw OSHA rescind some of their rules – however, if that changes we will need to consider implementing that plan. We have hired someone to clean the interpretive center twice weekly, and hopefully adding the bathrooms to relieve public works of that responsibility at Keady and the Skatepark.

STAFF RECOMMENDATION or ACTION REQUESTED:

We are keeping a close eye on the situation. We have ceased allowing outside groups (locals only) using the Community Center for events and require masks at facilities. It entirely depends on OSHA guidance.



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Drought update

FOR MEETING DATE: August 12th, 2021

SUMMARY OF ISSUE:

Gov. Brown declares a drought emergency in Lincoln County

Gov. Brown declared a drought emergency in Lincoln County on July 21, 2021. Lack of rainfall and unusually high temperatures have combined to affect local water supplies along with economic activity, communities, and ecosystems. Rivers and streams in the Mid-Coast are flowing at or near historically low levels. As a result, water providers in Lincoln County are implementing water conservation measures and water curtailment plans, or may do so soon. We have already begun to implement our water curtailment plan and we are currently in Stage 1.

What is water curtailment and what does it mean for me?

Water curtailment is the reduction in water use when water supplies are stressed, such as from a drought. It's about supply and demand: when stream flows are low, reducing demand helps stretch the supply further. Curtailment plans provide a roadmap for communities to reduce water use in order to deal with current or anticipated water shortages. These plans usually have several stages, starting with public education and voluntary water conservation actions.

Under our current stage of water curtailment (Stage 1), we have requested that citizens voluntarily reduce consumption. We are seeing reasonable compliance, and good citizen awareness of the issues.

What can I do to conserve water during the drought? There are many ways to use less water. Begin by checking your home for indoor and outdoor leaks. Repairing leaks quickly will help prevent water waste that we can't afford. Use efficient watering practices, such as watering early in the morning, can help reduce water lost to evaporation. Consider letting your lawn go dormant. Shut off fountains that don't recirculate water, and use a broom instead of the hose to clean off your driveway or patio. Thinking ahead, there are many ways to redesign your landscaping to showcase native plants, many of which need very little water once established.

At this time, we do not foresee moving to stage 2 curtailment in Waldport. However, we continually evaluate that contingency.

STAFF RECOMMENDATION or ACTION REQUESTED:

No action needed.



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: RFP results for Fiber

FOR MEETING DATE: August 12th, 2021

SUMMARY OF ISSUE:

On June 29th the City released an RFP for fiber optic and internet service at multiple city buildings. The intent was to provide a relief from high bills and security issues associated with lower speed services. The terms were construction and recurring costs associated for a 3 year period.

The companies responded. Spectrum provided a limited application of a wireless service only. Both Pioneer and Wave turned in full fiber buildouts.

Given construction and ongoing costs of operation, the Spectrum bid was noncompetitive.

Pioneer and Wave had nearly identical considerations on constructions costs and allowances. Both met the high standards expected of a partner in this type of work, and both provided significant savings to the City to in the form of waived constructions build out costs, relying only on monthly fees for service, upon full project award.

Upon analysis, it simply came down to cost. Pioneer provided a cost for service substantially cheaper on a monthly basis for the fiber service than Wave with significantly similar characteristics. As such, the scoring of the RFP suggests Pioneer as the clear choice.

STAFF RECOMMENDATION or ACTION REQUESTED:

Staff recommends that the Council make a motion to award Pioneer the Fiber Build out Contract per the terms of the RFP response agreement. No capital costs will be incurred, and the net result should be a net savings to the city.

City Manager's Report for August 2021

1. Fence removal

We have removed the fence from around the open lot on the back of the City Hall property, and have trimmed and removed the alder trees and weeds from that space. We are exploring with DEQ the soil situation (as this was the ODOT staging lot and our reports show that the ground was contaminated for general use, hence the building and paving to seal the soil). Once we have a firm understanding on the risks we will discuss whether more parking or a outdoor space is a better use. We have been informed that the fence was purchased by Seashore Family Literacy originally. We have reached out for documentation and look forward to instructions on where they would like us to deliver it.

2. SCA grant

Public works has submitted a \$96,000 request for the Small Cities Allotment Grant. If funded, this would extend the sidewalk project down to Masters, seal coat the asphalt on both Crestline and Range Drives, and treat Cedar as well. We should hear by Oct.

3. IslerCPA

We have formally hired an accounting firm, and are proceeding ahead with our finance processes. We anticipate a resumption of formal reporting and the audit progress in the next month. On the same note, we are moving forward with OpenGov to greatly increase transparency into the financial process, with an aggressive timeline for the next year.

4. Budget and ARPA dollars

We have applied for the ARPA dollars, but will need to make changes to the budget allocations in the next month or two as we have both a change in guidance from the Treasury and a changing COVID situation. The amount predicted is \$495k over two years.

5. Gatsby Spirits

Regretfully, our distillery leasee was unable to make the modifications necessary to operate within the legal guidelines of operational requirements of the City and Fire Marshall. As such, we have agreed to terminate the lease and end the relationship on Sept 1st.

6. Water Tanks

We have received \$2.2 million dollars from the State to add a 300,000 water tank and fix and reinforce the 2 million gal tank. This takes our need over the next decade from \$22 million to \$20 million. We continue to work to bring in other grant funds to address those needs to minimize the burden on the citizens.

7. Fireworks

The fireworks show was a resounding success, and the City very positively reviewed for saving the show. We are working towards plans for next year to ensure a stable and predictably funded fireworks show for years to come. Thank you all!

8. Grounds Keeping

As the former maintainer of the Umpqua property, we have hired Jamie Buck to maintain the property and several others around town at the level which Umpqua previously maintained. The value falls below the contractor threshold, and is a very affordable deal.

9. Museum and Interpretive Center

The Museum and Interpretive Center have successfully opened and we have had great success in the first month with the building. The Chamber have been great partners and we look forward to this as a gem in Waldport's visitor offerings.

10. Community Center

We have invited the locals groups back to the Community Center, and are seeing weekly usage. Due to the rise in COVID numbers, we are holding off on new usage from outside visitors to the area temporarily. When things die down, we will begin offering that again.

11. Meter Replacement

We are in the middle of the materials arriving for the meter replacement project and getting ready for the antenna installations. We are anticipating a meeting with OpenGov and the vendor for Mueller to discuss integration and the new billing/collection process.

12. Code Enforcement

We are actively pursuing several different code enforcement issues. We remind residents as we move farther along in the summer that they are responsible to keep dead dry material from becoming a fire hazard (Dahl provides a yard debris container), and that the city will take action on overgrown spaces if declared a fire hazard by the Fire Chief.

13. Audit Delay

Due to issues outside of the City's control with our audit, the City's 2019-2020 audit is delayed. The State understands our issues, and has waived any penalty while we work it out. These issues are entirely unrelated to the content of the audit, and are entirely related to factors outside of the scope of the audit and the city's control.

14. Old Public Works Shop

With Gatsby leaving, in Sept we will have the large warehouse space of the old Public Work Building available for sale or lease. Shall I move ahead with the process to explore selling or leasing the building, or would you rather we discuss this in executive session at a future meeting, and if so shall I get an appraisal and other considerations concerning the building?

15. Banners for the Senior class of 2021

Due to confusion over how to request funding for the banners for the previous Senior class, they were purchased before the issue came to the Council for consideration of the invoice. The Boosters are not actually the lead, but are now unfortunately stuck with a \$2030 invoice from Cohen and Park. We had explored a creative way to help them, but it didn't work out, so now they are asking if the City would be willing to cover the banners for the class?