

NOTICE OF THE CITY OF WALDPOR'T'S PROPOSED PUBLIC LAND USE HEARINGS
THIS IS TO NOTIFY YOU THAT THE CITY OF WALDPOR'T HAS PROPOSED A LAND USE
REGULATION(S) THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY
AND OTHER PROPERTIES.

Notice is hereby given that an initial public hearing will be held by the Waldport Planning Commission on **Monday, November 7th, 2022, at 2:00 p.m.** at Waldport City Hall, 355 Alder Street, Waldport, OR 97394. The Planning Commission may take action at the hearing, or may continue the matter to a place, date and time announced at the hearing. The Planning Commission will make a recommendation to the **City Council**, who will hold a public hearing to consider adoption of the Ordinance Amendments. It is anticipated that the public hearing before the City Council will take place on **December 8th, 2022, at 4:00 p.m.** Any change in the hearing date will be published in the *Newport News Times* and on the City's website at www.waldportoregon.gov.

Measure 56(ORS 227.186) requires the City of Waldport to use wording similar to the following: *"The City of Waldport has determined that adoption of this ordinance may affect the permissible uses of your property and other properties in the affected zones and may change the value of your property."* The City of Waldport does not know how these text amendment changes may affect the uses or the value of your property, if at all. **Criteria:** Waldport Municipal Code Title 16 (Development Code). **Proposed Changes and Revisions: Chapter 16.04.030 Definitions; Chapter 16.12.030 Residential Zone R-1 Standards; Chapter 16.30.100 Downtown District Zone DD Parking Requirements; Chapter [16.72.020.I. Supplementary Regulations, Off-Street Parking And Off-Street Loading Requirements](#).** The staff report and recommendation to the Planning Commission and City Council will be available for review at no cost seven days before the scheduled hearing, copies of the documents can be provided on request at a reasonable cost. For additional information, please contact the City of Waldport City Planner, Jaime White at 541-563-3561, or email inquiries to planner@waldport.org.

The description of the proposed **Waldport Municipal Code Title 16 (Development Code)** text amendments and their effect on property may change prior to adoption as the Planning Commission and City Council consider testimony from the public. The full text of the proposed amendments will be available for inspection 20 days prior to the hearings at Waldport City Hall, 355 NW Alder Street, Waldport, OR. Copies will also be posted on the City's website at www.waldportoregon.gov. Written testimony may be submitted to the City of Waldport, P.O. Box 1120, Waldport, OR 97394 up to 2:00 p.m. on the date of the hearing. Please include your printed name, signature, and mailing address. Comments may also be submitted to the City of Waldport City Planner at planner@waldport.org. Oral testimony from the public will be taken during the public hearing. All written comments or evidence received prior to the close of the evidentiary record will be included in the record. Failure to raise an issue in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal the State Land Use Board of Appeals (LUBA) based on that issue.

The Waldport City Council Meeting Room is accessible to all individuals. If special accommodations are needed, please contact City Hall at 541-563-3561 during regular business hours



City of Waldport
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MEMORANDUM

To: Planning Commission
 From: Jaime White, City Planner
 Date: September 26, 2022
 Re: Proposed Development Code Changes - Parking

| Current Text | Proposed Text | Discussion |
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| 16.04 Introductory Provisions And Definitions 16.04.030 Definitions | Add the following: <i>“Public rights-of-way” includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including subsurface and air space over these areas.</i> <i>“Street” means the portion of a road ordinarily used for vehicular travel, including the shoulder, regardless of whether it is paved, graveled or dirt.</i> | For consistency with the WMC and use of ease, the definitions that occur in other chapters are repeated in Title 16. These definitions are exactly as they appear in the following WMC Chapters: <ul style="list-style-type: none"> • TITLE 8 HEALTH AND SAFETY 8.08.010 Definitions “Street” means the portion of a road ordinarily used for vehicular travel, including the shoulder , regardless of whether it is paved, graveled or dirt <ul style="list-style-type: none"> • TITLE 12 STREETS, SIDEWALKS AND PUBLIC PLACES 12.08.010 Definitions “Public rights-of-way” includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including subsurface and air space over these areas. |
| 16.04 Introductory Provisions And Definitions 16.04.030 Definitions | Add the following: <i>“Highway” means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended</i> | This is the ORS 801.305 definition. The above (Street) limits its definition to the “portion of a road ordinarily used for vehicular travel...”. Street includes shoulders. |

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| | <p><i>for use of the general public for vehicles or vehicular traffic as a matter of right.</i></p> | <p>The proposed highway definition expands on Street to include all areas within “Public rights-of-way” specifically for vehicles or vehicular traffic.</p> <p>Public rights-of-way does not limit its definition to vehicles, i.e. pedestrians (sidewalks, trails, paths) are included whereas they are not included in Street or Highway.</p> |
| <p>16.12 Residential Zone R-1 16.12.030 Standards</p> <p>B. 6. All new single-family homes are required to have a garage or carport constructed of like materials.</p> | <p><i>Delete B. 6.</i></p> <p>6. All new single family homes are required to have a garage or carport constructed of like materials.</p> | <p>Only new single-family homes are required to provide a garage or carport. All other types, i.e. duplexes, multi-family, mixed uses are excluded.</p> <p>The planning commission agreed that most new single-family homes are built with garages or carports so code seems redundant.</p> <p>Eliminating the requirement is more equitable across all home types.</p> <p>Parking requirement is not eliminated if garage/carport is not included since off-street parking is still required.</p> <p>There are no other architectural requirements for single-family homes in the WMC code.</p> <p>There is nothing in the code that prevents the new garage from being converted to living space after occupation is permitted.</p> <p>If the garage is converted to living space, there is nothing in the code that requires replacing the “lost” off-street parking spot.</p> |
| <p>16.30 Downtown District Zone DD 16.30.100 Parking Requirements</p> <p>D. General Purpose/Public Parking: Within the Downtown District, all parking shall be general purpose parking/public parking with</p> | <p><i>Edit as follows:</i></p> <p>D. General Purpose/Public Parking: Within the Downtown District, all <i>on-street</i> parking shall be general purpose parking/public parking. with the exception of Subsection C above. Residential uses may have designated off-street parking spaces. <i>Owners of off-street parking areas may designate spaces and post parking prohibitions.</i></p> | <p>Reinforce on-street parking as public. Off-street parking is private.</p> <p>As currently stated, ALL parking in the Downtown District, except off-street residential parking, is considered general purpose/public parking. This includes parking lots on non-residential private property, i.e. commercial parking lot.</p> <p>Under the current code, the owners of the parking lot are responsible for the maintenance and upkeep but cannot enforce parking by posting signs, towing, or otherwise restrict parking by the general public.</p> |

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| <p>the exception of Subsection C above. Residential uses may have designated off-street parking spaces.</p> | | <p>The edited text allows the owner to restrict and enforce parking.</p> |
| <p>16.72 Supplementary Regulations 16.72.020 Off-Street Parking And Off-Street Loading Requirement</p> <p>I. Required off-street parking shall not be provided in the required front or street side-yard areas in a residential zone.</p> | <p><i>Delete first "Required". Add "setback" to yard. Add "with the exception of an approved driveway".</i></p> <p>I. Required Off-street parking shall not be allowed in the required front or street side-yard setback areas, with the exception of an approved driveway, in a residential zone.</p> | <p>Typically, in residential zones, the front yard setback and street side yard setback are 20' from the property line.</p> <p>As currently stated, in residential zones, front or street side yards cannot be used for parking if off-street parking is not provided.</p> <p>As currently stated, if the required off-street parking is provided (in the garage or driveway), then the required front or street side yards can be used for parking. This can potentially create a nuisance since parking in yards would be unregulated.</p> <p>The edited text would restrict parking to a garage/carport, permitted driveway within the yard setback, and anywhere else on the property that is not within the required front or street side-yard setback areas.</p> |
| <p>16.72 Supplementary Regulations 16.72.020 Off-Street Parking And Off-Street Loading Requirement</p> <p>S. Off-street parking requirements. 1. Dwelling. One (1) space for each dwelling unit.</p> | <p><i>Change requirement to Two (2) spaces for each dwelling unit.</i></p> <p>1. Dwelling. One (1) space Two (2) spaces for each dwelling unit.</p> | <p>As currently stated, single-family dwellings are required to provide One (1) off-street parking space, regardless of the dwelling size. For example, a 1-bedroom house has the same parking requirement as a 6-bedroom house.</p> <p>One of the main concerns of the Planning Commission and City Council is the number of vehicles parked or stored (including boats, trailers, RVs) within public right-of-way in residential zones. These vehicles can become safety and health concerns as well as a public nuisance. Requiring more off-street parking would alleviate some of these situations.</p> <p>Increasing the requirement would also bring single-family dwellings more in line with parking requirements for other residential types:</p> <ul style="list-style-type: none"> • Multi-family dwellings. One and one-half (1.5) spaces per dwelling unit • Mobile Home Park. Two (2) spaces for each mobile home space. |

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| | | <ul style="list-style-type: none">• Motel, Hotel or Resort. One (1) space for each accommodation.• Bed and breakfast establishments: One (1) off-street parking space for owners/operators with one (1) additional space for each authorized guest room. <p>As currently stated, short term rentals are required to provide parking according to the type of structure or use as described above. For example, a 6-bedroom single-family vacation rental is only required to provide one parking spot, the same as a 1-bedroom single-family vacation rental or single hotel/motel room.</p> |
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