

WALDPORT PLANNING COMMISSION
OCTOBER 28, 2024
MEETING NOTICE AND AGENDA

THE WALDPORT PLANNING COMMISSION WILL MEET ON MONDAY, OCTOBER 28, 2024 AT 2:00 P.M. AT WALDPORT CITY HALL, 355 NW ALDER STREET TO TAKE UP THE FOLLOWING AGENDA:

1. CALL TO ORDER AND ROLL CALL
2. SWEARING IN OF NEW PLANNING COMMISSIONER
3. REVIEW OF MINUTES
 - A. September 23, 2024
4. CITIZENS' OPENING COMMENTS
5. ACTION ITEMS AND NEW BUSINESS
 - A. Public Hearing – Case File #1 -VAR-PC-24
 - Applicant:** Habitat for Humanity of Lincoln County
 - Application:** **Variance for a previously granted Conditional Use Permit for 4-Lot Townhouse development in a Residential Zone (R-3)**
Taxlots #13-11-19-AB-09400 & 09700.
Approximately 125 NE Fayette Street
 - B. FEMA Floodplains – Endangered Species Act
 - C. Development Code Text Changes
 - D. Other Business
6. PLANNER UPDATES
7. CITIZENS' CLOSING COMMENTS
8. COMMISSION COMMENTS AND RECOMMENDATIONS
9. ADJOURNMENT

Attachments:

- September 23, 2024 Meeting Minutes
- Staff Report – Request for Variance
- FEMA – ESA

Notice given this 22nd day of October 2024

NOTE: The City Council Meeting Room is accessible to all individuals. Pursuant to Order 20-16, comments prior to the meeting may be emailed to: recorder@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. Comments must be received no later than 1:30 pm on the day of the meeting to be considered.

1 **WALDPORT PLANNING COMMISSION**

2 **SEPTEMBER 23RD, 2024**

3 **MEETING MINUTES**

4
5 **1. CALL TO ORDER AND ROLL CALL:** Chair Steve Barham called the meeting to order at 2:00
6 p.m. Commissioners Steve Barham, Michael Schlosser, Joan Crall, Christine Campbell,
7 Jamey Buck, and Jay Morris then answered the roll. A quorum was present.

8
9 **2. ELECTION OF VICE CHAIR:** Commissioner Campbell and Commissioner Crall nominated
10 Commissioner Schlosser for Vice Chair. No other nominees were presented. After a
11 unanimous vote, Commissioner Schlosser was elected Vice Chair.

12
13 **3. MINUTES:** A discussion not relevant to the minutes was had. Commissioner Schlosser
14 commented with a question regarding the request for a pull-off with the Dahl conditional
15 use permit and if it would become a standard requirement or remain a case-by-case
16 recommendation. City Planner Jaime White replied that considering it is a conditional use it
17 can be a case-by-case decision however a pull-off can be considered in future conditional
18 use permits to uphold consistency. The Commission considered the minutes from the
19 August 26th, 2024, meeting Commissioner Buck moved to approve the minutes as
20 presented. Commissioner Crall seconded. The motion carried unanimously. Commissioner
21 Barham abstained from the vote.

22
23 **4. CITIZEN'S OPENING COMMENTS:** April Swift of Waldport introduced herself to the
24 Planning Commission, stating that she has sent a letter to the City Council announcing her
25 intention to apply for the vacant Planning Commission seat. She added that she has lived
26 here since 2010 and looks forward to meeting City Council members and Commissioners.

27
28 **5. ACTION ITEMS AND NEW BUSINESS:**

- 29
30 a. Development Code Text Changes: City Planner Jaime White reviewed the code text
31 changes and provided a map for reference. He explained that this changes the code
32 for R1, R2, R3, and R4 to Low-Density (LD) and High-Density (HD). The code for R1
33 Zones changes to LD Residential Zones and combines the R2, R3, and R4 into HD
34 Residential Zones. He then showed the Commission a mockup of how the new
35 zoning map would represent the changes. Noting how yellow zones represent the R1
36 Zone now referred to as the LD Residential Zone, and orange represents the R2, R3,
37 and R4 Zones now referred to as HD Residential Zones. Commissioner Barham
38 questioned when to expect the new map. Mr. White replied that he is hopeful that
39 before these code text changes go to a Public Hearing the new map will be ready. Mr.
40 White then brought to attention the two major code changes that had been
41 previously discussed. The first is the square footage requirements of the 'Cottage
42 Clusters' changing from 850 square feet to 864 square feet and from 1250 square

1 feet to 1264 square feet. The other change is the number of signs permitted on
2 private property. Mr. White mentioned that at the previous Planning Commission
3 meeting Commissioner Crall felt that the 1st amendment may be violated with the
4 code, and suggested it be reworked. Mr. White agreed that after discussing with the
5 City Lawyer the suggested new code text essentially reads that there is no limit
6 provided it does not become a public nuisance. The sentence that sets a limit will
7 be struck from the new Code Text. He encouraged the Commissioners to take
8 another look and report any concerns, questions, or requests before it is finalized
9 and moved to a public hearing. Mr. White went over the timeline of making code text
10 changes. The first step is to make the changes, the second is to agree on changes,
11 and the third is to formalize the documents and map. He added that it is also
12 required to have a 45-day comment period, with notification to the State, and
13 adjacent property owners, with a public hearing at the Planning Commission
14 Meeting. It will then move to the City Council Meeting ending with the City Council
15 either making a motion to adopt the code text changes or making additional
16 changes. Commissioner Barham questioned what the process would be should
17 additional changes be suggested at the public hearing. Mr. White replied that it
18 would go through the same process again unless the change is so minor it could be
19 passed directly to the City Council. Commissioner Morris motioned to move the
20 Code Text changes to a Public Hearing. Commissioner Buck seconded. The motion
21 passed unanimously.

22
23 b. Other Business: None.
24

- 25 **6. PLANNER UPDATE:** City Planner Mr. White updated the Commission on the ongoing
26 matters involving Township 13 HOA, letting them know that the City has not heard anything
27 after agreeing to a meeting with the City Manager and City Planner. Mr. White then went over
28 the current land use and building activity. The first two were residential building permits for
29 a foundation repair of an existing single-family home, and a new single-family home on
30 Hospital Hill Rd. The third approved building permit was for the new animal shelter in the
31 industrial zone, adding that part of the issue had been working on how to get sewer service
32 to the property. He stated that the City sat down with the School District and the County,
33 and it was agreed upon for the City to take over ownership of the pump station that is on the
34 school site and run a sewer line from the Industrial Park to that pump station. Mr. White
35 stated that with the sewer capabilities introduced to the Industrial Park, we anticipate
36 seeing more development there. The money for the new sewer system was a grant that was
37 given to the City last year, which will cover this cost, with individual developers covering the
38 costs to tie into the City sewer. Commissioner Schlosser questioned if the money was to
39 build a new pump station on a lot near Dahl as previously discussed. Mr. White replied that
40 the money would be used towards upgrades to the existing pump station and running sewer
41 lines to the Industrial Park, with smaller lift stations in the future. Commissioner Schlosser
42 asked how far into the Industrial Park the sewer would reach. Mr. White replied that there
43 would be a manhole at Dahl and Ann St. and gravity would carry it to the school's pump
44 station, adding that aside from waiting for the County and School Board to officially

approve, the City's Engineer is working on it, and the ball is rolling. Mr. White stated that the 8-plex is up and going and should reach completion in a year or so. Commissioner Campbell asked to be reminded of the intended use. Mr. White responded that they are intended to be short-term rentals, with units of about 1,400 square feet, with the end units of around 2,000 square feet. He continued to the Southworth Park playground, stating that with the help of Jay Morris Construction and roughly 25 volunteers and 7 from the playground company they were able to get the main structure of the playground up in just a couple of days. Commissioner Campbell asked if there was a worry of vandalism. Commissioner Morris replied that the current fence had been broken into already, but that a sturdier fence will be put up. Mr. White added that the City had our electricians out there to install cameras and they will be up and running as soon as possible. Commissioner Crall asked if there would be repercussions for trespassing and vandalism. Mr. White replied that the City after discussions with the insurance company and with the fact that it is still an active construction site, the City will be citing people caught over there. Mr. White added that he would speak with the City Manager about setting up a field trip for them to go see on-site. Moving on he reminded the Commissioners of the vacancy on the Planning Commission, and that on October 10th, 2024 at the City Council meeting they will appoint one of the candidates, who will then join the Planning Commission at the next meeting on October 28th, 2024. He then gave an update on the Crestline Sidewalk Project, stating that Phase 1 has been awarded which will consist of tree and brush removal which will then be paved and finished in the Spring. Mr. White ended with reminders of the Variance request that will be a public hearing at the next Planning Commission meeting on Monday October 28th.

7. CITIZEN'S CLOSING COMMENTS: None.

8. COMMISSION COMMENTS AND RECOMMENDATIONS: None.

9. ADJOURNMENT: There being no further business to come before the Commission, Chair Barham adjourned the meeting at 2:46 p.m.

Respectfully submitted,

Megan Torres, City Recorder

Approved by the Planning Commission this _____ day of _____, 2024.

Signed by the Chair this _____ day of _____, 2024.

X

Steve Barham, Chair



CASE FILE: #1-VAR-PC-24

DATE FILED: Sep. 18, 2024

APPLICATION DEEMED COMPLETE: Sep. 19, 2024

120-DAY COMPLETION DATE: Jan. 19, 2025

HEARING DATE: Oct. 28, 2024

STAFF REPORT

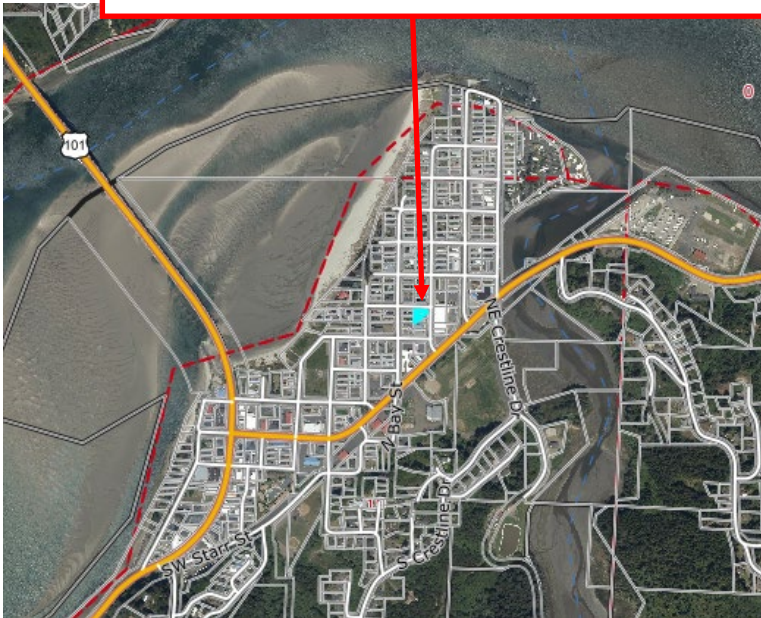
Variance Application

APPLICANT: Habitat for Humanity of Lincoln County

A. REPORT OF FACTS

1. Applicant's Request: The applicant is requesting variances for a previously granted conditional use permit (#1-CU-PC-12) for the construction of a 4-lot townhouse development. Two of the four lots have been developed. The variances would allow for:
 - a. A reduced on-site parking count; and
 - b. A slight increase in lot coverage for the two undeveloped lots.
2. Property Location: The subject properties are located at approximately 125 NE Fayette Street, and further identified on Lincoln County Tax Assessor's Map 13-11-19AB as taxlot 09400 and taxlot 09700.

Lincoln County Tax Assessor's Map #13-11-19-AB
Taxlot 09400 and Taxlot 09700



Taxlot 09700

Taxlot 09400



3. Zoning: Residential Zone R-3
4. Plan Designation: Residential
5. Lot Size and Dimensions: Both lots are irregular in shape. Taxlot 09400 is 2,139 square feet and taxlot 09700 is 2,867 square feet.
6. Existing Structures: Retaining walls, fill, and roadway improvements were included with the 2012 construction of the first two lots.
7. Topography and Vegetation: The lots are level with no vegetation.
8. Surrounding Land Use: Surrounding land uses primarily include single family residential. Multi-family residences, a grocery store, a doctor's office, a restaurant/coffee shop, and several churches are within several hundred feet.
9. Utilities: The following utilities currently serve the subject property:
 - a. Water: City of Waldport
 - b. Sewer: City of Waldport
 - c. Electricity: Central Lincoln P.U.D.
10. Development Constraints: Flood Hazard Zone.

B. BACKGROUND

Habitat for Humanity requested a Conditional Use Permit for the construction of a 4-lot townhouse development in May 2012 (Case File #1-CU-PC-12). The relevant Waldport Municipal Codes (WMC) at the time included:

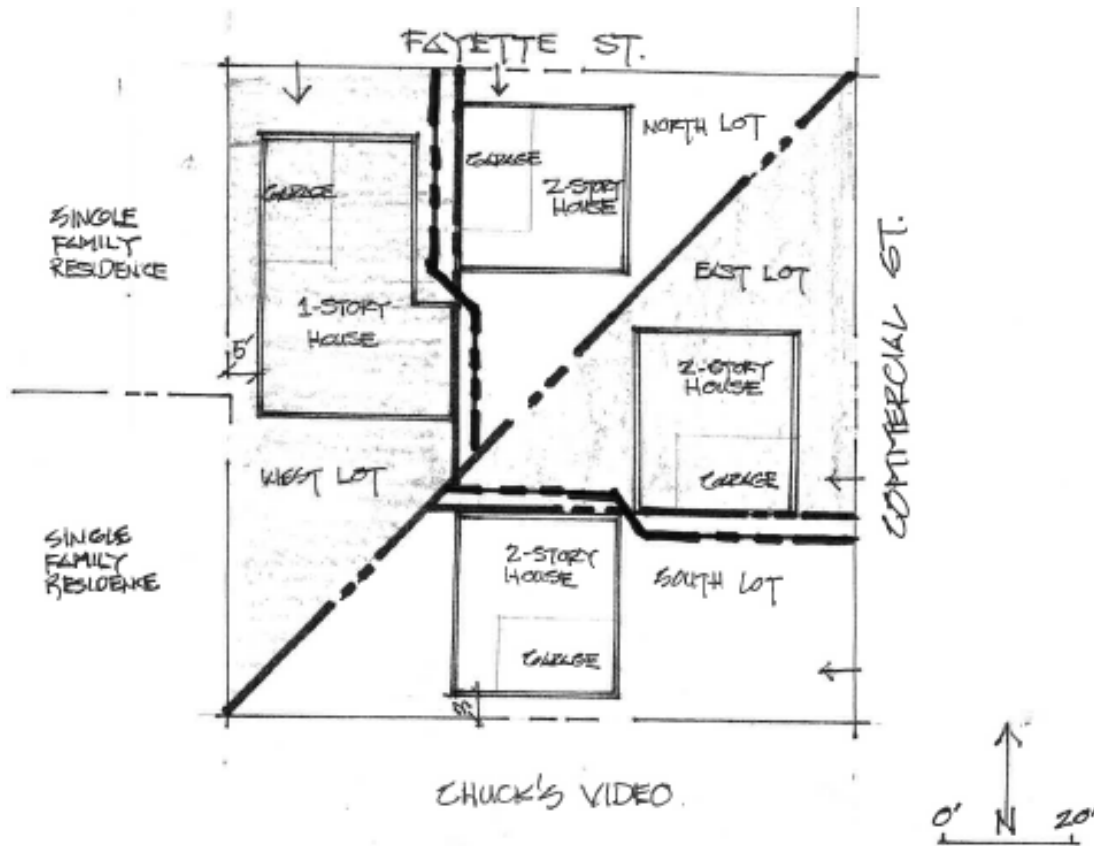
Chapter 16.20 Residential Zone R-3
Chapter 16.68 Flood Hazard Overlay Zone
Chapter 16.72 Supplementary Regulations
Chapter 16.84 Conditional Uses
Chapter 16.100 Land Division

Townhouses are allowed as a conditional use in the R-3 zone. The 4-lot townhouse development Conditional Use Permit was approved with conditions on June 29, 2012.

Phase 1 included development of the East and South lots, Phase 2 included development of the West and North lots. Sidewalk, curb and gutter, and retaining walls were included in Phase 1, these improvements required construction of the Phase 2 driveways. Additionally, the entire 4-townhouse development site was elevated using retaining walls and fill to meet the FEMA floodplain requirements.

All the original approval conditions remain in effect including the following:

1. Lot size and configuration.



The following table identifies proposed yards, setbacks, lot area, lot width, lot depths, and lot coverages.

Lot	Setbacks	Lot Area	Lot Width (front lot line)	Avg. Lot Depth	Lot Coverage (R-3 max 45%)
North	Front: 5.5' Rear: 3' Side: 3' & 0'	±2,300 sq. ft.	63'	31' avg. (ranges 0-62')	32%
South	Front: 38' Rear: 3' Side: 3' & 0'	±2,600 sq. ft.	32'	84'	28%
East	Front: 9.5' Rear: 3' Side: 3' & 0'	±2,300 sq. ft.	68'	33' avg. (ranges 0-66')	32%
West	Front: 10' Rear: 10' Side: 5' & 0'	±2,800 sq. ft.	37'	31' avg. (ranges 0-62')	34%

2. Clear Vision.

Per WMC Section 16.72.010, a 30-foot clear vision area shall be maintained at the corner of Commercial Street and Fayette Street. The clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding 2.5 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. Vehicles shall not be permitted to park in the clear vision area.

3. Parking.

Each lot shall have a minimum of one covered parking space. The four-lot townhouse development will have a minimum 6 parking spaces including garage and outdoor on-site spaces.

C. EVALUATION OF REQUEST

1. Relevant Waldport Development Code Standards:

- a. **Chapter 16.04 Introductory Provisions and Definitions** (applicable to this application)

"Lot coverage" means the percentage of lot total area covered by buildings of more than one hundred twenty (120) square feet.

- b. **Chapter 16.92 Variances** (applicable to this application)

16.92.010 Authorization to grant or deny variances.

The Planning Commission may authorize variances from non-procedural requirements of Chapters 16.12 through 16.96 of this title where it can be related to a specific piece of property and strict application of this title would cause undue or unnecessary hardship. No variance shall be granted under the following conditions:

- A. To allow the use of property for a purpose not authorized within the zone in which the proposed use would be located;
- B. To increase building height more than ten (10) percent higher than is otherwise permitted in this title, except to complete a story of which more than half falls within the allowable height limit of that zone, or to allow construction of a structure one story higher than the finished ground elevation of the highest side of the structure. In granting a variance the planning commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this code.

16.92.020 Circumstances for granting a variance.

A variance may be granted only in the event that either subsection A or B of this section applies and each of subsections C, D and E of this section applies:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to September 6, 1973; or
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess; and
- C. The variance would not be materially detrimental to the purpose of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflicts with the objectives of any City plan or policy;
- D. The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship; and
- E. The hardship asserted as a basis for the variance does not arise from a violation of the City code or other regulations.

16.92.040 Time limit on a variance.

Authorization of a variance shall be void after one (1) year unless substantial construction pursuant thereto has taken place. The Planning Commission may extend authorization for one additional period not to exceed one (1) year, on request.

2. Applicant's Proposal

The applicant submitted the application form and fee, a site plan, and a narrative with a description of the request and addressing the circumstances for granting a variance. The applicant's description is provided below and their response to the circumstances for granting a variance are included in the Staff Analysis.

The proposed project will construct one single-story and one two-story single-family home, each with a single car garage, at the corner of Fayette St. and Commercial Ave. in Waldport, OR. Habitat for Humanity will construct the homes, and the families residing in each have been selected.

The proposed project is working within the confines of a previously obtained Conditional Use Permit (CUP)(#1-CU-PC-12), awarded in 2012, which permitted Habitat for Humanity to construct four townhouses on the 10,000 SF lot at the corner of Fayette St. and Commercial Ave. Two townhouses were built at the time of the conditional use approval, and Habitat for Humanity now seeks to construct the remaining two. There are, however, discrepancies between the CUP and the actual site conditions, leading to requirements stipulated in the CUP that are not feasible to comply with. To reconcile these discrepancies, we are requesting a variance review under Waldport Municipal Code (WMC) Section 16.92.020.

#1-CU-PC-12 REQUIREMENTS AND MODIFICATIONS REQUESTED

5 - Parking

Required: *A townhouse development is considered to be a multi-family development. One and a half (1.5) parking spaces are required for a multi-family development. Therefore, 6 parking spaces are required for a 4-unit development. Each of the 4 lots/units is proposed to have a single car garage. Two additional on-site parking spaces are required. The South and West lots are able to park a vehicle in the front yard. The North and East lots are able to each park a vehicle in the side yard however those vehicles will need to be outside the clear vision area as described above. The proposed site is able to accommodate more than 6 vehicles.*

Modification Requested: *Reduce off-street parking requirements from six parking spaces to five.*

Reason for Modification: *CUP #1-CU-PC-12 findings assume both lots can fit a parking space in the yard. However, neither lot has enough space to accommodate this requirement. The CUP stipulates a parking space in the front yard of the West lot, but there is only 10' of space between the house and the property line, which is not large enough for a standard 9x19 parking space. There is technically enough room for a parking space oriented east-west in the front yard, however, there would barely be enough room to open car doors and maneuver into the house.*

There is a family member that will be living here that has physical disabilities, as well. Because of this, it seems likely that drivers would park further from the house and block the ROW with their car. We do not think this is a practical or viable parking space option. The CUP states that the North Lot can accommodate a parking space in the side yard. However,

the parking space would interfere with the required 30' Clear Vision Zone and spill over into the required 3'-0" south lot line setback.

7.3 - Townhouse Findings - Lot Coverage

Required: *The lot coverage for individual lots may exceed the maximum lot coverage of the applicable zone. The maximum lot coverage of the parent lot may not exceed the maximum lot coverage of the underlying zone.*

Modification Requested: *Increase allowable lot coverage slightly to accommodate design and construction requirements.*

Reason for Modification: *CUP #1-CU-PC-12 stipulates maximum lot coverages and square footages that, with a refined design and current site information, are not feasible. The North lot is restricted to a maximum 32% coverage, and the West lot is restricted to 34%. Through site discovery and the current survey, we have found that the North lot is smaller than stated in the CUP, and the square footage specified for both the North Lot and the West lot is too small to allow for the best quality of living to be provided.*

In summation, this variance application is requesting that the onsite parking requirement for both lots be eliminated and that the lot coverage requirement be increased from 32% to 35% on the North Lot, and 34% to 36% on the West Lot. We believe these minor adjustments to the CUP will not adversely affect the public, the City, or the immediate neighbors, and will allow Habitat for Humanity to execute two new homes as initially intended by Habitat for Humanity and the City of Waldport.

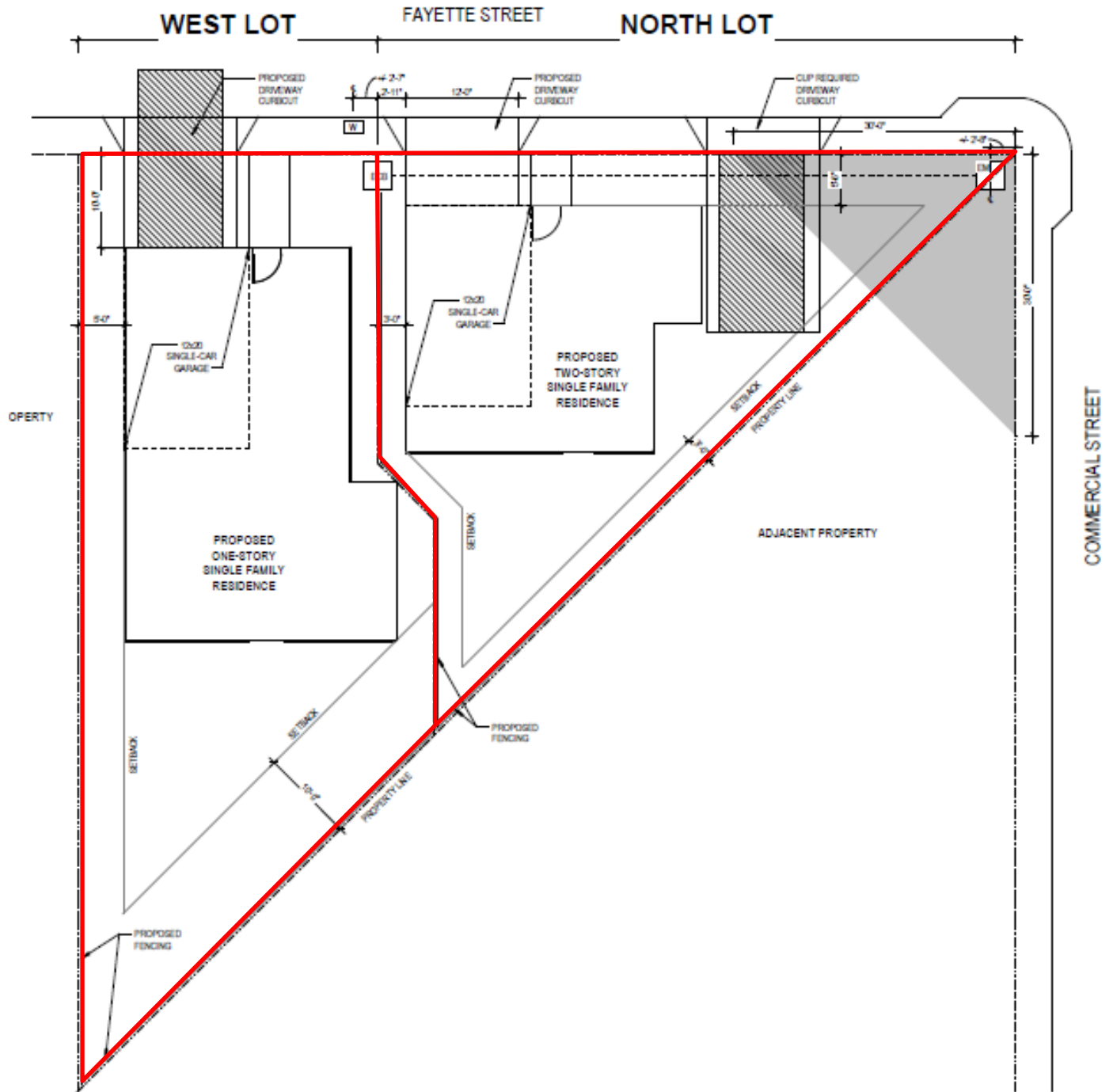
NORTH LOT (LOT #09400)

	CUP REQ. #1-CU-PC-12	PROPOSED VARIANCE
FLOOR AREA	1,132 SF + GARAGE	L1 521 SF L2 697 SF 1,218 SF Garage 240 SF TOTAL 1,458 SF
REQ'D HEIGHT	TWO-STORY	TWO-STORY 30'-0"
LOT SIZE	+/- 2,300 SF	2,139 SF (ACTUAL)
LOT COVERAGE	32% (684 SF)	35% (761 SF)

WEST LOT (LOT #09700)

	CUP REQ. #1-CU-PC-12	PROPOSED VARIANCE
FLOOR AREA	950 SF + GARAGE	L1 820 SF Garage 240 SF TOTAL 1,060 SF
REQ'D HEIGHT	SINGLE STORY	SINGLE STORY 20'-0"
LOT SIZE	+/- 2,800 SF	2,867 SF (ACTUAL)
LOT COVERAGE	34% (973 SF)	36% (1060 SF)

#1-VAR-PC-24 Habitat for Humanity Variance Application
October 28, 2024, Planning Commission Meeting



1 SITE PLAN
 1/8" = 1'-0"

3. Public Testimony

At the time this staff report was prepared the City had not received any written testimony.

C. STAFF ANALYSIS

1. Variance Request

The applicant is requesting variances for a previously granted conditional use permit (#1-CU-PC-12) for the construction of a 4-lot townhouse development. Two of the four lots have been developed. The variances would allow for:

- a. A reduced on-site parking count; and
- b. A slight increase in lot coverage for the two undeveloped lots.

2. Circumstances for Granting Variances

A variance may be granted only in the event that either subsection A or B applies and each of subsections C, D and E applies (WMC Chapter 16.92.020). The Planning Commission determines if the variance criteria have been met based on the information submitted by the applicant. The variance criteria are provided below and followed by the Applicant Response. Staff's response can be found at the end of this section.

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to September 6, 1973; or

APPLICANT RESPONSE: Not applicable.

- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.

APPLICANT RESPONSE: This variance is necessary to ensure that the two remaining homes can be constructed as proposed in the original CUP. As outlined in the above modification requests, these slight adjustments will make it possible to construct dwelling units that meet the needs of the families selected by Habitat for Humanity. The modifications requested are not above and beyond the typical rights allowed in this zone.

- C. The variance would not be materially detrimental to the purpose of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflicts with the objectives of any city plan or policy.

APPLICANT RESPONSE: Not only would this variance not conflict with any City plan or policy, it would assist in meeting Waldport's housing needs. Habitat for Humanity is requesting a variance from the City to allow for two modestly-sized houses to be built and would allow for a very slight increase in the footprints of each home (less than 100 SF) to provide each family with a minimum amount of living space necessary for habitable conditions.

This variance would not be detrimental to other properties in the vicinity-all required setbacks can and will be met, and the heights of each house are respectful of, and complementary to, the adjacent neighbors.

The parking exception would not be detrimental either-each home has a single-car garage, which was required by the WMC at the time but no longer is. Therefore, the properties

provide above and beyond the minimum present-day parking requirements, and additional on-site parking is superfluous.

- D. The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

APPLICANT RESPONSE: This hardship is not self-imposed. City authorities and Habitat for Humanity leadership in 2012 acted in earnest to come to an agreement, however, the agreement was based on cursory information, and made requirements about parking spaces and living space sizes which, we now know through current site information and an updated design, are not able to be met.

The required maximum lot coverages are based on square footages identified that do not include the garage for each residence. The design is more refined and the site information is more reliable, and it is clear the specified square footages are far smaller than is adequate for reasonable living accommodations.

This variance is requesting an increase in lot coverage, which would have very minimal impact on the site and its surroundings, and a correction to the 2012 Conditional Use Permit to update site conditions and information about the project, which will better enable Habitat for Humanity to execute the project as originally intended.

- E. The hardship asserted as a basis for the variance does not arise from a violation of the City code or other regulations.

APPLICANT RESPONSE: This hardship does not arise from a violation of City code or other regulations.

Staff Response

The properties are in the Residential R-3 Zone. The R-3 standards identify the zone's development requirements such as building setbacks, building height, lot coverage, etc. Residential uses in the vicinity are consistent with the R-3 standards apart from a few non-conforming properties.

Townhouses are allowed as a conditional use in the R-3 zone, the 4-lot townhouse development was conditionally permitted. The townhouse conditional use permit allowed for reduced lot sizes, reduced setbacks, and a parking requirement of 1.5 spots/dwelling (6 total). Lot coverage for each lot was also stipulated at a not to exceed maximum.

Phase 1 included development of the East and South lots, Phase 2 included development of the West and North lots. Sidewalk, curb and gutter, and retaining walls were included in Phase 1, these improvements required construction of the Phase 2 driveways. Additionally, the entire 4-townhouse development site was elevated using retaining walls and fill to meet the FEMA floodplain requirements.

Current design efforts and site surveys have discovered the North lot is smaller than stated in the conditional use permit, and the building square footage specified for both the North Lot and the West lot is too small to allow for the best quality of living to be provided.

The existing retaining walls and driveways have further constrained development on the two properties.

North Lot – Final design has increased the building footprint by 77 square feet while the “actual” lot size has decreased from 2,300 square feet to 2,139 square feet. The lot coverage has gone from the permitted 32% to the current 35%, both of which are still below the R-3 standard of 45%.

West Lot – Final design has increased the building footprint by 100 ± square feet. The “actual” lot size has increased by 67 square feet to 2,867 square feet. The lot coverage has gone from the permitted 34% to the current 36%, both of which are still below the R-3 standard of 45%.

Variance criteria discussion:

- A. Criterion A does not apply.
- B. In this situation, the property right of the applicant is the ability to develop the properties for their intended use and consistent with adjoining properties.

In 2012 the Planning Commission granted a conditional use permit for the development of the properties based on the information available at that time. As discussed above, current conditions require adjustments to lot size and house layout, resulting in this request for a variance.

1. Parking – The Conditional Use Permit required six off-street parking spots. Three parking spots were provided in phase 1 leaving three spots to be provided in phase 2. Each home has one on-site parking spot (garage) with little to no extra space for the final spot as described above. Creating the final on-site parking spot would require reconstruction of the retaining walls as well as potentially requiring curb and sidewalk cutting and reconstruction. The final spot also has the potential of impacting the clear vision triangle as dictated by the WMC and the 2012 conditional use permit. A variance would still be required for developing in the vision triangle.

Oregon House Bill 2001(HB2001) passed into law in 2019. The law requires large cities (not Waldport) to amend their land use regulations to allow more housing types (middle-housing) like duplexes, cottage clusters, and townhouses in residential areas where single-family homes are allowed. The law also acknowledges that most urbanized areas are “overparked”.

Under the new state rules, middle-housing projects on residential lots of 3,000 square feet or less can’t be required to have more than one off-street parking space, total, for the first four attached homes. For lots of up to 5,000 square feet, no more than two parking spaces can be required, total; for lots of up to 7,000 square feet, no more than three spaces. On

lots larger than 7,000 square feet, a limit of one mandatory parking space per home applies.

If HB2001 is applied to Waldport, the original 10,000 square foot lot with four homes would only need to provide four parking spots. Many Oregon municipalities have begun allowing property owners to include as many off-street parking spots as they feel they need. Across America – Cities are reevaluating required parking – end result is not requiring people to build parking if they don't need it.

The City of Waldport is in the midst of a comprehensive change to its development code (WMC Title 16) including some aspects of middle-housing contained in HB2001. Waldport's proposed development code changes will encourage more affordable housing, encourage more density, and encourage more efficient use of limited space for increased livability of housing. Waldport is not considering any parking changes with the current code changes.

It is staff's opinion that reducing parking from six spots to five spots would not be detrimental to property in the zone or vicinity in which the property is located.

2. Lot coverage – If only one additional house is built, then there is no need for a variance for lot coverage and only five parking spots would be required. All five spots would be off-street, and again, no variance would be required. However, the number of much needed affordable housing units would be reduced by one.

The only way to avoid a variance is to reduce the house footprints or to only develop one of the lots. A previously discussed, reduced house footprints reduce the functionality of the house thus reducing the livability of the house.

It is staff's opinion that, given the new information, a 2-3% increase in lot coverage is not substantial and should be allowed in order to develop the properties.

It is also staff's opinion that the requested variances are necessary to maintain the applicant's right to develop their property and to provide affordable housing and a reasonable quality of life for the selected recipients of these homes.

This criterion has been met.

- C. The proposed use for the properties is residential. This is consistent with other properties in the vicinity.

In 2012, the Planning Commission found that the proposed townhouse development conformed with applicable comprehensive plans and policies. A 2-3% lot coverage increase is not substantial and will not have an impact on the Planning Commission's 2012 findings. Similarly, a reduction in off-street parking from 6 spots to 5 spots should not have an impact on the Planning Commission's 2012 findings.

It is staff's opinion that the requested variances are not materially detrimental to the purpose of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflicts with the objectives of any city plan or policy.

This criterion has been met.

- D. The 2012 approval required meeting the standards of Chapters 16.20 Residential Zone R-3, 16.68 Flood Hazard Overlay Zone, 16.72 Supplementary Regulations, 16.84 Conditional Uses, and 16.100 Land Division.

In meeting the above-mentioned standards, the applicant and the City came to a solution that would provide much needed housing without compromising the City's codes or policies. The improvement requirements (i.e., curb & gutter, sidewalks, flood hazard) inadvertently restricted the Phase 2 lots which was not discovered until recently.

Therefore, it is staff's opinion that the hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

This criterion has been met.

- E. Staff has verified that the hardship asserted as a basis for the variance does not arise from a violation of the City code or other regulations. There are no existing violations.

This criterion has been met.

D. CONCLUSIONS

The circumstances for granting a variance are key criteria in making a decision of denial or approval. A variance may be granted only in the event that either above-described subsections A or B applies and each of subsections C, D and E applies.

If the request is denied, the Planning Commission should state the general reasons and facts relied on, and direct staff to prepare findings for adoption. If the request is denied, the action must be based on reasons related to orderly development and best interests of the surrounding area or the city as a whole.

If the request is approved, staff offers recommended conditions, which may be added to or amended at the Commission's discretion:

1. All terms and conditions of Conditional Use Permit #1-CU-PC-12 remain in effect apart from the below listed items.
2. Parking: Each lot (North, West) shall provide one on-site parking spot. The total parking requirement for the four-lot townhouse development shall be reduced from six parking spots to five parking spots.
3. Lot Coverage: The North lot (09400) shall go from 32% to 35% lot coverage. The West lot (09700) shall go from 34% to 36% lot coverage.
4. Authorization of the variance shall be void after one (1) year unless substantial construction pursuant thereto has taken place. The Planning Commission may extend authorization for one additional period not to exceed one (1) year, on request.

#1-VAR-PC-24 Habitat for Humanity Variance Application
October 28, 2024, Planning Commission Meeting

Submitted by,

Jaime White
City Planner

Enclosures: - Vicinity Map
 - Site Plan
 - Site Photos
 - Applicant Narrative

















HABITAT FOR HUMANITY | WALDPORT RESIDENCES

LAND USE REVIEW NARRATIVE | OCTOBER 28TH, 2024

PROJECT TEAM

OWNER/BUILDER:

Habitat for Humanity of Lincoln County
Contact Person: Lucinda Taylor, Director
1255 NW Highway 101
Lincoln City, OR 97367
Phone: 458.277.7601
Email: director@habitatlincoln.org

ARCHITECT:

ACID Architecture, LLC
Contact Person: Haley Wallace, Owner
3831 NE 72nd Ave
Portland, OR 97213
Phone: 208.596.3332
Email: haley@acid-architecture.com

ZONING SUMMARY

PROPERTY ADDRESS:	North and West Lots, Fayette St. and Commercial Ave. Waldport, OR, 97394
LOT NUMBERS:	09400 (North Lot) & 09700 (West Lot)
LOT AREAS:	2,139 SF (North Lot) & 2,867 (West Lot)
ZONING DESIGNATION:	R-3

PROJECT NARRATIVE

The proposed project will construct one single-story and one two-story single-family home, each with a single car garage, at the corner of Fayette St. and Commercial Ave. in Waldport, OR. Habitat for Humanity will construct the homes, and the families residing in each have been selected.

The proposed project is working within the confines of a previously obtained Conditional Use Permit (CUP)(#1-CU-PC-12), awarded in 2012, which permitted Habitat for Humanity to construct four townhouses on the 10,000 SF lot at the corner of Fayette St. and Commercial Ave. Two townhouses were built at the time of the conditional use approval, and Habitat for Humanity now seeks to construct the remaining two. There are, however, discrepancies between the CUP and the actual site conditions, leading to requirements stipulated in the CUP that are not feasible to comply with. To reconcile these discrepancies, we are requesting a variance review under Waldport Municipal Code (WMC) Section 16.92.020. Please see the point-by-point response to each of the Circumstances for Granting a Variance at the end of this appeal.

#1-CU-PC-12 REQUIREMENTS AND MODIFICATIONS REQUESTED

5 - Parking

Required: *A townhouse development is considered to be a multi-family development. One and a half (1.5) parking spaces are required for a multi-family development. Therefore, 6 parking spaces are required for a 4-unit development. Each of the 4 lots/units is proposed to have a single car garage. Two additional on-site parking spaces are required. The South and West lots are able to park a vehicle in the front yard. The North and East lots are able to each park a vehicle in the side yard however those vehicles will need to be outside the clear vision area as described above. The proposed site is able to accommodate more than 6 vehicles.*

Modification Requested: Reduce off-street parking requirements from six parking spaces to five.

Reason for Modification: CUP #1-CU-PC-12 findings assume both lots can fit a parking space in the yard. However, neither lot has enough space to accommodate this requirement. The CUP stipulates a parking space in the front yard of the West lot, but there is only 10' of space between the house and the property line, which is not large enough for a standard 9x19 parking space. There is technically enough room for a parking space oriented east-west in the front yard, however, there would barely be enough room to open car doors and maneuver into the house. There is a family member that will be living here that has physical disabilities, as well. Because of this, it seems likely that drivers would park further from the house and block the ROW with their car. We do not think this is a practical or viable parking space option. The CUP states that the North Lot can accommodate a parking space in the side yard. However, the parking space would interfere with the required 30' Clear Vision Zone and spill over into the required 3'-0" south lot line setback.

7.3 - Townhouse Findings - Lot Coverage

Required: *The lot coverage for individual lots may exceed the maximum lot coverage of the applicable zone. The maximum lot coverage of the parent lot may not exceed the maximum lot coverage of the underlying zone.*

Lot	Lot Coverage
R-3 Standard	Max. 45%
North	32%
South	28%
East	32%
West	34%
Parent Lot	17%

Modification Requested: Increase allowable lot coverage slightly to accommodate design and construction requirements.

Reason for Modification: CUP #1-CU-PC-12 stipulates maximum lot coverages and square footages that, with a refined design and current site information, are not feasible. The North lot is restricted to a maximum 32% coverage, and the West lot is restricted to 34%. Through site discovery and the current survey, we have found that the North lot is smaller than stated in the CUP, and the square footage specified for both the North Lot and the West lot is too small to allow for the best quality of living to be provided.

In summation, this variance application is requesting that the onsite parking requirement for both lots be eliminated and that the lot coverage requirement be increased from 32% to 35% on the North Lot, and 34% to 36% on the West Lot. We believe these minor adjustments to the CUP will not adversely affect the public, the City, or the immediate neighbors, and will allow Habitat for Humanity to execute two new homes as initially intended by Habitat for Humanity and the City of Waldport.

CIRCUMSTANCES FOR GRANTING A VARIANCE (WMC 16.92.020)

A variance may be granted only in the event that either subsection A or B of this section applies and each of subsections C, D and E of this section applies:

A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to September 6, 1973; or

N/A

B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess; and

This variance is necessary to ensure that the two remaining homes can be constructed as proposed in the original CUP. As outlined in the above modification requests, these slight adjustments will make it possible to construct dwelling units that meet the needs of the families selected by Habitat for Humanity. The modifications requested are not above and beyond the typical rights allowed in this zone.

C. *The variance would not be materially detrimental to the purpose of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflicts with the objectives of any City plan or policy;*

Not only would this variance not conflict with any City plan or policy, it would assist in meeting Waldport's housing needs. Habitat for Humanity is requesting a variance from the City to allow for two modestly-sized houses to be built and would allow for a very slight increase in the footprints of each home (less than 100 SF) to provide each family with a minimum amount of living space necessary for habitable conditions.

This variance would not be detrimental to other properties in the vicinity—all required setbacks can and will be met, and the heights of each house are respectful of, and complementary to, the adjacent neighbors.

The parking exception would not be detrimental either—each home has a single-car garage, which was required by the WMC at the time but no longer is. Therefore, the properties provide above and beyond the minimum present-day parking requirements, and additional on-site parking is superfluous.

D. *The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship; and*

This hardship is not self-imposed. City authorities and Habitat for Humanity leadership in 2012 acted in earnest to come to an agreement, however, the agreement was based on cursory information, and made requirements about parking spaces and living space sizes which, we now know through current site information and an updated design, are not able to be met.

The required maximum lot coverages are based on square footages identified that do not include the garage for each residence. The design is more refined and the site information is more reliable, and it is clear the specified square footages are far smaller than is adequate for reasonable living accommodations.

This variance is requesting an increase in lot coverage, which would have very minimal impact on the site and its surroundings, and a correction to the 2012 Conditional Use Permit to update site conditions and information about the project, which will better enable Habitat for Humanity to execute the project as originally intended.

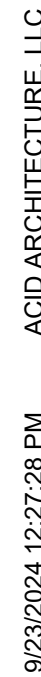
E. The hardship asserted as a basis for the variance does not arise from a violation of the City code or other regulations.

This hardship does not arise from a violation of City code or other regulations.

F. Flood Plain Variance:

N/A

© 2024 Copyright protected. See Design Agreement. For use on this project only. Unauthorized reproduction of any part of this material is prohibited.



PORTLAND, OREGON 97213
P: 208.596.3332
ACID-ARCHITECTURE.COM

**FOR REFERENCE
ONLY**

HABITAT FOR HUMANITY - WALDPORT HOMES

REVISIONS

CHECKED BY: -
ISSUE DATE: 09.23.2024
PROJECT NO: -

SITE PLAN 1.00

**BEFORE THE PLANNING COMMISSION
OF
WALDPOR, OREGON**

Request for Conditional Use Permit

Case File #1-CU-PC-12

Applicant: Habitat For Humanity

FINDINGS AND CONCLUSION

Nature of the Application

The applicant is requesting a conditional use for the construction of a 4-lot townhouse development.

Relevant Facts

The following is a summary of the facts and testimony found to be relevant to this decision.

- A. **Property Location:** The subject property is located at 560 Commercial Street and further identified on Lincoln County Tax Assessor's Map 13-11-19AB as tax lot 6900.
- B. **Zoning:** R-3 Residential
- C. **Plan Designation:** Planned Residential
- D. **Lot Size and Dimensions:** 10,000 square feet with dimensions of 100'x100'.
- E. **Existing Structures:** None.
- F. **Topography and Vegetation:** The site is generally flat with no significant vegetation.
- G. **Surrounding Land Use:** Commercial uses are located south and east of the subject property with residential uses located north and west.
- H. **Utilities:** The following utilities currently serve the subject property:
 - a. Water: Southwest Lincoln County Water District
 - b. Sewer: City of Waldport
 - c. Electricity: Central Lincoln P.U.D.
- I. **Development Constraints:** Flood hazard zone.
- J. **Testimony.** The applicant and their representative provided testimony and answered questions at the June 25, 2012 Planning Commission public hearing. No other written or oral testimony was provided. The testimony is herein incorporated into the record.

Relevant Criteria:

A. Relevant Code Standards:

The relevant Waldport Development Code criteria are described in the Staff Report and are herein incorporated into the record.

Chapter 16.60 Residential Zone R-3

Chapter 16.72 Supplementary Regulations

Chapter 16.68 Flood Hazard Overlay Zone

Chapter 16.84 Conditional Uses

Chapter 16.100 Land Division

B. Applicant's Proposal

The applicant submitted the conditional use permit application form and the following material:

- Plot Plan
- Floor Plans
- Foundation Plans
- Building Elevations
- Typical Building Cross Section

The applicant proposes a 4-unit residential development on a 10,000 square foot lot at the southwest corner of Commercial Street and Fayette Street. The four units are proposed to be detached. Two lots are proposed to be accessed from Commercial Street and two lots accessed from Fayette Street. Three homes are proposed to be 2-stories and the other home is a single level. The lots are proposed to range in size from approximately 2,300 to 2,800 square feet.

C. Public Agency Comments:

Applicant materials were forwarded to Waldport Public Works and Central Oregon Coast Fire & Rescue (COCFRD). A recommended condition of approval is that the City shall not sign off on a building permit until the City receives written approval of final plans from Public Works and COCFRD.

Findings

The following is a summary of the Planning Commission findings:

1. Proposed Townhouse Development

The applicant proposes a 4-unit residential development on a 10,000 square foot lot at the southwest corner of Commercial Street and Fayette Street. The four units are proposed to be detached.

Lot Size and Configuration. The lots are proposed to range in size from approximately 2,300 to 2,800 square feet. The South and West lot configurations are proposed to be generally rectangular with a 45 degree angle along the rear property lines. The North and East lots are proposed to be triangular. Each lot is proposed to have private open space (yards).

Access. The South and East lots are proposed to be accessed from Commercial Street. The North and West lots are proposed to be accessed from Fayette Street.

House Sizes. The North, South and East lots are proposed to have 2-story homes totaling 1,132 square feet with a single car garage. The West lot is proposed to have a 1-story home totaling approximately 950 square feet with a single car garage.

Open Space (Yards). Each lot is proposed to have private open space (yards). Each lot is proposed to have a back yard. The North and East lots also have side yards near the corner of Commercial and Fayette streets. The South lot has a front yard.

2. South Lot Building Permit

The applicant has received a building permit for the South lot. The proposed residential building is in conformance with R-3 residential standards therefore the City was able to sign off on the building permit application. The townhouse conditional use permit must be approved prior to the City signing off on building permits for the other three proposed dwellings.

3. R-3 Residential Land Uses and Standards

Townhouses are permitted in the R-3 Residential zone as a conditional use subject to townhouse standards identified in Waldport Development Code (WDC) Section 16.84.N (see #7 below).

4. Clear Vision

Per WDC Section 16.72.010, a clear vision area shall be maintained on the corners of all property at the intersection of two streets. A clear vision area shall consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation, or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting end of the other two sides.

A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding 2.5 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.

In a residential zone, the minimum distance shall be thirty (30) feet. The proposed development identifies a clear vision area (view corridor setback) that exceeds the minimum 30 foot requirement. The 30 foot clear vision area will need to be maintained as identified above. Vehicles shall not be permitted to park in the 30 foot clear vision area.

5. Parking

A townhouse development is considered to be a multi-family development. One and a half (1.5) parking spaces are required for a multi-family development. Therefore, 6 parking spaces are required for a 4-unit development. Each of the 4 lots/units is proposed to have a single car garage. Two additional on-site parking spaces are required. The South and West lots are able to park a vehicle in the front yard. The North and East lots are able to each park a vehicle in the side yard however those vehicles will need to be outside the clear vision area as described above. The proposed site is able to accommodate more than 6 vehicles.

6. Flood Hazard Zone

The subject site is located in the AE (El 14') flood hazard zone. The AE flood hazard zone requires that the lowest floor must be elevated one (1) foot above the base flood elevation (14'). A flood elevation certificate is required for each building at the time the building is constructed.

7. Townhouse Conditional Use Standards

The townhouse conditional use standards are identified in *italics* and followed by Findings.

1. *Overall residential density shall be as provided for in the applicable use zone or zones, i.e. the maximum number of townhouse dwelling units shall not exceed that allowed by the applicable zone. Density shall be computed based on the total gross land area of the subject property, excluding area devoted to commercial or other nonresidential uses.*

FINDINGS: Density in the R-3 Residential zone is allowed at one residential unit for the first 5,000 square feet of land and one additional unit for every 1,250 additional square feet of land. The subject property totals 10,000 square feet. Maximum density 10,000-5,000 (for the first unit) = 5,000 remaining. $5,000/1,250 = 4$ additional units therefore a total of 5 units are allowed. 4 units are proposed.

2. *Yards, setbacks, lot area, lot width, and lot depth requirements may be reduced, adjusted or otherwise modified. The exception to this is that all perimeter yards of the townhouse development that abut a lot in a residential zone shall adhere to the minimum yard requirements.*

FINDINGS: The following table identifies proposed yards/setbacks, lot area, lot width, and lot depths.

Lot	Yards/Setbacks	Lot Area	Lot Width (front lot line)	Avg. Lot Depth
R-3 Standard	Front: 20' Rear: 10' Side: 5' or 1'/every 3' of ht.	5,000 sq. ft.	50' 55' corner lot	80'
North	Front: 5.5' Rear: 3' Side: 3' & 0'	±2,300 sq. ft.	63'	31' avg. (ranges 0-62')
South	Front: 38' Rear: 3' Side: 3' & 0'	±2,600 sq. ft.	32'	84'
East	Front: 9.5' Rear: 3' Side: 3' & 0'	±2,300 sq. ft.	68'	33' avg. (ranges 0-66')
West	Front: 10' Rear: 10' Side*: 5' & 0'	±2,800 sq. ft.	37'	31' avg. (ranges 0-62')

* The West lot abuts a lot in a residential zone (west side). The proposed setback is 5 feet which satisfies the minimum setback required in the R-3 zone. The proposed structure is 15 feet high therefore a 5 foot setback is required.

3. *The lot coverage for individual lots may exceed the maximum lot coverage of the applicable zone. The maximum lot coverage of the parent lot may not exceed the maximum lot coverage allowed in the underlying zone.*

FINDINGS:

**#1-CU-PC-12 Habitat For Humanity
4-Unit Townhouse Development
Findings & Conclusions**

Lot	Lot Coverage
R-3 Standard	Max. 45%
North	32%
South	28%
East	32%
West	34%
Parent Lot	17%

4. *All electric and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits and similar facilities shall be placed underground. Satellite dishes, solar panels, and similar facilities that are only able to operate above ground are exempted from this provision.*

FINDINGS: All utilities shall be placed underground.

5. *The City may require easements necessary for orderly extension of public utilities to future adjacent developments.*

FINDINGS: Utilities will not need to be extended through the subject property to other developments therefore easements (to other developments) are not needed or required.

6. *Common areas and structures reserved for use by owners or tenants and their guests must be subject to an association of owners or tenants created to form a non-profit corporation under the laws of the State of Oregon. Said association shall be formed and continued for the purpose of maintaining such common areas and structures.*

FINDINGS: No common areas are proposed. All open spaces (yards) are proposed to be part of an individual lot. Since no common areas are proposed, a homeowners association is not required.

7. *Townhouse developments shall provide sidewalks along street frontages. Sidewalks shall be of a design and location acceptable to the City for the purpose of pedestrian use and drainage control.*

FINDINGS: Sidewalks are proposed along the Commercial Street and Fayette Street frontages. Sidewalk design shall be approved by the City Public Works Director prior to construction.

8. *Townhouse developments that include division of land are subject to applicable provisions of Chapter 16.100 Land Divisions.*

FINDINGS: The proposed townhouse development includes a division of the existing lot into four lots therefore land division provisions are applicable and addressed below.

8. Land Division – Subdivision Standards

The proposed development divides one lot into four lots therefore a subdivision is being created. Applicable subdivision standards are addressed below.

Conformity to Comprehensive Plan. The proposed townhouse development conforms with applicable comprehensive plans and policies.

Street System. The proposed property has street frontage along two sides therefore no new streets or street extensions are proposed or needed.

Access. Each of the four proposed lots has satisfactory access to an existing street.

Lots and Parcels. Each lot abuts a public street. Side property lines are perpendicular to the streets except for the property line between the North and East lots which is at a 45 degree angle to the intersection of Commercial and Fayette streets.

Utility Easements. Prior to development utility companies shall approve utility plans and may require easements.

Water and Sewer Service. The applicant's contractor has been coordinating with the City's Public Works Director regarding the placement of water and sewer services. The Public Works Director shall approve all water and sewer design prior to construction.

Drainage. The applicant's contractor has been coordinating with the City's Public Works Director regarding drainage. The Public Works Director shall approve all storm drain design prior to construction

Parks and Open Space. In subdivisions or planned developments the city shall require the subdivider to pay a park assessment fee based on the size of the subdivision. The current park assessment fee to be charged to the developer, per Resolution No. 875, sets the fee at \$1 per square foot for 5% of the total acreage. The total size of the property is 10,000 square feet. 5% of 10,000 equals 500 therefore the park assessment fee is \$500. The \$500 is due prior to the final plat approval.

Phase Development. A developer of a subdivision may file a plat on a portion or phase of the approved tentative plan. The townhouse development is proposed to be developed in two phases with the South and East townhouses constructed in the first phase and the North and West townhouse constructed in the second phase. Therefore, the time limits for a tentative approval will be based on this phasing plan and is addressed in item #9 below.

Residential Driveways. Residential driveways shall conform to standards established under city code and shall be approved by the City Public Works Director.

Fire Protection. Prior to the City's signing of the final plat, Central Oregon Coast Fire and Rescue District shall review and approve plans for water service and emergency vehicle access and service.

9. Time Limits of Tentative Approval

The time limit for both a conditional use and subdivision is two years. The proposed townhouse development is proposed to be constructed in two phases. Therefore upon the granting of a tentative approval the following schedule applies:

Phase 1 (South and East Lots). 2012-2014 (from the date the Findings are approved)

Phase 2 (North and West Lots). 2014-2016 (from the date the Findings are approved)

Conclusions

Based on the above facts and findings, the Waldport Planning Commission finds the site under consideration is suitable for the conditional use permit considering the location, design and description.

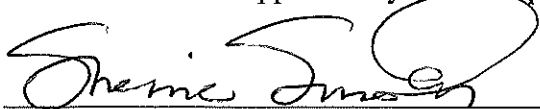
Order

It is ORDERED by the Waldport Planning Commission that the requested Conditional Use permit for CASE FILE #1-CU-PC-12 be and is hereby approved. Said approval is subject to the following conditions:

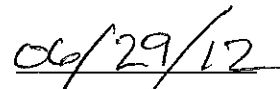
1. **Development.** Development shall occur in general conformance with the submitted plans. Any significant redesign shall require a new application for a conditional use and land division. The approved plan includes four lots with one residential dwelling located on each lot as shown on the Plot Plan submitted with the application and included in the staff report.
2. **Clear Vision.** Per WDC Section 16.72.010, a 30 foot clear vision area shall be maintained at the corner of Commercial Street and Fayette Street. The clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding 2.5 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. Vehicles shall not be permitted to park in the clear vision area.
3. **Parking.** Each lot shall have a minimum of one covered parking space. The four-lot townhouse development will have a minimum 6 parking spaces including garage and outdoor on-site spaces.
4. **Flood Hazard Zone.** A flood elevation certificate is required for each building at the time the building is constructed. A copy of each flood elevation certificate shall be submitted to the City.
5. **Utilities.** All utilities shall be placed underground.
6. **Water, Sewer Storm Drainage and Public Right-of-way Improvements.** The City Public Works Director shall review and approve all plans for water service, sewer service, storm drainage and improvements within the public right-of-way prior to construction. Sidewalks shall be constructed along the Commercial Street and Fayette Street frontages.
7. **Fire District Approvals.** Prior to the City's signing of the final plat, Central Oregon Coast Fire and Rescue District shall review and approve plans for water service and emergency vehicle access and service.
8. **Parks and Open Space.** A \$500 park assessment fee shall be paid to the City prior to the final plat approval.
9. **Time Limits of Tentative Approval.** The townhouse development will be constructed in two phases with each phase including construction of two residential dwellings. Phase 1 is valid for a period of 2 years from Planning Commission approval of Findings and Conclusion. Tentative approval of the subsequent phase runs consecutively for two year periods as follows:

Phase 1 (South and East Lots). 2012-2014 (from the date the Findings are approved)
Phase 2 (North and West Lots). 2014-2016 (from the date the Findings are approved)

This ORDER was approved by the Waldport Planning Commission on June 25, 2012.

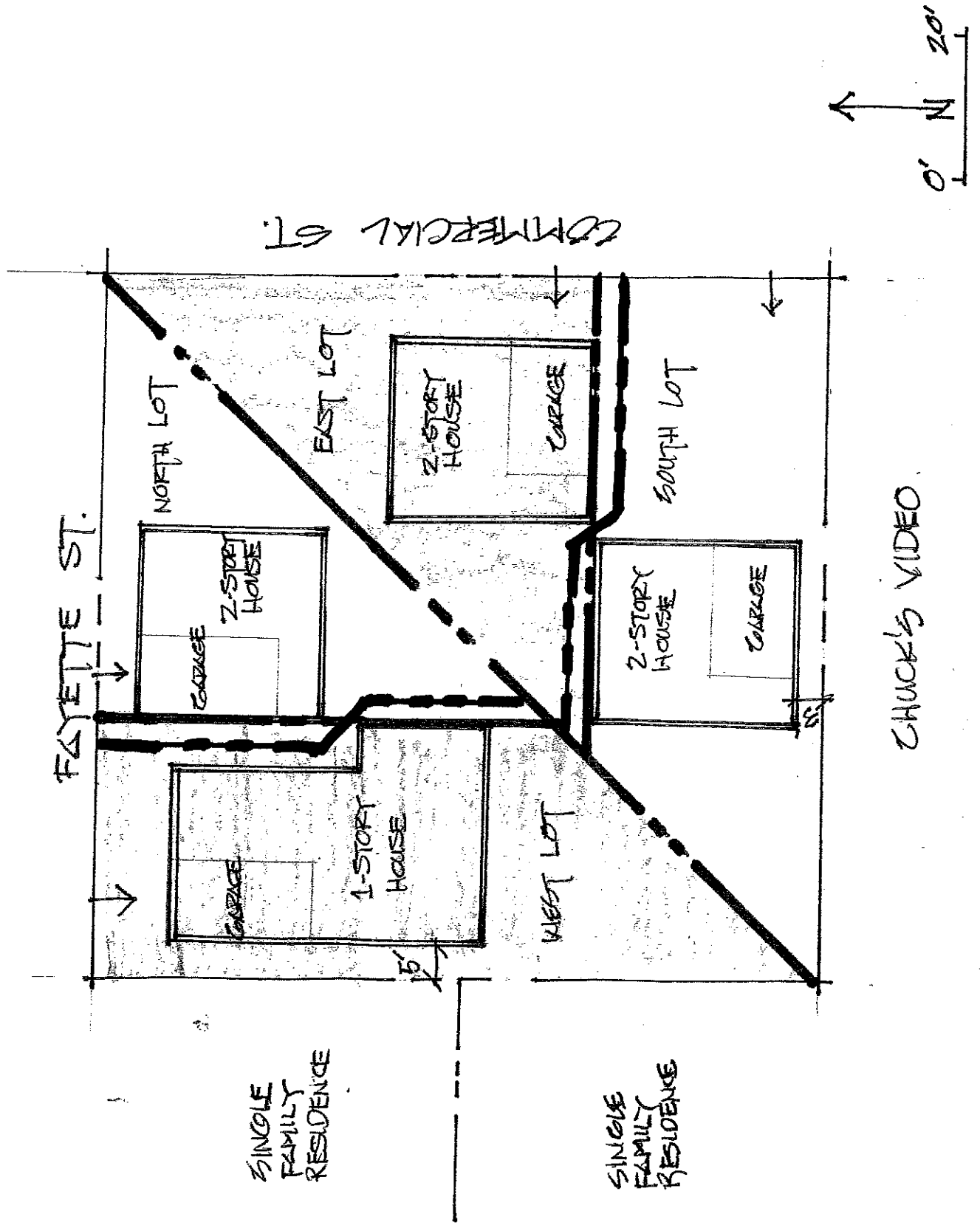


Sherrie Smolen, Waldport Planning Commission Chair



Date

HABITAT FOR HUMANITY





COVER SHEET FOR DISCUSSION / ACTION

(from 10/10/24 CC meeting, and Lincoln County presentation)

TITLE OF ISSUE: FEMA Floodplains & Endangered Species Act

FOR MEETING DATE: October 28,

2024 SUMMARY OF ISSUE:

In 2019 the City of Waldport entered into the FEMA National Flood Insurance Program (NFIP). This allowed subject properties to buy FEMA flood insurance. It has not been exactly a smooth process, as it adds significant encumbrances on low valued properties in the floodplains which are trying to be redeveloped or improved.

In 2024, FEMA has announced that by December 1st, cities must elect to add an additional adopted restriction on flood plain development.

However, invoking the new language would virtually end development in downtown Waldport.

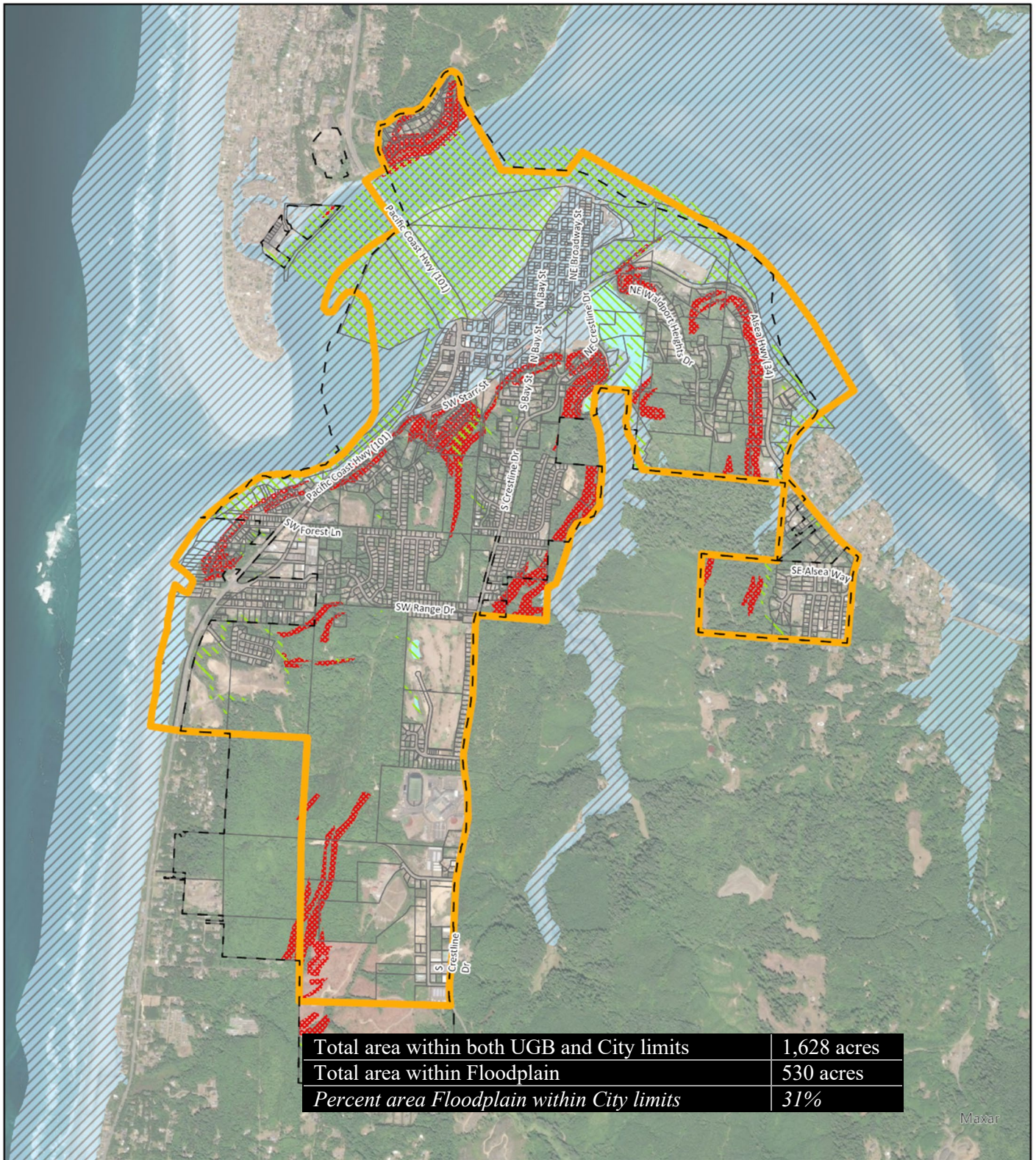
Withdrawal from the flood insurance program has these consequences:

1. No resident will be able to purchase a flood insurance policy.
2. Existing flood insurance policies will not be renewed.
3. No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and SBA.
4. No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
5. No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas. this includes policies written by FHA, VA, and others.
6. Federally insured or regulated lending institutions, such as banks and credit unions, must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the property is not eligible for Federal disaster relief.

NEXT STEPS:

More research and information gathering is required. Unfortunately, there is little time to do so based on FEMA's guidance. DLCD in fact listed a number of questions we are all asking including 'is this a taking invoking a measure 56/49 claim' and noted the lack of public input timeline required to implement this change as required by Oregon law.

Staff recommendation at this time will be to take no action, notifying FEMA of the potential of litigation, and withdrawal from the NFIP if clear and distinct answers cannot be given to the questions arising. We will have a more formal response at the next CC meeting for action and will start putting together a plan of action for moving forward within the law.

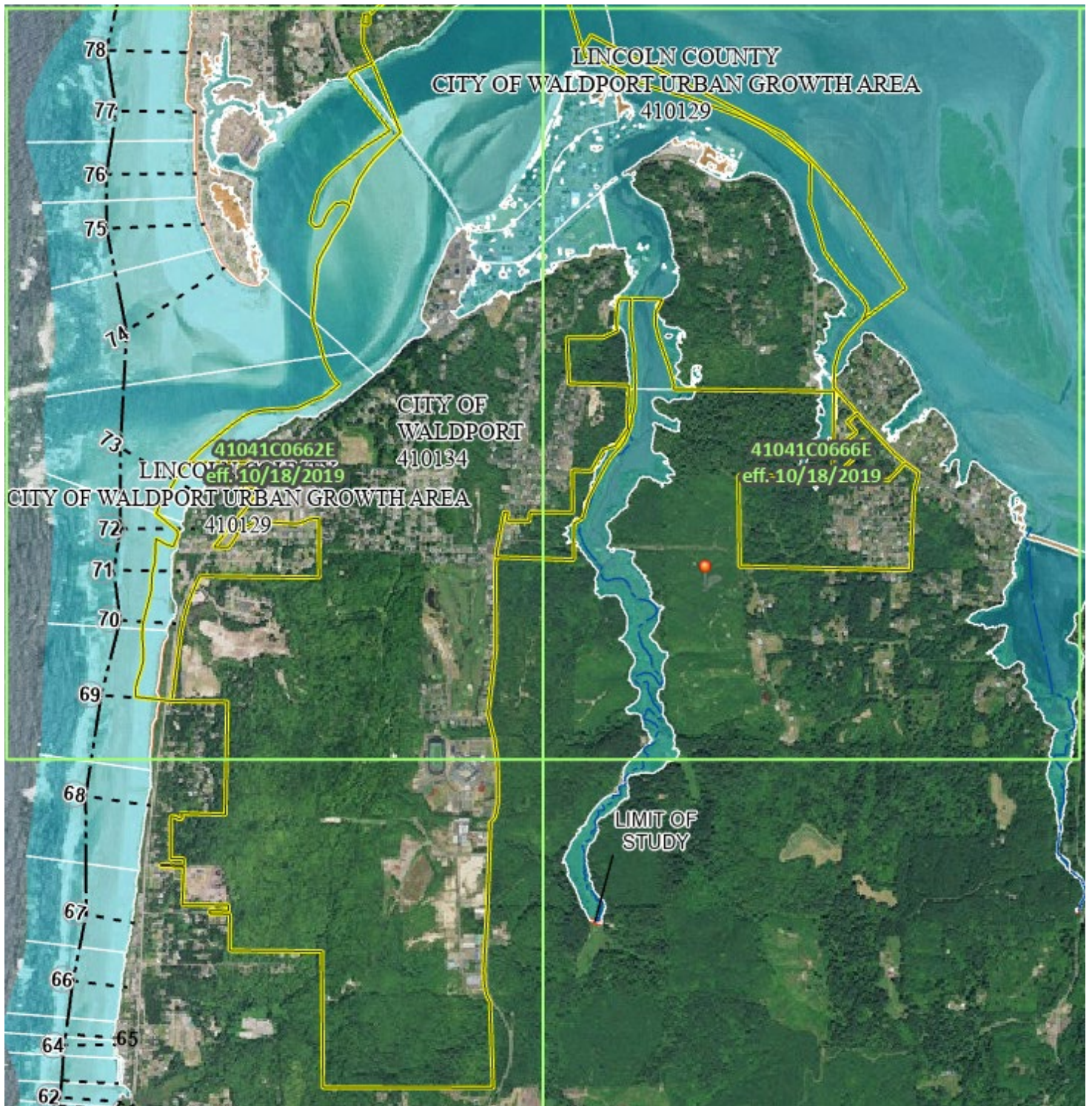


Waldport Development Constraints

- City Limits
- UGB
- Tax Lot
- Wetland
- Waterbody
- 100-Year Floodplain (SFHA)
- Steep Slopes (>25%)

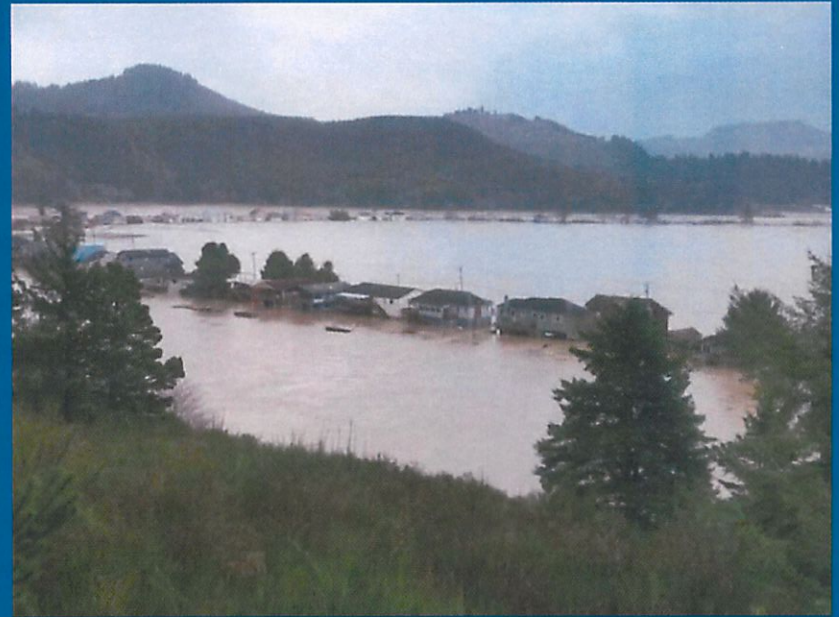
0 0.25 0.5 1 Miles





Flood Impacts in Oregon

- In the United States, flooding is the **single greatest source of damage** from natural hazards
- Congress created a National Flood Insurance Program (NFIP) following devastating flooding in the 1960s
- Oregon had **400 flood insurance claims** from 2013-2017, with payments of over **\$6.7 million**



Endangered Species Act Federal Guidance



Section 7(a)(1)

Protect and conserve endangered and threatened species and their habitats.

Section 7(a)(2)

Ensure that any action federal agencies authorize, fund, or carry out is unlikely to:

- Jeopardize the continued existence of any endangered or threatened species; or
- Result in the destruction or adverse modification of their habitat

Near-term Options for Communities

FEMA developed PICMs for participating NFIP communities to comply with ESA requirements in the interim period while the full implementation is being reviewed under NEPA.

PICM options

Prohibit all new development

Prohibit all new development in the floodplain.

Model Ordinance

Incorporate the ESA into local floodplain ordinances.

Permit-by-Permit

Require permit applicants to develop a Floodplain Habitat Assessment documenting that their proposed development in the Special Flood Hazard Area will achieve “no net loss.”

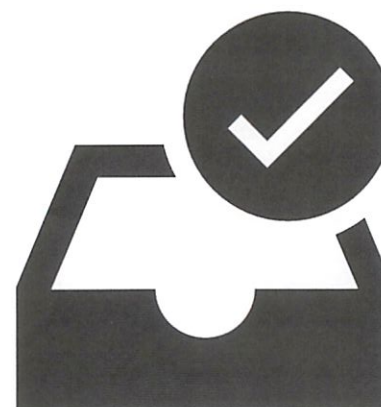


FEMA

Permit-by-Permit

Implementation

- Each floodplain development permit must review potential for impacts to species and habitat.
- Habitat Assessment Guidance provides a methodology for conducting the assessment.
- Includes mitigation ratios.



FEMA

October 18, 2024



Oregonians for Floodplain Protection

Oregon NFIP Biological Opinion,
FEMA's Pre-Implementation Plan, and
Impacts to Communities and Property
Owners





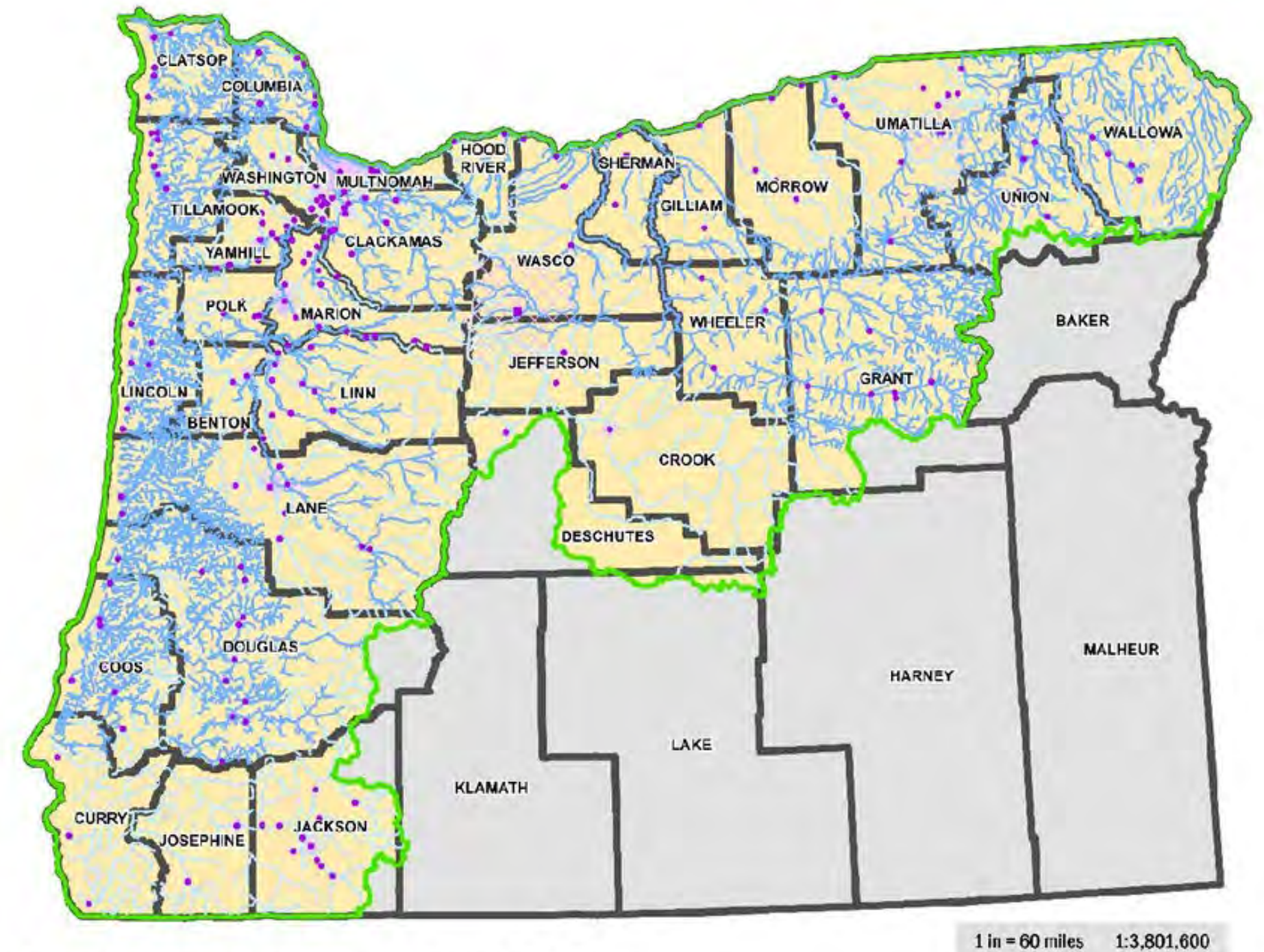
Background on Oregon NFIP Biological Opinion

- In 2009, FEMA was sued by several environmental groups in Oregon for failing to consider the effects of the NFIP on ESA listed species and their habitat in Oregon
- In 2010, FEMA settled; agreed to consult regarding the effects of the NFIP in Oregon on T&E species and designated critical habitat
- In April 2016, NMFS issued the Oregon NFIP Biological Opinion (BiOp)
- The BiOp concluded FEMA's implementation of the NFIP in Oregon jeopardizes the continued existence of T&E species and adversely modifies designated critical habitat



Areas Subject to Oregon NFIP BiOp

- Applies within 31 of Oregon's 36 counties
- Applies to more than 230 NFIP-participating communities (counties, cities and towns)



OREGON NFIP BIOP ACTION AREA

2021.09.28

LEGEND

- | | |
|---------------------------------------|--------------------------------|
| OREGON NFIP ACTION AREA | COUNTIES |
| CRITICAL HABITATS (SALMON/STEELHEAD)* | NFIP PARTICIPATING TRIBES |
| MAJOR STREAMS | NFIP PARTICIPATING COMMUNITIES |

*Critical Habitats are via NOAA Fisheries: <https://www.fisheries.noaa.gov/resource/map/critical-habitat-salmon-and-steelhead-all-west-coast>

ABOUT

This map displays the Oregon NFIP BIOP Action Area where critical habitats for salmon and steelhead (and areas upstream of those habitats) are displayed in relation to NFIP participating tribes and jurisdictions. Most NFIP-participating communities within Oregon have all or a portion of land within the BiOp Action Area, with the exception of Baker, Harney, Klamath, Lake, and Malheur Counties.



OFP's First Lawsuit Challenging BiOp and FEMA's implementation

In 2017, OFP filed suit in the DC District Court challenging:

- The accuracy/legality of the BiOp itself => BiOp does **not** comply with the requirements of the ESA
- The legality of the RPA => RPAs do **not** meet the requirements of the ESA
- FEMA's authority to implement the RPA =>
 - Nothing in the NFIP authorizes FEMA to act to protect T&E species and habitat; only people and property; and
 - Even if such authority did exist, FEMA has not adopted regulations that enable it to implement the RPA or other measures aimed at protecting T&E species or habitat
- FEMA failed to complete NEPA regarding any proposed action to implement the RPA or other measures





OFP's First Lawsuit Challenging BiOp and FEMA's implementation

- Lawsuit dismissed in 2018 on the grounds that:
 - OFP members could not demonstrate an injury in fact since FEMA had not taken any action to implement the BiOp/RPA; and
 - FEMA had not taken any action yet so the claim was not ripe
- FEMA represented to the court and OFP that it would not take any action toward implementing the RPA or other measures until after FEMA had completed NEPA environmental review and issued a Record of Decision (ROD).





FEMA's Draft Implementation Plan

- In October 2021, FEMA issued its Draft Implementation Plan
- Draft Plan varies from RPA and focuses on preserving and restoring three main floodplain functions:
 - Flood storage => limit new fill or require compensatory flood storage to offset any new fill
 - Water Quality => limit new impervious surface and heightened stormwater requirements (LID and non-structural approaches)
 - Riparian Vegetation => restrict removal within 170-feet of a water feature
- Draft Plan includes direction to avoid new non-water dependent development in the floodplain
 - Restricts future land divisions in floodplain
 - Allowance for one unit per existing parcel to avoid takings claims provided the development preserves three floodplain functions



FEMA's Draft Implementation Plan

- In March 2023, FEMA began the NEPA process to evaluate the impacts of its Draft Plan.
- FEMA elected to prepare an EIS recognizing that the impacts of its Plan are likely significant to NFIP-participating jurisdictions and floodplain property owners.
- FEMA's schedule for balance of EIS has slipped
 - Original plan:
 - Draft EIS – Summer 2024
 - Final EIS/ROD – Spring 2025
 - Community Implementation – beginning Fall 2025 with 18 month roll out
 - Revised plan:
 - Draft EIS – “early 2025”
 - Planning 75-day comment/public outreach period
 - Final EIS and ROD expected in 2026
 - Full community implementation expected by 2027
- Find FEMA's Quarterly updates at:
 - www.fema.gov/about/organization/region-10/oregon/nfip-esa-integration



Key Concerns with FEMA's Approach

- Consultation between FEMA and NMFS – but resulting requirements imposed on state and local governments
- No regulatory basis for the proposed requirements; FEMA has declined to go through rulemaking
- FEMA eager to shift the burden to local governments irrespective of whether the new standards work with existing Oregon policies and laws
- Unclear whether NMFS will accept FEMA's Implementation Plan
- Communities who decline to adopt the new standards will be removed from the NFIP. Result:
 - NFIP flood insurance no longer available
 - Community will not qualify for federal disaster assistance
 - Community will not qualify for federal funding for projects in the FEMA floodplain





FEMA's "Pre-Implementation Compliance Measures"

- In response to pressure from lawsuit filed by the Northwest Environmental Defense Center and the Center for Biological Diversity, **FEMA has abandoned its prior commitment to complete EIS before implementing any changes.**
- FEMA has stated that NFIP participating communities in Oregon must select a PICM option by Dec. 1, 2024. The options include:
 - Adopting a model ordinance that considers impacts to T&E species and their habitat and requires mitigation to a "no net loss standard,"
 - Choosing to require a habitat assessment and mitigation plan for floodplain development on a permit-by-permit basis, or
 - Prohibiting floodplain development in the Special Flood Hazard Area.
- Communities must begin collecting information on their floodplain permitting to document compliance beginning Jan. 31, 2025.





FEMA's Pre-Implementation Measures

- Additionally, as of August 1, 2024, FEMA stopped processing new applications for Letters of Map Revision based on Fill (LOMR-F) and Conditional Letters of Map Revision based on Fill (CLOMR-F)
 - This will impact owners who seek to have their properties removed from the SFHA after placing fill on a lot to raise the building pad above BFE
 - Exception for projects that are undergoing ESA Section 7 consultation due to a federal nexus (non-FEMA federal permit/authorization or funding)





FEMA's Pre-Implementation Measures

Key Components of the FEMA's Model Ordinance

- “No Net Loss” standard. Includes:
 - No Net New Fill in areas of the floodplain that could be fish habitat
 - No Net New Impervious Surface in the floodplain
 - If no net increase in impervious surface is “not feasible,” impose restrictive stormwater management standards (e.g., LID, green infrastructure, or professional stormwater retention)
 - No Net Loss of trees 6” dbh or larger in the floodplain
- Exceptions: Normal maintenance of roads, utilities, levees and other structures (e.g., re-roofing or replacing siding), routine agricultural and silviculture practices. Exception does not include expansion of paved areas.





Major Concerns with FEMA's PICMs

- The BiOp itself remains invalid and should not be implemented
- PICMs exceed FEMA's legal authority and address issues outside the scope of the NFIP
- By implementing the PICMs before completing environmental review under NEPA, FEMA is violating federal law and its commitment to Oregon's NFIP-participating communities
- FEMA is implementing the PICMs without first evaluating their environmental consequences or hearing from the public or NFIP-participating communities
- PICMs were announced with no warning and no involvement from State or local jurisdictions
- Any of the PICM options will be devastating to housing production, economic development, critical infrastructure and other community development in the floodplain
- FEMA's model ordinance is untested and difficult to implement
- Smaller communities with fewer resources will prohibit all new development in the floodplain in the near term, compromising the vitality of those communities





Cities' Options in the face of FEMA's PICMs

- Comply with FEMA's call for action by implementing one of the PICMs
- Respond that you are considering your options, but do not believe that FEMA has authority to require implementation of the PICMs. Default into permit-by-permit habitat assessment approach.
- Respond that you are considering your options, but are awaiting the results of the Environmental Impact Statement before making a decision. Default into permit-by-permit habitat assessment approach.





Cities' Options in the face of FEMA's PICMs – cont'd

From FEMA's PICM Fact Sheet:

What if a community's adoption process timeline does not allow us to meet the December 1st deadline for implementing a PICM?

While FEMA recognizes that the time it takes to implement a PICM varies by community, there is still an obligation to abide by ESA requirements. If a community cannot implement a PICM by the December 1st deadline, **FEMA will work with the community to consider alternative options to remain compliant with the ESA requirements in the interim.**

What penalties are communities looking at if they cannot meet the December deadline?

Communities will default to the permit-by-permit option if no selection was given to FEMA by December 1st. If FEMA does not hear from a community, the agency will contact them to identify what technical assistance is needed to implement PICM. **If a community has no PICM implemented by July 31st, 2025, FEMA will prioritize an audit of floodplain development activities that occurred in the community, specifically focused on the PICM time-period to assess what has occurred and any mitigation that would have been required for development that occurred.**





Cities' Options in the face of FEMA's PICMs – cont'd

- FEMA has explained that they will not request documentation of compliance for communities that select the permit-by-permit approach ***until January 2026***.
- For communities that do not implement a PICM, FEMA's plan is to begin the standard Community Assistance Visit/Community Assistance Contact approach.
- **BOTTOM LINE: While FEMA is using strong language (saber rattle), the consequences of taking a slow approach (wait and see) presents a **LOW RISK*** to local jurisdictions.**

** Of course, I am not currently your attorney, but this is what I am telling my clients based on extensive discussions with FEMA and review of FEMA's materials.*





| 44 CFR 60.3(a)(2) does NOT require jurisdictions to implement the PICMs.

- NFIP-participating communities must adopt floodplain development standards at least as restrictive as those set forth at 44 CFR 60.3
- FEMA has cited 44 CFR 60.3(a)(2) as the legal basis for requiring compliance with the PICM
- *But* 44 CFR 60.3(a)(2) provides only that local governments “assure that all necessary **permits** have been received from those governmental agencies from which approval is **required** by Federal or State law”
- *No basis in the regulations for requiring implementation of the PICMs – and FEMA knows that but they are hoping NFIP-participating jurisdictions will comply*





Coalition and Renewed Challenge

NFIP-participating communities may also join with OFP in a renewed challenge to the BiOp and FEMA's implementation efforts

Dozens of public and private sector entities have formed the [Oregonians for Floodplain Protection](https://www.floodplainprotection.org/) coalition to assist coalition partners in

- Engaging with federal and state elected leaders,
- Supporting NFIP participating jurisdictions in responding to FEMA,
- Increasing awareness among property owners and members of the public, and
- Evaluating options for challenging the NFIP BiOp and FEMA's implementation efforts

Learn more at www.floodplainprotection.org





Have questions or want more information?

Molly Lawrence
Van Fess Feldman



206-954-5011



mol@vnf.com

Sarah Absher
Tillamook County



503- 842-3408 x. 3412



Sarah.Absher@tillamookcounty.gov

Summary of effects listed by Lincoln County. (similar effects can be expected here)

1. Permitting volume – surge of permits expected prior to Dec 1, 2024 before new rules are required to be enforced.
2. Estimated three times effort per permit, plus qualified consultant needed to review.
3. Potentially require hiring new planners to deal with increase.
4. New administrative rule requirements:
 - a. Demonstrate legal right to implement activities;
 - b. Demonstrate financial assurances for long term monitoring;
 - c. Management plan identifying site manager, activities, etc;
 - d. Applicants may have to develop Habitat Assessment plan.
5. Habitat investment plans are complex and cannot be reviewed inhouse.

New Planning Duties

1. Recordkeeping and reporting to FEMA of:
 - a. Fill or displacement (volume and area);
 - b. Amount of new surface, and projected change in flow of waters;
 - c. Mapping of area where clearing/grading occurred;
 - d. Number of trees cut and replanted for mitigation;
 - e. If land is removed or reconnected to floodplain;
 - f. Significant mapping, and site surveying depending on application.

Will things Change? Absolutely, potentially for the worse

- FEMA Rules not final
- Environmental Impact Statement is not complete
- Not all rules implemented by FEMA in the plan
- Maps updating may include a lot more property

If we implement model Ordinance:

- Implement permit by permit or temporary moratorium for Dec 1st.
- Draft new ordinance as we understand it.
- Get legal review.
- Development clear workflow for citizens.
- Implement notice and public process for adoption of new code.



TINA KOTEK
GOVERNOR

September 26, 2024

The Honorable Deanne Criswell, Administrator
Federal Emergency Management Agency
500 C Street SW
Washington, D.C. 20024

Dear Administrator Criswell:

I am writing to convey the State of Oregon's concerns related to FEMA's National Flood Insurance Program (NFIP) and Biological Opinion (BiOp) efforts in the State of Oregon. The BiOp has a long and storied history in our state, and we share FEMA's perspective on the importance of protecting public safety and threatened species. However, FEMA's lack of public process in the development and implementation of the current set of interim measures will cause more harm than benefit to our communities, in particular many coastal and rural communities. I have asked my natural resources agencies to identify possible pathways forward, and the State offers three recommendations:

First, FEMA's imposed deadline of December 1, 2024, for local decision-making is impractical because Oregon cities and counties engage their elected officials and constituents in transparent and fact-based decision-making processes. Those processes are impossible to align with a deadline of just a few months. **I respectfully request that FEMA pause its work on pre-implementation compliance measures (PICM) that it abruptly announced on July 15, 2024, and return to the work of crafting long-term measures to modernize the National Flood Insurance Program.**

Second, the State stands ready to assist our local partners in their compliance work and reiterates its May 5, 2023, offer to deploy already-existing state programs such as land use planning, stormwater permits, habitat restoration, wetlands mitigation programs, and technical assistance grants for these purposes. I recognize that federal partners, including FEMA, the National Marine Fisheries Service (NMFS), and the National Oceanic and Atmospheric Administration (NOAA) may view these State programs as helpful but not yet complete in their depth or coverage for purposes of the BiOp. **I invite FEMA to join our agencies for a discussion on how best to continue efforts that started in the implementation planning process to identify gaps in existing State programs and pathways for moving forward to address how the State of Oregon can effectively address those within a collaborative framework.**

Administrator Criswell
September 26, 2024
Page 2

In Oregon, we place a premium on community engagement and collaborative design that is too often overlooked as an effective vehicle to support and assist with the implementation of federal program objectives if given the opportunity and time to contribute. **I respectfully ask that FEMA engage more fully in deliberative dialogue with my agencies in order to craft the best solutions possible for public safety and species protection. With your agreement, I will support the convening of such a process with the appropriate representatives of different interests so that together we can chart a durable and implementable path forward.**

Given the current timing of proposed implementation, my staff will be reaching out to discuss this approach with you next week. Thank you for your consideration of these recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Kotek", with a stylized, cursive script.

Governor Tina Kotek

cc: The Honorable Rick Spinrad, Administrator, NOAA
Members of the Oregon Congressional Delegation

Text Code Changes

16.76.050 Temporary Signs.

In addition to the allowances for signs provided by this section, temporary signs are allowed on private property with the following standards:

1. ~~No more than one temporary sign is permitted per property.~~ Temporary signs are not permitted in the public right-of-way.
2. Temporary signs shall be a maximum of eight (8) square feet.
3. Temporary signs are allowed for not more than ninety (90) consecutive days or for any period of time during which the property is for sale, lease or rent, or for an election or event.
4. Temporary signs shall be secured so as not to be movable (pushed, pulled, blown, etc.)
5. No objects shall be attached to temporary signs, e.g. balloons, banners, etc.

Schedule:

1. Required Notifications:
 - 45-day comment period to Oregon Department of Land Conservation and Development.
 - Mailed notices to all affected property owners (everyone).
 - Legal ad in newspaper at least two times during a three-week period prior to the Planning Commission Public Hearing.
2. **Public Hearing – Planning Commission – January 2025**
 - After all required comment periods.
 - Public hearing will provide opportunities for testimonies.
 - Planning Commission actions:
 - a. Make motion to send to City Council for Public Hearing.
 - b. Continue Public Hearing to a later Planning Commission meeting.
 - c. Instruct City Planner to make changes and bring back to Planning Commission.
 - d. Make recommendation to not make any changes.
3. Public Hearing – City Council
 - 30-day Notification. Can do one notification for Planning Commission and City Council as long as public hearing dates are announced and comment periods observed.
 - After all required comment periods.
 - Public hearing will provide opportunities for testimonies.
 - City Council actions:
 - e. Make motion to adopt changes via Ordinance.
 - f. Continue Public Hearing to a later City Council meeting.
 - g. Instruct City Planner to make changes and bring back to City Council.
 - h. Make recommendation to not make any changes.

CITY OF WALDPOR
2024 LAND USE & BUILDING PERMIT ACTIVITY
October 28, 2024

Date	Applicant	Type of Activity	Zoning	Location	Description	Status/Comments
10/15/2024	Pier	Building Permit	R-1	13-11-19-AB-01400 820 N. Bay Street	New roof over attached garage, shed-style with dormers.	Approved
10/10/24	Giffel-Tibbits	Annexation	R-1	13-12-36-AB-00700 3365 SW Pacific HWY	Annex into City	Approved

City Council Thursday October 10, 2024

- New Planning Commissioner Vacancy – April Swift appointed by City Council October 10, 2024.
- Code Enforcement – Approval to hire code enforcement officer.
- Traffic Court
- Property Annexation – 3365 SW Pacific Coast HWY
- Bear Resistance Cans Requirement
- Formal Acceptance of Mayor’s resignation. Position to remain vacant until new mayor is sworn in.

News

- Crestline sidewalk project awarded. Construction to begin Spring 2025 after rains.
- Southworth Park – equipment shipment delays and weather...opening Spring 2025?
- Animal Shelter groundbreaking.

Schedule

- Tuesday November 5 – Election Day
- Thursday November 14 – City Council Meeting. Request to Vacate NW John Way.
- Monday November 25 – Planning Commission Meeting.
- Monday December 23 – Planning Commission Meeting

Holidays – City Closed

- Monday November 11 – Veteran’s Day
- Thursday November 28 – Thanksgiving
- Friday November 29 – Day after Thanksgiving
- Wednesday December 25 – Christmas, Hanukkah
- Wednesday January 1, 2025 – New Year’s Day