



CITY OF WALDPORT
MEETING AGENDA
DISCUSSION / ACTION ITEMS

TITLE OF ISSUE: Proposed Amendments to the Waldport Development Code

REQUESTED BY: Planning Commission / City Planner / City Administration

PLANNING COMMISSION: Steven Barham, Chair
Alanna Miklic, Vice-Chair
Michael Schlosser
Duane Snider
Jamey Buck
Christine Campbell
Joan Crall

MEETING DATE: June 28th, 2021 @ 2:00 PM

OVERVIEW

The Planning Commission is currently considering nine amendments to **CHAPTER 16** of the **WALDPORT DEVELOPMENT CODE**.

The Planning Commission over the previous year and a half, held extensive discussions which also spanned a change in Commission members and Planning Staff. Two members of the Planning Commission remain; Chairman Barham and Commissioner Schlosser. All members of the current Planning Commission have been presented with the proposed amendments for their consideration and review.

A summary of each of the nine amendments is provided below and the complete revisions of each of the proposed amendments follows.

1. **Chapter 16.08.020.B.4 Basic Provisions, Classification of Zones, Commercial.** *Addition of Zone C-T Commercial Tourist.* Adopt existing language from Lincoln County Zoning Code.
2. **Chapter 16.12.030, Residential Zone R-1, Standards, Yards.** *Revisions and Addition:* All new single-family homes are required to have a garage or carport of like materials. A garage or carport may only be converted to living space if another garage or carport is provided. Approval of the conversion is conditioned on constructing a replacement garage or carport.
3. **Chapter 16.72.040.E.1-11.** *Addition: Accessory Dwelling Unit.* Adoption of the State of Oregon, recommended municipal code language.
4. **Chapter 16.30.090.A.2. Downtown District, Limit on Street Level Housing.** *Revision:* Allow new construction of residential, multi-family units of up to five (5) units or greater permitted on arterials (Highway 101 and 34) and "Residential Only" development of three (3) units or greater on interior streets.

5. **Chapter 16.72.020.E. Supplementary Regulations, Off-Street Parking And Off-Street Loading Requirements.** *Revision:* "Truck" changed to "Vehicle." Text for parking revised to Chapter 16.74 *et al.*
6. **Chapter 16.72.040.B. General Provisions Regarding Accessory Uses, Fences.** *Revision:* Height limitation within Clear Vision Area from two and one-half (2 ½) feet to three and one-half (3 ½) feet. Corresponding change in **16.72.10 Clear Vision Area.**
7. **Chapter 16.74.** *Addition:* **Parking Summary Table and Universal Access** for Off-Street, On-Street Parking, all Zones. Summarized current parking conditions and standards, with separate, identified Parking section.
8. **Chapter 16.108.020.B.4. Review Procedures.** *Revision:* Increase of "notification distance" to 300' from 250' *and* Planner's discretion to increase (only, not decrease) boundary of notification area for Planned Developments and Subdivisions.
9. **Chapter 16.04.030 Definitions.** *Includes definition of terms relevant to Accessory Dwelling Units, Commercial Tourism, day-to-day Planning Review and Development in Hazard Zones.*

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

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AMENDMENT 1 - ZONE ADDITION OF C-T, COMMERCIAL TOURIST ZONE to CHAPTER 16.08.020.B.4 CLASSIFICATION OF ZONES, COMMERCIAL. *Addition of Zone: C-T Commercial Tourist.* Adopt existing language from Lincoln County Land Use Planning, Zoning, C-T Commercial Tourism, 2018.

CHAPTER 16.08.020.B.4. BASIC PROVISIONS, CLASSIFICATION OF ZONES, COMMERCIAL ZONES, COMMERCIAL TOURIST (C-T).

CHAPTER 16.08.060. ZONE DESCRIPTIONS. Q. TOURIST COMMERCIAL ZONE C-T. *The C-T Zoning district is intended to support tourism to Waldport and the Bay Area Region; providing accommodations, related retail, dining and commercial services.*

CHAPTER 16.34. COMMERCIAL TOURISM C-T

CHAPTER 16.34.010 USES PERMITTED OUTRIGHT

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

A use permitted outright in the C-T zone;

- A. Automobile service station, including minor repair provided it is conducted entirely within an enclosed building.*
- B. Barber or beauty shop.*
- C. Boat launching or moorage facility, marina, boat charter service.*
- D. Car wash.*
- E. Clinic.*
- F. Club, lodge, or fraternal organization.*
- G. Food store.*
- H. Gift shop.*
- I. Hotel, motel, or resort, when served by a public or community sewer system.*
- J. Indoor commercial amusement or recreation establishment such as bowling alley, theater, or pool hall.*
- K. Laundromat.*
- L. Office.*
- M. Private museum, art gallery, or similar use.*
- N. Restaurant, bar, or tavern.*
- O. Retail sale of sporting goods, or bait.*

CHAPTER 16.34.020 CONDITIONAL USES PERMITTED

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

- A. A use permitted as a conditional use in the R-4 zone.*
- B. Recreational vehicle park.*
- C. Outdoor recreation development.*
- D. Outdoor commercial amusement or recreation establishment such as miniature golf course or drive-in theater, but not including uses such as race track or automobile speedway.*
- E. Automobile repair garage provided all repair shall be conducted entirely within an enclosed building.*
- F. Signs, advertising.*

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- G. **Heliport.**
- H. **Pilings, piers, docks, and similar in water structures.**
- I. **Mini-storage.**

CHAPTER 16.34.030 STANDARDS

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

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

CHAPTER 16.72.040 GENERAL PROVISIONS REGARDING ACCESSORY USES

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

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

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16.84.70 STANDARDS AND PROCEDURES GOVERNING CONDITIONAL USES

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

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

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AMENDMENT 2 - CHAPTER 16.12.030 RESIDENTIAL ZONE R-1, STANDARDS. *Additions:* Include code language which conditions the conversion of a garage or carport to constructing a replacement garage or carport on the same parcel.

CHAPTER 16.12.30.B, RESIDENTIAL ZONE R-1, STANDARDS, YARDS. The minimum yard requirements in the R-1 zone shall be as follows:

6. All new single-family homes **constructed after 2019** are required to have a garage or carport constructed of like materials.
7. **GARAGE OR CARPORT CONVERSIONS.** A garage or carport may only be converted to living space if another garage or carport is provided on the same parcel, following standards and conditions for the established zoning. Approval shall be conditioned on constructing a replacement garage or carport.

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

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AMENDMENT 3 - CHAPTER 16.72.040.E. 1-11. GENERAL PROVISIONS REGARDING ACCESSORY USES, ACCESSORY DWELLING UNITS. Adoption of the State of Oregon, recommended municipal code language.

GUIDANCE ON IMPLEMENTING THE ACCESSORY DWELLING UNITS (ADU) REQUIREMENT UNDER OREGON SENATE BILL 1051 UPDATED TO INCLUDE HB 2001 (2019)

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

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

- a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.
- b) As used in this subsection, “accessory dwelling unit” means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

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

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

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

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

In order to simplify standards and not create barriers to development of ADUs, DLCD recommends applying the same or less restrictive development standards to ADUs as those for other accessory buildings. Typically

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

CHAPTER 16.12 THROUGH 16.34, RESIDENTIAL ZONE R-1 TO C-T.

Zoning Districts

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

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

CHAPTER 16.12 RESIDENTIAL ZONE R-1

16.12.010 USES PERMITTED OUTRIGHT

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

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

16.12.020 CONDITIONAL USES PERMITTED

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

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

CHAPTER 16.72 SUPPLEMENTARY REGULATIONS

16.72.040 GENERAL PROVISIONS REGARDING ACCESSORY USES.

E. Accessory Dwelling Units.

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

ADUs are subject to the standards identified below.

1. **One Accessory Dwelling Unit (ADU) per Lot.** A maximum of one ADU is allowed per lot as an outright permitted use. Two or more ADUs are allowed per lot as a conditional use. ADUs may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
2. **Unity of Ownership.** An ADU cannot in any way be segregated in ownership from the principal dwelling unit.
3. **Exempt from Density Limits.** ADUs are exempt from the density standards of the zoning districts in which they are located.
4. **Floor Area.**

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ADUs shall not exceed 900 square feet of floor area or 85% of the primary dwelling’s floor area, whichever is smaller.

5. **Other Development Standards.** ADUs shall meet all other development standards, e.g., height, setbacks, lot coverage, etc., for buildings in the designated zone district.
7. **Parking.** One on-site paved parking space shall be provided for each ADU, 499 square feet or less. Two on-site paved parking spaces shall be provided for each ADU over 500 square feet. This requirement is in addition to off-street parking standards that apply to the primary dwelling. See Chapter 16.74.020 Parking Tables.
8. **Water Service.** An ADU shall be connected to public water service. The water connection may be shared with the primary dwelling or a separate water service. If a separate service, System Development Charges and connection fees shall apply.
9. **Sewer Service.** An ADU shall be connected to the public sewer service, if available. The sewer connection may be shared with the primary dwelling or a separate sewer service. If a separate service, System Development Charges and connection fees shall apply.
If public sewer service is not available, the ADU must be connected to an approved on-site waste management system, e.g. septic system. The on-site waste management approval shall be for both the primary dwelling and the ADU(s).
10. **Conversion** of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;
11. **Variance.** If one or more of the standards of this section cannot be met, an owner may apply for a variance per WMC 16.92.020.

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AMENDMENT 4 – CHAPTER 16.30.090.A.2. DOWNTOWN DISTRICT, LIMIT ON STREET LEVEL HOUSING. *Revision:* Allow new construction of residential, multi-family units of up to five (5) units or greater permitted on arterials (Highway 101 and 34) and “Residential Only” development on identified interior streets. For full D-D Text, see Appendix A.

16.30.090 SPECIAL STANDARDS FOR CERTAIN USES

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

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

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

Properties fronting other streets (not identified above) are permitted to have residential-only uses, commercial uses, or mixed uses. Rehabilitation or refurbishment of existing buildings to support the creation of multi-family residential, or live/work is exempt from D-D New Development Guidelines in the defined areas.

- 2. Limitation on street-level housing. Residential uses are not permitted at street-level on arterials (Hwy. 34 and Hwy. 101). This standard is intended to **preserve** storefront space for commercial use and public/institutional use. It does not limit residential uses above the street level on upper stories, or behind street-level storefronts.
- 3. Density. ~~There is no residential density standard.~~ **Residential Density Standard shall be multi-family units of up to five (5) units or greater permitted on arterials (Highway 101 and 34). “Residential Only” development permitted on interior streets may be three (3) units or greater.**

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AMENDMENT 5 - CHAPTER 16.72.020.E. SUPPLEMENTARY REGULATIONS, OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS. *Revision:* "Truck" changed to "Vehicle." to include any vehicle used for conducting business.

16.72.020 OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS

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

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

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AMENDMENT 6 - CHAPTER 16.72.040.B. GENERAL PROVISIONS REGARDING ACCESSORY USES, FENCES.

Revision: Height limitation within Clear Vision Area from two and one-half (2 ½) feet to three and one-half (3 ½) feet. Corresponding change in 16.72.10 Clear Vision Area.

16.72.040 GENERAL PROVISIONS REGARDING ACCESSORY USES

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

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

16.72.010 CLEAR VISION AREAS

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

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

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AMENDMENT 7 – CHAPTER 16.72. Summary of Parking Conditions and Standards for Off and On-Street parking; assigned separate section from Supplementary Regulations, for ease of application and reference.

16.74.010 OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS (See Appendix B for text)

CHAPTER 16.74.020 – PARKING TABLE BY USE/ZONE

THE CITY OF WALDORT – PARKING TABLE by USE				
USE/ ZONE	DESCRIPTION	PARKING SPACE REQUIREMENTS	ON-SITE PARKING	NOTES
A. RESIDENTIAL				
R-1 to R-4, C-1, C-2, C-T, D-D	1 Single-family Residential (SFR)	Garage or carport required for new single family residences constructed after 2019.	- Minimum 2 on-site spaces per D.U. - Garage or Carport required - Garage or Carport Conversion requires replacement.	- Off-street parking spaces shall be located on the same lot or on an adjoining lot unless otherwise approved.
R-2 to R-4, C-1, C-2, C-T, D-D	2 Duplex dwelling units	Spaces equal to 1.5 times the number of dwelling units	1.5 per D.U.	Street parking determined by property line extents
R-3 to R-4, C1, C2, C-T, D-D	3 Multifamily dwelling units	Spaces equal to 1.5 times the number of dwelling units	1.5 per D.U.	Street parking determined by property line extents
R-4, C1, C2, C-T, D-D	4 Apartment house, rooming house, or boarding house	Spaces for eighty (80) percent of the guest accommodations plus one additional space	0.80% + 1	Street parking determined by property line extents
C1, C2, C-T, D-D	5 Manufactured Home and MH Park	Two spaces per MH unit. Additional guest parking required.	2 per D.U.	Parking provided on site in guest parking.
R-1 to R-4, C-1, C-2, C-T, D-D	6 Accessory Dwelling Unit	One (1) per dwelling unit under 500 square feet, and Two (2) for ADUs greater than 500 sf.	1 per D.U. <499 sf. 2 per ADU >500 sf. - on-site only	Cannot claim allotted parking for DUs
B. COMMERCIAL RESIDENTIAL				
C-1, C-2, C-T, D-D	1 Hotel	One space per guest room plus one space per two employees.	1 per room and ½ space per employee	On-street parking cannot count toward requirements.
C-1, C-2, C-T, D-D	2 Motel	One space per guest room or suite plus one additional space for the owner or manager.	1 per room and 1 per owner / manager	As above.
C-1, C-2, C-T, D-D	3 Club or lodge	Space to meet the combined requirements of the uses being conducted, such as a hotel, restaurant, auditorium, etc.	1 per 100 sf of floor area and 1 per 2 employees	As above.
C-1, C-2, C-T, D-D	4 Bed & Breakfast Establishments	One (1) off street parking for owners/operators with one (1) additional space for each authorized guest room	1 per owner / manager and 1 per guest room	As above.

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C. INSTITUTIONS					
C-1, C-2, C-T, D-D	1	Convalescent Hospital Senior Housing Advanced Care	Three spaces (3) for each two beds	3 per 2 beds	On-street parking cannot count toward requirements.
C-1, C-2, C-T, D-D	2	Hospital	Three spaces (3) for each two beds	3 per 2 beds	As above.
D. PLACES OF PUBLIC ASSEMBLY					
C-1, C-2, C-T, D-D	1	Spiritual – Places of Worship Vs. Church	One space (1) per six seats or one (1) per 50 sf of assembly area	1 per 6 seats or 1 per 50 sf	On-street parking cannot count toward requirements.
C-1, C-2, C-T, D-D	2	Library or Reading Room	One space (1) per three hundred (300) square feet of floor area and per two employees	1 per 300 sf and 1 per 2 employees	As above.
C-1, C-2, C-T, D-D	3	Preschool nursery or kindergarten (primary school)	Two spaces (2) per classroom	2 per classroom	As above.
C-1, C-2, C-T, D-D	4	Elementary or junior high school	Two spaces (2) per classroom	2 per classroom	As above.
C-1, C-2, C-T, D-D	5	High school	Fives spaces (5) per classroom.	5 per classroom	As above.
C-1, C-2, C-T, D-D	6	Other auditorium or meeting room	One space (1) per four seats or 1 per fifty (50) square feet of floor area	1 per 4 seats or 1 per 50 sf of floor area	As above.
C-1, C-2, C-T, D-D	7	Clubhouse or Multi-functional Use	One space (1) per four seats or 1 per fifty (50) square feet of floor area	1 per 4 seats or 1 per 50 sf of floor area	As above.
C-1, C-2, C-T, D-D	8	Instructional Classes eg. Martial Arts or Dance Studio	One (1) spaces per one hundred (100) sf plus one (1) space per employee	1 per 100 sf of floor area and 1 per employee	As above.
C-1, C-2, C-T, D-D	9	Parks and Open Space	As determined by the Planning Commission and/or City Council		As above.
E. COMMERCIAL AMUSEMENTS					
C-1, C-2, C-T, D-D	1	Stadium, arena or indoor theater	One (1) space per four seats	1 per 4 seats	On-street parking cannot count toward requirements.
C-1, C-2, C-T, D-D	2	Bowling establishment w/o restaurant	Five (5) spaces per alley plus one space per two employees.	5 per alley and 1 per 2 employees	As above.
C-1, C-2, C-T, D-D	3	Bowling establishment w/restaurant	Eight (8) spaces per alley plus one space per two employees.	8 per alley and 1 per 2 employees	As above.
C-1, C-2, C-T, D-D	4	Dance hall or skating rink	One space (1) per one hundred (100) square feet of floor area plus one space per two employees.	1 per 100 sf of floor area and 1 per 2 employees	As above.
F. COMMERCIAL					
C-1, C-2, C-T, D-D	1	Retail store, except as provided in subsection (F)(2) of this table	One space (1) per three hundred (300) square feet of floor area.	1 per 300 sf of floor area	On-street parking cannot count toward requirements.
C-1, C-2, C-T, D-D	2	Service or repair shop, retail store handling exclusively bulky	One space (1) per six hundred (600) square feet of floor area.	1 per 600 sf of floor area	As above.

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		merchandise such as automobiles and furniture	WMC: two (2) off street parking spaces per operator station	or WMC 2 per operator station	
ALL	3	Home Business	None	0 allowable	As above.
C-1, C-2, C-T, D-D	4	Bank or office (except medical and dental)	One space (1) per six hundred (600) square feet of floor area plus one space per two employees.	1 per 600 sf of floor area and 1 space per 2 employees	As above.
C-1, C-2, C-T, D-D	5	Medical and dental office or clinic	One space (1) per three hundred (300) square feet of floor area plus one space per two employees.	1 per 300 sf of floor area and 1 space per 2 employees	As above.
	6	Eating or drinking establishment	One space (1) per two hundred (200) square feet of floor area. OR WMC One (1) space per four seats	1 per 200 sf of floor area or 1 space per 4 seats	As above.
	7	Mortuaries	One (1) space per four (4) seats or eight feet of bench length in the chapel	1 space per 4 seats or 1 space per 8' of bench length in the Chapel	
G. INDUSTRIAL					
	1	Storage warehouse, manufacturing establishment, freight terminal	One space (1) per employee.	1 per employee	
	2	Wholesale establishment	One space (1) per employee and one (1) space per seven hundred (700) square feet of patron serving area	1 per employee and 1 space per 700 sf of patron serving area	

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CHAPTER 16.74.030 – UNIVERSAL PARKING SPACES

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

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AMENDMENT 8 - CHAPTER 16.108.020.B.4. REVIEW PROCEDURES. *Revision:* Increase of “notification distance” to 300’ from 250’ *and* Planner’s discretion to increase (only, not decrease) boundary of notification area for Planned Developments and Subdivisions.

16.108.020 REVIEW PROCEDURES

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

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

- C. Notice of Public Hearing.
 - 2. Quasi-Judicial Hearing. Notice of a public hearing shall be published in a newspaper of general circulation in the City at least ten (10) days prior to the date of the hearing. In addition, at least twenty (20) days prior to the hearing date, the applicant and the owners of record of property on the most recent tax assessment roll of Lincoln County within ~~two hundred and fifty (250)~~ **three hundred (300)** feet of the subject property shall be notified in writing of the City Planner’s action. Said notice shall also be provided to any neighborhood or community organization recognized by the City Council and whose boundaries include the subject property. Such notification shall:

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AMENDMENT 9 - CHAPTER 16.04 INTRODUCTORY PROVISIONS AND DEFINITIONS

16.04.030 DEFINITIONS.

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

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

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

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

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

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

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

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

Short-Term Lodging (STRs). See “Visitor accommodations.”

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

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

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

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

Visitor Accommodations (Land Use).

1. **“Bed and Breakfast”** See Bed and Breakfast.
2. **“Eco-Resort”** means a destination resort which primarily focuses on a region’s natural areas while operationally conserving resources. Its purpose may be to educate the traveler, provide funds for conservation efforts, or to benefit responsible economic development within the local community.
3. **“Hostel”** means establishments offering supervised overnight sleeping accommodations, primarily for travelers who use nonmotorized transportation or commercial or public transportation. Such sleeping accommodations are designed, intended to be used and are used, rented or hired out as temporary or overnight accommodations for guests in which daily services of linen change, towel change, soap change and general cleanup are provided by the management. If kitchen or eating facilities are provided, they are communal in nature.
4. **“Hotel”** See Hotel.

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

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

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

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

1. The number of parking spaces required by the code for the new use will be equal to or less than the code requirements for the previous use, and there will be no reduction in the number of parking spaces, or
 2. No additional area is available for new parking spaces and at least seventy-five (75) percent of the number of spaces required for the new use will be provided, with no reduction in the number of parking spaces.
- R. For the purpose of calculating the number of off-street parking spaces required, the total floor area of a structure shall be used.
- S. Off-street parking requirements.
1. Dwelling. One (1) space for each dwelling unit.
 2. Mobile Home Park. Two (2) spaces for each mobile home space.
 3. Motel, Hotel or Resort. One (1) space for each accommodation.
 4. Hospital. Three (3) spaces for each two (2) beds.
 5. Nursing home or similar institution. One (1) space for each three (3) beds.
 6. Church, club or similar place of assembly. One (1) space for each six (6) seats, or one (1) space for each fifty (50) square feet of floor area used for assembly.
 7. Library. One (1) space for each three hundred (300) square feet of floor area.
 8. Skating rink, or similar commercial amusement enterprise. One (1) space for each one hundred (100) square feet of floor area.
 9. Bowling alley. Five (5) spaces for each alley.
 10. Retail Store: One (1) space for each three hundred (300) square feet of floor area.
 11. Eating and drinking establishments. One (1) space for each four (4) seats.
 12. Service or repair shop, retail store handling bulky merchandise such as automobiles and furniture. One (1) space for each six hundred (600) square feet of floor area.
 13. Bank, office. One (1) space for each six hundred (600) square feet of floor area.
 14. Instructional classes, such as martial arts or dance studios. One (1) space for each instructor plus one (1) space for each one hundred (100) square feet of floor area.
 15. Schools:
 - a. Pre-school, Kindergarten, Elementary and Junior High: Two (2) spaces per classroom.
 - b. High School: Five (5) spaces per classroom.
 16. Bed and breakfast establishments: One (1) off-street parking space for owners/operators with one (1) additional space for each authorized guest room.
 17. Personal services establishment (i.e. barber, beauty shops). Two (2) off-street parking spaces per each operator station.
 18. Multi-family dwellings. One and one-half (1.5) spaces per dwelling unit.

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

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

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

16.30.020 Conditional Uses Permitted

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

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

16.30.030 Building Setbacks

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

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

- A. Front Yard Setbacks.
 1. Minimum Setback. There is no minimum front yard setback required.
 2. Maximum Setback. The maximum allowable front yard setback is 20 feet. This standard is met when a minimum of 75 percent of the front building elevation (façade) is placed no more than 20 feet back from the front property line. In any event, a building must be within the required setback and cover a minimum 75% of lot width. The setback standard may be increased when a usable public space

with pedestrian amenities (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area or town square with seating) is provided between the building and front property line. (See also, Pedestrian Amenities Standards and Architectural Standards in this Chapter.

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

16.30.040 Lot Coverage

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

16.30.050 Building Orientation

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

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

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

16.30.060 Building Height

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

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

16.30.070 Architectural Guidelines And Standards

- A. Purpose and Applicability. These architectural guidelines and standards are intended to encourage innovative design and be of human-scale while affording flexibility to use a variety of building styles and materials complementary to and with materials used in existing downtown buildings. This section applies to all building types as listed in Section 16.30.150.
- B. Building Elevation Design Standards. All buildings shall contribute to the storefront character and visual relatedness of Downtown Waldport buildings. This criterion may be met by providing architectural features as listed in items 1-4 below, in the front or “main street” façade or elevation, as applicable. Buildings situated on corners shall include the stated criteria in the side street elevation or façade as well. Buildings on through-lots (lots that face a street along the front and rear of the property) shall treat the secondary street façade in

a manner similar to that as the main street façade is treated. Additionally, if the architectural character along the secondary street is other than commercial, that façade should be compatible with the architectural character of that neighborhood as much as possible while maintaining the architectural integrity of the main building.

1. Building entrances on corner lots. A building entrance may be located away from the corner when the building corner is beveled or incorporates other design aspects or features to reduce the angular appearance of the building at the street corner.
2. Fenestration and decoration. Appropriately spaced and/or shaped windows with window hoods, cornices and/or canopies or special trim at all windows on all building stories.
3. Display windows. Large display windows on the ground-floor should be set off by extended mullions, applied columns, or a storefront cornice to separate the ground floor from upper stories. Display windows are not for residential use.
4. Decoration. Decorative cornices and/or fascias on street facades at top of building (flat roof), or eaves on buildings with pitched roofs and/or expressions of roof structure such as projected roof trusses or decorative roof overhangs.

16.30.080 Pedestrian Amenities

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

16.30.090 Special Standards For Certain Uses

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

- A. **Residential Uses**. Higher density residential uses, such as multi-family buildings and attached townhomes, are permitted to encourage housing near employment, shopping and services. All residential developments shall comply with the standards in items 1-6, below, which are intended to require mixed use development; conserve the community’s supply of commercial land for commercial uses; provide for designs which are compatible with a storefront character; avoid or minimize impacts associated with traffic and parking; and ensure proper management and maintenance of common areas. Residential uses which existed prior to the effective date of this code are exempt from this Section.
 1. Mixed Use Development Required. Residential uses shall be permitted only when part of a mixed use development (residential with commercial or public/institutional use). Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the standards in items 2-6 below.
 2. Limitation on street-level housing. Residential uses are not permitted at street-level on arterials (Hwy. 34 and Hwy. 101). This standard is intended to reserve storefront space for commercial uses and public/institutional uses. It does not limit residential uses above the street level on upper stories, or behind street-level storefronts.
 3. Density. There is no residential density standard.
 4. Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots, garages, and parking structures, shall be oriented to alleys, or in parking areas located behind or to the side of the building; except that side yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street shall be recessed behind the front building elevation by a

minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side-street (i.e. away from Highway 101 or Highway 34) when access cannot be provided from an alley.

5. Creation of Alleys. When a subdivision (e.g., four or more townhome lots) is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns make construction of an alley impracticable. As part of a subdivision, the City may require dedication of right-of-way or easements, and construction of pathways between townhome lots (e.g., between building breaks) to provide pedestrian connections through a development site.
 6. Common Areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the City prior to building permit approval.
- B. Accessory Uses and Structures. Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the Waldport Downtown District may include small workshops, studios, storage sheds, and similar structures. Accessory uses and structures are allowed for all permitted land uses within the Waldport Downtown District. Accessory structures shall comply with the following standards:
1. Primary use required. An accessory structure shall not be allowed before or without a primary use.
 2. Setback standards. Accessory structures shall comply with the setback standards in Section 16.30.030, except that the maximum setback provisions shall not apply.
 3. Design guidelines. Accessory structures shall comply with the Downtown design guidelines, as provided in Section 16.30.070.
 4. Restrictions. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
 5. Compliance with subdivision standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
- C. Automobile-Oriented Uses and Facilities. Automobile-oriented uses and facilities, as defined below, shall conform to all of the following standards in the Waldport Downtown District. The standards are intended to provide a vibrant storefront character, slow traffic down, and encourage walking.
1. Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be accessed from alleys, placed in structures above the ground floor, or located in parking areas located behind or to the side of a building; except that side-yards on corner lots shall not be used for surface parking. All garage entrances facing a street (e.g., structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side-street (i.e., away from Highway 101 or Highway 34 when vehicle access cannot be provided from an alley. Individual surface parking lots shall not exceed a total of 50 parking spaces, or one-half City block, whichever is smaller.
 2. Automobile-Oriented Uses. "Automobile-oriented use" means automobiles and/or other motor vehicles are an integral part of the use. These uses are restricted because, when unrestricted, they detract from the pedestrian-friendly, storefront character of the district and can consume large amounts of land relative to other permitted uses.
- D. Sidewalk Displays. Sidewalk display of merchandise is permitted, however a minimum clearance of 6 feet shall be maintained.
- E. Light Manufacture. Light manufacture uses, i.e. manufacturing of small-scale goods, such as crafts, electronic equipment, bakery products, printing and binderies, furniture, and similar goods shall conform to all of the following standards which are intended to protect the pedestrian-friendly, storefront character of Downtown Waldport:
1. Retail or Service Use Required. Light manufacture is allowed only when it is in conjunction with a permitted retail or service use.
 2. Location. The light manufacture use shall be enclosed within a building.

16.30.100 Parking Requirements

- A. Parking Requirements: Parking requirements within the Downtown District shall conform to Section 16.72.020 with the following exception:

Retail Store: One (1) space for each 500 square feet of floor area.

- B. On-Street Parking: On-street parking spaces that front the lot and is adjacent (on the same side of the street) may be counted in the required parking.
- C. Parking Restrictions: No person who works or resides in the Downtown District shall park a vehicle on arterials (Hwy. 34 and Hwy. 101) while in his/her place of employment, or in his/her residence between nine a.m. and five p.m. on any day.
- D. General Purpose/Public Parking: Within the Downtown District, all parking shall be general purpose parking/public parking with the exception of Subsection C above. Residential uses may have designated off-street parking spaces. (Ord. 710, 2006)