
AGENDA ITEM SUMMARY / STAFF REPORT
FLORENCE PLANNING COMMISSION

ITEM NO: 5
Meeting Date: May 23, 2023

ITEM TITLE: Resolution 23 06 TA 01-HIP Phase 2 Housing Code Update Implementation

OVERVIEW:

Background:

On October 6, 2021 the Department of Land Conservation and Development (DLCDD) awarded the City of Florence a technical assistance grant to identify housing development strategies, and update City codes to address state statutes and rules.

In March 2022 City Council created a Housing Implementation Plan (HIP) Stakeholder Advisory Team (SAT) made up of community stakeholders. The team met four times since April 2022. Additionally, two Open Houses were held at the Florence Events Center in September and November, whereby the public was solicited for their input via a virtual survey and in-person input session. Two subcommittees were created from the HIP SAT to address Short-Term Rentals and Transitional Housing. There are other housing-related code changes and additions that are in various stages of completion and will be brought to the PC when they are ready for consideration. These are related to short term rentals, emergency and transitional housing and hazards and coastal goals (Chapters 7 and 19 of Title 10).

There are three attachments to this AIS.

1. HIP SAT Code Update memorandum, from MIG to the stakeholder committee provided preliminary code amendment recommendations based on the issues identified in their Code audit. An explanation of the purpose and layout of code updates starts on page 1. Then in the pages that follow the consultant provided recommendation rationale and summaries in gray commentary boxes followed by the specific proposed code changes. The initiation includes all but those sections related to Title 10 Chapters 4, 7, 19 and 38.
2. Supplemental Code Update memorandum, from Community Development Director FarleyCampbell, dated May 19, 2023, includes additional housing related housekeeping amendments to implement the work from the 2019 update and to codify the changes proposed in the MIG memo.
3. Staff memorandum, from Assistant Planner Kurth, dated May 19, 2023, includes a recommendation from the Transportation Committee related to changes to bicycle code modifications. This item was included in the 2023-2025 City of Florence Work Plan, implements the 2012 Transportation Systems Plan, and is a housekeeping amendment.

Process and Review: Code updates consist of a three step review and approval process—Initiation, 1st Evidentiary Hearing, and 2nd Hearing. First, City Code amendments can be initiated by the

Florence City Council, Planning Commission or by application from the public. After these code amendments are initiated by Planning Commission, staff prepares and sends the Department of Land Conservation and Development Form 1, 35-day notice. After the 35-day notice period the Planning Commission holds the first evidentiary public hearing prior to making a recommendation to the City Council. After the Planning Commission makes a recommendation, the City Council holds the second public hearing, prior to making a final decision on adopting amendments to the city code.

ISSUES/DECISION POINTS: None identified.

ALTERNATIVES:

1. Initiate code amendments to the City Code as presented.
2. Initiate proposed amendments to the City Code with changes as recommended by Planning Commission
3. Postpone initiating amendments to the City Code to a future date.
4. Do not initiate code amendments.

RECOMMENDATION: Transportation Committee: Initiate amendments to the City Code related to bicycle parking as recommended and presented.
Staff: Initiate the proposed amendments to the City Code as proposed or with changes as directed by the Planning Commission.

AIS PREPARED BY: Wendy FarleyCampbell, Community Development Director

ATTACHMENTS: Attachment 1: Draft Code Update Memo, July 21, 2022.
Attachment 2: Supplemental Code Update Memo, May 19, 2023
Attachment 3: TC Bicycle Parking Memo, May 19, 2023



MEMORANDUM

DRAFT Code Update
Florence Housing Implementation Plan

DATE July 21, 2022
TO HIP Stakeholder Advisory Team
FROM Darci Rudzinski and Brandon Crawford, MIG|APG
CC Florence HIP Project Management Team

INTRODUCTION

The Florence Housing Implementation Plan (HIP) will provide recommended housing programs and funding strategies that will guide future housing development in the City. The project includes a review of the requirements in the Florence City Code (FCC) Title 10 (Zoning Code) and Title 11 (Subdivision Code) and local compliance with recent State legislation related to residential development. With prior grant funding from DLCD, Florence updated Titles 10 and 11 in 2019 to reduce barriers to development. This project will complete the next step of amendments and reflects more recent guidance on complying with State legislation. The Housing Implementation Plan Stakeholder Advisory Committee discussed the Code Audit Findings (June 8, 2022 memorandum) at their June meeting.

CODE UPDATE OUTLINE

The Code update recommendations are organized in sequential order by FCC title and chapter. This memorandum is intended to provide preliminary code amendment recommendations based on the issues identified in the Code audit. The code recommended amendments focus on the following:

- State housing definition compliance
- Clear and objective standards for housing in natural resources/hazard areas
- Address inconsistencies between the Zoning and Subdivision Codes related to housing land use permitting
- Incorporate new State housing rules related to affordable housing and emergency shelter
- Minimum compliance standards with HB 2001 and OAR 660-046 – middle housing requirements for medium-sized cities

The City is also exploring Code updates addressing transitional housing. Specific amendments for transitional housing are not included in this memorandum, pending direction and guidance from the Stakeholder Advisory Team (HIP SAT) and the community. The City also anticipates revising the existing definition for Transitional Housing. An attachment to this memorandum provides case studies showing how

other cities implement transitional housing programs. The attachment includes sample code language for the City to consider. In addition to the Transitional Housing attachment, the draft clear and objective amendments for the natural resource and hazard areas are also included as attachments. The draft amendments for these chapters are extensive and are still "working drafts"; they are provided for SAT consideration and comment but are not the focus of this memorandum. The attachments to this memorandum are as follows:

- **Attachment A:** Transitional Housing Case Studies and Sample Code Language
- **Attachment B:** FCC Chapter 7 Special Development Standards Clear and Objective Amendments
- **Attachment C:** FCC Chapter 19 Estuary and Shorelands Clear and Objective Amendments

While not discussed in detail at the HIP SAT June meeting, Florence will soon be subject to House Bill 2001 which passed in 2019. Pursuant to HB 2001, Oregon's medium-sized cities (population over 10,000) are required to allow duplexes on any lot or parcel that allows single-family detached dwellings, and medium cities cannot apply siting and design standards or procedures that are more restrictive than what applies to single family detached. Although Florence does not yet meet the threshold for a medium-sized city, the City's most recent population estimate is approximately 9,600 people.¹ Further, the City's urban growth boundary (UGB) currently contains over 11,000 people.² Based on current growth rates and the likelihood of future annexations, Florence will need to comply with HB 2001 in the near future. To prepare for the near-term HB 2001 requirements, this memorandum includes minor amendments related to duplex standards.

A summary and rationale for proposed updates precedes each section in a gray commentary box. Note that many of the referenced Code sections and tables are abbreviated to only show the provisions that will be amended. The recommended Code updates are written as legislative amendments in a ~~strikethrough~~/underline format.

CODE UPDATE RECOMMENDATIONS

Several definitions in the FCC conflict with housing-related definitions and rules that have been updated per recent State legislation. House Bill 2583 (2021) prohibits jurisdictions from establishing or enforcing occupancy limits based on familial or non-familial relationships. The City should replace "family" with "household" for each dwelling type definition. The term "household" is inclusive of related and non-related dwelling occupants. **The recommendation is to replace the general definition of "family," which includes the non-related occupancy limit with the Census definition for "household."**

Furthermore, the City should distinguish "Household Living" as the residential occupancy of a dwelling unit that contains eight or fewer bedrooms and "Group Living" as the residential occupancy of a dwelling unit that contains more than eight bedrooms or occupancy of a

¹ Portland State University Population Reports: <https://www.pdx.edu/population-research/population-estimate-reports>

“congregate” housing facility. Congregate housing and group housing facilities are generally synonymous, and therefore should be combined into the same definition. In addition, the City should remove the occupancy limits for “Boarding House” to comply with the recent legislation. Overall, these amendments avoid any regulations based on familial relationships or number of residents and instead focuses on the overall residential capacity of dwellings or congregate housing facilities by regulating the number of bedrooms. See the Code Audit Findings for further discussion on HB 2583 and occupancy options.

Recommended minor amendments to the “affordable housing” definition will bring the City into compliance with Senate Bill 8 (SB 8, 2021). The criteria for SB 8 includes income limits below 80% of the Area Median Income (AMI) to qualify for affordable housing, whereas the income limit established in House Bill 2008 (HB 2008, 2021) is 60% AMI. The City should continue to use the 80% threshold in the official definition and clarify the 60% threshold only for affordable housing development that is implemented through HB 2008. Furthermore, the City should reduce the “percent of gross household income” from 40% to 30%. “Affordable” is generally defined as housing costs (rent/mortgage plus utilities, taxes, etc.) being less than 30% of household income. The 30% threshold is used by the U.S. Department of Housing and Urban Development (HUD) in their affordable housing definition.³

Finally, the City should add, remove, or revise definitions for the following housing types:

- **Duet:** *Remove* this definition/housing type. A duet is the same as a two-unit single family attached dwelling (townhouse). The duet definition also conflicts with the “duplex” definition, as a duplex is two households/units on a single lot. Removing the duet definition and keeping duplex and single-family attached definitions as is (aside from “family” revisions) will help avoid confusion and redundancy of housing type definitions.
- **Prefabricated dwelling:** *Add* this definition/housing type to be consistent with House Bill 4064 (HB 4064, 2022).
- **Transitional Housing:** *Revise* this definition/housing type to be more specific.

Note that this memorandum does not modify every instance of “family” or “duet” in the Code, rather it offers a general recommendation for removing these terms throughout. Complete amendments that include removal/replacement for these terms will be provided in adoption-ready drafts of the Code amendments at a later stage in this project.

³ HUD Affordable Housing Definition: <https://archives.hud.gov/local/nv/goodstories/2006-04-06glos.cfm>

10-2-13: DEFINITIONS

AFFORDABLE HOUSING	Dwellings available for rent or purchase, with or without government assistance, by households who meet applicable maximum income limits, not to exceed 80 percent of the Lane County median income, adjusted for <u>household family</u> size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency, and in a manner so that no more than 30 ⁴⁰ percent of the household's gross income will be spent on rent and utilities or on home loan or mortgage payments, amortized interest, property taxes, insurance, and condominium or association fees, if any. Equestrian
BOARDING HOUSE	A building with a single kitchen where lodging, with or without meals, is provided for compensation for any number of 10 or fewer occupants, not open to transient and/or overnight guests, in contradistinction to hotels and motels open to transients and/or overnight guests, but, a Boarding House / Dormitory is not occupied as a single- <u>household family</u> unit and it shall not include assisted living facilities, or senior housing, group care homes, homes for the aged or nursing homes.
[...]	
DUET	A Duplex as defined under 'DWELLING, DUPLEX' in which each unit is on a separate lot and can be owned separately.
DWELLING	A building or portion thereof which is occupied in whole or in part as a residence, either permanently or temporarily by one or more <u>households families</u> ; but excluding <u>lodging intended to accommodate visitors and recreation, such as the Coast Village, hotels, motels, short term rentals</u> , and tourist courts; with permanent provision for living, sleeping, eating, food preparation, and sanitation. Dwellings include both buildings constructed on-site and manufactured homes.
DWELLING, ATTACHED	A dwelling that shares a common wall or walls, roof, or foundation with adjacent dwellings. Attached dwellings may be on a common lot or with each dwelling on its own lot.
DWELLING, DUPLEX	A building designated or used exclusively for the occupancy of two (2) <u>households families</u> on a single lot living independently from each other and having separate facilities for each <u>household family</u> as defined under "DWELLING" above.

DENSITY	<p>Density, Gross: The number of dwelling units per each acre of land, including areas devoted to dedicated streets, neighborhood parks, sidewalks, and other public <u>and private</u> facilities/<u>utilities</u>.</p> <p>Density, Net: The number of dwelling units per each acre of land, excluding from the acreage dedicated streets, neighborhood parks, sidewalks, and other public <u>and private</u> facilities/<u>utilities</u>.</p>
DWELLING, FOUR- PLEX / QUAD-PLEX	A building designed and used for occupancy by four (4) <u>households</u> families on a single lot, all living independently of each other and having certain separate facilities for each <u>household</u> family as defined under 'DWELLING' above.
DWELLING, MULTIPLE MULTI-UNIT FAMILY	A building designed and used for occupancy by five (5) or more <u>households</u> families on a single lot, all living independently of each other and having certain separate facilities for each <u>household</u> family as defined under "DWELLING" above and certain shared facilities such as laundry, open space and other amenities.
DWELLING, SECONDARY	See ACCESSORY DWELLING.

DWELLING, SINGLE-
UNIT FAMILY
DETACHED

- A. A dwelling on a single lot either constructed on-site or a modular constructed in accordance with Oregon Building Codes and assembled on site, and designed or used exclusively for the occupancy of one family and having separate facilities for only one household family as defined under “DWELLING” above; or
- B. A manufactured home designed and used exclusively for the occupancy of one household family as defined under “DWELLING” above and which is located and maintained in compliance with Section 10-12 of this Title.
- C. Except as authorized in A and B of this definition, in determining compliance with the provisions and uses of this Code, a mobile home, manufactured home, or a modular resembling a mobile home or manufactured home, is not considered a single-unit family dwelling. (Ord. No. 7, Series 1994)

DWELLING, SINGLE-
UNIT FAMILY
ATTACHED

A dwelling constructed in a row of two or more attached dwellings, where each dwelling is located on its own lot and shares a common wall or walls, roof, or foundation with adjacent dwellings. Commonly referred to as a townhouse or row house.

DWELLING, TRI- PLEX A building designed and used for occupancy by three (3) households families on a single lot, all living independently of each other and having certain separate facilities for each household family as defined under ‘DWELLING’ above.

[...]

GROUP OR
CONGREGATE
HOUSING

A dwelling that provides nine or more bedrooms and whose occupants share basic household amenities, such as a kitchen, bathroom(s), and other shared living spaces.

HOUSEHOLD FAMILY ~~All the people who occupy a single dwelling unit, regardless of relation or familial status. A household has occupancy for eight or fewer bedrooms. A person living alone or any of the following groups living together as a single non-profit unit and sharing common living area:~~

~~A. Any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relations.~~

~~B. A maximum of 5 unrelated persons.~~

[...]

PREFABRICATED DWELLING ~~A prefabricated structure, as defined in ORS 455.010, that is relocatable, more than eight and one-half feet wide and designed for use as a dwelling.~~

[...]

PRIVATE FACILITIES ~~Any facility that is owned, leased, operated, or funded by a private entity, including individuals or groups/corporations, which may include but is not limited to buildings, property, recreation areas, and roads.~~

PUBLIC FACILITIES ~~Any facility that is owned, leased, operated, or funded by a governmental body or public entity, which may include but is not limited to buildings, property, recreation areas, and roads.~~

PUBLIC FACILITIES AND SERVICES ~~Projects, activities and facilities which the City of Florence determines to be necessary for the public health, safety and welfare.~~

10-3-1 Minimum Required Parking by Use

Cities subject to ORS 197.312 cannot require off-street parking for ADUs, which was an amendment to the existing ORS that was adopted with House Bill 2001 in 2019. The City's current parking requirement for ADU's does not comply with the current State rules, and **therefore the City should remove the minimum parking requirement for this housing type.** In addition, cities subject to HB 2001 cannot require more than two off-street parking spaces for duplexes (i.e., no more than one space per unit). Note that duplexes may be developed with over two off-street parking spaces; cities cannot *require* a minimum over two spaces. **The City should consider reduce minimum off-street parking requirements for duplexes from two spaces per unit to one space per unit.**

The City should consider applying the existing parking requirement for boarding houses and dormitories to group/congregate housing because these are functionally similar housing types. The City should also base the parking requirement on number of bedrooms, since the number of occupants s impermanent.

Table 10-3-1, Minimum Required Parking By Use:

Single Unit Family Dwelling including attached and detached dwellings and manufactured homes	2 spaces per dwelling unit on a single lot
Accessory Dwelling Units	No minimum parking spaces required. 1 space per unit, see FCC 10-3-8 for additional standards
Boarding houses, group/congregate housing, and dormitories	1 space per each 2 bedrooms occupants at capacity.
Duplex/ Duet	2-1 space per dwelling unit

[...]

~~N. Parking provided for Accessory Dwelling Units:~~

- ~~1. Parking for Accessory Dwelling Units may be covered or uncovered.~~
- ~~2. Provided parking shall be hard surfaced with asphaltic concrete or cement concrete.~~

~~3. Parking for Accessory Dwelling Units may be provided on street where on street parking is available along the lot frontage and the street meets the minimum width for local streets with parking available on both sides (greater than 34 feet curb to curb). Site conditions may prevent the use of this specific area for that purpose, but shall not restrict the ability to count on street parking towards the reduction of parking requirements off street.~~

10-10 Residential Uses

HB 4064 requires all cities and counties in the state to allow siting of individual manufactured homes or individual prefabricated structures on any land zoned to allow for single-family dwellings. Manufactured homes and prefabricated structures on individual lots cannot be subject to any standards that do not apply to single-family site-built, detached structures, with the exception of any protective measures adopted pursuant to statewide planning goals or for exterior thermal envelope requirements. Therefore, **the City should update the residential use table to include prefabricated dwellings and allowing them wherever manufactured dwellings and single-family detached dwellings are allowed.**

Similar to HB 4064, cities subject to HB 2001 must allow duplexes on any lot or parcel that allows a single-family detached dwelling in all residential zones. Therefore, **the City should update the use table to allow duplexes outright in the LDR zone.**

Table 10-10-2-A. The following table indicates which uses are permitted in each residential zone.

Uses	LDR	MDR	RMH	HDR
Single-household family detached dwelling	P	P	P	C
Accessory structure	P	P	P	P
Accessory dwelling unit	P	P	P	P
Single-household family attached dwelling	N	SR	SR	P
Duplex/duet	P	P	P	P
Tri-plex	N	C	C	P
Quad-plex	N	C	C	P
Multi-household family (5+ units)	N	N	N	SR
Cluster housing	N	C	C	P
Temporary dwelling/RV – Medical hardship	C	C	C	C
Manufactured home	P	P	P	C
Prefabricated dwelling	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>
Manufactured home park/subdivision	N	C	SR	SR
Mobile home park	N	N	SR	SR
Residential Care Facility/Nursing Home	SR	SR	SR	SR
Boarding house/dormitory	N	C	C	SR
Transitional housing ¹	<u>CN</u>	<u>CN</u>	<u>CN</u>	<u>SRN</u>
Religious institution housing or parsonage	C	C	C	C
Planned Unit Development	D	D	D	D

¹Subject to requirements in FCC 10-38-5

P=Permitted with Type I review, SR=Type II site review required, C=Type III conditional use review required and N=Not permitted, D=Type III Planning Commission Review
[...]

Table 10-10-4-B. Minimum Lot Area by Development Type.¹

Development Type	LDR	MDR	RMH	HDR
Single-household family detached dwelling	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Manufactured home or prefabricated dwelling on an individual lot	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Single-household family attached dwelling	N/A	3,000 sq. ft.	3,000 sq. ft.	2,000 sq. ft.
Duplex or Duet (both units)	<u>7,500 sq. ft.</u> N/A	5,000 sq. ft.	5,000 sq. ft.	<u>2,000 4,000</u> sq. ft.
Tri-plex	N/A	7,500 sq. ft.	7,500 sq. ft.	5,000 sq. ft.
Four-plex	N/A	10,000 sq. ft.	10,000 sq. ft.	5,000 sq. ft.
All other development types ²	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.

¹Undersized lots of record with area below the minimum may still be eligible for development. See Section 10-10-12 of this Title.² Cluster housing shall meet minimum lot sizes in FCC 10-10-8-C-2-a.

HB 2001 cities cannot apply design requirements to duplexes that do not apply to single-family detached. FCC 10-10-7 includes design requirements for all attached housing types, which includes duplexes. **The City should remove duplexes from these requirements and consider applying any existing clear and objective design standards for single-family detached to duplexes.**

10-10-7: ATTACHED HOUSING: A. Applicability: Single-household family attached dwellings, ~~duplexes~~, tri-plexes, and four-plexes are subject to all of the applicable sections of this Title. Where there is a conflict between these standards and standards elsewhere in the code, the Attached Housing standards shall apply.

10-10-10 MANUFACTURED HOMES OUTSIDE OF MH SUBDIVISIONS OR PARKS

Per HB 4064 (2022), cities cannot require siting and design requirements to manufactured homes on individual lots (i.e., outside of MH parks) that do not apply to single-family detached dwellings, with a few minor exceptions relating to building code requirements (e.g., thermal envelope). The City may either remove the non-compliant standards in this FCC section, or remove this section entirely and include the allowed building standards elsewhere in the Code. **The City should retain this section and remove the provisions that do not comply with HB 4064.**

- A. When a manufactured home is placed outside of a manufactured home subdivision or mobile home park in a zone which allows single household family dwellings, in addition to any other requirements that would be imposed were the structure constructed on site, the manufactured home shall comply with the following placement standards:
1. ~~Size: The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.~~
 2. A. Foundation: The manufactured home shall be placed on an excavated and back-filled foundation and skirted in conformance with the requirements of the Building Codes Agency Manufactured Dwelling Administrative Rules in effect at the time of construction.
 3. Roof Pitch: The manufactured home shall have a pitched roof with a nominal slope of at least three feet (3') in height for each twelve feet (12') in width.
 4. ~~Siding and Roofing Requirements: The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community.~~

5. B. Thermal Performance: The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single household family dwellings constructed under the State Building Code as defined in ORS 455.010.

~~B. Nothing in this section shall allow a manufactured home to be placed on residential land immediately adjacent to a historic landmark or other property with a historic designation for tax or assessment purposes.~~

10-10-11 MOBILE HOME/MANUFACTURED HOME PARKS:

New state rules established by HB 4064 prohibit cities from requiring a minimum lot size greater than one acre for mobile home/manufactured home parks. In addition, cities must allow prefabricated structures in manufactured home parks (see the recommended definition). **Due to the required minimum lot size reduction for MH parks, the City should also consider making a *proportional* reduction for the minimum number of units required in a MH park (1/3 reduction in lot size, and therefore 1/3 reduction in number of units).**

[...]

10-10-11-2: DESIGN STANDARDS: The following standards and requirements shall govern the application of a mobile home/manufactured home park development in an area in which it is permitted:

- A. A mobile home/manufactured home park shall not be less than one (1) and one-half (1 1/2) acres in area, nor contain less than ten (10) fifteen (15) rental spaces.
[...]
- D. No building, structure or land within the boundaries of a mobile home/manufactured home park shall be used for any purpose except for the uses permitted as follows:
- a. Mobile homes/manufactured homes or prefabricated structures for residential uses only, together with the normal accessory buildings such as cabana, ramada, patio slab, carport or garage and storage or washroom building.

Clear and Objective Standards

As noted in the Code Audit, residential siting and design standards, as well as review/approval procedures, need to be clear and objective, per State regulations. Clear and objective standards also apply to proposed development in areas where there are natural resource or hazard protections. Chapter 7 and Chapter 19 of the FCC apply subjective development and natural resource protection standards to almost all development types, including residential. Therefore, several *preliminary*, working Code updates are recommended for these chapters, many of which either quantify previously

subjective criteria or reference other required City standards (e.g., stormwater design requirements). Some of the newly quantified draft recommendations are largely based on metrics/measures and resource protection or mitigation thresholds that other cities use. In addition, some criteria should defer certain standards and protection requirements to licensed or certified natural resource, engineering, or geotechnical professionals in lieu of adopting a clear and objective standard. It may be necessary to defer to a licensed professional where a certain level of discretion is necessary, as it can be challenging or infeasible to establish a single standard to complex natural resource/hazard circumstances.

Alternatively, the City may elect to prohibit all residential uses from these areas, thereby meeting the clear and objective standards by simply not allowing housing in these areas. The City and SAT will continue to consider and discuss clear and objective options moving forward.

Due to the volume of working/draft amendments in the natural resource/hazard chapters, the recommended updates are provided in Attachment B and Attachment C to this memorandum.

10-15-5 Commercial Site and Development Provisions

Residential structures in commercial zones are required to defer to height limits in residential zones, however there are differing height limits among residential zones. Therefore, the City should use a height limit of 35 feet for residential buildings, which is consistent with the lower height limit in residential zones and the general height limit for all other development in commercial zones.

The City should apply the *highest* density (i.e., 25 du/acre), as opposed to the lowest residential density (5 du/acre). Generally, higher density residential is more compatible with commercial uses, which can help support local businesses. Higher density close to commercial also improves overall access to services to more residents compared to low density residential that is near commercial areas.

The Highway District (FCC 10-16) contains the same criteria that defer to residential standards without specifying which standard. The recommended commercial amendments below should also apply to residential development in the Highway district.

- A. Building or Structural Height Limitations: The maximum building or structural height shall be thirty-five feet (35'). Residential dwellings shall have a maximum height of thirty-five feet (35'), and their associated/accessory structures shall refer to Section 10-10-5 of this Title for requirements.

[...]

- J. Residential and mixed-use development refer to Section 10-6-5-2 of this title for requirements. However, a conditionally approved use may require application of the relevant development standards from a district where the use is permitted outright to include but not limited to setbacks and lot coverage. The less more restrictive standards would apply.

10-25-5 Office Institutional Design Criteria

Some residential uses are allowed in the Professional Office Institutional Zoning District (FCC 10-25). Development in this zone must follow certain design criteria that is subjective (e.g., "Buildings shall generally relate in scale and design features..."). This standard is sufficient for most types of development, however it does not meet clear and objective requirements for residential development. Therefore, the City should add a provision specific to residential development in this zone that defers design standards to applicable clear and objective criteria in FCC 10-10.

Any other zone district that allows residential and applies subjective design criteria should defer to FCC 10-10 in the same manner that is proposed below.

[...]

- G. All residential uses and development shall conform with applicable clear and objective design standards established in FCC 10-10.

10-38 Affordable Housing and Emergency Shelter

Due to the breadth of the new requirements per SB 8, HB 2008, and HB 3261, the City should adopt a new Code chapter to implement these rules. Each piece of legislation addresses affordable housing or emergency shelters. Specifically, the recent legislation requires cities to allow affordable housing and emergency shelters beyond residential zones, including in commercial zones, on public property or areas zoned for public uses, and on properties used for religious gatherings.

Each Bill is summarized as follows:

- **SB 8** requires cities to allow affordable housing on land that is owned by a public body or religious nonprofit in any zone except "heavy industrial". Affordable

housing that is owned by other types of organizations must be allowed on property zoned for commercial uses, religious institutions, public lands, or industrial lands except those specifically for "heavy industrial." SB 8 provides height and density bonuses in areas zoned for residential uses.

- **HB 2008** requires jurisdictions to allow the development of affordable housing on property not zoned for housing provided the property is contiguous to a zone that does allow housing and is not zoned for industrial uses. Density is based on standards for the contiguous zone that allows housing.
- **HB 3261** requires jurisdictions to allow the conversion of a hotel or motel to an emergency shelter or affordable housing when certain criteria and standards are met.

Note that most of the recommended requirements below draw directly from the language in the legislation. The following recommended amendments are not provided in the underline/strikethrough format because the entire chapter would be new text.

10-38-1 Purpose:

The Oregon State Legislature passed affordable housing bills in 2021 that require local governments to allow affordable housing in certain non-residential areas and to allow conversions of hotels/motels into emergency shelters. This Chapter also includes transitional housing rules and standards.

10-38-2 Affordable Housing on Non-Residential or Public Land

Senate Bill 8 (2021) requires local governments to allow affordable housing without requiring a zone change or conditional use permit if certain criteria and standards are met. These requirements are implemented by this subsection.

A. Applicability.

1. Affordability. The affordability of the units is enforceable, including as described in ORS 456.270 to 456.295, for a duration of no less than 30 years; and either
 - a. Each unit on the property is made available to own or rent to families with incomes of 80 percent or less of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; or
 - b. The average cost among all units on the property is made available to families with incomes of 60 percent or less of the area median income.
2. Ownership. The housing will be owned by:

- a. A public body, as defined in ORS 174.109, which includes state government bodies, local government bodies, and special government bodies; or
 - b. A nonprofit corporation that is organized as a religious corporation.
 3. Zoning. The property is zoned to allow the following uses outright:
 - a. Commercial uses, including the Commercial District (C), Neighborhood Commercial District (NC), the Highway District (H), the Old Town District, and the North Commercial District.
 - b. Public lands, which includes lands in the Institutional District.
 - c. Industrial uses provided the property is publicly owned, adjacent to lands zoned for residential uses or schools, and not specifically designated for heavy industrial uses (i.e., not zoned Marine or Service Industrial)
- B. Standards. Only affordable housing developed pursuant to subsection 10-38-2-A is subject to the following standards.
 1. Site Suitability. The site shall be suitable for development of affordable housing. Affordable housing shall not be located on lands where the City determines that:
 - a. The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;
 - b. The property contains a slope of 25 percent or greater;
 - c. The property is within the 100-year floodplain (Special Flood Hazard Area);
 - d. The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:
 - i. Natural disasters and hazards (FCC 10-7)
 - ii. Natural resources, including air, water, coastal, land or natural areas, but not including open spaces or historic resources (e.g., FCC 10-7, FCC 10-18, and FCC 10-19)
 - e. The property is zoned for industrial use and does not meet the criteria in subsection A.3.d.
 2. Density and Height in areas that are zoned for residential uses. Except as provided by subsection c, the greater of density and height standards in subsections a or b shall apply:
 - a. Any City density bonus for affordable housing; or
 - b. Without consideration of any local density bonus for affordable housing:

- i. For property with existing maximum density of 16 or fewer units per acre, 200 percent of the existing density and 12 additional feet;
 - ii. For property with existing maximum density of 17 or more units per acre and 45 or fewer units per acre, 150 percent of the existing density and 24 additional feet; or
 - iii. For property with existing maximum density of 46 or more units per acre, 125 percent of the existing density and 36 additional feet.
 - c. Exceptions to the density and height bonuses.
 - i. The density and height bonuses provided by this section do not apply to housing in areas that are not zoned for residential uses.
 - ii. The City may reduce the density or height of the density bonus as necessary to address a health, safety or habitability issue, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal provided the City adopts findings supported by substantial evidence demonstrating the necessity of this reduction.
- 3. Density and Height in zones that don't allow housing:
 - a. Commercial zones – The maximum density shall be based on the maximum allowable density applicable to the contiguous/adjacent property with a residential zoning designation. If there is more than one contiguous/adjacent residential property, the zoning of the property with the greatest allowable density applies. If the site is not contiguous/adjacent to a residentially zoned site, then the density standards of the HDR zone shall apply. The height standard of the base zone shall apply.
 - b. Industrial zones (other than Marine and Service Industrial) – The maximum density shall be based on the maximum allowable density applicable to the contiguous/adjacent property with a residential zoning designation. If there is more than one contiguous/adjacent residential property, the zoning of the property with the greatest allowable density applies. Affordable housing is not allowed on industrial properties that do not border (i.e., adjacent/contiguous) any property with a residential zoning designation. The height standard of the base zone shall apply.
 - c. Professional Office/Institutional Zoning District - The maximum density shall be based on the maximum allowable density applicable to the contiguous/adjacent property with a residential zoning designation. If there is more than one contiguous/adjacent residential property, the

zoning of the property with the greatest allowable density applies. If the site is not contiguous/adjacent to a residentially zoned site, then the density standards of the HDR zone shall apply. The height standard of the base zone shall apply.

4. Development and Design Standards.
 - a. Affordable housing projects allowed pursuant to this section are subject to the multihousehold development standards of the underlying or adjacent residential zone. If the property does not border a residential zone, or if the underlying or adjacent residential zone does not allow multihousehold development, then the affordable housing must follow the multihousehold development standards of the High Density Residential (HDR).
 - b. Affordable housing projects allowed pursuant to this section are subject to the multihousehold design standards established by FCC 10-10-9.

10-38-3 Affordable Housing Provided by a Religious Nonprofit

- A. Applicability Criteria. Affordable housing projects allowed under this section must meet the following criteria:
 1. Affordability. The affordable housing meets the definition in ORS 197.311.
 2. Ownership. The property is owned by a nonprofit corporation organized as a religious corporation.
- B. Standards.
 1. Residential and nonresidential sites. The City shall only apply restrictions or conditions of approval to the development of affordable housing that are:
 - a. Clear and objective as described in ORS 197.307 (4); or
 - b. Discretionary standards related to health, safety, habitability or infrastructure. For the purposes of this standard, that means that affordable housing shall not be located on lands where the City determines that the development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete.
 2. Nonresidential sites.
 - a. For sites that are not zoned to allow residential development, the City shall allow affordable housing development under the following circumstances:
 - i. The property is not zoned for industrial uses; and
 - ii. The property is contiguous to a residentially zoned property.

- b. Affordable housing allowed under this subsection shall be subject only to the restrictions applicable to the contiguously zoned residential property as limited by subsection 10-38-3.B.1 without requiring that the property be rezoned for residential uses. If there is more than one contiguous residential property, the zoning of the property with the greatest density applies.

10-38-4 Emergency Shelter Conversions and Affordable Housing

- A. Definitions. The definitions of “affordable housing,” “conversion” and “lawful use” applicable to this section are specified below.
 1. “Affordable housing” means housing in which all units are affordable to households with incomes equal to or less than 60 percent of the area median income as defined in ORS 458.610 and whose affordability is enforceable by an affordable housing covenant, as described in ORS 456.270 to 456.295, for a duration of no less than 30 years.
 2. “Conversion” includes an alteration to a building that changes a building’s intended use as a hotel or motel to an emergency shelter and/or changes the number of units but does not expand the building footprint. A conversion under this section is not a land use decision as defined in ORS 197.015.
 3. “Lawful use” includes a nonconforming use as described in ORS 215.130 (6) or any other local land use regulation allowing for the continuation of a use that was lawful when first enacted.
- B. Applicability Criteria. The proposal is for a conversion which meets one of the following.
 1. The proposed conversion is from use as a hotel or motel, to use as an emergency shelter; or,
 2. The proposed conversion is from use as a hotel or motel to use as affordable housing; or
 3. The proposed conversion is from an emergency shelter to use as affordable housing.
- C. Standards.
 1. Site Suitability. The conversion of a hotel or motel to an emergency shelter or affordable housing pursuant to this section is not permitted on sites where the City determines that:
 - a. There is inadequate transportation access to commercial and medical services;

- b. The site is zoned specifically for heavy industrial uses, which includes areas zoned Marine; or
 - c. The site is designated for a statewide land use planning goal relating to natural disasters or hazards, including flood plains (FCC 10-7 and FCC 10-19) or mapped environmental health hazards unless the converted use complies with regulations directly related to the disasters or hazards.
2. Emergency Shelters. Conversion of a hotel or motel to an emergency shelter if no site alterations are proposed is subject only to the following standards:
 - a. Applicable building codes; and
 - b. Occupancy limits.
3. Affordable Housing. Conversion of a hotel or motel to affordable housing, or conversion of a hotel or motel that was previously converted to an emergency shelter to affordable housing are subject to the following standards:
 - a. Applicable building codes; and
 - b. Occupancy limits.
 - c. Standards applicable to multihousehold uses in the High Density Residential Zone (HDR – FCC 10-10).
 - d. Site alteration. Site alterations, including but not limited to alterations to parking areas and landscaping, are subject to the applicable standard in FCC 10-34.

Subdivision Code Updates

The Florence Subdivision Code (Title 11) includes a few instances where standards or procedures could be written to be more clear and objective. Recommend amendments are provided to the following subdivision provisions that will establish clear and objective standards, as well as ensure consistency with other FCC standards and requirements.

11-3-4 Approval of Tentative Subdivision

After giving notice as required by FCC 10-1-1-6, the Planning Director or its designee shall grant approval or deny the subdivision tentative plan. The hearing decision and further consideration of a similar application shall be reviewed under a Type II process as defined by paragraph 10-1-1-6 of this Code. If approval involves implications of new or modified standards or policy, the Planning Commission and not its designee shall render a decision. Approval shall be based on compliance with the following criteria.

[...]

C. Adequate public facilities are available or can be provided to serve the proposed parcels pursuant to City requirements, including those in Streets and Sidewalks pursuant to FCC 8-2, Water pursuant to FCC 9-2, Sewer pursuant to FCC 9-3, Solid Waste pursuant to FCC 9-4, Stormwater pursuant to FCC 9-5, and FCC 10-36 Public Facilities.

11-4-2 Requirements

[...]

- B. Information Required: The application itself, or the proposed partition or subdivision plat, must contain the following with respect to the subject area:

[...]

8. The date, north point and scale of the drawing, and a ~~sufficient~~ description to ~~define~~ defining the location and boundaries of the partition or subdivision.

11-5-1 Streets

[...]

- C. Reserve Strips: The Planning Commission may require the applicant to create a reserve strip controlling the access to a street, said strip to be placed under the jurisdiction of the City Council and the Planning Commission, when the Planning Commission determines that a strip is necessary:
1. To prevent access to abutting land at the end of a street in order to assure the ~~proper~~ extension of the street pattern and the ~~orderly~~ development of land lying beyond the street, consistent with the planned transportation system and land use; or
 2. To prevent access to the side of a street on the side where additional width is required to meet the right of way standards provided in the table under subsection B2 above; or
 3. To prevent access to land abutting a street of the partition or subdivision, but not within the partition or subdivision itself; or
 4. To prevent access to land unsuitable for building development, in accordance with areas defined in FCC 10-7 and FCC 10-19.

11-5-2 Lots and Parcels

- A. Size and Frontage:

[...]

2. Area: Minimum lot size shall be in conformance with the provisions of the Florence Zoning Ordinance. Where either a community water supply or sewer system are not presently provided, the lot area shall be sufficient to meet State and County health standards and the lot area shall be at least twice the number of square feet normally required in the zoning district where the lot is located. Where an oversize lot as described above is required due to lack of services, the Planning Commission may require the developer to submit a plan for later division of said lot(s) into lots meeting the minimum lot sizes for allowed housing types ~~single-family detached dwellings~~ in the underlying zone.

B. Exceptions:

[...]

4. Flag Lots: Flat lots shall be permitted provided they meet the following requirements:

[...]

d. Accessway Design and Emergency Vehicle Access

[...]

iii. Accessways shall be centered within the flag lot accessway ~~to minimize impacts on adjoining lots~~ except in cases to ~~when otherwise warranted to~~ preserve existing vegetation or meet the intent of this subsection.

5. Lot and Parcel Side Lines: ~~As far as is practicable,~~ Lot and parcel side lines shall run at right angles to the street upon which the lot or parcel faces; except to adjust for encroachments or those that border existing non-right angle lot lines or those on curved streets, they shall be radial to the curve.

6. Suitability for Intended Use: All lots and parcels shall be suitable for the purpose for which they are intended to be used. No lot or parcel shall be of such size or design as to be detrimental to the health, safety or sanitary needs of the residents of the subdivision or partition or of such lot or parcel, pursuant to County or State health, safety, and sanitary standards, or ~~parcel~~ as determined by the Planning Director in accordance with the purpose of this Title.

SUMMARY AND NEXT STEPS

The FCC has many residential development standards and requirements that are not clear and objective, most of which apply to the natural resources and hazards zones in Chapters 7 and 19. In addition to the clear and objective updates, the City has the option to amend various standards to be consistent with recent State housing legislation. While cities are not required to incorporate these new rules (standards that conflict with the new statutes are invalidated), the amendments outlined in this memorandum if adopted would facilitate local implementation and administration of the new housing requirements. Also recommended are Code modifications that will ensure that the City is in compliance with HB 2001, given the likelihood the City will meet the “medium city” threshold in the near future.

The FCC update recommendations will be presented and discussed with the HIP SAT at their August meeting. Subsequently, the proposed amendments will be summarized in an online open house and the subject of a survey where community members can share their thoughts on the preliminary recommendations. The project team will also share examples of how other cities implement transitional housing programs and how transitional housing is treated in local land use ordinances. A transitional housing case study analysis and example code language is included as Attachment A. HIP SAT and community input on these recommendations will inform the Final Code Update recommendations. The HIP SAT will make recommendations related to adoption to the Planning Commission and City Council in Fall/Winter 2022.

- Portland S2HC: <https://www.portland.gov/bps/planning/s2hc>
- PSU HRAC: <https://www.pdx.edu/homelessness/evaluation-best-practices-village-model>
- Portland Transition Projects: <https://www.tprojects.org/>
- Oregon PSH Program: <https://www.oregon.gov/ohcs/development/Pages/permanent-supportive-housing.aspx>
- Bend Outdoor Shelters Program: <https://www.bendoregon.gov/city-projects/community-priorities/homelessness/outdoor-shelter>
- HUD Exchange Continuum of Care (CoC) Program Eligibility:
<https://www.hudexchange.info/programs/coc/coc-program-eligibility-requirements/>
 - [HUD TH Definition](#)



Memorandum:

To: City of Florence Planning Commission
From: Wendy FarleyCampbell, Community Development Director
Meeting Date: May 23, 2023

Subject: Supplemental Code Update Recommendations Florence City Code Title 10 Related to Housing

Introduction

The 2021-2023 Housing Implementation Plan process identified changes to code to implement current and upcoming state laws related to housing. These are presented in Attachment 1 Code Update Memo, MIG and in the worksession held May 9, 2023. This memo includes additional Title 10 code changes needed to implement this work that are not included in the MIG memo. It also includes recommended changes to implement or correct errors from the 2019 HIP implementation process. The recommended code updates are written as legislative amendments in a ~~strike through~~/underline format, for deletions and additions respectively.

Code Change Proposals:

TITLE 10:

Chapter 1: Replace all uses of term “family” with “unit” (3 instances)

Chapter 2-13: Definitions: (an amendment to that proposed by Attachment 1)

Dwelling

A building or portion thereof which is occupied in whole or in part as a residence, either permanently or temporarily by one or more households families; but excluding Coast Village and lodging intended to accommodate visitors and recreation, such as, hotels, motels, short term rentals, and tourist courts; with permanent provision for living, sleeping, eating, food preparation, and sanitation. Dwellings include both buildings constructed on-site and manufactured homes.

Chapter 6: Design Review

Replace all uses of “family” with “unit”. Replace “duet” with “single unit attached”.

Chapter 10: Residential Districts: See Attachment 1 and Attachment 2A

And—Replace all uses of the term “family” with “unit”. Replace the term “duet” with “single unit attached” (1 instance)

Chapter 15: Commercial District

Replace all uses of “family” with “unit”. Replace “duet” with “single unit attached”.

Chapter 16: Highway District

Replace all uses of “family” with “unit”. Replace “duet” with “single unit attached”.

10-16-7: DESIGN SPECIFICATIONS:

K. Height Limitations: The maximum building or structural height shall be thirty-five feet (35'). Residential dwellings shall have a maximum height of thirty-five feet (35') and their associated/accessory structures shall refer to Section 10-10-5 of this Title for requirements.

P. Residential and mixed-use development refer to Section 10-6-5-2 of this title for requirements. However, a conditionally approved use may require application of the relevant development standards from a district where the use is permitted outright to include but not limited to setbacks and lot coverage. The less restrictive standards would apply.

Chapter 17: Old Town District

10-17A-2 LAND USES FOR AREA A: *The following establishes permitted, conditional, and prohibited uses for the Old Town District Area A:*

C. Prohibited Uses: Uses that are administratively determined to have impact similar to or greater than a Prohibited use listed below are prohibited in this Area. The following uses are specifically Prohibited:

Residential, single unit detached (unless part of mixed uses as listed in permitted or conditional uses)

Residential: multi-unit, single unit detached, duplexes (unless part of mixed use development as listed in permitted or conditional uses), tri-plexes, four-plexes.

D. Existing Single-unit Residences: Existing single-unit residences remain grandfathered until such time as a conversion is made to commercial use.

10-17B-2 LAND USES FOR AREA B:

A. Permitted Uses: Uses which are administratively determined to have an impact similar to or less than Permitted listed uses below:

Residential, single unit detached dwelling

Residential: multi-unit, single unit attached, duplex, Tri-plex, Four-plex

10-17B-3 LOT AND YARD PROVISIONS FOR AREA B

A. Lot Area: The lot area shall be a minimum of 2,500 square feet. Lot area for a single unit detached dwellings and duplex shall be at least 5,000 sq ft, and lot area for a multiple unit structure shall be at least 2,500 sq ft for each ground floor unit.

D. Yard Regulations:

4. Rear Yard or Alley: Rear yard or alley setback shall be a minimum of five feet (5'). For single unit dwellings, the rear yard shall have a minimum setback of ten feet (10').

E. Common Open Space: Common open space is required for multi-unit dwellings, four-plex dwellings and developments of four (4) or more residential units as follows:

2. In meeting the common open space standard, the development....

10-17B-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA B

E. Parking and Loading Spaces: All required residential parking spaces must be located on-site, but may not be located within the front yard. Every multi unit dwelling structure building that incorporates indoor parking shall have an approved fire sprinkler system installed, unless it is granted an exception provided by the state building code.

10-17C-2 LAND USES FOR AREA C:

A. Permitted Uses: Uses which are administratively determined to have an impact similar to or less than Permitted uses listed below:

Residential: multi-unit dwelling, single unit attached dwelling, duplexes, tri-plexes, four-plexes

C. Prohibited Uses: Uses that are administratively determined to have impact similar to or greater than Prohibited uses listed below are prohibited. The following uses are specifically prohibited:

Residential, single unit dwelling

D. Existing Single-family Residences: Existing single-unit detached dwellings remain grandfathered until such time as a conversion is made to commercial use.

10-17C-3 LOT AND YARD PROVISIONS FOR AREA C

A. Lot Area: The lot area shall be a minimum of 2,500 square feet. Lot area for a duplex or single unit detached dwelling shall be at least 5,000 sq ft, and lot area for a multiple unit dwelling structure shall be at least 2,500 sq ft for each ground floor unit.

E. Common Open Space: Common open space is required for multi-unit dwellings, four-plex dwellings and developments of four (4) or more residential units as follows:

2. In meeting the common open space standard, the development....

10-17C-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA C

E. Parking and Loading Spaces:

Every building of three (3) stories or more above grade and every multi unit dwelling structure building that incorporates indoor parking shall have an approved fire sprinkler system installed, unless it is granted an exception provided by the state building code

Chapter 23: Planned Unit Development

Replace all instances of the term “family” with “unit”. (5 instances)

Chapter 27: Mainstreet District

Replace all instances of the term “family” with “unit”. (18 instances)

Chapter 30: North Commercial

Replace all instances of the term “family” with “unit”.

Chapter 34: Landscaping

Replace all instances of the term “family” with “unit”.

Chapter 35: Access and Circulation

Replace three instances of the term “family” with “unit”. Replace one instance related to driveway with with “unit detached”.

Items Attached:

Attachment 2A: 10-10-11-8: Mobile Home/Manufactured Home Definitions

Attachment 2A

10-10-11-8: DEFINITIONS: For the purpose of this Section, certain words and terms are defined below.

Terms not defined in this Code shall have their ordinary accepted meanings within the context in which they are used. Webster’s Third New International Dictionary of the English Language, Unabridged, shall be considered a standard reference.

<u>ACCESSORY</u>	<u>Any structural addition to a mobile home/manufactured home, including awnings, carports, cabanas, porches, ramadas and similar structures.</u>
<u>AWNING</u>	<u>Any stationary structure, permanent or demountable, used in conjunction with a mobile home/manufactured home, or trailer, other than window awning, for the purpose of providing shelter from the sun and rain, and having a roof with supports and not more than one wall or storage cabinet substituting for a wall.</u>
<u>BUILDING LINE</u>	<u>A line on a plat indicating the limit beyond which buildings or structures may not be erected.</u>
<u>CABANA</u>	<u>A stationary, lightweight structure which may be prefabricated, or demountable, with two (2) or more walls, used adjacent to and in conjunction with a trailer to provide additional living space meant to be moved with the trailer.</u>
<u>COMMON AREA</u>	<u>Any area or space designed for joint use of tenants occupying mobile home developments. Not to include off-street parking areas.</u>
<u>CORNER LOT</u>	<u>A lot at least two (2) adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed one hundred thirty five degrees (135).</u>
<u>DENSITY</u>	<u>The number of mobile homes/manufactured homes or mobile home/manufactured home stands per gross acre.</u>
<u>DRIVEWAY</u>	<u>A minor private way used by vehicles and pedestrians on a mobile home lot or for common access to a small group of lots or common facilities.</u>
<u>EXPANDO</u>	<u>An expando is defined as a room or rooms that folds, collapses or telescopes into a mobile home during transport and which can be expanded at the site to provide additional living space.</u>
<u>LICENSE</u>	<u>A certificate for operation issued by the City pursuant to this Section.</u>
<u>LOT AREA</u>	<u>The total area reserved for exclusive use of the occupants of a mobile home/manufactured home.</u>
<u>LOT LINE</u>	<u>A line bounding the lot as shown on the accepted plot plan.</u>
<u>MOBILE HOME/ MANUFACTURED HOME COMMUNITY</u>	<u>A mobile home development and related utilities and facilities, including the mobile homes/manufactured homes and all of the people living within the development.</u>

Attachment 2A

<u>MOBILE HOME/ MANUFACTURED HOME LOT</u>	<u>A parcel of land for the placement of a mobile home/manufactured home and the exclusive use of its occupants.</u>
<u>MOBILE HOME/- MANUFACTURED HOME RESIDENTIAL DISTRICT (RMH)</u>	<u>A zone, the boundaries of which shall be defined and approved by the Planning Commission and the City Council, which allows for the placement of mobile homes/manufactured homes for residential uses.</u>
<u>MOBILE HOME/ MANUFACTURED HOME STAND</u>	<u>That part of an individual lot or parcel reserved for the placement of a mobile home/manufactured home.</u>
<u>MOBILE HOME/ MANUFACTURED HOME SUBDIVISION</u>	<u>Not less than five (5) acres of contiguous land, unless otherwise determined by the Planning Commission, which allows for the placement of mobile homes/manufactured homes for residential uses.</u>
<u>OCCUPIED AREA</u>	<u>That area of an individual mobile home/manufactured home lot which has been covered by a mobile home/manufactured home and its accessory structures.</u>
<u>OPEN SPACE</u>	<u>See Common Area</u>
<u>OWNER</u>	<u>The person having sufficient proprietary interest in the land sought to be developed to commence and maintain proceedings to develop the same under these regulations.</u>
<u>PAD</u>	<u>A minimum foundation treatment for a permanent mobile home/manufactured home installation, the construction of which is in compliance with City policy. Commonly but not necessarily constructed of concrete two feet wide by six inches thick (2' x 6") and extending the length of the mobile home/manufactured home unit or units.</u>
<u>PERSON</u>	<u>Any individual, firm, partnership, corporation, company, association, syndicate or any legal entity, and including any trustee, receiver, assignee or other similar representative thereof.</u>
<u>RAMADA</u>	<u>A stationary structure having a roof extending over a mobile home/manufactured home or trailer, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from sun and rain.</u>
<u>RECREATIONAL VEHICLE</u>	<u>A vacation trailer or other unit with or without motive power which is designed for human occupancy and to be used temporarily for recreational or emergency purposes and has a floor space of less than</u>

Attachment 2A

220 square feet, excluding built-in equipment, such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet room.

TIE DOWN Any device designed to anchor a mobile home/manufactured home securely to the ground.

UNIT Relocatable housing. (See Mobile Home/Manufactured Home definition)



Memorandum:

To: City of Florence Planning Commission
From: Clare Kurth, Assistant Planner & Staff Ex-Officio
Meeting Date: May 23, 2023

Subject: Recommendations to Updated Bicycle Parking & Create Consistency with Vehicular Parking

Introduction

On May 16, 2023 the Transportation Committee (TC) met at their regularly scheduled meeting time, date, and location; the 3rd Tuesday of each month at 5:00 pm at City Hall. This meeting was properly noticed and followed applicable public meeting rules. Agenda item number 4 was an Action Item to discuss recommended code change to bike parking to create consistency with vehicular and bicycle parking for enlargement of a building and for change of uses as regulated by Florence City Code Title 10, Chapter 3.

The 2012 Florence Transportation System Plan (TSP) states the City should work towards becoming a “Bicycle-Friendly Community.” This includes providing safe accommodations for cycling and encouraging people to bike for transportation and recreation. Providing consistency with bicycle and vehicle parking codes and increasing secure bike parking in Florence can be step towards this objective.

Action Item and Vote:

The TC had a quorum present, and of the members present, voted unanimously to recommend the change in FCC 10-3-10 to create consistency with bicycle parking and vehicular parking in regards to required parking for a change of use and expansion of a business rather than for new development only, as required in the current Code.

Current Code:

10-3-2: GENERAL PROVISIONS:

B. *At the time of new construction or enlargement or change in use of an existing structure within any district in the City, off-street parking spaces shall be provided as outlined in this Chapter, unless requirements are otherwise established by special review or City Council action. Additional parking spaces shall meet current code.*

10-3-10: BICYCLE PARKING REQUIREMENTS: *All new development that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.*

Recommended Code Update:

10-3-10: BICYCLE PARKING REQUIREMENTS: *All new **development** construction or enlargement or change of use that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.*

Items Attached:

- **Attachment 1:** Transportation Committee Agenda May 16, 2023



City of Florence Transportation Committee Regular Session

In Person & Videoconference
250 Hwy 101
Florence, OR 97439
541-997-3437
www.ci.florence.or.us

- Meeting materials including information on each agenda item are published at least 24 hours prior to the meeting, and can be found of the City of Florence website at www.ci.florence.or.us/council.
- Items distributed during the meeting, meeting minutes, and a link to the meeting video are posted to the City's website at www.ci.florence.or.us/council after the meeting.
- To be notified of City Council meetings via email, please visit the City's website at <http://www.ci.florence.or.us/newsletter/subscriptions>.

May 16, 2023

AGENDA

5:00 p.m.

Members:	Joseph Cullivan	Gary Trevisan	Storm Kurth
Lydia Paredes	Ivy Medow	Cheri Payne	
CEDC Kelly Clarke,	Robert Carp,	Clare Kurth,	Melissa Metz, Coos
Ex-Officio, LCOG	Council Ex-Officio	Staff	County Area Transit
Vacant		Ex-Officio	Josh Haring, River Cities Taxi
		Lane Transit District	

With 48-hour prior notice, an interpreter and/or TTY: 541-997-3437, can be provided for the hearing impaired.
Meeting is wheelchair accessible.

The Transportation Committee meeting will be held in-person at Florence City Hall.

In addition, members of the public can listen and view the meeting through the 'GoToWebinar' platform at the following link: <https://attendee.gotowebinar.com/register/6450042403363274333>.

Citizens wishing to express their views may submit comments in writing or verbally. For more information, please see the end of this agenda or visit the [City of Florence website](http://www.ci.florence.or.us).

CALL TO ORDER – ROLL CALL

1. INTRODUCE NEW COMMITTEE MEMBER

Discuss membership changes starting in June 2023

2. PUBLIC COMMENTS

This is an opportunity for members of the public to bring to the Committee's attention any item not otherwise listed on the agenda. *Please see the end of this agenda for methods to provide comments on items that are not on the agenda.*

ACTION ITEMS

Please see the end of this agenda for methods to provide comments on action items.

3. NOMINATION AND ELECTION OF CHAIR AND VICE-CHAIR: [Committee & Commission Policy Manual](#) (page 11)

4. RECOMMEND CODE CHANGE TO BIKE PARKING: Create consistency with vehicular and bicycle parking for enlargement or change of use as regulated by [Florence City Code Title 10, Chapter 3](#). Code Section: FCC 10-3-2-B

REPORT & DISCUSSION ITEMS

5. WORKPLAN UPDATES

Review [2023-2025 Work Plan](#) items related to transportation
Subcommittees: Review Possible Subcommittee Items

- Consider re-introducing Compact Parking Standards
- Transit Related Topics
- Old Town Wayfinding Signage

6. CITY TRANSPORTATION PROJECTS UPDATES:

- River Cities Taxi rate adjustment request approved by City Council April 3, 2023

- TSP Virtual Open House Closed May 10, 2023

7. AGENCY TRANSPORTATION PROJECT UPDATES

- New Link Lane Sign Locations in Town
- Updated Rhody Express Brochure

8. CLOSING COMMENTS, NEXT MEETING DATES & FUTURE AGENDA TOPICS

TRANSPORTATION COMMITTEE CALENDAR		
<i>All meetings are held in-person unless otherwise indicated</i>		
Date	Time	Description
June 20, 2023	5:00 p.m.	Transportation Committee Meeting
July 18, 2023	5:00 p.m.	Transportation Committee Meeting
August 15, 2023	5:00 p.m.	Transportation Committee Meeting

UPDATED PUBLIC MEETINGS PROCEDURES

The May 16, 2023 Transportation Committee meeting will be held in-person, with the option to view / listen to the meeting virtually through the GoToWebinar platform.

Expressing Views to the Transportation Committee: Citizens wishing to express their views to the Transportation Committee may do so in both written and verbal formats.

1. **Written Testimony:** Citizens wishing to express their views to the Transportation Committee are encouraged to submit written testimony in one of the following ways:
 - a. Submit written comments via email to the Planning Dept. at planningdepartment@ci.florence.or.us ;
 - b. Mail written comments to Florence City Hall, Attn: Transportation Committee, 250 Hwy 101, Florence, OR 97439
 - c. Drop off written comments at Florence City Hall (250 Hwy 101) during regular office hours (Monday through Friday 8 a.m. – Noon and 1:00 p.m. – 4:00 p.m.) or at the City of Florence drop box located at Florence City Hall to the right of the main entrance.

**** Note:** Written comments received at least 2 hours prior to the meeting (May 16, 2023 at 5:00 p.m.) will be distributed to the Transportation Committee, posted to the City of Florence website, and made part of the record.

2. **Verbal Testimony:** Citizens wishing to express their views to the Transportation Committee may participate in the meeting at Florence City Hall or via GoToWebinar. To do so, please complete a speaker’s card online at <https://www.ci.florence.or.us/bc-tc/transportation-committee-speakers-card> at least 1 hour prior to the meeting (May 16, 2023 at 4:00 p.m.). City staff will then contact the speaker to let them know the process to participate in the meeting.
 - a. **Public Comments on items not on the agenda:** General public comments (on items not on the Transportation Committee agenda) will be allowed at each Transportation Committee meeting during the public comment agenda item. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all items. In practicality, this means no more than five individuals will be allowed to comment verbally. There is no limit on written public comments.
 - b. **Public Hearing Testimony:** Testimony on public hearing items will be allowed when a public hearing is held. Verbal comments will be allowed on public hearing items after staff has given their report and have allowed time for initial Transportation Committee questions. In general (with some exceptions for Land Use hearings), comments are limited to five minutes per person with no limit on the number of speakers.
 - c. **Public Comments on Action Items:** Public Comments will be allowed on each action item on the Transportation Committee agenda. Verbal comments will be allowed on action items after staff has given their report and have allowed time for initial Transportation Committee questions. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all comments on each action item. In practicality, this means no more than five (5) individuals will be allowed to comment verbally. There is no limit on written public comments.

For more information on the City of Florence’s Public Meeting Policies, visit the City of Florence website at: <https://www.ci.florence.or.us/council/rules-procedure>.