



# LAWDUC AMENDMENTS TO FACILITATE HOUSING DEVELOPMENT

Community Development  
January 16, 2024







# OVERVIEW

**Housing Crisis**

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**Governor's Goal to Construct 36,000 Units**

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**Scope of Proposed Revisions**

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**Additional Work Items for FY 23/24**

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# FACTORS AFFECTING HOUSING CONSTRUCTION

**Land Use Planning processes are only one of many factors affecting housing affordability and construction:**

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- Land availability and cost
- Availability and cost of construction materials
- Infrastructure availability and capacity
- State building code requirements
- SDCs
- Inflation and interest rates
- Local employment and salaries
- NIMBY-ism
- Litigation



# WHAT THE PROPOSED AMENDMENTS ARE INTENDED TO DO

Staff is proposing immediate- and medium-range revisions to LAWDUC in order to:

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- Reduce application fees
- Reduce the amount of time for applicants to receive approvals
- Make processes simpler and easier to understand
- Encourage the construction of more housing at all price points



# WHAT THE PROPOSED AMENDMENTS CANNOT DO

**Some needed or desired changes are  
outside the control of Clatsop County:**

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- Revise Oregon Residential Specialty Code (ORSC)
- Change Oregon Revised Statutes (ORS)
- Require owners to partition or sell land
- Reduce or waive SDCs

# Rural Community v. Rural Residential

## Rural Community

- Regulated by OAR 660-022
- Goal 3/4 Exception Area
- Often served by community water and/or sewer
- Defined as: An unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including, but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.
- 2003: Rural Communities created:
  - Arch Cape
  - Miles Crossing/Jeffers Gardens
  - Knappa-Svensen
  - Westport
- Per OAR 660-022-0030(2): County plans and land use regulations may authorize any residential use and density in unincorporated communities.

## Rural Residential

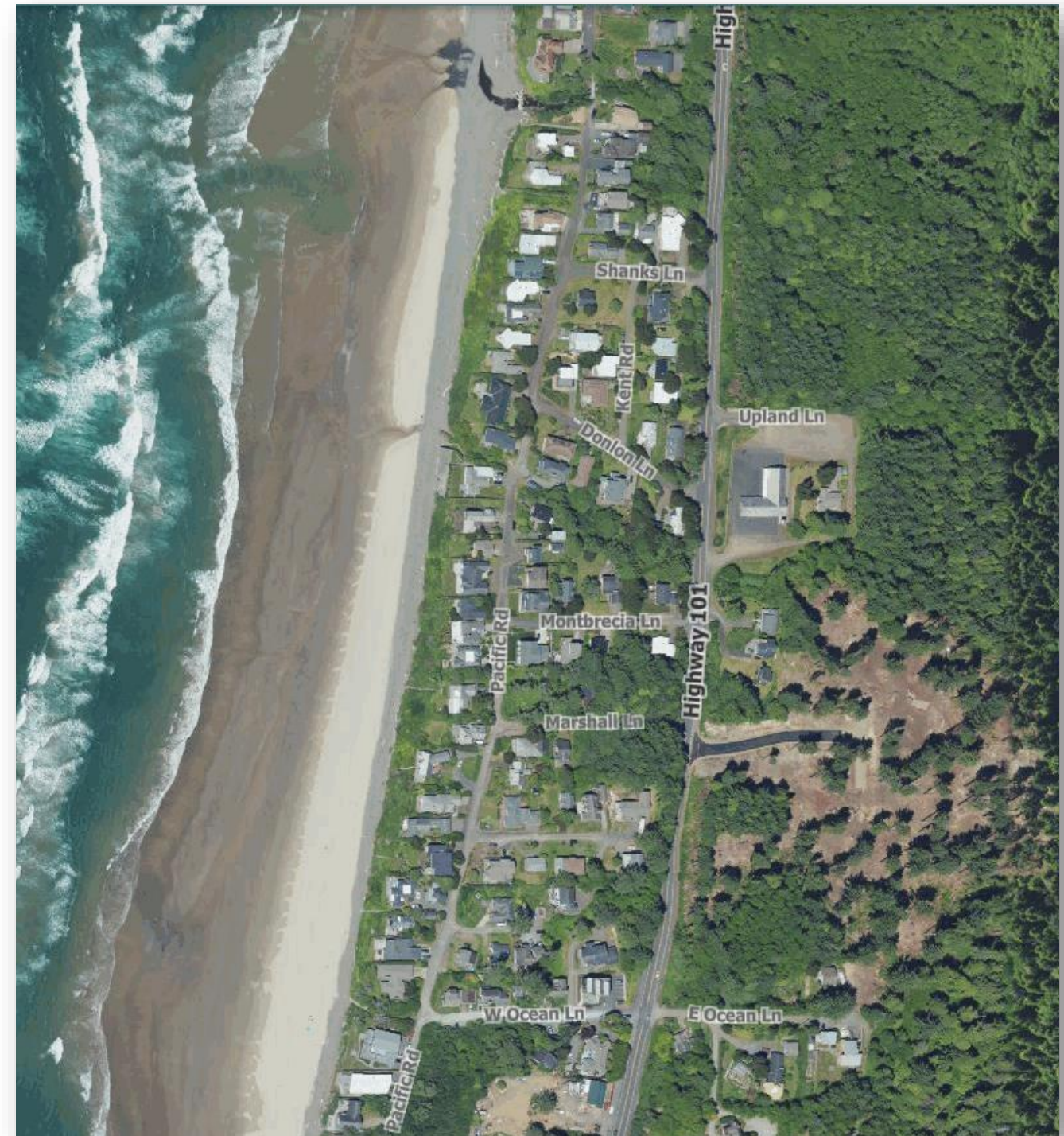
- Regulated by OAR 660-004
- Goal 3/4 Exception Area
- Sometimes served by community water and no sewer
- Since October 4, 2000, 2-acre minimum parcel size required for new rural residential parcels.
- In new exception areas, 10-acre minimum parcel size required
- Clatsop County Rural Residential Zones include:
  - RA-1
  - RA-2
  - RA-5
  - RA-10
  - Coastal Residential
  - Coastal Beach Residential
  - Single-Family Residential-1 (SFR-1)
- Ordinance 03-11 approved a Goal 14 Exception for specific parcels in Cove Beach, Arcadia Beach and the Clatsop Plains, to allow parcels less than 2 acres in size.



# Rural Community



**Svensen**



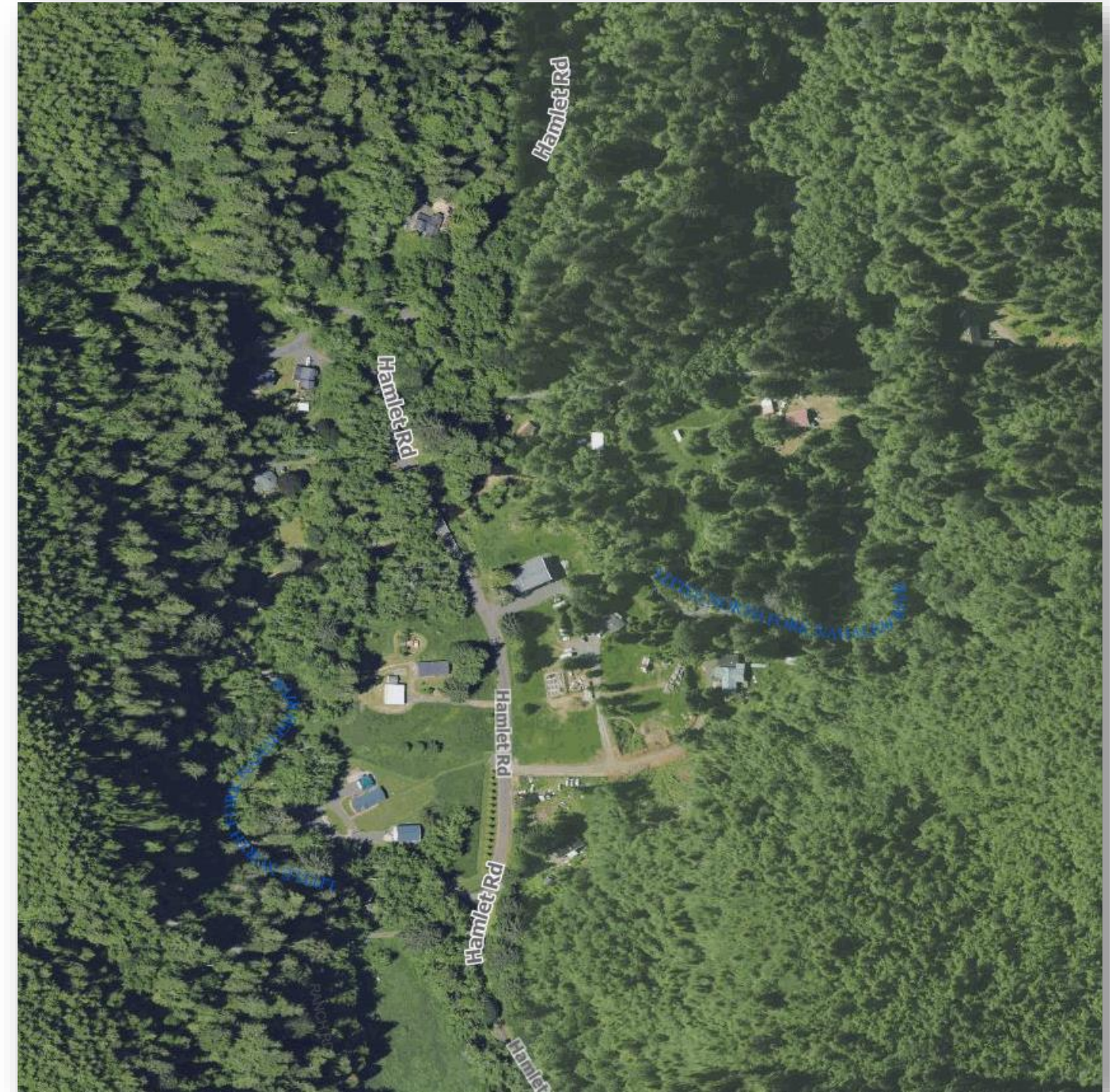
**Arch Cape**



# Rural Residential



Highway 26



Hamlet





# PROPOSED CHANGE #1

## Allow duplex dwellings as Type I use

- Many zones only allow duplex units as a Type II conditional use
- Proposed change would reduce:
  - fee from \$1,200 to \$85
  - review time from several months to a few weeks (depending upon site-specific issues)





# PROPOSED CHANGE #2

## Create Uniformity Across Zones

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- Only the AC-RCR zone requires new public or private road development or road extensions to be approved through a conditional use process
- Eliminating this requirement, consistent with all other residential zones in the County would:
  - reduce fee from \$1,200 to \$85
  - reduce review time from several months or years to a few weeks (depending upon site-specific issues)



# Prospect Park

©MAP SHOWING  
Prospect Park,  
Prospect Park Extension  
and  
Spring Hill  
Extension to Prospect Park.

AS LAID OUT AND RECORDED  
BY  
CHAS. S. DOW.



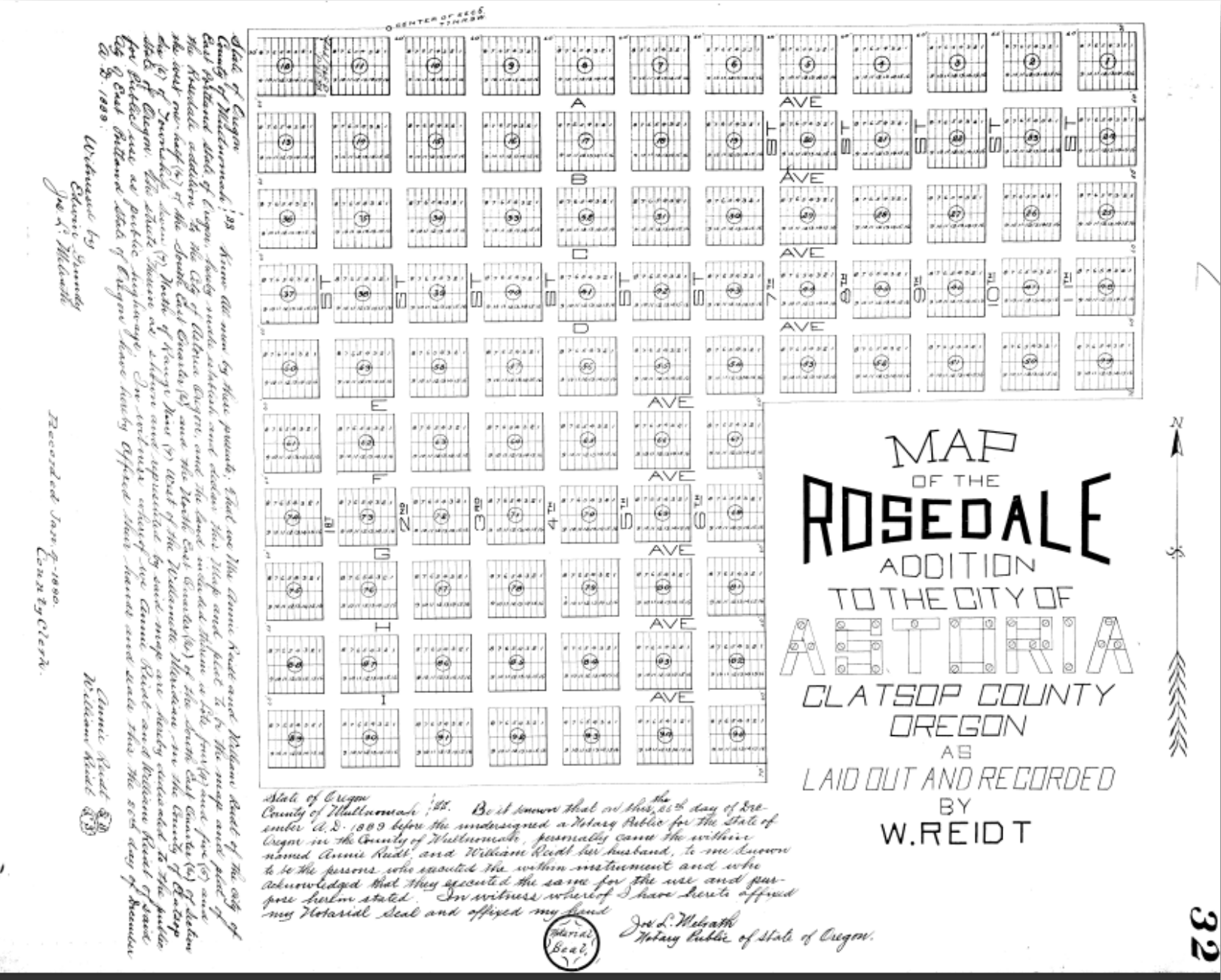
Prospect Park (1890)



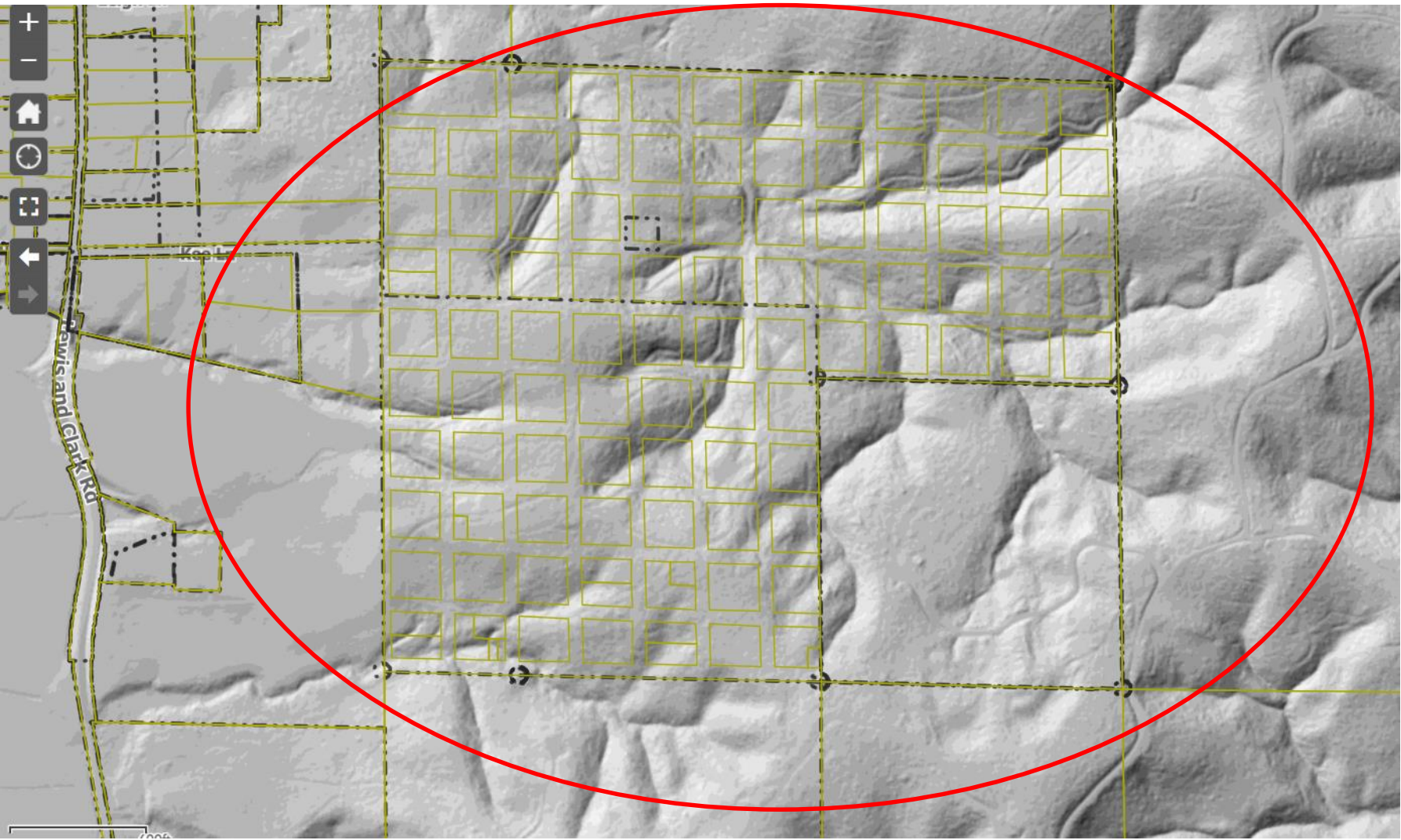
Prospect Park Area



# Rosedale Addition



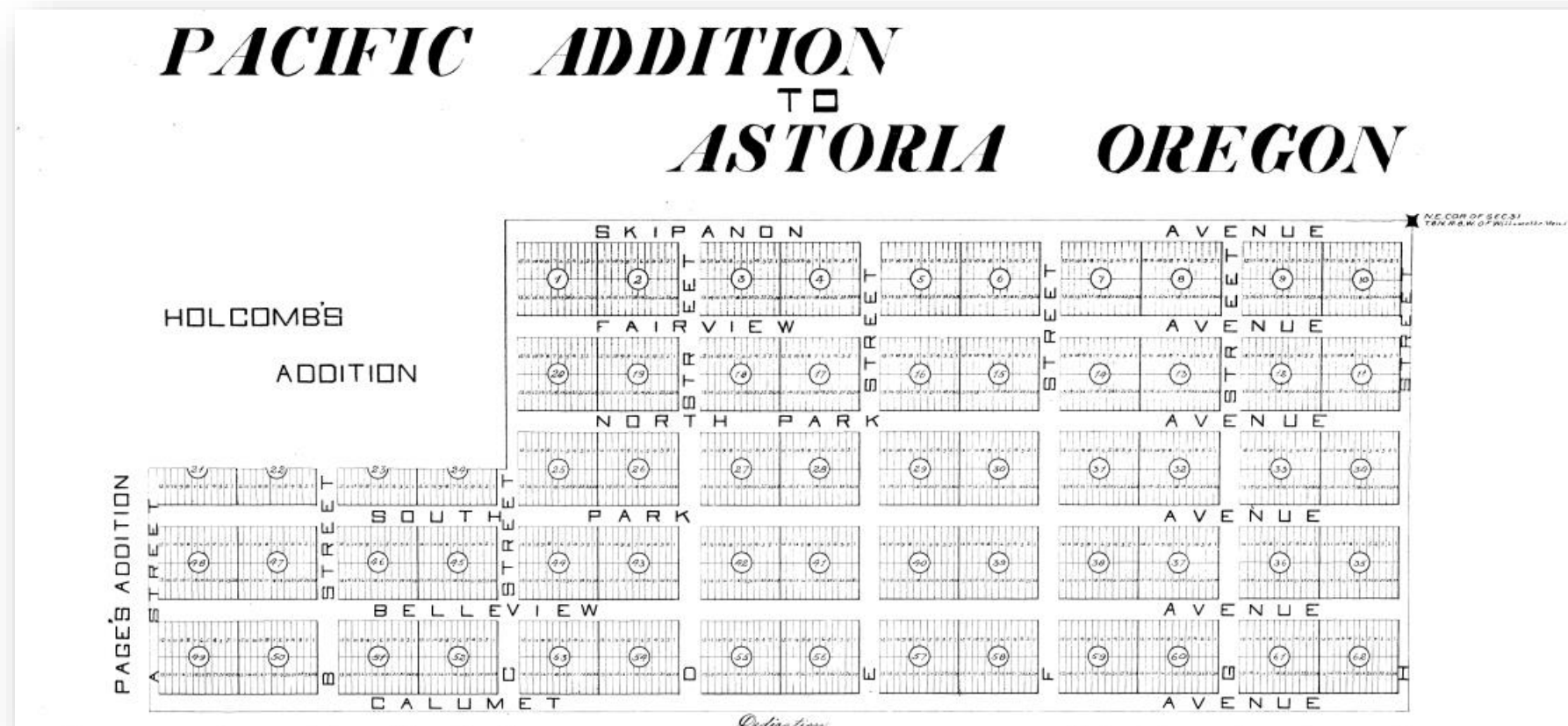
Rosedale Addition (1897)



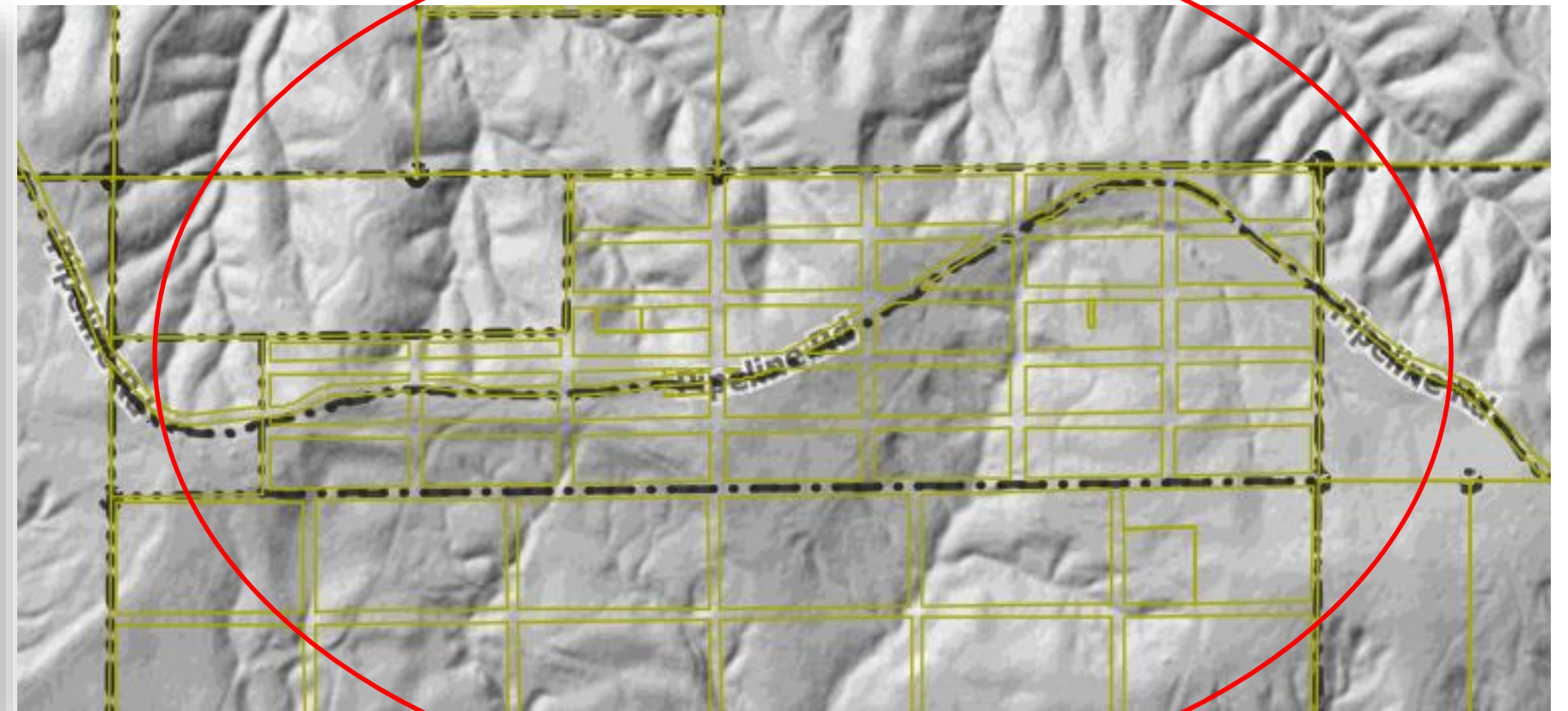
Rosedale Area



# Pacific Addition



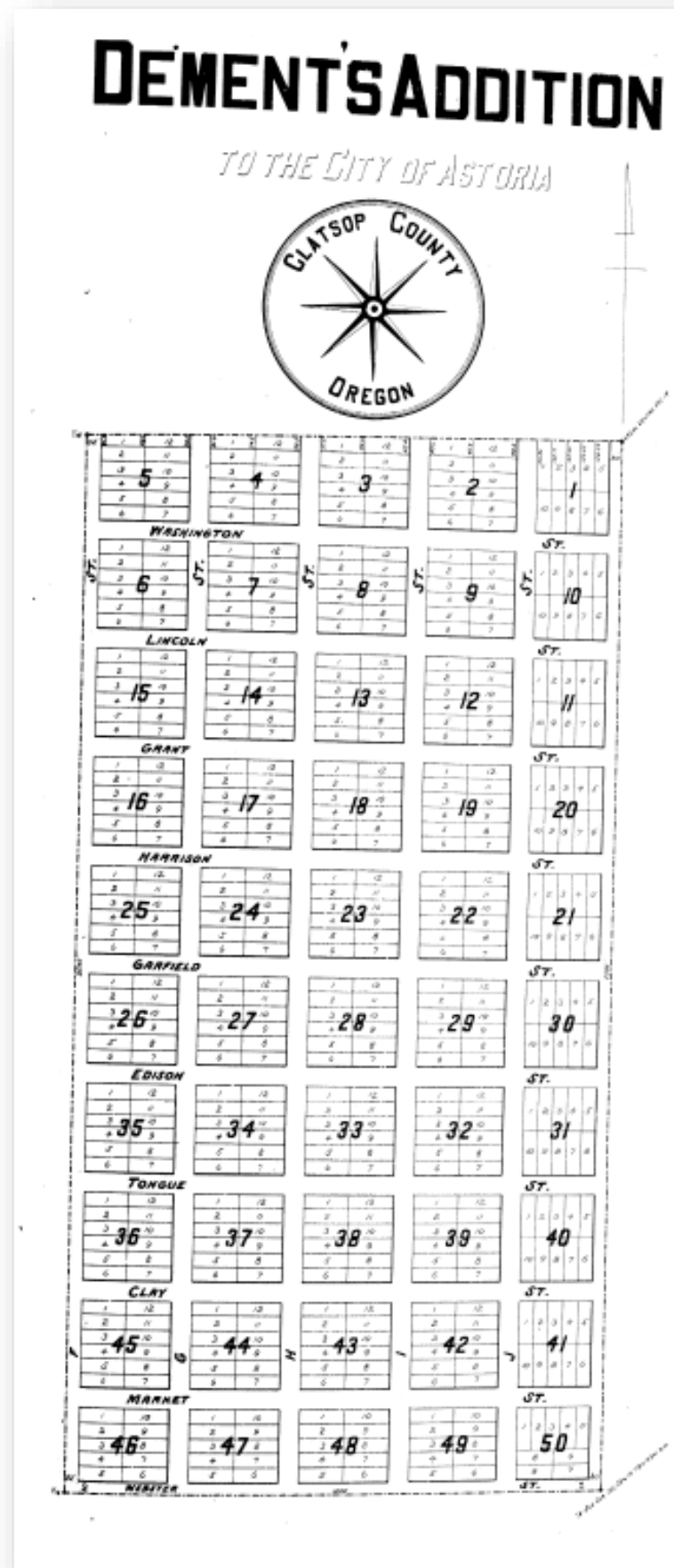
Pacific Addition (1890)



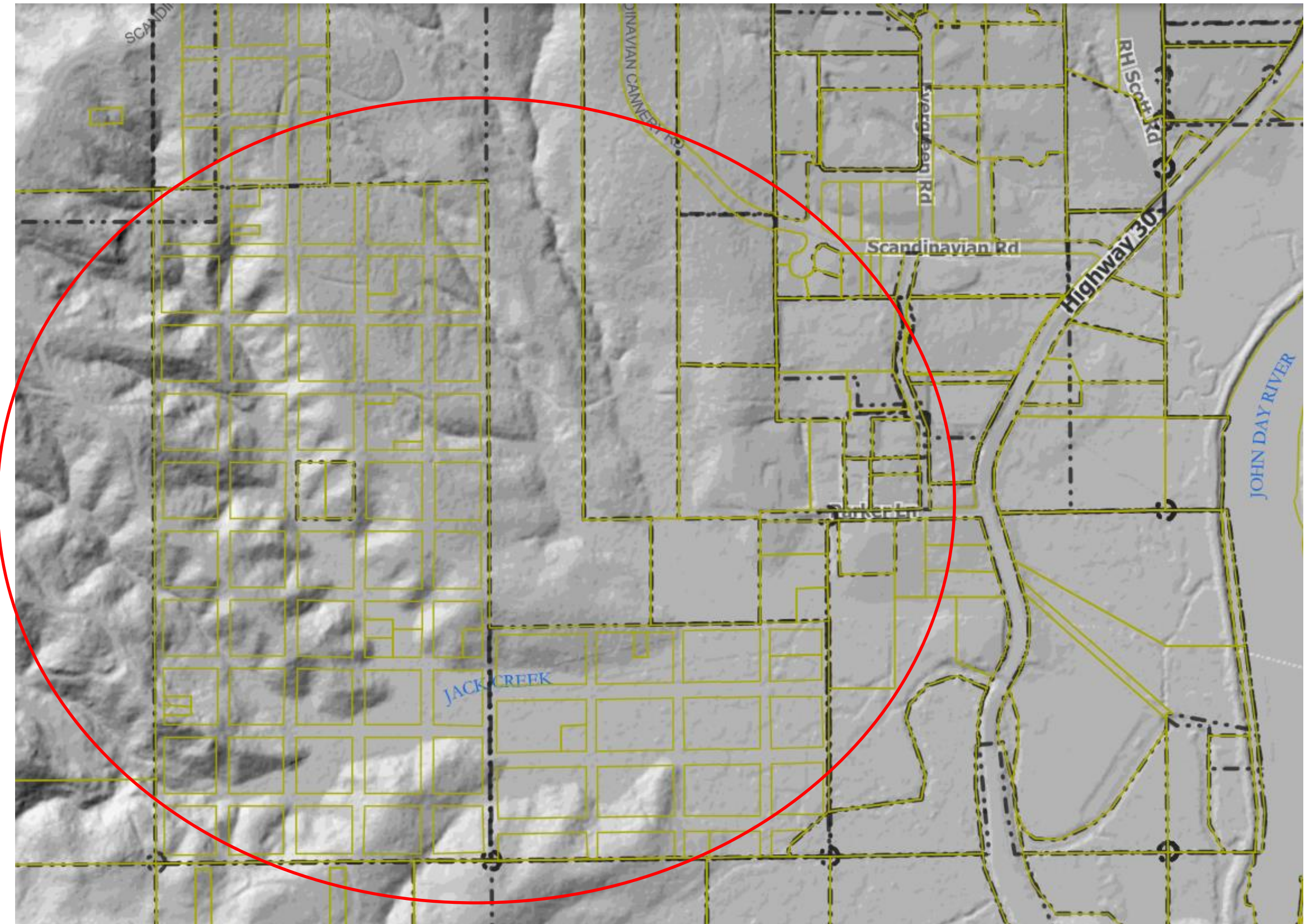
Pacific Addition Area



# Dement's Addition



Dement's Addition (1889)



Dement's Addition Area





# PROPOSED CHANGE #3

## Reduce minimum lot sizes for properties with community sewer and water

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- Reduce minimum-required lot size for a duplex to 10,000 SF (most zones with water/sewer require 15,000 SF)
- Reduce minimum-required lot size for a single-family dwelling from 7,500 SF to 5,000 SF
- Reduce minimum lot width to 50' for single-family dwelling





# PROPOSED CHANGE #4

**Allow triplex and quadraplex dwellings in areas designated for Development in the comprehensive plan that are served by community water and sewer**

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- Development zones are typically served by water and sewer
- New standards would be required to address minimum lot sizes; approval process; create definitions
- Residential Development zones include:
  - AC-RCR
  - RC-MFR
  - RC-SFR
  - RSA-MFR
  - RSA-SFR





# PROPOSED CHANGE #5

**Change “Multi-Family Dwellings”,  
“Mobile Home Parks” and “Boarding,  
rooming or group housing” to a Type I  
use in the following zones:**

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- RC-MFR and RSA-MFR
- These zones already allow these uses as conditional uses
- Change would:
  - reduce application fee from \$1,200 to \$85
  - reduce review time from several months or years to a few weeks (depending upon site-specific issues)





# PROPOSED CHANGE #6

## Allow existing single-family homes in commercial districts as a Type I instead of a non-conforming use

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- Many of the County's commercial zones include existing homes that were constructed before the zoning was established and/or changed
- Those homes are now considered non-conforming uses and are subject to stringent requirements and fees in order to rebuild or make changes to the home
- Change would:
  - reduce application fee from \$1,200 to \$85
  - reduce review time from several months or years to a few weeks (depending upon site-specific issues)
- Because the County has limited commercial land, new SFDs should not be permitted





# PROPOSED CHANGE #7

## Add stand-alone “Multi-Family Dwellings”, Manufactured Home Parks”, and “Boarding Houses” as Type II uses in commercial districts

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- Many of the County’s commercial zones only allow mixed use or residential development in conjunction with a commercial or retail component
- Change would add new multi-family housing options to commercial zones
- Permitting as a conditional use would allow the County to have additional review over these proposals on limited commercial land that could otherwise provide employment opportunities





# PROPOSED CHANGE #8

**Add stand-alone “On-site employee housing”  
and as a Type I use in commercial/industrial  
zones**

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- Change would allow employers to construct on-site housing for employees (including the business owner)
- Housing would need to be on the same site as the business





## **Allow Residential Mixed Use in association with a commercial or retail component as a Type I use in commercial districts**

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# **PROPOSED CHANGE #9**

- Many of the County's commercial zones only allow mixed use or residential development in conjunction with a commercial or retail component to be approved after a public hearing
- Change would allow the residential component as a Type I use
- Fee for the residential component would be reduced from \$1,500 to \$85
- Fees for the commercial/retail component would currently remain the same





# PROPOSED CHANGE #10

## Change fee and process to partition land

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- Reduce application fee from \$1,000 to \$500 (**needs Board approval**)
- Change review process to eliminate repetitive and/or superfluous findings in staff report and utilize checklist report (**this has already been implemented**)
- ORS still requires 10-day public notice and 12-day appeal period
- Shorten processing time from several months to a few weeks (including notice and appeal)



# PROPOSED CHANGE #11

## Mass Timber Code-UP

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- Clatsop County has been selected by DLCDD to participate in the Mass Timber Code-UP Technical Assistance project
- Intended to modernize the County's planning and development codes to accommodate modular mass timber housing
- It is unknown what code changes may occur as a result of this project





# ITEMS FOR FUTURE REVIEW/ REVISION IN FY 23-24

The work items below will require more time and consultation with DLCDD and/or other jurisdictions. While not included in this initial set of proposed revisions, they are proposed to be completed by the end of this fiscal year.

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- Review ORS to determine which EFU and forest dwellings could be reviewed as a Type I use instead of as a conditional use
- Survey of other jurisdictions' geohazard mitigation regulations
- HB 3197: Clear and objective standards for housing.



# NEXT STEPS

## Following tonight's information session staff will:

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- Schedule the item for additional discussion with the Board of Commissioners at a work session
- Forward all written public comments received to the Board
- Forward the meeting recording to the Board
- Depending upon Board direction at the 2<sup>nd</sup> work session, either begin the public hearing process or continue to refine the amendments





# DISCUSSION

Community Development  
January 16, 2024

