



3J CONSULTING

To: Housing Advisory Committee

Date: March 19, 2021

From: Carolyn Johnson, Community Development Administrator
on behalf of the Housing Advancement Project Team (Team)

RE: Friday, March 26, 2021 from 1:00 to 3:00 PM – the third and final Housing Advisory Committee (HAC) Meeting: Housing Advancement Project

BACKGROUND/CONTEXT. In 2020, the Oregon Department of Land Conservation (DLCD) awarded funding to the City for consulting services for evaluation and modification of Coos Bay Comprehensive Plan (CBCP) policies and Development Code (CBDC) directives. The modifications will assure City compliance with new Oregon law mandated by Oregon House Bills 2001 & 2003 and address the 2020 Needs Analysis (HNA) findings.

In February of 2021, the HAC reviewed draft concepts for CBCP and CBDC amendments and provided feedback that facilitated creation of more refined work products for the March 9 joint Planning Commission / Council public meeting. With that meeting outcome, the Team prepared draft CBCP and CBDC amendment language for HAC review and consideration. Please familiarize yourselves with this information and be ready to discuss at the third and final HAC meeting on March 26. Your feedback will inform final proposed CBCP and CBDC amendments for Planning Commission consideration/advisement and City Council decisions to modify the CBCP and CBDC for expanded Coos Bay housing opportunities.

KEY DOCUMENTS. We look forward to our collective review of the following documents at our Friday, March 26 1 PM meeting. Your feedback on these documents will inform the Team's continued work.

- ***Attachment A: Coos Bay Comprehensive Plan and Development Code High-Level Themes.*** This LCOG Team prepared list of high-level themes and a description of recommendations for each accompanies the CBCP matrix (Attachment B) and CBDC proposed amendments (Attachment C). The version attached here has been slightly modified since the February meeting to reflect current zoning recommendations. Changes are noted in the document.
- ***Attachment B: Coos Bay Comprehensive Plan Draft Recommendations Matrix.*** Prepared by the LCOG Team, proposed CBCP amendments consistent with House Bill 2001 are identified in a matrix format with current policy text or themes and redlined recommendations. This document has been changed only minimally since the February HAC meeting and March Planning Commission / Council public meeting to reflect input. Major changes are noted in the "Plan Element" column and highlighted in yellow.
- ***Attachment C: Coos Bay Development Code Proposed Amendments.*** The LCOG Team prepared excerpts of redlined proposed CBDC amendments directly relating to the high-level themes and other specific items discussed by the HAC in February.

ATTACHMENT A: COOS BAY COMPREHENSIVE PLAN (CBCP) AND DEVELOPMENT CODE (CBDC) HIGH-LEVEL THEMES – March 26, 2021

COOS BAY COMPREHENSIVE PLAN + DEVELOPMENT CODE RECOMMENDATIONS – HIGH-LEVEL THEMES

High-Level Themes

- 1. A Coos Bay Suited Solution**
- 2. Implementing House Bill 2001 (Expanding Housing Opportunities – Removing Barriers)**
- 3. Continuity Between Comprehensive Plan (CBCP) and Development Code (CBDC)**
- 4. Simplifying and Streamlining Policy and Administration**

1. A Coos Bay Suited Solution

The LCOG Team has worked diligently to prepare initial recommendations with careful consideration of local context, as represented by feedback from public meetings, recent research and analysis of existing trends, studies and other data, and very close coordination (and iteration) with City staff. The message has been clear that Coos Bay is committed and eager to create more housing opportunities. State Law dictates this to some extent, but local values must guide numerous components of this effort for improvement.

2. Implementing House Bill 2001 (Expanding Housing Opportunities – Removing Barriers)

The aim of House Bill 2001 is to remove barriers to the development of needed housing. Cities of Coos Bay's size are now required by State law (OAR 660-046) to implement these HB2001 changes. This change includes an HB2001 requirement for allowing duplexes on any lot or parcel zoned for residential use that allows for the development of detached single-unit dwellings. In Coos Bay duplexes are permitted on low density residential (LDR) lots; however, the CBCP and CBDC must be revised to be comprehensively consistent with HB2001 and reflect needs identified in the 2020 Housing Needs Analysis. Consequently, we recommend amending and/or removing language that is in direct conflict with HB2001 or that could otherwise undermine the intention or spirit of the law and findings of the Housing Needs Analysis. This also means that our approach is focused on housing and residential land use goals and objectives, as well as the implementation measures in the CBDC. For example, we generally only address other districts where they address residential uses and are in conflict with HB2001 or the current CBDC.

Examples

Comprehensive Plan:

Energy Conservation Policy EC.6 states that “...*this strategy shall not supersede the strategy dealing with the protection of the integrity of established residential neighborhoods.*” The current recommendation is to remove this sentence from the end of that policy. Coos Bay recently adopted Development Code updates allowing duplexes within all residential zones, consistent with HB2001. Amending this policy would provide continuity with HB2001 in the underlying Comprehensive Plan policies as well. Focus would pivot to compatibility of uses.

(See Attachment B: CBCP Recommendations Matrix, Page 4/25)

Development Code:

The Housing Advancement Project aims to remove procedural or regulatory barriers to the development of needed housing, as well as facilitate the creation of housing options such as duplexes, townhouse or rowhouses, cottage clusters, and small apartments like triplexes and quadplexes on lots where single-unit dwellings are allowed. We recommend revising the codified definitions so the CBDC recognizes these housing types, and then using the codified terms in the list of permitted land uses in the applicable Zoning district. The consistency in terminology and improved clarity will enhance ease of use for property owner/developers, neighbors, and staff.

(See Attachment C: CBDC Draft Amendments, Sec. 17.150, 17.220, and 17.225)

ATTACHMENT A: COOS BAY COMPREHENSIVE PLAN (CBCP) AND DEVELOPMENT CODE (CBDC) HIGH-LEVEL THEMES – March 26, 2021

3. Continuity Between Comprehensive Plan and Development Code

Oregon law (and best practices) call for a Comprehensive Plan that serves as the overarching guiding document for community planning. It provides high level goals, objectives and policy direction that guide implementation. The Zoning districts and CBDC should provide the granular specificity for development that is in keeping with those overarching goals and objectives. Presently the CBCP and CBDC are out of alignment on some key residential elements. Recommendations are made to bring some of these into better alignment.

Comprehensive Plan

- The Project Team believes that the CBCP contains some overly prescriptive language, which can create legal ambiguity, limits the development code's purpose, and may require more updating of the Plan than is prudent.

Examples:

Residential Areas Objectives:

- The CBCP currently dictates numerous residential zones by name (R-1, R-3, R-5) which do not currently exist in the code. We recommend removing these to eliminate the conflict.
- The CBCP Residential Objectives currently include rationale and implementation statements that reference decades old information and are lengthy, often with very specific language that can serve to dilute or confuse the applicability of the overarching objective. We recommend removal of these.

Development Code

There are two notable inconsistencies between the CBCP land use designations and implementing the Zoning districts.

- The current CBCP's Residential-Low Density designation caps density at 9 dwelling units per acre (du/ac); however, the Low Density Residential-6 Overlay Zone allows density up to 16 du/ac. This inconsistency presents a legal vulnerability for the property owner/developer and the City. We recommend adjustments to the Plan and zoning to reconcile this.
- The Medium Density Residential-16 (MDR-16) zone implements the CBCP's Residential-High Density land use designation. The designation allows densities up to 25 du/ac, but the zone is capped at 16 du/ac. We recommend revising the MDR district to allow for the greater density allowed in the CBCP.

(See Attachment C: CBDC Draft Amendments, Sec. 17.220 and 17.225)

- Below is a recommendation for zoning district and Comprehensive Plan adjustments:¹

Comp Plan Designation	Comp Plan du/ac	Current Zone	Current Zone du/ac	New Zone	New Zone du/ac
Medium/High Density Residential (previously High Density Residential)	Max 25	MDR-16	Max 16	MDR	12-25
		LDR-6 Overlay (OL)	Max 16	MDR	Max 16
Low Density Residential	Max 9	LDR-8.5	Max 6	LDR	Max 10
		LDR-6	Max 9	SLR*	Max 12
Commercial/Mixed Use (previously Res./Prof. Office)	Max 25	MX	18-24	MX	17-25
		C	18-24	C	17-25

*Small Lot Residential

¹ The zoning district recommendations presented in this table have been modified in three ways since the February HAC meeting: (1) HAC members noted a gap in allowable du/ac between LDR and MDR zones, which has been corrected; (2) du/ac in the SLR and LDR zones have been increased consistent with new CBCP recommendations; and (3) the new recommendation is for a single MDR zone that allows 25 du/ac with applicable standards.

ATTACHMENT A: COOS BAY COMPREHENSIVE PLAN (CBCP) AND DEVELOPMENT CODE (CBDC) HIGH-LEVEL THEMES – March 26, 2021

4. Simplifying and Streamlining Policy and Administration

Simplification of process and provisions create a more welcomed environment for desired developments. They also reduce inefficiencies impacting overwhelmed City staff.

Comprehensive Plan

- Where practical, recommendations include minor housekeeping items that increase clarity and bring the CBCP up to date including removing redundant policies and removing or changing references to outdated codes. It also includes more focused CBCP language allowing the CBDC to better fulfill its distinct purpose.

Examples:

- Housing Policy 2.5
(See Attachment B: CBCP Recommendations Matrix, Page 6/25)
- Housing Goal 7
(See Attachment B: CBCP Recommendations Matrix, Page 10/25)

Development Code

In addition to the City's prior action that expanded the permitted uses in zones to allow duplex dwellings, certain procedures (e.g., Type I, Type II, etc.) and applications (e.g., CUP, PUD) can create obstacles to housing development through greater cost, time delays, and ambiguity in development standards. Therefore, we recommend revisions to the Administrative section and the other applicable development standards to simplify and streamline the process.

- Recategorize the land use procedures to enable staff review – Exemptions or Type I procedures – of permitted land uses that are perceived to be minor in scale or generally compatible with the surrounding land uses in that Zoning district.
(See Attachment C: CBDC Draft Amendments, Sec. 17.130.030)
- Provide clear and objective development standards for certain housing types. For example, the introduction of Multi-Unit Residential Standards will enable a Type II process with Planning Director decision for proposals that currently require PUDs and possibly Variances.
(See Attachment C: CBDC Draft Amendments, Sec. 17.225.030 and 17.335.120)

ATTACHMENT B: COOS BAY COMPREHENSIVE PLAN (CBCP) RECOMMENDATIONS MATRIX – March 26, 2021

Yellow notations on pages 2,5,6,13,15,17,21, & 22 indicate policy recommendation changes since the 02.09.2021 HAC meeting.

PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION <i>*Recommended <u>new policy language</u> is underlined</i>
Chapter 5: Cultural Environment			
Housing Section 5.3	53	<i>Section contains outdated information from 2009 HNA-BLI</i>	<i>Update with 2020 HNA data</i>
Chapter 6: Land Use			
Residential Lands Section 6.2	65	<i>Section contains outdated information from 2009 HNA-BLI</i>	<i>Update with 2020 HNA data</i>
Chapter 7: Identification of Problems, Planning Issues, Goals, and Plan Implementation Strategies			
Introduction	67	<i>Section describes stakeholder & public involvement process in development of Comprehensive Plan</i>	<i>Add stakeholder & public involvement process of HAP/HPPS projects</i>
Natural Resources and Hazards Policy NRH.1	68	Coos Bay shall use the information resulting from the area's soil survey to assess property development concerns regarding the hazards or erosion, drainage, slope, and windthrow. For development in areas with identified constraints, the developer shall be required to substantiate to the city that property development will not be endangered by the constraints. For example, the developer should incorporate preventative measures into the project's site design, such as engineered foundations, landscape measures intended to maintain bank stability, retaining walls, and so forth. The city recognizes that these development requirements will insure the safety of its residents and reduce the potential impacts to its land resources.	<p><i>Development on steep slopes presents significant limitations, increases vulnerability to hazards such as landslides, and necessitates costly development. For the purposes of the recently completed Housing Needs Assessment, slopes greater than 20% were considered environmentally constrained and were therefore not included in the Buildable Lands Inventory.</i></p> <p><i>The recommendation is to add language prohibiting development on slopes greater than 20%:</i></p> <p><i>“Coos Bay shall use the information resulting from the area's soil survey to assess property development concerns regarding the hazards or erosion, drainage, slope, and windthrow. <u>Development shall be prohibited on slopes greater than 20%, regardless of soil content.</u> For development in areas with identified constraints, the developer shall be required to substantiate to the city that property development will not be endangered by the constraints. ...”</i></p>

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PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION <i>*Recommended <u>new policy language</u> is underlined</i>
<p>Energy Conservation Policy EC.1</p> <p><i>*Policy EC.1 was modified in response to HAC feedback that the initial recommendation had stripped too much of the intent of the policy. Language about building orientation, landscaping, and street design was added back into the policy and the recommendation was updated to explain the removal of some specificity from the policy.</i></p>	71	<p>Coos Bay shall exercise residential site development practices consistent with sound energy conservation design principles, including where appropriate, consideration of alternatives for cluster housing, for structural orientation and landscaping design to minimize adverse climatic impacts and maximize solar benefits, and for street design to minimize surface heat loss. Coos Bay shall implement these concerns by developing performance standards in the zoning and/or subdivision ordinances in order to produce energy-efficient developments, (e.g., development of subdivisions which orient the longitudinal axis of homes in an east-west direction allowing maximum passive and active solar potential). The city recognizes that such alternative site and structure design practices will afford greater energy conservation rewards than conventional practices.</p>	<p><i>Many of these are aspirations that are not realized in the Code. Concepts and terms around sustainable building practices are dynamic and rapidly evolving. The Plan should avoid being overly specific and instead use more general terms to ensure that the policies remain current and do not require frequent updates.</i></p> <p><i>The recommendation is to remove elements that are too specific and aspirational and generalize by stating that site development practices should be consistent with State law:</i></p> <p><i>“Coos Bay shall exercise residential site development practices consistent with <u>Oregon planning law that incorporates sound energy conservation design principles, including, but not limited to, building orientation, landscaping, and street design.</u> where appropriate, consideration of alternatives for cluster housing, for structural orientation, and landscaping design, to minimize adverse climatic impacts and maximize solar benefits, and for street design to minimize surface heat loss. Coos Bay shall implement these <u>principles concerns by developing with Development Code performance standards in the zoning and/or subdivision ordinances in order to facilitate produce energy-efficient projects developments, (e.g., development of subdivisions which orient the longitudinal axis of homes in an east-west direction allowing maximum passive and active solar potential). The city recognizes that such alternative site and structure design practices will and afford greater energy conservation rewards than conventional practices.</u></i>”</p>

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PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION <i>*Recommended <u>new policy language</u> is underlined</i>
Energy Conservation Policy EC.2	71	Coos Bay shall promote the rights of residents to solar access and encourage an in-depth study of solar energy which will lead to establishing appropriate design standards and other provisions in the zoning and subdivision ordinances, recognizing that (1) the use of solar energy is becoming more desirable and necessary in the present energy situation, and (2) active solar systems may become an economic feasibility to an increasing number of households and, therefore, the ability to obtain this energy should not be obstructed by the design of the home or of adjacent homes. This strategy does not mean that the desire to encourage utilization of solar energy should preclude other important and desirable site designs such as lowering densities.	<p><i>Some increased density is allowed in formerly single-unit areas, because duplexes are allowed in zones that allow for single-unit development. Lowering densities is therefore not a viable or legal strategy in these areas.</i></p> <p><i>The recommendation is to remove the last sentence: "... This strategy does not mean that the desire to encourage utilization of solar energy should preclude other important and desirable site design such as lowering densities."</i></p>
Energy Conservation Policy EC.4	72	Coos Bay shall promote development along major transportation corridors by zoning lands adjacent to such corridors to allow commercial, industrial, and multi-family development except where such areas are irreversibly committed to low density residential development. However, ingress/egress to such development shall be designed so that it does not restrict traffic flow on the arterial streets. The city recognizes that intense development, along major transportation corridors conserves energy by providing shorter, direct access to home and trade and service areas.	<p><i>The aim of House Bill 2001 is to remove barriers to development of needed housing. Cities of Coos Bay's size are required by State law (OAR 660-046) to allow duplexes on any lot or parcel zoned for residential use that allows for the development of detached single-unit dwellings. The purpose of the Housing Advancement Project is to ensure HB 2001 compliance. For the Plan, this entails removing language that is in direct conflict with HB2001 or that could otherwise negate the intention or spirit of the law.</i></p> <p><i>In this case, because duplexes are allowed in zones that allow for single-unit development, an area cannot be considered "irreversibly committed to low density residential development."</i></p> <p><i>The recommendation is to remove the following from the first sentence: "... except where such areas are irreversibly committed to low density residential development."</i></p>

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Energy Conservation Policy EC.6	72	Coos Bay shall attempt to site residential apartment development in appropriate areas within or on the fringe of commercially zoned areas, recognizing that such uses conserve energy by the centralized location of achieving the goal of “infilling”, and by maximizing the potential of land uses within developed areas of the city. This strategy shall not supersede the strategy dealing with protection of the integrity of established residential neighborhoods.	<p><i>The aim of House Bill 2001 is to remove barriers to the development of needed housing. Cities of Coos Bay's size are now required by State law (OAR 660-046) to allow duplexes on any lot or parcel zoned for residential use that allows for the development of detached single-unit dwellings. The purpose of the Housing Advancement Project is to ensure that Coos Bay's Comprehensive Plan and Development Code are compliant with HB2001. For the Plan, this entails removing language that is in direct conflict with HB2001 or that could otherwise negate the intention or spirit of the law.</i></p> <p><i>In this case, cities are not allowed to protect the integrity of existing residential neighborhoods that prohibit the development of needed housing.</i></p> <p><i>The recommendation is to remove the last sentence: "... This strategy shall not supersede the strategy dealing with protection of the integrity of established residential neighborhoods."</i></p>
Energy Conservation Policy EC.10	73	Coos Bay shall continue to enforce the currently adopted version of the Uniform Building Code as it regulates the residential/development, recognizing that energy conservation benefits accrue from these sound construction standards.	<p><i>The recommendation is to remove this policy. State law requires compliance with building codes. It is unnecessary to include this as a local policy.</i></p> <p><i>“Coos Bay shall continue to enforce the currently adopted version of the Uniform Building Code as it regulates the residential/development, recognizing that energy conservation benefits accrue from these sound construction standards.”</i></p>

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Economic Development Objective	78	Encourage a range of housing types at different price points (including, but not limited to first-time home owners, workforce housing, and retirees).	<p><i>Use stronger language to ensure that needed housing is realized according to State law. The current list of examples mixes housing types with demographic groups; to illustrate possible housing types at different price points and the groups of people who need housing at different affordability levels, include a list of both. Be inclusive to avoid limiting future possibilities to existing options.</i></p> <p><i>Recommended amendment:</i> <i>“<u>Encourage Establish</u> a range of housing types-at different price points consistent with State law that, by nature of their size, design, location or other factors, accommodate different price points. (including, but not limited to, These may include, but are not limited to, duplexes, triplexes, fourplexes, cottage clusters, townhouses, etc. that are affordable to first-time homeowners, renters, workforce housing workers at all income levels, and retirees residents wishing to age in place).”</i></p>
Economic Development Policy 2.3 <i>*The recommendation was adjusted for clarity and the policy was modified to remain consistent with the Development Code.</i>	79	Pursue the implementation of the Hollering Place Master Plan, adopted December 2, 2008, to create a public activity area on the waterfront that serves residents and visitors; rebuild the dilapidated dock to promote more water-related activities; and, complement surrounding properties while connecting with the existing business district. A plan amendment from industrial to commercial or mixed-use will be required.	<p><i>The Hollering Place Master Plan was incorporated into the Development Code; therefore, the property has a chapter-specific set of commercial guidelines in the CBDC and a plan amendment is not needed.</i></p> <p><i>Recommended amendment:</i> <i>“<u>Pursue the implementation of the Hollering Place Master Plan, adopted December 2, 2008, to Consistent with the Development Code, create a public activity area on the waterfront that serves residents and visitors; rebuild the dilapidated dock to promote more water-related activities; and, complement surrounding properties while connecting with the existing business district.—A plan amendment from industrial to commercial or mixed-use will be required.</u>”</i></p>

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PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION <i>*Recommended <u>new policy language</u> is underlined</i>
Housing Goal #2 <i>*The recommendation and goal language were updated to include Tribal entities in response to HAC feedback.</i>	83	Support efforts of state, regional and local public, private and non-profit entities to provide needed housing for low- and moderate-income households and others with special housing needs.	<i>Add supportive language stating that the City of Coos Bay is willing to work with Tribes to promote development of needed housing on Trust lands consistent with Tribal planning.</i> Recommended amendment: “Support efforts of state, <u>Tribal</u> , regional and local public, private and non-profit entities to provide needed housing for low- and moderate-income households and others with special housing needs.”
Housing Policy 2.1	83	Coos Bay will consider waiving or deferring city fees such as development fees or system development charges for affordable housing projects that meet defined criteria and result in permanently affordable housing.	<i>Consider broadening eligible activities to promote affordable housing. Avoid specific examples that might limit future possibilities to existing options.</i> Recommended replacement: Coos Bay will <u>shall</u> consider waiving or deferring city fees, such as development fees or system development charges, <u>and allowing deviations from development standards as incentives</u> for affordable housing projects that meet defined criteria, <u>including State and/or Federal Affordable Housing requirements</u> , and result in permanently affordable housing .
Housing Policy 2.5	83	Coos Bay will advocate for national and state funding from the National Housing Trust Fund, Oregon Housing Trust Fund, and Lenders Tax Credit.	<i>This is a duplicate policy and should be removed. (Housing Policy 2.3: As appropriate, Coos Bay will advocate for national and state funding from the National Housing Trust Fund, Oregon Housing Trust Fund, and Lenders Tax Credit and other funding mechanisms that may be available.)</i> Recommended Amendment: “Coos Bay will advocate for national and state funding from the National Housing Trust Fund, Oregon Housing Trust Fund, and Lenders Tax Credit.”

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Housing Goal #3	83	Encourage the use of sustainable land use development practices and building materials including use of energy efficient materials and design principles.	<i>Ok as is (included here for context).</i>
Housing Policy 3.1	83	Coos Bay will continue to apply innovative regulations for planned unit development allowing flexibility in designing cluster housing, recognizing that such land development practices (1) result in lower costs per site than conventional subdivisions, (2) permit sound land economics, (3) enhance the environmental integrity of the land resources, (4) promote energy conservation, and (5) provide additional open space and common areas.	<p><i>The relationship between Goals 3 and 4 and their supporting policies could be more clearly articulated; they should also be updated to reflect current practice in Coos Bay (e.g., Site Plan Review was repealed in 2020). The recommendation is to revise these policies to strengthen and clarify them.</i></p> <p><i>The recommendation is to replace existing Policy 3.1 with the following:</i> <i><u>“Innovative regulations shall be incorporated into the Development Code to (1) allow for flexibility in design, (2) result in lower costs, (3) permit sound land economics, (4) enhance the environmental integrity of the land resources, (5) promote energy conservation, and potentially (6) provide additional open space and common areas.”</u></i></p>

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Housing Policy 3.2	84	Coos Bay will continue to allow for and encourage small scale cluster housing concepts in residentially zoned areas to stimulate infill development. This strategy recognizes that infill development (1) is an acceptable way to wisely use undeveloped properties, (2) improves efficiency of land use, (3) helps conserve energy, and (4) takes advantage of established public facilities and services.	<p><i>The relationship between Goals 3 and 4 and their supporting policies could be more clearly articulated; they should also be updated to reflect current practice in Coos Bay (e.g., Site Plan Review was repealed in 2020). The recommendation is to revise these policies to strengthen and clarify them.</i></p> <p><u>Recommendation- Replace policy 3.2 with:</u> <u>“To stimulate infill development, Coos Bay’s Development Code shall allow for and incentivize a variety of housing types in the City’s residentially zoned areas. This strategy (1) recognizes that infill development is an acceptable way to wisely use undeveloped properties, (2) improves efficiency of land use, (3) helps conserve energy, (4) takes advantage of established public facilities and services and (5) provides the framework for development of needed housing.”</u></p>
Housing Policy 3.3	84	Promote and encourage energy efficiency and sustainable building practices.	<i>Ok as is (included here for context).</i>
Housing Goal #4	84	Review land development ordinance to ensure promotion of development and affordable housing.	<p><i>Use stronger language to ensure that needed housing is realized according to State law.</i></p> <p><u>Recommended Amendment:</u> <u>“Review-Ensure that the Development Code land development ordinance to ensure promotion of enables the development and of affordable housing options that are affordable.”</u></p>

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Housing Policy 4.1	84	Coos Bay shall exercise its site plan review for major residential land developments, recognizing that site review is necessary to provide development that (1) fosters sound energy conservation practices, (2) is aesthetically pleasing, and (3) complements the natural characteristics of the site.	<p><i>The relationship between Goals 3 and 4 and their supporting policies could be more clearly articulated; they should also be updated to reflect current practice in Coos Bay (e.g., Site Plan Review was repealed in 2020). The recommendation is to revise these policies to strengthen and clarify them.</i></p> <p><i>Recommendation – Replace Policy 4.1 with:</i> <u>“Coos Bay shall use the land use review permitting process to ensure the development of needed housing, to promote land uses that are harmonious with their surroundings, and to maintain a high quality of life for area residents.”</u></p>
Housing Policy 4.2	84	Coos Bay will consider the use of density bonuses or other incentives to encourage the development of affordable housing, consistent with other housing and community goals.	<p><i>The Comprehensive Plan serves as the overarching guiding document for community planning that provides high-level goals, objectives, and policy direction that guide implementation. The Plan should provide a policy foundation for more specific detail provided by the Zoning/Development Code. In this case, Codes relating to the development of needed housing, such as ADU and duplex density waivers, need a policy foundation in the Plan.</i></p> <p><i>Recommendation – Replace policy with:</i> <u>“To ensure the development of housing options that are affordable consistent with State law, Coos Bay will (1) develop and utilize land use policies and regulations that remove barriers to needed housing, streamline processes, and facilitate the development of housing options and (2) offer incentive programs and engage in collaborative partnerships.”</u></p>

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Housing Goal #7	84	The City of Coos Bay shall comply with the provisions of the Uniform Building Code and other specialty codes adopted by the City Council recognizing that this is the key to providing safe, sanitary, and decent housing for its residents.	Recommendation – Remove reference to Uniform Building Code, which is out of date: “The City of Coos Bay shall comply with the provisions of the Uniform Building Code and other specialty codes adopted by the City Council recognizing that this is the key to providing <u>shall enforce State provisions and codes that ensure safe, sanitary, and decent housing for its residents.”</u>
Chapter 8: Ongoing Comprehensive Planning Strategies			

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PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION <i>*Recommended <u>new policy language</u> is underlined</i>
Citizen Involvement Goal	95	The City of Coos Bay shall maintain its citizen involvement program to ensure that the general public has an opportunity to be involved in all phases of the planning and community development process.	<p><i>Add language that Coos Bay will remain consistent with Oregon Planning law.</i></p> <p><i>Recommended Amendment:</i> <i>“The City of Coos Bay shall maintain its citizen involvement program to ensure that the general public has an opportunity to be involved in all phases of the planning and community development process, <u>and that the City’s citizen involvement efforts remain consistent with Oregon Planning Law.</u>”</i></p>
Chapter 9: Land Use Plan and Implementation Plan			
Map 9.1-1	113	Land Use Plan Map, 1987	<p><i>The land use map in the document is outdated and hand drawn. The map needs to be updated.</i></p> <p><i>There are currently several conflicts between the current plan map published online and the zoning map. Typically, the plan designations should be more general/fewer than zones; currently, there are more plan designations than zones, which creates conflicts and potential legal ambiguity.</i></p> <p><i>The recommendation is to simplify the plan map and corresponding Plan designations to reflect existing zones.</i></p>

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PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION <i>*Recommended <u>new policy language</u> is underlined</i>
Residential Areas Objective 1	103	<p>Residential areas will be designated on the basis of dwelling unit densities, that is the number of units per net acre. A net acre accounts for an estimated amount of developed land normally used for public rights of way. For purposes of this plan, it is estimated that 25% is consumed by right of way resulting in 32,670 square feet for development.</p> <p>Rationale - The strategies of this plan aim to lower housing costs, yet permit freedom of choice in housing type, and encourage energy conservation. This objective will achieve these goals. (EC. 5, 6, 7; H. 1, 2, 3, 6, 10.)</p> <p>Implementation - The strategies of this plan will specify a range of low density and higher density residential designations, and a higher density residential/office mix category.</p>	<p><i>Per HB2001, Coos Bay may not apply density maximums to the development of duplexes, so this objective as written is in direct conflict with State law. Add "Except as otherwise directed by State law" to the objective to remove the conflict.</i></p> <p><i>Remove reference to acreage needed for development to avoid the need to update.</i></p> <p><i>Remove rationale and implementation from all Residential Areas Objectives. They are not a legally required element of Comprehensive Plans. Many are out of date; they may also take a broader "objective" and narrow or dilute it with very specific language that creates some ambiguity about the purpose of the objective and could mean greater vulnerability to appeal of related land use decisions.</i></p> <p><i>For these reasons, the following is recommended:</i></p> <p><u>"Except as otherwise directed by State law, residential areas will be designated on the basis of dwelling unit densities, that is the number of units per net acre. A net acre accounts for an estimated amount of developed land normally used for public rights of way. For purposes of this plan, it is estimated that 25% is consumed by right of way.</u></p> <p><u>Rationale—...</u></p> <p><u>Implementation—..."</u></p>

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<p>Residential Areas Objective 1</p> <p><i>*Policy language was modified slightly to remove specific reference to the Empire area and replace with a more general reference to the City's commercial areas as the location for higher density development.</i></p>	103	<p>1. <u>High Density Residential</u>. (Maximum 25 dwelling units per acre) The amount of high-density development shall be increased and will more than satisfy the additional 131 acres calculated to meet the city's need for this kind of development. (City of Coos Bay, 1981, 11) Higher density residential areas shall be located in the vicinity of the downtown, central business district and around the neighborhood commercial area in Empire. Thus, the location of this high-density residential land capitalizes on commercial and employment centers and has convenient vehicular access to major arterial streets. The area in the eastern (Marshfield) side of the city, which was part of the residential holding reserve, shall be designated for higher density development in order to: (1) offset the unusually high construction costs for these hilly areas, and (2) to open uplands now needed to accommodate growth. All of these areas are intended to protect the integrity of established neighborhoods, and to provide additional high-density land. Moreover, ideal apartment developments are intended to include "park-like" open space features.</p> <p>This objective will be accomplished through the Land Development Ordinance in the Multiple Residential District (R-3).</p>	<p><i>Rename this sub-section "Medium/High Density Residential" to make it consistent with CBDC.</i></p> <p><i>Remove reference to acreage needed for development to avoid the need to update.</i></p> <p><i>Remove rationale and implementation.</i></p> <p><i>Remove last two sentences under item (2) to avoid conflict with HB2001.</i></p> <p><i>Remove specific references to zones that implement the Plan designation. The plan should dictate less when it comes to zoning; this approach will avoid the need to update the Plan every time there is a zoning change. For example, the R-3 zone listed in this section no longer exists in the Development Code.</i></p> <p><i>For these reasons, the following is recommended:</i></p> <p><u>"1. Medium/High Density Residential. (Maximum 25 dwelling units per acre). The amount of land designated for future higher-density residential development shall reflect current Housing Needs Analysis recommendations. Higher density locations shall be located around the City's commercial areas to capitalize on commercial and employment centers and convenient vehicular access to major arterial streets.</u></p> <p><i>This objective will be accomplished by...</i></p>

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Residential Areas Objective 1	104	<p>2. <u>Residential/Professional Office</u>. (Maximum 25 dwelling units per acre) The residential/professional office mix is planned for the immediate fringe of the central commercial core area where certain transitions can realistically be expected over the next 20 years. New high-density apartments are permitted in the residential/professional office mix areas up to 25 dwelling units per acre, and also when multiple story construction is deemed especially suited to exceed the 35-foot maximum height standard traditionally limiting apartment densities in Coos Bay.</p> <p>This objective will be accomplished through the Land Development Ordinance in the Residential/Professional District (R-4P)</p>	<p><i>Rename this sub-section "Commercial/Mixed Use and Industrial Commercial" and remove/update any reference to "Residential/Professional Office," which is an outdated term.</i></p> <p><i>Remove specific geographic references.</i></p> <p><i>Remove reference to specific Development Code standards (35-foot height maximum) and replace with a more general statement about height bonuses or other incentives being an appropriate way to encourage increased density and housing affordability.</i></p> <p><i>Remove specific references to zones that implement the Plan designation. The plan should dictate less when it comes to zoning; this approach will avoid the need to update the Plan every time there is a zoning change.</i></p> <p><i>For these reasons, the following is recommended:</i></p> <p><u>"2. Commercial/Mixed Use and Industrial Commercial. (Maximum 25 dwelling units per acre) New high-density residential development is permitted in the Commercial/Mixed Use and Industrial Commercial areas up to 25 dwelling units per acre. The City of Coos Bay shall consider incentives to encourage increased density and housing affordability in these areas, including, but not limited to, increasing maximum density for projects that meet affordability criteria.</u></p> <p><i>This objective will be accomplished by...</i></p>

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<p>Residential Areas Objective 1</p> <p><i>*A new recommendation was added to increase the allowable density in the Low-Density Residential Plan designation, which will allow for increased flexibility for the development community to provide needed housing.</i></p>	104	<p>3. <u>Low-Density Residential</u>. (Maximum 9 dwelling units per net acre) Low-density residential areas will comprise the balance of Coos Bay's residential pattern. It will be located in fringe areas generally away from commercial centers and will extend from existing low-density development. This kind of development may involve the use of the closed street system concept where appropriate as a means of eliminating through traffic on residential streets, will strive to protect scenic amenities, and will recognize the existing single-family neighborhoods.</p> <p>This objective will be accomplished in the Land Development Ordinance by the establishment of a Single-family Residential (R-1). Single-family/Duplex Residential (R-2), Mobile Home Park (R-5). Single-family/Duplex Residential and Certified Factory-built Home (R-6), and Restricted Waterfront Residential (R-W) Districts.</p>	<p><i>Cities are not allowed to protect the integrity of existing residential neighborhoods that prohibit the development of needed housing. Coos Bay will be required to allow duplexes in established single-unit neighborhoods. The introduction of duplexes creates the potential for neighborhoods of varied housing types, so this language should be updated to recognize evolving land use patterns. To avoid conflict with HB2001, the recommendation is to remove language around "fringe areas," "existing low-density development," "existing single-family neighborhoods," and closed street system concept, which is outdated.</i></p> <p><i>Remove specific references to zones that implement the Plan designation. The plan should dictate less when it comes to zoning; this approach will avoid the need to update the Plan every time there is a zoning change. For example, several of the zones listed in this section no longer exist in the Development Code.</i></p> <p><i>A density maximum of 9 dwelling units per acre (du/ac) is too low to accommodate some needed housing types (like cottage clusters or townhouses). Density to 12 du/ac will allow the market to drive development in low density residential areas.</i></p> <p><i>For these reasons, the following is recommended:</i> <i><u>"3. Low-Density Residential. (Maximum 12 dwelling units per acre) Subdivision of larger parcels and infill on existing lots of record will generally accommodate housing needs outside of commercial centers.</u></i></p> <p><i>This objective will be accomplished by...</i></p>

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Residential Areas Objective 2	104	<p>The location of residential areas and the determination of their maximum permitted densities shall be based on an analysis of land characteristics and on the fiscal potential for extending improved access and public facilities to the site.</p> <p>Rationale - This objective shall satisfy the city's efforts to ensure safe, sanitary, and decent housing. Its aim is to determine that development will not negatively impact the natural landscape, historic resources, traffic improvements. This objective shall address specific preventative measures to protect the city residents against potential natural hazards resulting from development and shall declare the city's intent to protect residents' rights to alternative energy resources. (Strategies NRH. 1, 4, 5, 6; EC. 1, 4, 5: HP. 3: H. 8, 9, 10: PFS. 2, 4, 9)</p> <p>Implementation - This objective will continue to be implemented by the city's adherence to state fire and housing codes, flood-proofing requirements, and the project review and inspecting activities by city staff. The Land Development Ordinance (LDO) will specify that land characteristics and the required public improvements be considered in land use decisions. Staff will also conduct a separate study to incorporate alternative energy options in the LDO.</p>	<p><i>The recommendation is to retain the objective as written but to remove rationale and implementation from all Residential Areas Objectives. They are not a legally required element of Comprehensive Plans. Many are out of date; they may also take a broader "objective" and narrow or dilute it with very specific language that creates some ambiguity about the purpose of the objective and could mean greater vulnerability to appeal of related land use decisions.</i></p> <p>Recommended Amendment:</p> <p>“The location of residential areas and the determination of their maximum permitted densities shall be based on an analysis of land characteristics and on the fiscal potential for extending improved access and public facilities to the site.</p> <p>Rationale –...</p> <p>Implementation –...”</p>

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Residential Areas Objective 3 <i>*Policy language and a new recommendation were added to reflect the conversation about vacation rentals at the February HAC meeting; HAC members supported this change.</i>	105	<p>The city shall protect the integrity of established land use patterns.</p> <p>Rationale -The residential designations of the 1974 plan were based on the premise that proper urban development occurs in a specified progression outward from the urban business core. This broad theory contends that certain definable zones emanate from the core in the matter of concentric rings. Although the historical development of Coos Bay (Marshfield) and Empire exhibits some characteristics of this land use pattern, it has deviated in several substantial respects. The 1974 plan negated these established land use patterns and imposed some theoretical land use designations that are realistically incompatible with current and foreseeable trends. As an example, the older residential area on the fringe of the central business district is now an area of physically sound, and stable single-family and duplex homes. In 1974, however, this area was expected to undergo a major conversation to higher density apartment uses on the theoretical principle that this location forms the optimal transition between commerce and resident populations. This concept does not appear realistic for the neighborhood mentioned above as well as for other areas in Coos Bay, and will be eliminated in this plan. (H. 2, 6)</p> <p>Implementation - The 1981 land use plan will amend the land use designations in the following residential area: 1. The high-density residential designations in the area surrounding Marshfield High School shall be changed to a low-density category. The homes in this long-established residential area are predominately single-family homes, and are generally older but sound dwellings. It is unrealistic to expect this area to satisfy a higher density housing need.</p>	<p><i>As written, "protect the integrity of established land use patterns" is in conflict with the spirit of HB2001, and the rationale and implementation are both out of date. Cities are not allowed to protect the integrity of existing residential neighborhoods that prohibit the development of needed housing. Coos Bay will be required to allow duplexes in established single-unit neighborhoods. Additionally, the City permits vacation rental uses of residential property; a balance between this transitory use and permanent residential opportunities is important. The recommendation is to 1) shift the focus of the objective from protecting the integrity of established land use patterns to ensuring compatibility of land use and residential dwelling types to remain consistent with State law and allow for evolution as the City grows and 2) assure availability of permanent residential uses.</i></p> <p><i>Remove rationale and implementation from all Residential Areas Objectives. They are not a legally required element of Comprehensive Plans. Many are out of date; they may also take a broader "objective" and narrow or dilute it with very specific language that creates some ambiguity about the purpose of the objective and could mean greater vulnerability to appeal of related land use decisions.</i></p> <p><i>The following is recommended:</i></p> <p><u>"The City shall use land development regulations to address compatibility among land uses and residential development and assure continued availability of permanent residential uses."</u></p> <p>Rationale ---- Implementation ----</p>

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Residential Areas Objective 4	105	<p>This plan stresses the importance of maintaining the natural character of the community when planning for residential growth. Future residential developments, whether single or multiple dwellings, should place strong emphasis on the conservation of open space and recreational improvements in private developments in order to maintain the livability of the city.</p> <p>Rationale - The intensity of urban living demands extra care in ensuring livability, recreational, natural features. (NRH. 8, 9; HP. 4; R. 5)</p> <p>Implementation - This objective shall be implemented by strengthening the planned unit development section of the Land Development Ordinance (LDO), and thereby making it attractive to developers. A specific amount of land in PUDs shall be required for open space. The ordinance shall become flexible to permit cluster housing (e.g., zero lot line developments), and will require design review for developments in designated park, school, watershed, and cemetery areas. The ordinance shall provide an opportunity for areas to be dedicated for open space under subdivision and partition applications.</p>	<p><i>Remove "whether single or multiple dwellings":</i></p> <p><i>Remove rationale and implementation from all Residential Areas Objectives. They are not a legally required element of Comprehensive Plans. Many are out of date; they may also take a broader "objective" and narrow or dilute it with very specific language that creates some ambiguity about the purpose of the objective and could mean greater vulnerability to appeal of related land use decisions.</i></p> <p><i>For these reasons, the following is recommended:</i></p> <p><i>"This plan stresses the importance of maintaining the natural character of the community when planning for residential growth. Future residential developments, whether single or multiple dwellings, should shall place strong emphasis on the conservation of open space and recreational improvements in private developments in order to maintain the livability of the city.</i></p> <p><i>Rationale ---</i></p> <p><i>Implementation ---"</i></p>

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Residential Areas Objective 5	106	<p>This plan shall maintain a sufficient amount of residential lands in order to assure an adequate amount of housing for future residents.</p> <p>Rationale - Undeveloped lands along the inner fringe of the city shall be utilized for future residential development. The terrain of this land is rough and, at present, it remains undeveloped. Population projections indicate that this land will be needed for residential use within this 20-year planning period. (City of Coos Bay, 1981; II)(H. 2, H. 4)</p> <p>Implementation - The Multiple Residential (R-3) allows for an increased density that may stimulate construction so that local developers can realize a satisfactory return on their investment to permit costly access and facility extensions to the growth areas. The increased density provisions are not intended to cause massive apartment construction in these undeveloped areas. Topography and physical constraints will limit this. Rather, the density is intended to stimulate well-planned cluster subdivisions and planned unit developments to maximize the buildable portions of the areas. This concept can be implemented by special zoning provisions, perhaps a “floating-zone” to require careful site review to maintain maximum compatibility among the respective residential developments.</p>	<p><i>The recommendation is to retain the objective as written but to remove rationale and implementation from all Residential Areas Objectives. They are not a legally required element of Comprehensive Plans. Many are out of date; they may also take a broader "objective" and narrow or dilute it with very specific language that creates some ambiguity about the purpose of the objective and could mean greater vulnerability to appeal of related land use decisions.</i></p> <p><i>For these reasons, the following is recommended:</i></p> <p>“This plan shall maintain a sufficient amount of residential lands in order to assure an adequate amount of housing for future residents.</p> <p>Rationale –...</p> <p>Implementation –...”</p>

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Commercial Areas Objective 1	106	<p>The City shall protect the integrity of established land use patterns to facilitate continued and compatible development.</p> <p>Rationale - Much of the industrially-designated land of the 1974 Plan has been found to be commercially oriented. This plan shall recognize the commercial nature of these areas. (ED. 5, 11)</p> <p>Implementation - Areas zoned for Industrial-Commercial (I-C) development shall preserve the commercial character of these lands.</p>	<p><i>This objective is in conflict with HB2001. Cities are not allowed to protect the integrity of established land use patterns that prohibit the development of needed housing. The recommendation is to replace "protect the integrity of established land use patterns to facilitate continued and compatible development" with "continue to facilitate compatible development in Commercial areas":</i></p> <p><i>Remove Rationale and Implementation sections. The Rationale is outdated and the Implementation section does not need to make specific reference to the Code.</i></p> <p><i>For these reasons, the following is recommended:</i></p> <p><u>"The City shall continue to facilitate compatible development in Commercial areas."</u></p> <p>Rationale – ...</p> <p>Implementation – ..."</p>

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Commercial Areas Objective 2 <i>*Waterfront Industrial was added to the list of implementing zones.</i>	106	<p>It is important that the Central Business District (CBD) and its supportive commercial sub-districts remain efficient, prosperous, and easily accessible since commerce is a major source of revenue and is a necessity to the economic stability and future growth of the city. Efforts toward redevelopment of older, underutilized commercial areas will be encouraged.</p> <p>Rationale - Commercial trade and service activities are the foundation of the economic system of the city. Supporting these activities by zoning sufficient lands for them will keep them viable and will prevent a dollar drain to other communities. (ED. 5, 6, 7, 8, 10, 11, 12)</p> <p>Implementation -This objective will be realized by the following commercial zones: Central Commercial (C-1), General Commercial (C-2), Waterfront Heritage (W-H) and Industrial/Commercial (I-C) zoning designations of the Land Development Ordinance.</p>	<p><i>Update language to explicitly reference the opportunity to meet residential needs in commercial areas.</i></p> <p><i>Central Commercial (C-1) and General Commercial (C-2) zones do not exist in the current Code; replace with Mixed Use (MX) and Commercial (C), respectively. A comprehensive revision of the Commercial Areas objectives is outside the scope of the Housing Advancement Project; however, the City can consider removing specific references to zones that implement the Plan designation in the future so that the plan dictates less when it comes to zoning. This approach will avoid the need to update the Plan every time there is a zoning change.</i></p> <p><i>Recommended is the following:</i> <i>“It is important that the <u>commercial areas of the City</u> Central Business District (CBD) and its supportive commercial sub-districts remain efficient, prosperous, and easily accessible since commerce is a major source of revenue and is a necessity to the economic stability and future growth of the city. <u>The City shall support, through policy and regulation, new development and</u> Efforts toward redevelopment of older, underutilized commercial areas <u>to support commercial and higher density residential needs.</u> will be encouraged.</i>”</p> <p>Rationale --- Implementation-- This objective will be realized by the following commercial zones <u>identified in the Development Code: Central Commercial (C-1) Mixed Use (MX), General Commercial (C-2) Commercial (C), Waterfront Heritage (W-H), Waterfront Industrial (W-I), and Industrial/Commercial (I-C) zoning designations. of the Land Development Ordinance.</u></p>

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Commercial Areas Objective 2 *Policy language and recommendation added to include medium and high-density housing allowed in the Development Code.	107	1. <u>Central Commercial</u> . The focus of this district is the central business district encompassing the mall area, north along Broadway to Market Street and south to portions of Golden Avenue. Primary activities in this district will be retail stores, service establishments, financial institutions, business and professional offices, cultural attractions, and public facilities.	<p>Replace "Central Commercial" with Mixed Use (MX) and reference the Development Code's allowance for housing.</p> <p>Recommended Amendment:</p> <p>"1. <u>Mixed Use</u>. Central Commercial. <u>The Mixed Use district</u> The focus of this is the central business district encompassing Coos Bay's downtown and other areas of the city where the mall area, north along Broadway to Market Street and south to portions of Golden Avenue. <u>mixed-use developments provide a variety of mutually supporting retail, service, office and medium- or high-density residential uses. Primary land use activities in this district include</u> will be retail stores, service establishments, financial institutions, <u>medium and high-density housing</u>, business and professional offices, cultural attractions, and public facilities."</p>

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Commercial Areas Objective 2	107	2. <u>General Commercial</u> . These areas are intended to provide for all other retail trade, commercial service and professional activities that constitute the essential base of the city's economy. Appropriate locations for commercial development include (1) established commercial areas, and (2) highway corridors not committed to less intensive land uses.	<p><i>Replace "General Commercial" with Commercial (C) and insert language to reflect that residential uses are allowed in this zone and delete the last sentence.</i></p> <p>Recommended Amendment: "2. General Commercial. These areas are intended to provide for all other retail trade, commercial service, and professional activities, and higher density residential development are permitted. that constitute the essential base of the city's economy. Appropriate locations for commercial development include (1) established commercial areas, and (2) highway corridors not committed to less intensive land uses." <u>"2. General Commercial. The Commercial district is located along Ocean Blvd, Newmark and in Empire's established commercial area as well as other areas of the City where These areas are intended to provide for all other retail trade, commercial service, and professional activities, and higher density residential development are permitted. that constitute the essential base of the city's economy. Appropriate locations for commercial development include (1) established commercial areas, and (2) highway corridors not committed to less intensive land uses."</u></p>
Commercial Areas Objective 2	107	3. <u>Industrial/Commercial</u> . These areas are intended to provide for a compatible mixture of commercial and light industrial activities that are also essential to the city's economy. An industrial/commercial area is a new classification and is consistent with the policy of insuring existing land use integrity. Much of Coos Bay's traditional light industrial and restricted industrial use zones are actually commercial/industrial because city ordinance has historically allowed the compatible mix mentioned above. Appropriate locations for commercial/industrial development are generally those areas north and south of the downtown commercial core and near U.S. Highway 101, and to a lesser extent near Lockhart Avenue, Easterly from 7th Street.	<p><i>Remove specific geographic references. Generalize language and reference the Comprehensive Plan map.</i></p> <p>Recommended Amendment: "3. Industrial/Commercial. These areas are intended to provide for a compatible A mixture of commercial and light industrial activities are permitted in Industrial/Commercial as reflected in the Comprehensive Plan map. that are also essential to the city's economy. An industrial/commercial area is a new classification and is consistent with the policy of insuring existing land use integrity. Much of Coos Bay's traditional light industrial and restricted industrial use zones are actually commercial/industrial because city ordinance has historically allowed the compatible mix mentioned above. Appropriate locations for commercial/industrial development are generally <u>"3. Industrial/Commercial. These areas are intended to provide for a compatible A mixture of commercial and light industrial activities are permitted in Industrial/Commercial as reflected in the Comprehensive Plan map. that are also essential to the city's economy. An industrial/commercial area is a new classification and is consistent with the policy of insuring existing land use integrity. Much of Coos Bay's traditional light industrial and restricted industrial use zones are actually commercial/industrial because city ordinance has historically allowed the compatible mix mentioned above. Appropriate locations for commercial/industrial development are generally</u></p>

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PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION *Recommended <u>new policy language</u> is underlined
			those areas north and south of the downtown commercial core and near U.S. Highway 101, and to a lesser extent near Lockhart Avenue, Easterly from 7th Street.”
Commercial Areas Objective 2	107	4. <u>Waterfront Heritage</u> . The focus of this district is to provide diversity to the economy by providing a mixed-use area to include: existing waterfront industrial uses, new water oriented, water-related and non-water-related service businesses, and amenities and attractions which encourage public access to and enjoyment of the waterfront and also non-water dependent industrial uses. This area is intended to reclaim the city’s waterfront heritage and express pride in its past and present by redeveloping Front Street as a vital commercial area which evokes, but does not necessarily duplicate, the Front Street of early Marshfield. [ORD. 304 5/1/01]	Ok as is (included here for context).

ATTACHMENT B: COOS BAY COMPREHENSIVE PLAN (CBCP) RECOMMENDATIONS MATRIX – March 26, 2021

Yellow notations on pages 2,5,6,13,15,17,21, & 22 indicate policy recommendation changes since the 02.09.2021 HAC meeting.

PLAN ELEMENT	PG.	CURRENT POLICY TEXT OR THEME	RECOMMENDATION *Recommended <u>new policy language</u> is underlined
Commercial Areas Objective 2	107	5. <u>Hollering Place</u> . The focus of this district is to provide a mix of uses and activities that will complement and connect with the existing business district to the east and act as a catalyst to help spur additional development and investment in the Empire area. The area is intended to increase the pedestrian connection to the water and create the Story Trail as laid out in the Hollering Place Master Plan, adopted December 2, 2008, which presents the unique history of the Hollering Place. [ORD. 430 6/15/10]	<i>Ok as is (included here for context).</i>
Commercial Areas Objective 3	108	Residential activity should be allowed, but rigidly limited in commercial areas and will not restrict the primary commercial use. Rationale - Commercial areas are a focal point of activity and provide essential services to city residents. However, in some cases, residents could benefit by being located in commercial areas (e.g., the elderly or transportation disadvantaged) as can the business receiving their trade. Moreover, commercial space above the first floor is often underutilized. (H. 3) Implementation - The Land Development Ordinance (LDO) shall become more liberal in permitting apartments above the first floor of commercial activities by not limiting the number of bedrooms which are within each unit.	<i>Update language to reflect City's current approach to residential activity in commercial areas.</i> <i>Recommended Amendment:</i> <u>“Except where otherwise prohibited in the Comprehensive Plan, residential development, including higher-density development, shall be allowed in commercial areas to complement commercial uses and provide needed housing. Residential activity should be allowed, but rigidly limited in commercial areas and will not restrict the primary commercial use. This can include, but is not necessarily limited to, stand-alone residential development and residential uses above or behind commercial uses.”</u>

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS
– March 26, 2021

COOS BAY DEVELOPMENT CODE
PROPOSED AMENDMENTS

The proposed amendments to the Coos Bay Development Code (CBDC) are intended to implement the state requirements of House Bill 2001 and generally facilitate more housing development. The proposed amendments are consistent with the high-level themes and recommendations presented at the previous Housing Advisory Committee meeting and provided in Attachment A: CBCP and CBDC High-Level Themes.

The following CBDC chapters and excerpts demonstrate how the proposed Code amendments advance this intent:

- 17.130.015 Exemptions
- 17.130.030 Application types and classification
- 17.150 Definitions
- 17.220 Low Density Residential Districts
- 17.225 Medium Density Residential District (MDR)
- 17.335.120 Multi-Unit Dwelling Development Standards

The proposed amendments are presented in a strikethrough (existing text to be deleted) and underline (proposed new text) format.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.130.015 Exemptions

Chapter 17.130

PROCEDURES

17.130.010 Applicability.

Land use project review and approval is required prior to issuance of building permits for the following:

- (1) The division of land or alteration of existing lot (parcel) lines;
- (2) All conditional uses and new uses in any district;
- (3) All changes in the use of a structure that increase the intensity of use, such as by increasing the gross floor area, height or bulk of the structure, number of access points or parking spaces, number or size of signs, or other measures of intensity or the structure location or significant elements of the design; and
- (4) Building and demolition permits or any change, except painting and minor repair, to the exterior of properties listed on the National Register of Historic Places.
- (5) No use shall be established, no structure erected or enlarged, and no other improvement or construction undertaken except as shown upon an approved plan which is in conformance with the requirements set out in CBDC 17.130.050. Land use project review and approval are subject to a Type I, II or III review process prior to issuance of a building permit or as specified in this title, changes in land use.
- (6) No amendment to the text of this title or the comprehensive plan shall be permitted without a Type IV authorization.
- ~~(7) Exclusions from Permits. The following activities are permitted in each land use district but are excluded from the requirement of obtaining a land use permit. Exclusion from the permit requirement does not exempt the activity from otherwise complying with applicable standards, conditions, and other provisions of the development code.~~
 - ~~(a) Operation, maintenance, and repair of existing transportation facilities identified in the transportation system plan;~~
 - ~~(b) Dedication of right-of-way, authorization of construction, and the construction of transportation facilities and improvements, where the improvements are planned improvements identified in the transportation system plan or are otherwise consistent with clear and objective dimensional standards;~~
 - ~~(c) Changes in transit services. [Ord. 532 § 2 (Att. B), 2020; Ord. 518 § 8 (Exh. 1), 2019; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].~~

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.130.015 Exemptions

17.130.015 Exemptions.

The development and land uses noted in Table 17.130.015 are permitted if an allowed land use in the zoning district and excluded from the requirement of obtaining land use review and approval. Exclusion from the land use process requirement does not exempt the activity from otherwise complying with applicable standards and conditions of the Development Code and other provisions of applicable Municipal Code requirements and state law.

<u>Table 17.130.015 Exemptions</u>	
<u>(a)</u>	<u>Operation, maintenance, and repair of existing transportation facilities identified in the transportation system plan</u>
<u>(b)</u>	<u>Dedication of right-of-way, authorization of construction, and the construction of transportation facilities and improvements, where the improvements are planned improvements identified in the transportation system plan or are otherwise consistent with clear and objective dimensional standards</u>
<u>(c)</u>	<u>Changes in transit services</u>
<u>(d)</u>	<u>Modification to the interior of an existing structure that does not change the use or the intensity of a use</u>
<u>(e)</u>	<u>Physical expansion of existing structure by ten percent (10%) or less, occurring in a single expansion over a two-year time period</u>
<u>(f)</u>	<u>Regular maintenance, repair, and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair</u>
<u>(g)</u>	<u>Fences adhering to standards required in 17.335.020</u>
<u>(h)</u>	<u>Change in occupancy from one allowed land use to another allowed land use if a permitted use in the zoning district</u>
<u>(i)</u>	<u>Single-unit dwelling (including manufactured home on its own lot)</u>
<u>(j)</u>	<u>Duplex on a single lot</u>
<u>(k)</u>	<u>Home occupation</u>
<u>(l)</u>	<u>Accessory structures that do not require a building permit</u>
<u>(m)</u>	<u>Accessory dwelling units not subject to 17.312.040(2)</u>
<u>(n)</u>	<u>Public improvements required by city standards or as stipulated by a condition of land use approval (e.g., transportation facilities and improvements, parks, trails, utilities, and similar improvements), except where a condition of approval requires a land use review</u>

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.130.030 Application types and classification

Chapter 17.130

PROCEDURES

~~17.130.030 — Application types and classification.~~

~~(1) Applicability. Applications for land use review are subject to procedures in this chapter unless otherwise expressly provided in other chapters of the CBDC.~~

~~(2) Concurrent Application. If the applicant requests more than one type of review for a given development, an applicant shall submit all applications required for the development at one time, unless otherwise prohibited from doing so by law. Concurrent applications for a given development are subject to the highest type procedure that applies to any of the applications.~~

~~(3) Procedure Types. There are four types of land use review procedures. This chapter or the chapter that authorizes an application generally identifies the type of procedure that applies to the application. If the appropriate procedure is not clearly defined, the director shall decide which of the four procedures will apply with the following considerations:~~

~~(a) A Type I process involves nondiscretionary standards or standards that require the exercise of professional judgment by the director about technical issues. Type I reviews include:~~

~~(i) Residential proposals creating less than 10 new units.~~

~~(ii) Modifications to interior of an existing structure that does not change the intensity or a use.~~

~~(iii) Installation or replacement of underground utilities.~~

~~(iv) Painting and minor repair to the exterior of properties listed on the National Register of Historic Places.~~

~~(v) Other development the director determines does not result in an appreciable increase in land use activity and intensity and does not create an additional significant adverse impact.~~

~~(b) A Type II process involves a mix of discretionary and nondiscretionary standards that require the exercise of limited discretion by the director about nontechnical issues and about which there may be a limited public interest. Type II reviews include:~~

~~(i) Changes in use of an existing structure or site.~~

~~(ii) New construction or expansions of existing development which does not exceed:~~

~~(A) Four thousand square feet of floor area.~~

~~(B) Twenty new parking spaces.~~

~~(C) Residential proposals with four structures with up to and including 10 units.~~

~~(D) All changes in the use of a structure that increase the intensity of use by increasing the gross floor area by more than 20 percent up to a total of 4,000 square feet or~~

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.130.030 Application types and classification

- ~~introducing a use requiring more than 15 percent of the parking required by the original use up to and including 20 new spaces.~~
- ~~(iii) Property line adjustments and partitions.~~
- ~~(iv) Other development the director determines appropriate for a Type II review due to community interest and/or benefit.~~
- ~~(c) A Type III process involves standards that require the exercise of substantial discretion by the planning commission or a hearing officer and about which there may be a broad public interest. Type III reviews include:~~
- ~~(i) New construction or expansions of existing construction of any of the following:~~
- ~~(A) Four thousand one square feet or more floor area.~~
- ~~(B) Twenty one or more new parking spaces.~~
- ~~(C) Residential proposals with more than 10 units.~~
- ~~(ii) Building and demolition permits or any change, except painting and minor repair, to the exterior of properties listed on the National Register of Historic Places.~~
- ~~(iii) Subdivisions.~~
- ~~(d) A Type IV process involves the creation, implementation or amendment of city land use policies or law by the city council, with recommendation by the planning commission.~~
- ~~(4) Undefined Review. If this title is silent as to the type of review procedure required, the director shall, using a Type I review process, determine the appropriate level of review.~~
- ~~(5) At the discretion of the director, uses determined similar to uses specified in this title may be permitted subject to the provisions of this chapter.~~
- ~~(6) Highest Review Level. If a review is subject to multiple permits, the highest level of review for any one of the permits shall be required for all permits. [Ord. 532 § 2 (Att. B), 2020; Ord. 518 § 8 (Exh. 1), 2019; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].~~

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.130.030 Application types and classification

17.130.030 Application types and classification.

(1) Applicability. Applications for land use review are subject to procedures in this chapter unless otherwise expressly provided in other chapters of the CBDC.

(2) Concurrent Application. If the applicant requests more than one type of review for a given development, an applicant shall submit all applications required for the development at one time, unless otherwise prohibited from doing so by law. Concurrent applications for a given development are subject to the highest type procedure that applies to any of the applications.

(3) Procedure Types. There are four types of land use review procedures. This chapter or the chapter that authorizes an application generally identifies the type of procedure that applies to the application. If the appropriate procedure is not clearly defined, the director shall decide which of the four procedures will apply with the following considerations:

(a) **A Type I** process involves nondiscretionary standards that are clear and objective. The Type I process does not involve public notice or a public hearing prior to the decision. Refer to 17.130.080 for Type I procedure.

(b) **A Type II** process is based on a review of criteria that requires a limited amount of discretion. The Type II process includes public notice of the application and an opportunity for citizens to provide comments prior to the decision. The process does not include a public hearing unless the decision is appealed. Notice of the decision is provided to allow the applicant or an adversely affected person to appeal the decision to a higher local review authority. Refer to 17.130.090 for Type II procedure.

(c) **A Type III** is a decision-making process in which the planning commission or a hearings officer makes the initial decision. The Type III process includes public notice and a public hearing, as well as the opportunity for a local appeal to be filed by the applicant, an individual who testified orally or in writing during the initial public hearing. Refer to 17.130.100 for Type III procedure.

(d) **A Type IV** is a decision-making process in which the planning commission reviews the application and forwards a recommendation to the city council, which holds a public hearing and makes a final decision. The Type IV process includes public notice and public hearings before the planning commission and city council prior to the final decision. The city council decision is the final local decision. Refer to 17.130.110 for Type IV procedure.

(4) Undefined Review. If this title is silent as to the type of review procedure required, the director shall, using a Type I review process, determine the appropriate level of review.

(5) At the discretion of the director, uses determined similar to uses specified in this title may be permitted subject to the provisions of this chapter.

(6) Highest Review Level. If a review is subject to multiple permits, the highest level of review for any one of the permits shall be required for all permits. [Ord. 532 § 2 (Att. B), 2020; Ord. 518 § 8 (Exh. 1), 2019; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.130.030 Application types and classification

Table 17.130.030 Summary of Approvals by Type of Review Procedure <i>PD = Planning Director, HO = Hearings Officer, PC = Planning Commission,</i> <i>CC = City Council, LUBA = Land Use Board of Appeals</i>				
<u>Application</u>	<u>Type</u>	<u>Applicable Regulations</u>	<u>Review Authority</u>	<u>Appeal Authority</u>
<u>Accessory Dwelling Unit subject to 17.312.040(2)</u>	<u>I</u>	<u>17.312 Accessory Dwelling Units</u>	<u>PD</u>	<u>PC</u>
<u>Adjustment Review, Minor</u>	<u>II</u>	<u>17.362 Adjustment Review</u>	<u>PD</u>	<u>PC</u>
<u>Adjustment Review, Major</u>	<u>III</u>	<u>17.362 Adjustment Review</u>	<u>PC or HO</u>	<u>CC</u>
<u>Annexation</u>	<u>IV</u>	<u>17.345 Annexation</u>	<u>CC</u>	<u>LUBA</u>
<u>Code Interpretation</u>	<u>I</u>		<u>PD</u>	<u>PC</u>
<u>Conditional Use Permit</u>	<u>III</u>	<u>17.347 Conditional Uses</u>	<u>PC or HO</u>	<u>CC</u>
<u>Conditional Use Permit, Modification</u>	<u>II</u>	<u>17.347 Conditional Uses</u>	<u>PD</u>	<u>PC</u>
<u>Comprehensive Plan Amendment</u>	<u>IV</u>	<u>17.360 Plan Amendments and Zone Changes</u>	<u>CC</u>	<u>LUBA</u>
<u>Floodplain Development Permit</u>	<u>II</u>	<u>17.318 Flood Damage Prevention</u>	<u>PD</u>	<u>PC</u>
<u>Historic Landmark (Local), Designation</u>	<u>III</u>		<u>PC or HO</u>	<u>CC</u>
<u>Historic Landmark (Local), Removal of Designation</u>	<u>I</u>		<u>PD</u>	<u>PC</u>
<u>Historic Property, Alteration</u>	<u>I</u>		<u>PD</u>	<u>PC</u>
<u>Historic Property, Demolition</u>	<u>II</u>		<u>PD</u>	<u>PC</u>
<u>Historic Property, Moving</u>	<u>II</u>		<u>PD</u>	<u>PC</u>
<u>Partition, Tentative Plan</u>	<u>II</u>	<u>17.359 Partitions</u>	<u>PD</u>	<u>PC</u>
<u>Partition, Final Plat</u>	<u>I</u>	<u>17.359 Partitions</u>	<u>PD</u>	<u>PC</u>
<u>Permitted Residential Use, Exempt</u>	<u>N/A</u>	<u>17.130.015 Exemptions</u>	<u>N/A</u>	<u>N/A</u>
<u>Permitted Residential Use</u>	<u>I</u>	<u>Section 2. Zoning</u>	<u>PD</u>	<u>PC</u>
<u>Permitted Residential Use, Subject to Higher Level of Review</u>	<u>III</u>	<u>Section 2. Zoning</u>	<u>CC</u>	<u>LUBA</u>
<u>Property Line Adjustment, including Lot Consolidation</u>	<u>I</u>	<u>17.363 Replates and Property Line Adjustments</u>	<u>PD</u>	<u>PC</u>
<u>Sign Permit</u>	<u>I</u>	<u>17.333 Signs</u>	<u>PD</u>	<u>PC</u>
<u>Subdivision, Tentative Plan</u>	<u>II</u>	<u>17.367 Subdivisions</u>	<u>PD</u>	<u>PC</u>
<u>Subdivision, Final Plat</u>	<u>I</u>	<u>17.367 Subdivisions</u>	<u>PD</u>	<u>PC</u>
<u>Temporary Use Permit</u>	<u>I</u>	<u>17.337 Temporary Use Permit</u>	<u>PD</u>	<u>PC</u>
<u>Traffic Impact Analysis Review</u>	<u>N/A</u>	<u>18.40.010 and 18.40.020</u>	<u>N/A</u>	<u>N/A</u>
<u>Zoning Code Amendment</u>	<u>III</u>	<u>17.360 Plan Amendments and Zone Changes</u>	<u>PC or HO</u>	<u>CC</u>
<u>Zoning District Map Change</u>	<u>III</u>	<u>17.360 Plan Amendments and Zone Changes</u>	<u>PC or HO</u>	<u>CC</u>

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.150 Definitions – Dwelling, [Type]

Chapter 17.150

DEFINITIONS

A.

...

Accessory dwelling unit—An interior, attached or detached residential structure that is used in connection with or that is accessory to a single family dwelling.

...

D.

...

Dwelling—A building or any portion of it which has cooking and toilet facilities and is designed exclusively for private residential occupancy by one family only. It does not include hotels, motels, boarding houses, recreational vehicles, park models, tents, yurts, pods or other similar accommodations authorized by the International Building Code for permanent dwellings.

Dwelling, attached—A dwelling having any portion of a wall in common with adjoining dwellings.

Dwelling, detached—A dwelling that is entirely surrounded by open space on the same lot.

Dwelling, duplex—A detached building, designed for or occupied exclusively by two families living independently of each other, and shall not include a manufactured home.

Dwelling, Manufactured Home. See definition of “Manufactured home.”

Dwelling, multiple family—A building or portion thereof designed or used as a residence by three or more families and containing more than two dwelling units.

Dwelling, single family—A building designed or used for residence purposes by not more than one family and containing one dwelling unit only.

Dwelling unit—One or more rooms which have cooking and toilet facilities and are designed for occupancy for one family only.

E.

...

M.

...

Manufactured home—A structure, transportable in one or more sections, as defined by ORS 446.003, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a recreational vehicle.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.150 Definitions – Dwelling, [Type]

...

R.

...

Row houses — ~~A series of single-family dwelling units that are erected in a row on adjoining lots, each being separated from an adjoining unit by two separate but abutting walls along the dividing lot line.~~

...

T.

...

Townhouse — ~~A single-family dwelling unit in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.~~

...

D.

...

Dwelling – A building, or portion thereof, designed for and used as a residence. This includes both buildings constructed on-site and manufactured homes. It does not include hotels, motels, boarding houses, recreational vehicles, park models, tents, yurts, pods, or other similar accommodations authorized by the applicable CBMC Title 15 regulating building code for permanent dwellings.

Dwelling, Accessory dwelling unit (ADU) – An interior, attached, or detached residential structure that is used in connection with or that is accessory to a single-unit or duplex primary dwelling.

Dwelling, Attached – A dwelling having any portion of a wall in common with adjoining dwellings on the same lot or an adjoining lot. Examples include townhouses, duplexes, and interior or attached accessory dwelling units.

Dwelling, Cottage cluster – A grouping of detached dwelling units located on a single lot or parcel that includes a common courtyard. Cottage cluster may also be known as “cluster housing,” “cottage housing,” “bungalow court,” “cottage court,” or “pocket neighborhood.

Dwelling, Detached – A dwelling that is entirely surrounded by open space on the same lot.

Dwelling, Duplex – Two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.150 Definitions – Dwelling, [Type]

primary dwelling unit with an accessory dwelling unit, the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.

Dwelling, Manufactured – A residential trailer, mobile home or manufactured home (defined ORS 446.003).

Dwelling, Multi-unit – Three or more dwellings on a single lot or parcel, including, but not limited to, townhouses, cottage clusters, triplexes, and quadplexes. The units may share common walls, common roofs, or common foundations. Multi-unit dwellings also include condominium and apartment units without regard to ownership status.

Dwelling, Quadplex – Four dwelling units on a lot or parcel in any configuration.

Dwelling, Single-unit – A dwelling designed for and used as one dwelling unit. A single-unit dwelling may share a common wall, common roof, or common foundation with another single-unit dwelling on another lot or share a common wall, roof, or foundation with an accessory dwelling unit on the same lot.

Dwelling, Tiny home – A dwelling that is 400 square feet or less in floor area excluding lofts. A tiny home may be a permanent or a temporary mobile structure.

Dwelling, Townhouse – A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. A townhouse is also commonly called a “rowhouse,” “attached house,” or “common-wall house.”

Dwelling, Triplex – Three dwelling units on a lot or parcel in any configuration.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.220 Low Density Residential Districts

Chapter 17.220

LOW DENSITY RESIDENTIAL DISTRICTS (~~LDR-6, LDR-8.5~~) AND OVERLAY ZONE ~~LDR-6~~

Sections:

- 17.220.010 Purpose.
- 17.220.020 Land uses and permit requirements.
- 17.220.030 Development and lot standards ~~and criteria~~.

17.220.010 Purpose.

The low density residential ~~LDR~~ districts, which include the Low Density Residential (LDR) zone and Small Lot Residential (SLR) zone, ~~designation have~~ been established to be consistent with the Coos Bay Comprehensive Plan Land Use Plan 2000 and identify appropriate land uses and standards for ~~single-family~~ low density neighborhoods ~~land uses~~. [Ord. 518 § 8 (Exh. 1), 2019; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].

17.220.020 Land uses and permit requirements.

~~P = Permitted use; C = Conditional use; X = Prohibited. Property uses noted in Table 17.220.020.~~

~~Type 1 — No noticing requirements.~~

~~Type 2 — Noticing requirements 150 feet from property.~~

~~Type 3 — Noticing requirements 300 feet from the property.~~

~~Property uses are noted in Table 17.220.020.~~

Land uses and permit requirements are listed in CBDC Table 17.220.020. The table identifies those uses in the low-density residential districts that are:

P = Permitted use;

C = Conditional use;

S = Permitted uses that are subject to special standards; or

X = Prohibited.

The applicable procedural requirements are found in CBDC 17.130.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.220 Low Density Residential Districts

Table 17.220.020 – Land Uses and Permit Requirements

Use	LDR-6 SLR	LDR-6 Overlay	LDR-8.5 LDR
Residential Uses			
Dwelling, Single-family unit detached dwelling units, including certified factory-built homes and manufactured homes which are subject to special siting standards as specified in Chapter 17.230 CBDC	P/Type 1		
Dwelling, Duplexes	P/Type 1		
Dwelling, Manufactured Homes including certified factory-built homes (subject to standards at CBDC 17.322)	S		
Accessory living Dwelling uUnits (subject to standards at the requirements of Chapter CBDC 17.312 CBDC)	P/Type 2 S		
Group care facilities (more than five)	C/Type 3		
Foster care homes (five or fewer)	P/Type 1		
Planned unit development	C/Type 3		
Zero lot line development (subject to standards at CBDC 17.335.110)	C/S	P	X
Accessory Buildings and Uses			
Private garages and carports	P/Type 1		
Accessory use or building on a separate lot or parcel, with compliance with Chapter (subject to standards at CBDC 17.314) CBDC	P/Type 1		
Greenhouses, gardens, and orchards for private, noncommercial propagation and culture of plants, fruits, and vegetables	P/Type 1		
Swimming pools and other recreational facilities for the private use of the occupants. Swimming pools other than children's temporary wading pools shall not be located in front yards, and shall be set back at least three feet from all property lines.	P/Type 1		
Covered patio, freestanding or attached	P/Type 1		
Solar energy systems and structures solely designed to support solar energy systems	P/Type 1		
Nonresidential Uses			
Art galleries and museums	C/Type 3		
Vacation rental or bed and breakfast less than 10,000 s.f.	P, Type 2 if less than 4,000 s.f. C/Type 3 if greater than 4,000 s.f.		
Vacation rental or bed and breakfast 10,000 s.f. or greater	C		
Bus shelters	P/Type 2		
Child care facility (13 or less children)	P/Type 1		

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.220 Low Density Residential Districts

Use	LDR-6 SLR	LDR-6 Overlay	LDR-8.5 LDR
Child care facility (14 or more children)	C/SPR/Type 3 if greater than 4,000 s.f. and/or 20 or more parking spaces		
Religious assembly – small (less than 16)	P		
Religious assembly – large (over 16)	C/SPR/Type 3		
Community recreation 4,000 s.f. or greater and/or 20 or more parking spaces 10,000 s.f. or greater	C/SPR/Type 3		
Lodge, club, fraternal or civic assembly 4,000 s.f. or greater and/or more than 20 parking spaces 10,000 s.f. or greater	C/SPR/Type 3		X
Lodge, club, fraternal or civic assembly less than 4,000 s.f. and 20 parking spaces 10,000 s.f.	C/Type 3 P		X
Home occupations	P/Type 1		
Occupied recreational vehicles	X		
Public utilities 4,000 s.f. or greater and/or 20 or more parking spaces 10,000 s.f. or greater	C/SPR/Type 3		
Public utilities less than 4,000 s.f. and/or 20 parking spaces 10,000 s.f.	C/Type 3		
Public schools/educational service 4,000 s.f. or greater and/or 20 or more parking spaces 10,000 s.f. or greater	C/SPR/Type 3		
Public schools/educational service less than 4,000 s.f. and/or 20 parking spaces 10,000 s.f.	C/Type 3		
Public buildings and uses not otherwise listed as permitted in CBDC	C/SPR/Type 3		
Telecommunications facilities	C/SPR/Type 3		
All manufacturing and commercial uses or services, except permitted home occupations and day/adult care facilities	X		
<u>Other similar uses deemed by the director to be compatible with the LDR and SLR districts and adjacent land uses.</u>	P		

[Ord. 532 § 2 (Att. B), 2020; Ord. 518 § 8 (Exh. 1), 2019; Ord. 503 § 1 (Exh. B), 2018; Ord. 480 § 3, 2016; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.220.030].

17.220.030 Development and lot standards and criteria.

Development standards in the LDR districts are noted in Table 17.220.030.

(1) All developments within the LDR districts shall comply with the density and dimensional requirements of Table 17.220.030, except as described in subsection (a).

(a) The maximum dwelling units per acre and minimum lot sizes in Table 17.220.030 are not applicable to duplex dwellings.

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Excerpt: 17.220 Low Density Residential Districts

Table 17.220.030 – Development and Lot Standards

	LDR-6 <u>SLR</u>	LDR-6 overlay zone	LDR-8.5 <u>LDR</u>
Maximum dwelling units per acre (gross area of the site minus required right-of-way)	9 <u>12</u>	46	6 <u>10</u>
Minimum lot size	5,000 <u>2,250</u> s.f.	3,500 s.f.	6,000 <u>4,500</u> s.f.
Maximum lot size	7,500 s.f.	NA	15,000 <u>10,000</u> s.f.
Minimum lot width	40'	40'	40'
Minimum lot depth	80'	80'	90'
Lots for drainage facilities, parks, open space, wetlands and buffers, utilities	No minimum or maximum.		
Building height	35' from lowest finished grade to highest point on the roof ridge.		
Lot coverage	65%		
Landscaping	20% of net lot area.		
Front yard setback to enclosed or semi-enclosed living area (including porches)	10' from property line.		
Garage or carport setback	20' from property line. The setback may be reduced to 10' from a street or 5' from an alley if the entrance to the garage or carport is perpendicular to the street frontage and all of the required parking can be accommodated on private property.		
Minimum side yard – interior lot	5' or 10% of lot width	As per the International Building Code	5' or 10% of lot width
Minimum rear yard	10% lot depth		10% lot depth
Minimum side yard – street side corner lot	20% of lot width but no less than 7' nor more than 20'.		
Setback to Coos Bay Estuary	As specified in the Coos Bay Estuary plan.		
Setbacks for accessory buildings no greater than 120 s.f. or 8' in height at its highest point above site grade	Rear or side yards – as per the International Building Code <u>CBMC TITLE 15</u> . Front yard – building may be no closer than 20' from the front property line nor cause visual obstruction at driveways or intersections.		
Parking	See Chapter <u>CBDC</u> 17.330 CBDC .		

[Ord. 518 § 8 (Exh. 1), 2019].

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Chapter 17.225 Medium Density Residential

Chapter 17.225

MEDIUM DENSITY RESIDENTIAL DISTRICT (MDR)

Sections:

- 17.225.010 Purpose.
- ~~17.225.015 Development diversity.~~
- 17.225.020 Location.
- ~~17.225.030 Permitted and conditional uses.~~ Land uses and permit requirements.
- ~~17.225.040 Density and dimensional requirements.~~ Development and lot standards.
- 17.225.050 Requirements of single-family attached housing.
- ~~17.225.060 Requirements of multifamily attached housing.~~ Apartments.
- ~~17.225.070 Requirements of factory-built home parks.~~

17.225.010 Purpose.

The medium density residential (MDR) district is intended to provide for residential development opportunities, including manufactured homes, with a minimum density of 12 units per net acre and a maximum density of ~~46~~25 units per net acre. The district is further intended to facilitate use of public transit, reduce the burdens of automobile related problems, and encourage efficient use of commercial services and public open space. [Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].

~~**17.225.015 Development diversity.**~~

~~The city seeks to foster an opportunity for the creation of a variety of MDR housing products so as to promote housing affordability, architectural variety and unique neighborhood character. An MDR project proposal which consists of five gross acres or more, including abutting lands under common ownership, may not include more than 75 percent of one housing type, i.e., multifamily, single family attached or single family detached. [Ord. 532 § 2 (Att. B), 2020].~~

17.225.020 Location.

Generally, ~~The city council, with the recommendation of the planning commission, generally, shall assign~~ MDR zoning districts are in close proximity to collector or arterial roadways, current or proposed transit routes, near employment centers, and with good access to local public schools and parks. [Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].

~~**17.225.030 Permitted and conditional uses.**~~ **Land uses and permit requirements.**

~~Permitted Uses. The city permits uses on buildable lands as described in Table 17.225.030, Permitted and Conditional Uses, subject to compliance with the adopted level of service standards of the Coos Bay capital improvement plan. P = Permitted use; C = Conditional use; X = Prohibited use.~~

~~(1) Conditional uses allowed in an MDR district are described in Chapter 17.347 CBDC, Conditional Uses.~~

Land uses and permit requirements are listed in Table 17.225.030. The table identifies those uses in the medium density residential district that are:

P = Permitted use;

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C = Conditional use;

S = Permitted uses that are subject to special standards; or

X = Prohibited.

The applicable procedural requirements are found in CBDC 17.130.

Table 17.225.030 – ~~Permitted and Conditional Uses~~ Land Use and Permit Requirements

Use	MDR-46
Residential	
Existing lawful residential use	P/Type 1
A single family residence and certified factory built home per lot of record Dwelling. Single-unit detached	P/Type 1
<u>Dwelling, Manufactured Homes including certified factory-built homes (subject to standards at CBDC 17.322)</u>	<u>S</u>
<u>Dwelling, Multi-unit (subject to standards at CBDC 17.322)</u>	<u>S</u>
<u>Dwelling, Townhouse (subject to standards at CBDC 17.322)</u>	<u>S</u>
Subdivision of a lot of record for 10 or less dwellings	P/Type 2
Subdivision of a lot of record for 11 or more dwellings	C/Type 3
Planned unit development of 10 or less dwellings	P/Type 2
Planned unit development of 11 or more dwellings	C/Type 3
Single family dwelling combined with a multiple family dwelling on the same lot	P/Type 2
Certified factory-built home parks consistent with the requirements of state manufactured park standards and CBDC 17.225.070-17.322	C/Type 3 <u>S</u>
Accessory living units subject to Chapter 17.312 CBDC <u>Accessory Dwelling Units (subject to standards at CBDC 17.312)</u>	P/Type 2 <u>S</u>
Multiple family dwellings consistent with CBDC 17.225.060, including but not limited to attached single family dwellings, such as townhouses, duplexes, triplexes; and detached multifamily dwellings such as apartments with 10 or fewer units	P/Type 2
Multiple family dwellings consistent with CBDC 17.225.060, including but not limited to attached single family dwellings, such as townhouses, duplexes, triplexes; and detached multifamily dwellings such as apartments with 11 or more units	C/Type 3
Group care and group residential care facilities	C/Type 3
Multiple family dwelling, greater than 35 feet in height and three stories	C/N/Type 3
Accessory buildings and uses normal and incidental to the building and uses permitted in this chapter	P/Type 1
<u>Zero lot line development (subject to standards at CBDC 17.335.110)</u>	<u>C/S</u>
Nonresidential Permitted Uses	

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Use	MDR-16
Home occupation	P/ Type 1
Child care facility (fewer than 13)	P/ Type 1
Child care facility (13 or more)	P/ Type 2
Vacation rental or bed and breakfast	P/ Type 2
Laundry facility (outward appearance must retain a residential character)	P/ Type 2
Bus shelters	P/ Type 2
Nonresidential Conditional Uses with construction or expansion of existing construction of any of the following: 4,00110,000 s.f. or more, 21 or more new parking spaces, building and demolition permits or any change, except for painting and minor repair, to the exterior of properties listed on the National Register of Historic Places	
Administrative service not associated with a home occupation permit	C
Convenience sales and personal service	C
Educational service	C
Home occupation – retail sales on the premises	C
Library service and cultural exhibit	C
Lodge, club, fraternal, or civic assembly	C
Public parks and recreational facilities	C
Public safety service	C
Religious assembly of more than 20 persons	C
Utility and service – no outside storage of equipment	C
Zero lot line development as specified in CBDC 17.335.100	C
Other	
Uses and development deemed by the director to be similar to and/or compatible with Table 17.225.030 and state regulations	P/ <u>Type 1</u>
All manufacturing and commercial uses or services not listed	X

[Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].

17.225.040 ~~Density and dimensional requirements~~ Development and lot standards.

(1) All developments within the MDR zoning district shall comply with the density and dimensional requirements of Table 17.225.040, except as described in subsection (a).

(a) The maximum dwelling units per acre and minimum lot sizes in Table 17.225.040 are not applicable to duplex dwellings.

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Chapter 17.225 Medium Density Residential

Table 17.225.040 – ~~MDR Density and Dimensional Requirements~~ Development and Lot Standards

Standard	Multifamily-unit Dwellings	<u>Single-Familyunit Dwellings</u>	
		<u>Attached</u>	<u>Detached</u>
Net density <u>Maximum dwelling units per acre (gross area of the site minus required right-of-way)</u>	12 – 46 <u>25</u> dua	12 – 46 <u>25</u> dua	12 – 46 <u>25</u> dua
Minimum lot width	40 feet	40 <u>20</u> feet	40 feet
Minimum lot depth	60 feet	60 feet	60 feet
Minimum area <u>lot size</u>	5,000 <u>2,400</u> sf	5,000 <u>1,200</u> sf	5,000 <u>2,400</u> sf
Maximum lot coverage	85%	65%	65%
Maximum height	35 feet	35 feet	35 feet
Setbacks			
Minimum front setback	10 feet, <u>or 10% of lot depth, whichever is less</u>	10 feet, <u>or 10% of lot depth, whichever is less</u>	10 feet, <u>or 10% of lot depth, whichever is less</u>
Minimum garage setback from public right-of-way	20 feet	20 feet	20 feet
Minimum side setback	0 feet <u>for attached units</u> , 5 feet to abutting property line	0 feet <u>for attached units</u> , 5 feet nonattached to abutting property line	5 feet <u>or 10% of lot width, whichever is less</u>
Minimum street side setback	10 feet <u>or 20% lot width, whichever is less.</u>	10 feet <u>or 20% lot width, whichever is less.</u>	10 feet <u>or 20% lot width, whichever is less.</u>
Minimum rear setback	5 feet	5 feet	5 feet

(2) Screening. ~~New lots~~ Lots used for ~~medium density residential purposes~~ development of multi-unit dwellings created adjacent to abutting low density residential (LDR) districts shall employ a screening technique at the perimeter of the project.

(3) ~~New perimeter MDR lots abutting LDR districts, not including public rights-of-way or dedicated public open space, shall be no less than 80 percent of the lot area of the minimum lot size of the abutting LDR district. Setbacks from the property lines of abutting LDR land shall be no less than 80 percent of the setback requirement of the abutting LDR district. For example, if the abutting property is zoned LDR 8.5, a 7,000 square foot minimum lot size, and the MDR lots abutting the LDR district may not be less than 5,600 square feet. [Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].~~

17.225.050 Requirements of single-family attached housing.

A single-family attached proposal shall meet the requirements of this section. Where a conflict exists between general and specific standards the director shall apply the more specific standard.

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Chapter 17.225 Medium Density Residential

(1) Notations on the plat and covenants running with the land, approved by the city attorney, shall guarantee that required side setbacks shall be kept perpetually free of obstructions.

(2) Prohibit single-family attached housing in housing clusters greater than six units.

(3) Landscaping. Single-family attached development projects may satisfy the minimum landscaping requirement by:

(a) Providing 200 square feet of enclosed private outdoor living area per bedroom for each individual dwelling unit, to be located in the rear or side yard of each individual lot; or

(b) Providing 200 square feet of common indoor or outdoor recreation area per bedroom for each individual dwelling unit. [Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].

~~17.225.060 — Requirements of multifamily attached housing — Apartments.~~

~~A multifamily attached proposal shall meet the requirements of this section. Where a conflict exists between general and specific standards of this section, the director shall apply the more specific standard.~~

~~(1) Multifamily attached housing shall not be permitted in clusters greater than eight dwelling units.~~

~~(2) Building permits for attached developments may only be approved where fully consistent with the approved land division.~~

~~(3) Notations on the plat and/or covenants running with the land, approved by the city attorney, shall guarantee that required side setbacks shall be kept perpetually free of obstructions. [Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].~~

~~17.225.070 — Requirements of factory-built home parks.~~

~~All extensions or improvements made to existing residential certified factory-built home parks made after the enactment of the ordinance codified in this title shall comply with the provisions of this title.~~

~~(1) Site Plan. Except for a bus shelter, land use review is required prior to the establishment of, or change within, any certified factory-built home park.~~

~~(2) Minimum park area: one acre.~~

~~(3) Unit density: a minimum density of 12 units per net acre and a maximum density of 16 units dwelling per net acre.~~

~~(4) Access and Roads.~~

~~(a) Dedicate and improve vehicular and pedestrian access to the park from the improved street.~~

~~(b) Pave roads within a park according to the following minimum standards:~~

~~(i) Twenty-two feet where no on-street parking is allowed.~~

~~(ii) Twenty-eight feet where on-street parking is allowed on one side of the street.~~

~~(iii) Thirty-six feet where parking is permitted on both sides of the street.~~

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

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~~(iv) All private streets and ways within the park shall be built as approved by the public works department.~~

~~(v) An additional five feet from each edge of the pavement or two feet from the edge of the sidewalk shall be designated as right-of-way from which setbacks are to be measured.~~

~~(vi) When on-street parking is provided, it may substitute for the guest and second parking requirements if approved by the planning commission.~~

~~(5) Services:~~

~~(a) Sewer. Every residential certified factory-built home park shall be connected to a sanitary sewer. Each space shall be provided with a connection to the sewer.~~

~~(b) Water. Every residential certified factory-built home park shall be connected to a supply of potable water for domestic use. Each space shall be provided with a connection to the water supply.~~

~~(c) Utilities. All utilities, including telephone, television, and electricity, shall be installed underground throughout the park and shall be provided at each space.~~

~~(d) Fire Protection. No space shall be occupied that is not located within 500 feet of a fire hydrant, following the street right-of-way. Existing spaces now located or occupied at a distance greater than 500 feet from an approved hydrant may continue until such time as the park is expanded in size or number of spaces.~~

~~At the time of such expansion, the owner or operator of the park shall have installed one or more hydrants at locations such that no occupied space remains at a greater distance than 500 feet, following the street right-of-way, from any hydrant. The Coos Bay fire department shall be authorized by the owner to inspect the hydrants in accordance with current standard procedures and to require periodic tests when deemed necessary. No parking shall be permitted within 10 feet of fire hydrants.~~

~~(e) Lighting. All roads within the park shall be lighted at night to provide a minimum of 0.35 foot-candles of illumination.~~

~~(6) Open Space and Recreational Area:~~

~~(a) Minimum Area. Open space shall constitute six percent of the total gross area of the park. Improved recreational areas shall have a minimum area of 8,000 square feet or 100 square feet per dwelling unit, whichever is greater.~~

~~(b) Plan. The site plan shall contain the following:~~

~~(i) Boundaries of the proposed areas.~~

~~(ii) Written explanation of the purposes of the areas and a description of any improvements to be made.~~

~~(iii) Description of the manner in which the area will be perpetuated, maintained, and administered.~~

~~(c) Guarantee. The preservation and continued maintenance of property and/or structures commonly owned and/or held for common use shall be guaranteed by a covenant running~~

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Chapter 17.225 Medium Density Residential

~~with the land specifying the description of the area, its designated purpose(s), and maintenance assurances. Copies of these legal documents shall be filed with the community development department before occupancy of any dwelling.~~

~~(7) Landscaping. All exposed ground surface in all parts of the park shall be protected and maintained with landscaping to include plant material, paving, gravel, and/or other solid material that will prevent soil erosion, mud, and dust within the park. The ground surface in the park shall be graded and furnished with drainage facilities to drain all surface water in a safe, efficient, and sanitary manner.~~

~~(8) Fences and Walls. A visual barrier shall be provided and maintained such as a solid fence, a concrete wall, or an approved buffer of trees or shrubs between the mobile home park and abutting properties. The barrier shall have a minimum height of six feet, except the area defined as the entrance of the park where the wall may be three feet for vision clearance.~~

~~(9) Off-Street Parking and Loading. The provisions of Chapter 17.330 CBDC, Off-Street Parking and Loading Requirements, shall apply.~~

~~(10) Special Certified Factory-Built Home Siting Requirements.~~

~~(a) Certified Factory-Built Homes and Parks.~~

~~(i) Only certified factory built homes shall be allowed in the MDR-16 district.~~

~~(ii) Residential certified factory built home parks and units shall be required to meet all state requirements for mobile home parks.~~

~~(b) Yards. Building separation in a mobile home park for each mobile home and its accessory structures shall be in accordance with the following:~~

~~(i) A mobile home shall not be located closer than 15 feet from any other mobile home, closer than 10 feet from a park building within the mobile home park, or closer than five feet from a park property boundary line or street right-of-way.~~

~~(ii) To prevent the spread of fire from one mobile home to another (unless otherwise approved by the inspecting authority), the yard shall conform to the requirements of the International Building Code.~~

~~(c) Building Height. No dwelling or accessory building shall be erected or installed with a height in excess of 17 feet.~~

~~(d) Skirting. Mobile homes shall be skirted to provide an appearance of permanency.~~

~~(e) Storage Facilities. Each space shall have a minimum of 50 square feet of totally enclosed storage space.~~

~~(f) Accessory Buildings. Accessory buildings and other similar permanent structures may be installed or erected in conjunction with a space and shall require a building permit. These structures shall be deemed to be a part of the certified factory built.~~

~~(11) Yards. There are no yard requirements for the use, bus shelter, other than those imposed by building codes.~~

~~(12) Park Improvements.~~

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Chapter 17.225 Medium Density Residential

~~(a) Construction Plans and Specifications. As part of the site plan application, the applicant shall submit to the community development department construction plans, profile and cross-section drawings, and specifications for the required utilities and streets, accompanied by a plan check fee. These plans will be reviewed and the applicant will be notified in writing of compliance with city requirements or of any necessary modifications. The final drawings and specifications shall be permanently filed with the department. A copy of the water system plans shall be submitted to public works by the applicant.~~

~~(b) Contract for Improvements. Within 48 months of site plan and review of the improvement plans and specifications, but prior to the issuance of any development permits, the applicant shall be required to enter into an agreement to construct and/or improve facilities to serve the development. At the time the improvement agreement is executed, the applicant will submit the inspection fee and also post a performance bond, cash, or security deposit guaranteeing the completion of the contractual provisions. All contracted improvements shall be completed within 24 months after the bond or surety is posted. If the applicant is unable to complete the improvements within two years with good cause, a one-year extension may be granted by the public works department. Further extensions must be approved by the planning commission.~~

~~(c) Bond and/or Surety, Cash or Security Deposit Provisions. The assurances for completion of improvements shall be filed with the city in the nonnegotiable amount established by resolution of the city council. The bond or deposit shall:~~

~~(i) Name the city as obligee.~~

~~(ii) Be in a form approved by the city attorney.~~

~~(iii) Be conditioned upon the final approval and acceptance of the development.~~

~~(iv) Provide full warranty for the improvements for a minimum of two years from the date of final acceptance by the city.~~

~~(v) Be forfeited to the city if the applicant does not complete the requirements within the agreed-upon time limit, or if the applicant has created a hazard causing imminent danger to the public health and safety within or adjacent to the development which the developer fails to correct.~~

~~(vi) Cover any costs, attorney's fees, and liquidation damages resulting from delay or failure to meet the deadline.~~

~~(d) Construction. Construction of improvements may begin in accordance with the agreement. During this phase of development, the applicant shall be required to prepare record drawings of all improvements. Special attention shall be given to underground utilities.~~

~~(e) Acceptance of Improvements. Upon completion of the improvements, the applicant shall submit record drawings to the public works department of the street and sanitary/storm sewer plan profiles. [Ord. 532 § 2 (Att. B), 2020; Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016].~~

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

Chapter 17.335

SUPPLEMENTARY DEVELOPMENT STANDARDS

Sections:

- 17.335.010 Generally.
- 17.335.020 Height of fences and hedges.
- 17.335.030 Solid waste.
- 17.335.040 Lighting.
- 17.335.050 Noise.
- 17.335.060 Landscaping.
- 17.335.070 Drive-ins/drive-throughs.
- 17.335.080 Indoor marijuana-related businesses.
- 17.335.090 Pedestrian and bicycle access.
- 17.335.100 Transit facilities.
- 17.335.110 Zero lot line development.
- 17.335.120 Multi-unit dwelling standards.

17.335.120 Multi-unit dwelling standards.

The purpose of these development standards is to ensure that multi-unit dwellings provide for a physical environment with visual interest consistent with the Coos Bay Comprehensive Plan Land Use chapter.

(1) Applicability.

(a) Multi-unit dwelling standards shall apply to all multi-unit developments in all zones. In cases where the Multi-unit dwelling standards apply, they shall be considered applicable for the portion of the development site impacted by the proposed development.

(b) Multi-unit dwelling standards shall also apply to mixed use developments in commercial zones with the exception of storefronts, areas for lobbies (serving residential and commercial uses), stairs, elevators, and other non-residential use areas.

(c) Multi-unit dwelling standards shall apply to cottage clusters, recreational vehicle parks, and tiny home communities.

(2) Building Height. The maximum building heights allowed are those permitted according to the applicable zoning district.

(a) Criteria for Adjustment. Adjustments to the development standards in this subsection may be made, based on the criteria of CBDC 17.372 Adjustment Review.

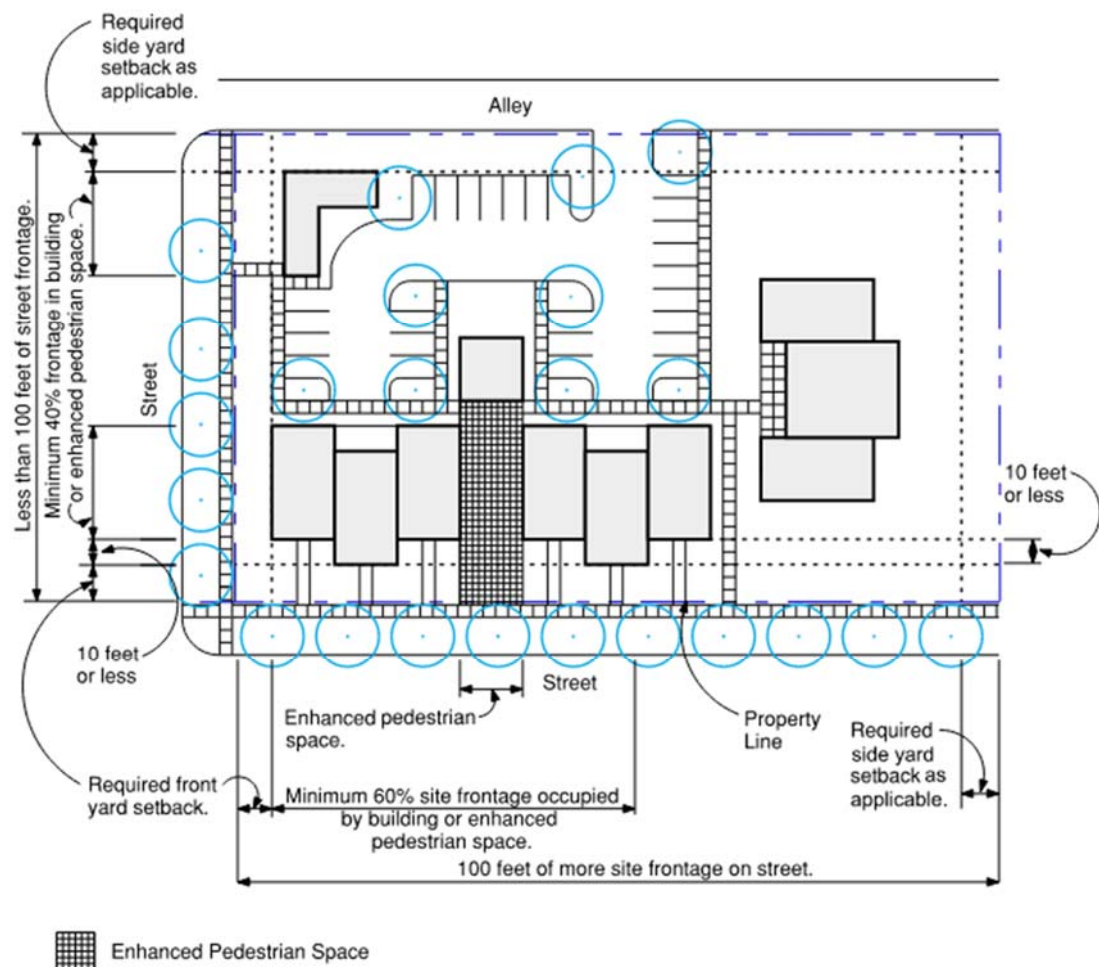
(3) Required Setbacks. The required building setbacks are those required in the applicable zoning district in addition to the following requirements.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(a) Street Frontage. On development sites that will result in 100 feet or more of public or private street frontage, at least 60 percent of the site frontage abutting the street (including required yards) shall be occupied by a building(s) or enhanced pedestrian space placed within 10 feet of the minimum front yard setback line. On development sites with less than 100 feet of public or private street frontage, at least 40 percent of the site width shall be occupied by a building(s) placed within 10 feet of the minimum front yard setback line. "Site width," as used in this standard, shall not include areas of street frontage that have significant natural resources as mapped by the city, delineated wetlands, slopes greater than 15%, recorded easements, required fire lanes or other similar non-buildable areas, as determined by the planning director. (See CBDC Figure 7.335.120(2)(a) Multi-Unit Minimum Building Setback Along Streets.)

Figure 17.335.120(2)(a)
Multi-Unit Minimum Building Setback Along Streets



ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(b) Setback intrusions permitted are those required according to CBDC 170.335.130 Setbacks-Intrusions Permitted.

(c) Criteria for Adjustment. Adjustments to the development standards in this subsection may be made, based on the criteria of CBDC 17.372 Adjustment Review.

(4) Building Orientation and Entrances.

(a) Building Orientation. Multi-unit dwelling buildings located within 30 feet of a front lot line shall have the primary orientation toward the street. Buildings proposed to be “side oriented” to public streets due to access requirements, dimensional constraints and/or compatibility with other on-site buildings are exempt from this requirement.

(b) Ground Floor Building Entrances. An entrance(s) of ground floor units of any residential building located within 30 feet of a street must face the front lot line. Entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. The following exceptions shall apply:

(i) On corner lots the main building entrance(s) may face either of the streets or be oriented to the corner.

(ii) For buildings that have more than 1 entrance serving multiple units, only 1 entrance must meet this requirement.

(iii) For buildings proposed to be oriented away from public streets due to access requirements, dimensional constraints and/or compatibility with other on-site buildings, main entries may face away from the street provided both of the following apply:

(A) There is an on-site pedestrian pathway between the new building entrance and the street. On-site pedestrian pathways shall be designed and constructed to provide a direct and clearly identified connection from the building entrance to the existing public right-of-way and public accessways.

(B) The ground floor building side facing the street shall contain windows that occupy a minimum of 10% of the facade.

(c) Criteria for Adjustment. Adjustments to the development standards in this subsection may be made, based on the 17.372 Adjustment Review.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(5) Building Mass and Facade.

(a) Maximum Building Dimension. Neither the maximum length nor width of any building within 30 feet of a front lot line can exceed 150 feet.

(b) Windows. Street facades shall contain windows covering a minimum of 10% of the facade on each floor level.

(c) Criteria for Adjustment. Adjustments to the standards in this subsection may be made, based on criteria CBDC 17.372 Adjustment Review.

(6) Building Articulation.

(a) Articulation Requirement. To preclude large expanses of uninterrupted wall surfaces, exterior elevations of buildings shall incorporate design features such as offsets, projections, balconies, bays, windows, entries, porches, porticos, changes of material, varying roof heights or types, or similar elements. At least two (2) of these design features shall be incorporated along the horizontal face (side to side) of the structure on each floor, to be repeated at intervals of no more than 20 feet.

(b) When offsets and projections are used to fulfill articulation requirements, the offset or projection shall vary from other wall surfaces by a minimum of 2 feet. Such changes in plane shall have a minimum width of 6 feet.

(c) Individual and common entry ways shall be covered by roofs, awnings, or porticos.

(d) Criteria for Adjustment. Adjustments to the standards in this subsection may be made, based on criteria CBDC 17.372 Adjustment Review.

(7) Site Landscaping.

(a) Landscaping shall be installed consistent with CBDC chapter 17.335.060 Landscaping. The required landscaping shall be placed within the required front yard setback area and may be pierced by pedestrian and vehicular access ways. All areas of a site not devoted to structures, driveways, or walkways shall be landscaped with lawn, trees, shrubs, or other plant materials, and shall be permanently maintained in a neat and orderly manner.

(8) Open Space. A minimum of 15% open space of the total site area shall be provided unless exempt under other provisions of the CBDC Required open space may be provided as common open space and/or private open spaces with a minimum of 30% of the required open space shall be pervious area with living plant material.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(a) Common Open Space. Common open space may include any of the following:

(i) Outdoor areas incorporating:

(A) Lawn or hard surfaced areas to be used for active or passive recreation in which user amenities such as trees, shrubs, planters, pathways, tables, benches or drinking fountains have been placed.

(B) Ornamental or food gardens.

(C) Common open space for passive recreational use.

(D) Children's play areas.

(E) Roof terraces, patios, porches, and internal courtyards.

(ii) Common open space may also include up to 30% of the required area in natural resource areas, such as steep slopes greater than 25%, forested areas, conservation areas and delineated wetlands provided the area includes passive walking trails meeting the following standards in CBDC Table 17.335.120(8)(a)(ii) Common Open Space Natural Resource Areas:

<u>Table 17.335.120(8)(a)(ii) Common Open Space Natural Resource Areas</u>	
<u>Characteristic</u>	<u>Requirement</u>
<u>Width</u>	<u>4' (with passing areas) - 10'</u>
<u>Surface</u>	<u>Soil, gravel, Fiber (or engineered wood fiber equivalent), wood chips</u>
<u>Longitudinal Slope</u>	<u>0-5% (8% for max. 50')</u>
<u>Cross-Slope</u>	<u>2%</u>
<u>Radius</u>	<u>Aesthetic consideration</u>
<u>Sight Distance</u>	<u>N/A except road crossings</u>
<u>Easement Width</u>	<u>Tread + 10' min.</u>
<u>Side Slope</u>	<u>Varies</u>

(iii) Outdoor common open space shall comply with all of the following:

(A) The minimum area for any single outdoor common open space shall be 225 square feet.

ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(B) At least one area of outdoor common open space shall be a minimum of 15 feet by 15 feet.

(C) The minimum dimensions for any portion of outdoor common open space in the front yard setback shall be at least 15 feet by 15 feet. The minimum dimensions for any other portion of outdoor common open space shall be at least 10 feet by 10 feet.

(E) Required setback areas and areas required to comply with landscape standards may be applied toward the minimum open space requirements when the minimum dimensions of such space meet the standards above in (A)-(C).

(F) Outdoor common open spaces shall not be used as parking areas.

(b) Private Open Space. Private open space is outdoor space directly adjacent to a dwelling unit providing an outdoor area for private use by the occupants of the dwelling unit. Private open space, where provided, shall meet the minimum standards in the following CBDC Table 17.335.025(8)(b) Minimum Private Open Space Sizes.

Table 17.335.120(8)(b) Minimum Private Open Space Sizes		
<u>Location</u>	<u>Minimum Area</u>	<u>Minimum Dimension</u>
<u>Ground Level</u>	<u>100 square feet</u>	<u>10 feet</u>
<u>Balcony</u>	<u>18 square feet</u>	<u>3 feet</u>
<u>Roof Terrace</u>	<u>80 square feet</u>	<u>8 feet</u>

(i) Balconies located within 20 feet of property zoned LDR and SLR shall not be counted as private open space.

(ii) To be counted toward the minimum required, private open space may be covered, but cannot be enclosed. Private open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has more than three sides taller than 42 inches in height.

(iii) Ground level private open space shall be screened or buffered from adjacent private open space and dwellings by landscape, fencing or partitions. Such screening or buffering shall be a minimum of 30 inches in height.

(c) Ground level common and private open space shall be physically separated and screened from adjacent parcels per CBDC 17.335.060 Landscaping.

(d) Criteria for Adjustment. Adjustments to the standards in this subsection may be made, based on criteria CBDC 17.372 Adjustment Review.

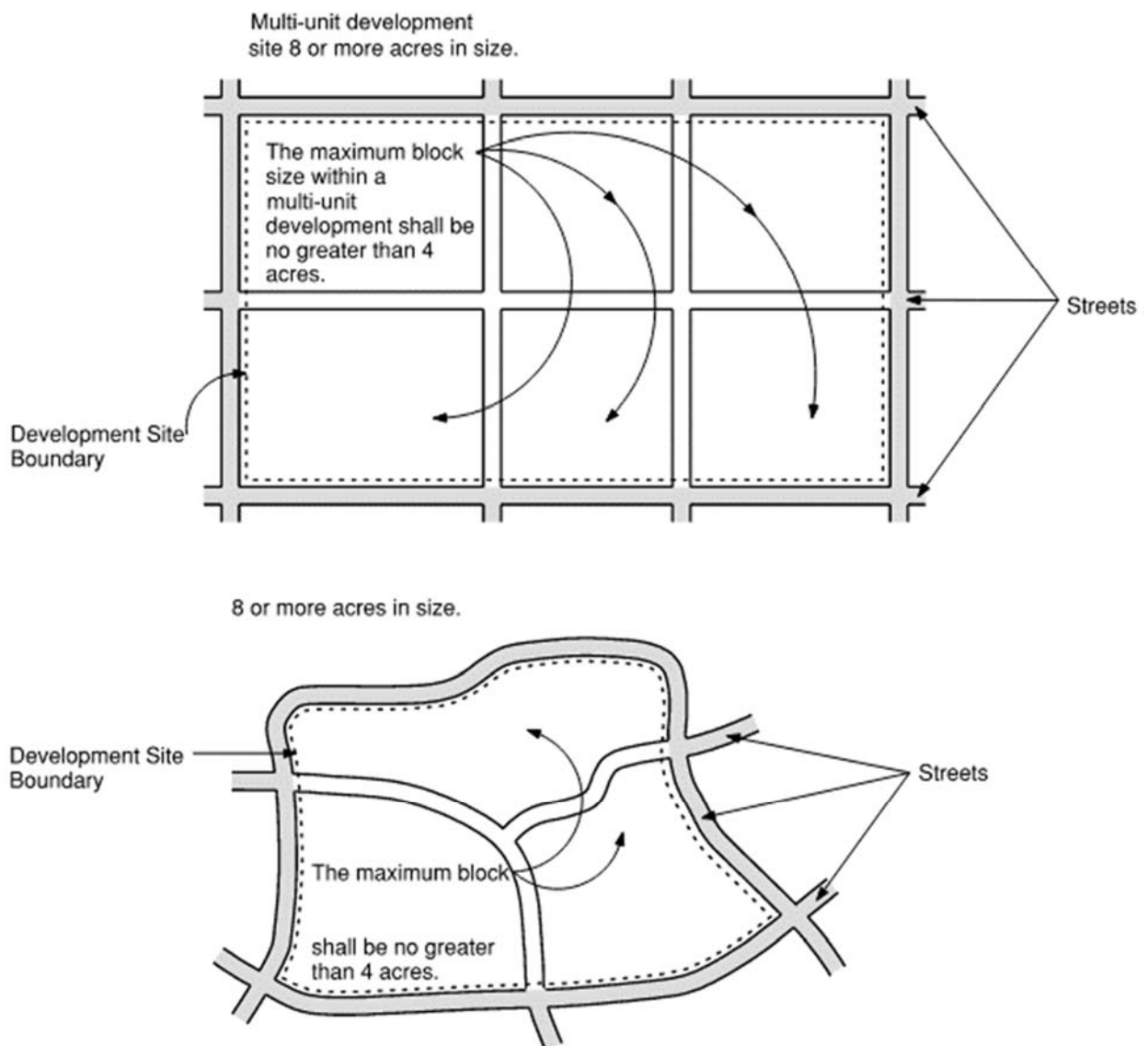
ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(9) Block Requirements.

(a) Block Structure. Multi-unit developments 8 or more acres in size shall be developed as a series of complete blocks bounded by public right-of-way or private drive aisles or streets. Natural areas, waterways, high voltage power lines, and other similar substantial physical features may form up to 2 sides of a block. The maximum block size within a multi-unit dwelling development shall be no greater than 4 acres in size. (See Figure 17.335.120(9)(a) Multi-Unit Block Requirements.)

Figure 17.335.120(9)(a)
Multi-Unit Block Requirements



ATTACHMENT C: COOS BAY DEVELOPMENT CODE (CBDC) PROPOSED AMENDMENTS

Excerpt: 17.1335.120 Multi-unit dwelling standards

(b) Criteria for Adjustment. Adjustments to the standards in this subsection may be made, based on the criteria CBDC 17.372 Adjustment Review.

(10) On-Site Pedestrian Circulation.

(a) Multi-unit dwelling developments shall provide safe on-site pedestrian circulation designed and constructed to provide a direct connection to existing public right-of-way and public accessways.

(b) To connect any new building entrances on a site to all other new and existing building entrances on the same site, except entrances used primarily for loading and unloading freight and egress only entrances.

(11) Recycling and Garbage Areas. Multi-unit developments shall provide screening for outdoor garbage and recycling collection areas according to CBDC 170.335.030 Solid Waste.

(12) Lighting. Multi-unit dwelling developments shall provide exterior lighting according to CBDC 170.335.040 Lighting.