



Falls City Oregon City Council Meeting

Monday, June 13, 2022 at 6:00 pm

Meeting Location

320 N Main St • Falls City, OR 97344

How to Attend and/or Participate

1. In Person: 320 N Main St. Falls City, OR 97344
2. Call-in: a. 1-253-215-8782 b. Meeting ID 878 7406 4319
 - a. You will be muted but may “raise your hand” to indicate you wish to comment.
3. Web Application: Zoom Webinar <https://us06web.zoom.us/j/87874064319>
 - a. You will be muted but may “raise your hand” to indicate you wish to comment during Public Comments.
4. Write-In: Using regular mail or email. a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

The City of Falls City does not discriminate in providing access to its programs, services, and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 503.787.3631 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.

1. CALL TO ORDER & ROLL CALL

Mayor TJ Bailey, Council President Houghtaling, Councilor Martha Jirovec, Councilor Tony Meier, Councilor Dennis Sickles, Councilor Lori Jean Sickles

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS, APPOINTMENTS, APPRECIATIONS, & PROCLAMATIONS

a. Code Enforcement Report

4. PUBLIC COMMENTS & LETTER COMMUNICATIONS

In order to encourage an environment of openness, courtesy and respect for differing points of view, please refrain from behavior that is disruptive to the meeting such as

making loud noises, clapping, shouting, booing, or any other activity that disrupts the orderly conduct of the meeting. Abusive language will not be tolerated.

Please limit your commentary to 3 minutes or less.

5. PUBLIC HEARINGS

Public comment will be allowed in items appearing on the section of the agenda following a brief staff report representing the item and action requested.

a. Code Amendment LA2022-01

Attachments:

- **Staff Report** (SR- LA_2022-01.pdf)
- **Exhibit A** (Exhibit_A- Draft_Amendments_Final_-_Clean.pdf)
- **Exhibit B** (Exhibit_B- Draft_Amendments_Final-Redlined.pdf)
- **Exhibit C** (Exhibit_C- Housing_Choices_Booklet.pdf)
- **Exhibit D** (Exhibit_D- HLA_FHC_Letter_of_Support.pdf)
- **Ordinance 01-2022** (Ordinance__01-2022.pdf)

b. Partition 22-01 & Variance 22-01

Attachments:

- **Staff Report** (SR_PAR_2022-01__VAR_2022-01.pdf)
- **Exhibit A** (Exhibit_A- Partition_Application.pdf)
- **Exhibit B** (Exhibit_B- Variance_Application.pdf)
- **Exhibit C** (Exhibit_C- Variance_Narrative.pdf)
- **Exhibit D** (Exhibit_D- Vicinity_Map.pdf)

6. CONSENT AGENDA

a. May 9, 2022 Minutes

Attachments:

- **May 9, 2022 Minutes** (2022.05.09_Council_Minutes.pdf)

7. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS

a. Mayor's Report

Attachments:

- **Mayor's Report** (2022.06.13_Mayor_s_Report.pdf)

b. Councilor Comments

c. Budget Approval

Attachments:

- **Budget Staff Report** (Res_02-2022_SR_Budget__State_Rev.pdf)
- **Resolution 02-2022** (Res_02-2022_Budget__State_Rev.pdf)

d. Homelessness Advisory Board MOU

Attachments:

- **Homelessness MOU** (Homelessness_MOU.pdf)

e. Thrives MOU

Attachments:

- **Thrives MOU** (Thrives_MOU.pdf)

8. REPORTS FROM CITY MANAGER & STAFF

a. Falls City Fire Report

Attachments:

- **May Stats** (FCFD_June_Report.pdf)

b. Polk County Sheriff's Report

Attachments:

- **April Stats** (2022_April_Falls_City_Stats.pdf)
- **May Stats** (2022_May_Falls_City_Stats.pdf)

c. Falls City Public Works Report

Attachments:

- **May Report** (May_2021_PW_report.pdf)

d. City Manager's Report

Attachments:

- **City Manager's Report** (2022.6.13_Monthly_Manager_s_Report.pdf)

9. GOOD OF THE ORDER

10. ADJOURN

Posted for Public at Frink's Hardware, City Hall Bulletin Board, Community Center, & Falls City Website

Contact: Jeremy Teal, City Recorder (jteal@fallscityoregon.gov 503.787.3631) | Agenda published on 06/09/2022 at 12:03 PM

CITY OF FALLS CITY

299 Mill Street
Falls City, OR 97344
503-787-3631

STAFF REPORT

LEGISLATIVE AMENDMENTS TO THE DEVELOPMENT CODE (LA 22-01)

STAFF REPORT: JUNE 7, 2022

CITY COUNCIL HEARING: JUNE 13, 2022

NATURE OF APPLICATION:	Development Code Amendments targeting adjustments to the City's permitted uses, development standards, and processes for housing development
APPLICABLE CRITERIA:	Falls City Zoning and Development Ordinance, Section 3.106, E, Decision-Making Consideration
PROPERTY LOCATION:	N/A. Code amendments apply to Properties zoned R and CR.
APPLICANT/OWNER:	City of Falls City
ZONE DESIGNATION:	N/A (Applicable to properties within the R and CR Zones)
COMP. PLAN DESIGNATION:	N/A
FILE NUMBER:	LA 2022-01
EXHIBITS:	A. Draft Amendments (Clean) B. Draft Amendments (Redlined) C. Housing Choice Booklet (State of Oregon) D. Letter of Support- FHCO/HLA E. Citizen Comment

I. BACKGROUND

In August of 2021, City Council approved the submittal of a grant application to the Department of Land Conservation and Development for a suite of housing code amendments meant to increase housing

options within Falls City. The City was awarded a grant to, in part, fund the drafting and adoption of these amendments.

City staff began work on the background report for the proposed code amendments in December 2021. The results of the background report were presented to City Council at a work session held on January 31, 2022. After reviewing the background report and discussing the proposed amendments, the City Council directed staff to prepare a packet of draft amendments for review and comment at a second work session. At the second work session, held on March 14, 2022, City Council reviewed a draft amendment package. After reviewing and providing comment at the work session, the City Council directed staff to prepare a final amendment package, incorporating comments given at the work session. At the public hearing on May 13, the City Council, acting as the Planning Commission, recommended approval of the proposed amendments.

After review by the City Council and the Department of Land Conservation and Development, staff made the following changes to the amendments for council review:

1. Altered definition of "Tiny Home" to include a reference the Small Home Specialty Code. (Pg. 2)
2. Per feedback from DLCD: Existing manufactured home standards are not enforceable per HB 4064. Therefore, edits to these standards have been removed from the proposed amendments. The entirety of the unenforceable manufactured home standards shall be removed via a separate legislative amendment. (Pg. 1)
3. Altered list of permitted uses in the R and CR zones to reference attached single family to differentiate from duplexes. (Pg. 2).
4. Added ADU as permitted uses in the R and CR zones. This was an administrative oversight. (Pg. 2)
5. Based on feedback from DLCD, changed maximum development densities for duplexes/triplexes from 8000 SF +3000 SF per unit to 8000 SF in both the R and CR zones. Also changed minimum lot width from 80 feet to 50 feet for duplexes in the R and CR zones, which was a staff error within the first set of amendments. (Pgs. 2-3).
6. Removed word "permanent" from requirement for an ADU to be placed on a foundation because there is no definition for permanent and foundation achieves the desired impact. (Pg. 8).
7. Separated cottage clusters as their own use in order to differentiate from apartments as a use type. (Pg. 3)
8. The City Council identified that there are conflicting maximum floor areas for clusters (900 SF and 1400 SF). This has been adjusted to be 1400 SF. (Pg. 9)
9. Removed reference to "Figure 26" which does not exist.

II. PROCEDURE

A legislative amendment to the Development Code is a Type IV process with the decision made by the City Council after a public hearing (3.102.D).

Section 3.106 of the FCZDO sets forth the review procedure and approval criteria for a legislative amendment to the Development Code. A legislative land use action may be initiated by a majority vote of either the Planning Commission or the City Council. A minimum of two hearings are required for all Type IV actions. Notice of a Type IV decision shall be mailed to the applicant, all parties who testified orally or in writing at the Planning Commission or City Council public hearings, and the Department of Land Conservation and Development, within 20 calendar days after the Ordinance is signed. In keeping with the FCZDO, there will be two hearing for the proposed amendments. The City Council will act as the planning commission for the first evidentiary hearing and the City Council for the second.

Measure 56 notice was sent to all property owners with property within the Residential and Commercial-Residential zones on April 14, 2022 and notice of the amendment was posted in the Polk SR LA 2022-01 - CC

County Itemizer-ObsERVER on May 4, 2022. A request for comment and notice of the application was sent to City staff and applicable agencies on April 25, 2022. Notice of the second public hearing was posted in the IO on June 1, 2022.

III. APPEAL

A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.

IV. PROPOSED AMENDMENTS

The full suite of proposed amendments to the Falls City Zoning and Development Ordinance (FCZDO) are attached as Exhibits A (clean) and B (redlined) respectively.

V. FINDINGS OF FACT

The Development Code, Section 3.106, Type IV Procedure (Legislative), Subsection E, Decision Making Consideration, requires the City Council's decision to be based on consideration of the following factors:

1. The Statewide Planning Goals and Guidelines;
2. Comments from any applicable federal or state agencies regarding applicable statutes or regulations;
3. Any applicable intergovernmental agreements; and
4. Any applicable comprehensive plan policies and provisions of this Ordinance [the Development Code] that implement the Comprehensive Plan.

Statewide Planning Goals

Goal 1, Citizen Involvement: The City Council Hearing on May 16 has been noticed in the Polk County Itemizer-ObsERVER on May 4, 2022. Measure 56 notice was provided to all property owners within the Residential and Commercial Residential Zone on April 14, 2022. The hearing will proceed consistent with the Development Code's procedures for legislative amendments to the Development Code. Goal 1 is met.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Development Code for processing legislative amendments to the Development Code. Goal 2 supports clear and thorough local procedures. Goal 2 is met.

Goal 3, Agricultural Lands and Goal 4, Forest lands: Goals 3 and 4 are not applicable. The proposal does not involve or affect farm or forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 is not applicable. The proposal does not address Goal 5 resources.

Goal 6, Air, Water and Land Resource Quality: Goal 6 is not applicable. The proposal does not address Goal 6 resources.

Goal 7, Natural Hazards: Goal 7 is not applicable. The proposal does not address Goal 7 resources.

Goal 8, Recreation: Goal 8 is not applicable. The proposal does not address Goal 8 recreational needs.

Goal 9, Economic Development: Goal 9 is not applicable. The proposal does not address Goal 9 issues.

Goal 10, Housing: Goal 10 asks cities to inventory their buildable residential land supply and analyze housing needs to determine if there is suitable residential land within the City's urban growth boundary. The most recent update to the Falls City residential BLI occurred in 2001, which does not provide us with a useful basis for analyzing the proposed amendments- However, we can use the BLI and HNA to observe that Falls City has a shortage of rental units, and that the majority of existing rental units in Falls City are comprised of single-family homes. The current housing situation is likely due to a combination of Falls City's rural environment and a lack of additional housing options. Additional Goal 10 findings can be found under staff findings for "Housing Goals and Policies" below.

The proposed amendments seek to incentivize middle housing options in Falls City without changing the City's stated goal of preserving the rural character of the City. By permitting accessory dwelling units, adding standards for cottage cluster development, and revising development standards to suit middle housing development, the Falls City looks to provide more affordable housing options within the City limits.

Goal 11, Public Facilities and Services: Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation: Goal 12 is not applicable. The proposal does not address Goal 12 issues.

Goal 13, Energy Conservation: Goal 13 is not applicable. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues.

Falls City Comprehensive Plan Policies

The following Falls City Comprehensive Plan Goals and Policies are applicable to the proposed amendments:

HOUSING GOALS AND POLICIES:

1. To obtain a variety of housing types and densities to meet the needs of the present and future residents of the community.

Findings: Currently, the Falls City Zoning and Development Ordinance does not incentivize housing that meets the intent of Goal 1. The current dimensional standards, permitted uses, and minimum lot size of 10,890 square feet restricts potential development in alignment with Goal 1. The proposed standards

reduce the minimum lot size, permit ADUs and Tiny homes, and add standards for cottage cluster development. Staff finds that the proposed development code changes will allow current and future Falls City residents to have more cost-effective options when exploring potential housing opportunities, thereby expanding the variety of housing types and densities within Falls City.

2. To preserve the rural character of existing residential development.

Findings: The proposed amendments do not alter Falls City's rural identity through incentivizing high-density housing. The housing types identified as priorities within these amendments are predominantly higher density single-family uses (ADUs, attached units), and low-density multi-family uses that fall under the "middle housing" umbrella (cottage cluster). Staff finds that the proposed amendments to the development code preserve the rural character of Falls City, while allowing for increased affordable housing opportunities in Falls City.

POLICIES:

1. Conserve and improve structurally sound residential areas that lend character to the community.

Findings: The proposed amendments loosen existing development standards to allow for the redevelopment of existing homes in Falls City. Additionally, the revised manufactured home standards and the addition of Tiny Homes as a permitted use allow current homeowners to repair aging housing stock while staying in compliance with the development code.

2. Encourage an active code enforcement program to maintain existing dwellings at minimum structural standards.

Findings: During work sessions discussing the need for these amendments, the Falls City Council and City Manager identified the presence of uncompliant housing developments (Recreational Vehicles, mobile homes, and other dwellings out of compliance with the building and development codes) as a significant issue in Falls City. Residential code compliance is often a result of development codes that fail to provide adequate options for residential development. Staff finds that the proposed amendments will help solve some of the code enforcement issues Falls City currently has by giving more affordable, achievable housing options for the existing low-income population.

3. Direct interested parties to the appropriate agencies for access to federal funds for the rehabilitation of existing housing.

Findings: The proposed amendments are not applicable to Policy 3.

4. Pursue feasible policies to assist in the provision of adequate rental housing and an adequate supply of housing for the elderly.

Findings: The primary goal of these amendments is to increase the affordability and variety of housing opportunities in Falls City, in part to encourage the provision of affordable rental housing in the region. The City's 2001 HNA estimated that 20 new rental units would need to be constructed to meet the identified need, with 5 of those 20 units to be multi-family. Per both the City's historical building permit data and ACS data, the City has not constructed any multi-family or single-family attached housing since 2010. Further supporting the lack of rental housing aside from detached housing, the 2020 ACS estimates show that rental housing comprises 29% of the City's overall housing stock. Of that 29%, 21%

is non-mobile home single-family detached, 8.6% are mobile homes, and 0% are multi-family or single family attached. Dallas Oregon, albeit a larger community of approximately 16,000 people, has a rental housing rate of 30%. Only 6.1% of Dallas' rental stock is single family detached housing. Staff finds that the proposed amendments will give greater opportunity for property owners in Falls City to build different types of rental housing, thereby giving current and future residents more rental options.

5. Expand the variety of housing types available at varying cost in the city.

Findings: Per the Oregon Housing Choice Workbook (Exhibit C), the types of housing incentivized by the proposed amendments all fall under "financially feasible." The proposed amendments specifically target higher density single family and lower density multi-family options (i.e "middle housing") options intended to vary the housing types available at varying cost in Falls City. Falls City currently has a housing mix of over 97% single family detached or mobile home. Per the 2020 ACS, occupied housing units in Falls City are exclusively single family detached, mobile homes, or boat/RV. The proposed amendments seek to change this by establishing reduced development standards for single family detached (manufactured homes, Tiny Homes, ADUs), single family attached (townhomes), and multifamily (cottage cluster).

6. Encourage the availability of necessary programs that will assist in the provision of adequate housing for low-income families

Findings: These amendments are not applicable to Policy 6.

VI. CITY COUNCIL ACTION

Example Motions:

- A. I move to adopt the findings in the staff report and recommend approval of LA 2022-01 VI
- B. I move to adopt the findings in the staff report and recommend approval of LA 2022-01 with changes (and state the changes).
- C. I move to deny LA 2022-01 and state the reasons for the denial.
- D. I move to continue the hearing to a date/time certain.

Draft Amendments- Final

1.202.02- Definitions

Accessory Dwelling Unit: An interior, attached or detached residential structure with kitchen, bathroom and living areas that is used in connection with or that is accessory to a detached primary single-family dwelling.

Commented [KJ1]: Adds a definition of ADU to the FCZDO

Building Footprint: The horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.

Commented [KJ2]: Adds definition of building footprint to the FCZDO. This gives staff the ability to clearly define what is considered within the total square footage of the building for the purposes of all forms of residential and commercial development.

Cottage Cluster: A grouping of no fewer than four detached dwelling units per acre 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."

Commented [KJ3]: Add definition of cottage cluster housing for the purposes of development review

Cottage: An individual dwelling unit that is part of a cottage cluster.

Commented [KJ4]: Adds definition of cottage for review in conjunction with cottage cluster development,

Manufactured Home: Manufactured Home: A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction, and sited on a single-family residential lot outside a manufactured home park, meeting the following standards:

A. The manufactured home shall be multi-sectional and enclose a space of not less than 1000 SF.

B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located above grade to a height comparable to the height of nearby single-family, site-built homes, with not more than 24 inches of foundation exposed;

C. The manufactured home shall have a pitched roof of a slope not less than a nominal three (3) feet in height for each 12 feet in width (3/12);

D. The manufactured home shall have exterior siding and roofing material commonly permitted on residential dwellings under the Uniform Building Code;

E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the State Building Code as defined in ORS 455.010, as amended. Any unit manufactured within 10 years from the date of application shall be deemed to meet this subsection; and

F. The manufactured home shall have a garage or carport constructed of like materials enclosing a space of not less than 300 square feet, which shall be completed not more than 18 months after the date of approval of the application to site the manufactured home.

G. A manufactured home shall not be sited in any area designated in an acknowledged Comprehensive Plan or land use regulation as an historic district or on residential land immediately adjacent to an historic landmark.

Tiny Home: A single family-dwelling, either stick built or manufactured, attached to a foundation not more than 400 square feet in size. All permanent tiny homes must comply with all applicable provisions of both the Small Home Specialty Code and federal standards.

2.101.03 PERMITTED USES

- A. Single Family Dwellings, including Tiny Homes as defined in this Ordinance
- B. Manufactured Home as defined in this Ordinance and developed pursuant to 2.209.02.
- C. Manufactured Home Park pursuant to Section 2.209.06.
- D. Two-family Dwelling (Duplex).
- E. Public Park and Recreation Area.
- F. Planned Unit Developments developed pursuant to 3.211.
- G. Child care facility, as defined by Oregon Revised Statutes Chapter 657A.
- H. Residential home, as defined by this ordinance. All residential care homes shall be duly licensed by the State of Oregon.
- I. Cottage Clusters pursuant to Section 2.212.
- J. Attached Single Family Dwellings (maximum of two contiguous units).
- K. Accessory Dwelling Units (ADUs)

2.101.06 DEVELOPMENT STANDARDS

- A. Dimensional Standards
 - 1. Single-family dwellings and manufactured homes on individual lots:
 - a. Minimum Lot Area: 7000 square feet.
 - b. Minimum Lot Width: 50 feet at the front building line.
 - c. Minimum Average Lot Depth: 100 feet.
 - 2. Duplex and triplex dwellings:
 - a. Minimum Lot Area: 8,000 square feet for each additional unit.
 - b. Minimum Lot Width: 50 feet at the front building line.
 - c. Minimum Average Lot Depth: 100 feet.
 - 3. Apartments

a. Maximum permitted density: 12 units per acre

4. Cottage Clusters

5. Townhouses

a. Maximum lot coverage for townhouses: 60%

b. Maximum permitted density: 12 units per acre

c. Minimum lot width: 30 feet

B. Structure Setbacks:

1. The front yard setback shall be a minimum of 20 feet.

2. The minimum side yard setback for single-family dwellings, manufactured homes on individual lots, duplex units and triplex units shall be five (5) feet, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.

3. Apartment and condominium units shall maintain a minimum setback of 10 feet from the perimeter side yard of the project, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.

4. Townhouse units shall maintain the following minimum setbacks:

a. Front, Streetside: 15

b. Side: 5, except attached dwellings may have a zero lot line.

c. Rear: 20

5. The rear yard setback for any permitted use shall be a minimum of 20 feet, except that an accessory structure of 200 square feet or less shall maintain a minimum of a 5-foot rear yard.

C. Structure Height: Structure height shall not exceed 35 feet.

D. Site Design Review: apartment, townhouse and condominium dwellings shall be subject to site design review in accordance with the provisions of Section 3.104.

2. 101.07 EXCEPTIONS TO DIMENSIONAL STANDARDS

A. The dimensional standards of this zoning district may be modified as provided in Sections 2.200 and 2.201, and under Section 2.212 for cottage cluster development.

B. The uses permitted and dimensional standards of this district may be modified in accordance with the provisions of Section 3.211, Planned Unit Development.

2.102 COMMERCIAL-RESIDENTIAL ZONE (CR)

2.102.01 PURPOSE To provide for a mixture of residential uses and general commercial uses in areas of mixed land use.

2.102.02 AREA OF APPLICATION This district is to be applied to those areas designated Commercial-Residential on the Comprehensive Plan Map.

2.102.03 PERMITTED USES

- A. Any primary use permitted in the Residential zone.
- B. Retail sales outlet including but not limited to food stores, pharmacy, furniture store, hobby or photography store, florist, liquor store, hardware store, appliance or stereo equipment store, pet shop, sporting goods, department store, jewelry, gift, and other types of retail activities.
- C. Retail and service related stores such as TV and radio sales and service, bicycle shop, gunsmith, equipment rental, upholstery shop or other similar activities where a service department customarily a secondary activity to the retail use.
- D. Service-related businesses such as barber shops, beauty shops, advertising agencies, self serve laundry, dry cleaning, printing or photocopying, or other activities where the primary activity is the providing of a service to retail customers.
- E. Preschools, nurseries and kindergartens.
- F. Nonprofit member organizations, such as business associations, labor unions, political organizations or fraternal lodges.
- G. Public automobile parking as specified in Section 2.202, Off-street Parking and Loading.
- H. Public and semi-public buildings, structures and uses, such as parks, municipal offices, libraries, police and fire stations, churches and houses of worship, and hospitals.
- I. Public utility structures and buildings, such as pump stations, reservoirs, electric substations, and necessary right-of-way for identified public utilities.
- J. Business offices including, but not limited to, insurance, real estate and title insurance; credit agencies, brokerages, loan companies, and investment companies; and miscellaneous offices such as detective agencies, drafting services or contractors offices.
- K. Professional offices.
- L. Banks and other financial institutions.
- M. Mortuary, including crematorium.
- N. Greenhouse and garden supply.
- O. Restaurants, drive-ins, taverns, snack shops and other types of eating and drinking establishments.
- P. Amusement and recreation related businesses such as bowling alleys, miniature golf, pool halls, motion picture theaters, video arcades, and other types of amusement and recreational businesses.
- Q. Hotel and Motel.

R. Residences which are located on the second story above a permitted-use commercial building.

S. Temporary Hardship Dwelling, pursuant to Section 2.209.03

T. Cottage Cluster Dwellings pursuant to Section 2.212.

U. Attached Single Family Dwellings (Maximum of two contiguous dwellings).

V. Accessory Dwelling Units (ADUs)

2.102.06 DEVELOPMENT STANDARDS AND SIGNS

A. Commercial uses shall be subject to the development standards, sign provisions and limitations on use set forth in the Commercial-Industrial Zone.

B. Residential uses shall be subject to the sign provisions of the Residential Zone and to the development standards of the Residential Zone which apply to the type of dwelling proposed.

1. Cottage Cluster Development is subject to the provisions of Section 2.212.

2.102.07 LIMITATIONS ON USE

A. All business, services, processing, or merchandise displays shall be conducted wholly within an enclosed building except for the following: 1. Off-street parking or loading. 2. Drive-through windows or service stations. 3. Temporary display and sales of merchandise provided it is under cover of a projecting roof and does not interfere with pedestrian, bicycle, or automobile circulation. 4. Business which, in all cases, require outdoor storage of merchandise, e.g., automobile, RV sales lots, or gas stations.

B. Not more than 50 percent of the floor area of the building and not more than 25 percent of the lot area of the commercial enterprise shall be used in the manufacturing, processing, or compounding of products.

2.102.08 DIMENSIONAL STANDARDS The following minimum dimensional standards shall be required for all development in the Commercial-Residential Zone.

A. Dimensional Standards

1. Single-family dwellings and manufactured homes on individual lots:

- a. Minimum Lot Area: 7000 square feet.
- b. Minimum Lot Width: 50 feet at the front building line.
- c. Minimum Average Lot Depth: 100 feet.

2. Duplex and triplex dwellings:

- a. Minimum Lot Area: 8,000 square feet
- b. Minimum Lot Width: 60 feet at the front building line.
- c. Minimum Average Lot Depth: 100 feet.

3. Apartments and condominiums

- a. Maximum permitted density: 12 units per acre

4. Cottage Clusters

5. Townhouses

- a. Maximum lot coverage for townhouses: 60%
- b. Maximum permitted density: 12 units per acre
- c. Minimum lot width: 30 feet

B. Structure Setbacks:

1. The front yard setback shall be a minimum of 20 feet.
2. The minimum side yard setback for single-family dwellings, manufactured homes on individual lots, duplex units and triplex units shall be five (5) feet, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.
3. Apartment and condominium units shall maintain a minimum setback of 10 feet from the perimeter side yard of the project, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.
4. Townhouse units shall maintain the following minimum setbacks:
 - a. Front, Streetside: 15
 - b. Side: 5, except attached dwellings may have a zero lot line.
 - c. Rear: 20
5. The rear yard setback for any permitted use shall be a minimum of 20 feet, except that an accessory structure of 200 square feet or less shall maintain a minimum of a 5-foot rear yard.

C. Structure Height: Structure height shall not exceed 35 feet.

D. Site Design Review: apartment dwellings shall be subject to site design review in accordance with the provisions of Section 3.104. 2.101.07

E. Nonresidential uses in the Commercial-Residential Zone: Unless otherwise provided in Sections 2.200 and 2.201, and as required below, there shall be no minimum lot area and no required yards.

1. The side yard shall be not less than 15 feet when adjacent to the Residential Zone.
2. The rear yard shall be not less than 20 feet when adjacent to the Residential Zone.

2.102.09 EXCEPTIONS TO DIMENSIONAL STANDARDS The dimensional standards of this district may be modified as provided in Section 2.200 and 2.201.

2.203 ACCESSORY STRUCTURES

2.203.01 GENERALLY Accessory structures shall comply with the following requirements.

2.203.02 RESIDENTIAL ZONE

A. Location and Number. Accessory structures shall be located within the rear or interior side yard. A maximum of two (2) accessory structures are permitted.

B. Height. The maximum allowable height is 20 feet, except that no accessory structure shall exceed the height of the primary building.

C. Property Setbacks. For structures 10 feet or less in height there shall be a minimum five (5) foot setback along the side and rear property lines. For buildings greater than 10 feet in height there shall be a setback of five (5) feet along each side property line and 10 feet along the rear property line.

D. Building Separation. Accessory structures shall be separated from the primary building by a minimum of six (6) feet.

E. Building Size. In no case shall the accessory structure occupy more than 20 percent of the rear yard. The building size limitation shall be considered the maximum allowable area permitted for all accessory structures.

F. Exterior Finish. The accessory structure shall have an exterior finish that is residential in character.

G. A building permit is required for all accessory structures that exceed 200 square feet in size or 10 feet in height.

2.203.03 COMMERCIAL-RESIDENTIAL, COMMERCIAL-INDUSTRIAL, AND FORESTRY ZONES

A. Location and Number. Accessory structures may be located anywhere the primary structure may be placed. There is no limit to the number of permitted accessory structures with the exception that only one accessory dwelling unit shall be permitted per primary single-family residence

B. Height. Accessory structures shall comply with the height provisions in the underlying zone for the primary structure.

C. Setbacks. Accessory structures shall comply with the setback provisions in the underlying zone for the primary structure.

D. Building size. There is no limitation, provided the building complies with the setback and height limitations of the underlying zone.

E. A building permit is required for all accessory structures that exceed 200 square feet in size or 10 feet in height.

Section 2.203.04- Accessory Dwelling Units

A. Purpose and Intent: The purpose and intent of allowing accessory dwelling units is to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
2. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing.
3. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle.
4. Provide housing for persons with disabilities.
5. Protect stability, property values, and the residential character of a neighborhood.

B. Permitted Uses: A maximum of one (1) accessory dwelling unit is permitted per lot containing an approved single-family dwelling in the Residential (R) or Commercial-Residential (CR) zone. Density standards within the R and CR zones do not apply to and accessory dwelling units meeting the provisions of this section.

C. Review Process: All permits for accessory dwelling units shall be processed under Falls City's building permit review process.

D. Criteria for the development of an accessory dwelling unit are as follows:

1. One accessory dwelling unit shall be allowed for each detached single-family dwelling on a lot. A manufactured home meeting the requirements of Section 2.209.02 Manufactured Homes, and placed on a perimeter foundation is allowed as a detached accessory dwelling unit. A "tiny home" placed on a perimeter foundation and constructed in accordance with the applicable building codes for single-family dwellings is allowed as a detached accessory dwelling unit.
2. A new separate outside entrance serving an accessory dwelling unit shall be on the side or rear of a detached accessory dwelling unit, and on the side or rear of the primary dwelling for an attached or interior accessory dwelling unit.
3. The maximum gross habitable floor area (GHFA) of the accessory dwelling unit shall not exceed fifty (50) percent of the GHFA of the primary dwelling on the lot, or shall not exceed a maximum of nine hundred (900) square feet, whichever is less. An accessory dwelling unit resulting from the conversion of a level or floor, including but not limited to a basement, attic, or second story, of a primary dwelling may occupy the entire level or floor.
4. An interior, attached or detached accessory dwelling unit shall not be enlarged beyond the maximum size in subsection 3, and shall not be the subject of a variance to allow such enlargement.
5. Off-Street Parking. No on-site parking is required.
6. An accessory dwelling unit shall not be located in a front yard.
7. The accessory dwelling unit shall not exceed the height restriction of the zone in which it is located.

Section 2.212 Specific Standards for Cottage Clusters: When applicable, standards within this standard shall override conflicting standards within the FCZDO

A. Permitted use and Approval Process

1. Permitted use: Cottage Cluster development is permitted where indicated as a permitted use in the applicable zone.

2. Approval Process: Cottage Cluster developments shall be reviewed in accordance with the SDR (Site Development Review) Type III process. Pre-application meetings shall be required for cottage cluster development.

3. Sufficient Infrastructure: The applicant shall provide evidence that sufficient infrastructure is provided, will be provided, or can be provided upon submittal of a cottage cluster development application.

4. Definition: Cottage Clusters are groupings of 4-12 detached dwellings with a minimum square footage of 250 SF and a maximum square footage of 1400 SF.

5. A cottage cluster unit must be placed on a foundation.

6. Ownership model: Cottage clusters are permitted in either Apartment-style, Fee Simple or Condo ownership types. Fee Simple development shall be subject to applicable subdivision standards in addition to the development standards within this section.

B. Development Standards

1. Applicability

a. Cottage Cluster developments shall meet the standards of section 2.212, along with the applicable zone-based development standards and general development standards listed within FCZDO Section 2.200

b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):

1. Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).

2. Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the siting or design of dwellings.

3. The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.

2. Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot size, width, and depth standards that apply to detached single family dwellings in the same zone so long as a cottage cluster development is capable of meeting all applicable development standards.

3. Density

a. Minimum Density: 4 units per acre.

b. Maximum Density: No maximum density; however all cottage cluster development must meet all applicable development standards.

4. Setbacks and Building Separation.

a. Setbacks

1. Front setback: 10 feet
2. Side setbacks: 5 feet
3. Rear setback: 10 feet

b. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

5. Unit Size and Building Footprint

a. The maximum average floor area for a cottage cluster dwelling unit is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

b. Where a dwelling unit within a cottage cluster has an attached garage or carport, up to 200 square feet of the attached garage or carport may be excluded from the maximum building footprint calculation for that unit. For purposes of this subsection, building footprint means the horizontal area of the building, measured from outside of all exterior walls and supporting columns. It includes the dwelling, garage, and carport, but not trellises, patios, and areas of porch, deck, and balcony less than 30 inches from finished grade, or cantilevered porches, or projections which do not have a post touching the ground or ramps and stairways required for access.

6. Building Height. The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.

C. Design Standards Cottage clusters shall meet the design standards in subsections (1) through (7) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (C).

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards:

a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.

b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

- i. Have a main entrance facing the common courtyard;
- ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and

iii. Be connected to the common courtyard by a pedestrian path.

c. Cottages within 20 feet of a street property line may have their entrances facing the street.

d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

a. The common courtyard must be a single, contiguous piece.

b. Cottages must abut the common courtyard on at least two sides of the courtyard.

c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).

d. The common courtyard must have no dimension less than 15 feet.

e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (B)(5).

b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 1400 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

4. Pedestrian Access.

a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:

i. The common courtyard;

ii. Shared parking areas;

iii. Community buildings; and

iv. Sidewalks in public rights-of-way abutting the site, or rights-of-way if there are no sidewalks.

b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.

6. Parking Design

a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:

i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.

ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.

iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.

iv. Clustered parking areas may be covered.

b. Off-Street Parking.

a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is one (1) space per unit. Spaces may be provided for individual cottages or in shared parking clusters.

b. Except as otherwise provided in this section, parking areas shall:

i. Shall not be located between the front property line abutting a street and those dwelling units within the cottage cluster that are located closest to the front property line abutting a street;

ii. Shall be setback a minimum of 20 feet from the property line abutting a street; and

iii. Shall be setback a minimum of 10 feet from all other property lines, except property lines abutting an alley where there is no minimum required setback.

c. When a cottage cluster is located on a corner lot or double frontage lot, off-street parking, vehicle storage, and vehicle maneuvering areas shall conform to the location and setback requirements included under subsection (b) of this section, except that such areas may be located between the dwelling units and a property line abutting a street on the side or rear of the lot, but shall be setback a minimum of 10 feet from the property line abutting such street.

d. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

d. Garages and carports.

- i. Garages and carports (whether shared or individual) must not abut common courtyards.
- ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- iii. Individual detached garages must not exceed 400 square feet in floor area.
- iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area. Accessory structures shall be permitted through the City of Falls City building permit process. ADUs shall not be permitted within cottage cluster development.

Draft Amendments- Final-V1:

1.202.02- Definitions

Accessory Dwelling Unit: An interior, attached or detached residential structure with kitchen, bathroom and living areas that is used in connection with or that is accessory to a detached primary single-family dwelling.

Commented [KJ1]: Adds a definition of ADU to the FCZDO

Building Footprint: The horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.

Commented [KJ2]: Adds definition of building footprint to the FCZDO. This gives staff the ability to clearly define what is considered within the total square footage of the building for the purposes of all forms of residential and commercial development.

Cottage Cluster: A grouping of no fewer than four detached dwelling units per acre 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."

Commented [KJ3]: Add definition of cottage cluster housing for the purposes of development review

Cottage: An individual dwelling unit that is part of a cottage cluster.

Commented [KJ4]: Adds definition of cottage for review in conjunction with cottage cluster development,

Manufactured Home: Manufactured Home: A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction, and sited on a single-family residential lot outside a manufactured home park, meeting the following standards:

A. The manufactured home shall be multi-sectional and enclose a space of not less than 1000 SF.

B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located above grade to a height comparable to the height of nearby single-family, site-built homes, with not more than 24 inches of foundation exposed;

C. The manufactured home shall have a pitched roof of a slope not less than a nominal three (3) feet in height for each 12 feet in width (3/12);

D. The manufactured home shall have exterior siding and roofing material commonly permitted on residential dwellings under the Uniform Building Code;

E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the State Building Code as defined in ORS 455.010, as amended. Any unit manufactured within 10 years from the date of application shall be deemed to meet this subsection; and

F. The manufactured home shall have a garage or carport constructed of like materials enclosing a space of not less than 300 square feet, which shall be completed not more than 18 months after the date of approval of the application to site the manufactured home.

G. A manufactured home shall not be sited in any area designated in an acknowledged Comprehensive Plan or land use regulation as an historic district or on residential land immediately adjacent to an historic landmark.

Tiny Home: A single family-dwelling, either stick built or manufactured, attached to a foundation not more than 400 square feet in size. All permanent tiny homes must comply with all applicable provisions of both the Small Home Specialty Code and federal standards.

2.101.03 PERMITTED USES

- A. Single Family Dwellings, including Tiny Homes as defined in this Ordinance.
- B. Manufactured Home as defined in this Ordinance and developed pursuant to 2.209.02.
- C. Manufactured Home Park pursuant to Section 2.209.06.
- D. Two-family Dwelling (Duplex).
- E. Public Park and Recreation Area.
- F. Planned Unit Developments developed pursuant to 3.211.
- G. Child care facility, as defined by Oregon Revised Statutes Chapter 657A.
- H. Residential home, as defined by this ordinance. All residential care homes shall be duly licensed by the State of Oregon.
- I. Cottage Clusters pursuant to Section 2.212.
- J. Attached Single Family Dwellings (maximum of two contiguous units).
- K. Accessory Dwelling Units (ADUs)

2.101.06 DEVELOPMENT STANDARDS

A. Dimensional Standards

1. Single-family dwellings and manufactured homes on individual lots:

- a. Minimum Lot Area: 7000~~10,890~~ square feet.
- b. Minimum Lot Width: 50~~75~~ feet at the front building line.
- c. Minimum Average Lot Depth: 100 feet.

2. Duplex and triplex dwellings:

- a. Minimum Lot Area: 8,000 square feet for the first unit, plus 3~~8,000~~ square feet for each additional unit.
- b. Minimum Lot Width: 80~~50~~ feet at the front building line.

c. Minimum Average Lot Depth: 100 feet.

3. Apartments,

a. Maximum permitted density: 12 units per acre

4. Cottage Clusters

5. Townhouses and Condominiums:

a. Maximum Permitted Density: 12 units per acre.

a. Maximum lot coverage for townhouses: 60%

b. Maximum permitted density: 12 units per acre

c. Minimum lot width: 30 feet

B. Structure Setbacks:

1. The front yard setback shall be a minimum of 20 feet.

2. The minimum side yard setback for single-family dwellings, manufactured homes on individual lots, duplex units and triplex units shall be five (5) feet, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.

3. Apartment ~~and~~, ~~townhouse~~ and condominium units shall maintain a minimum setback of 10 feet from the perimeter side yard of the project, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.

4. Townhouse units shall maintain the following minimum setbacks:

a. Front, Streetside: 15

b. Side: 5, except attached dwellings may have a zero lot line.

c. Rear: 20

5.4. The rear yard setback for any permitted use shall be a minimum of 20 feet, except that an accessory structure of 200 square feet or less shall maintain a minimum of a 5-foot rear yard.

C. Structure Height: Structure height shall not exceed 35 feet.

D. Site Design Review: ~~Triplex~~, apartment, ~~townhouse~~ and condominium dwellings shall be subject to site design review in accordance with the provisions of Section 3.104.

2.101.07

2. 101.07 EXCEPTIONS TO DIMENSIONAL STANDARDS

A. The dimensional standards of this zoning district may be modified as provided in Sections 2.200 and 2.201, and under Section 2.212 for cottage cluster development.

B. The uses permitted and dimensional standards of this district may be modified in accordance with the provisions of Section 3.211, Planned Unit Development.

2.102 COMMERCIAL-RESIDENTIAL ZONE (CR)

2.102.01 PURPOSE To provide for a mixture of residential uses and general commercial uses in areas of mixed land use.

2.102.02 AREA OF APPLICATION This district is to be applied to those areas designated Commercial-Residential on the Comprehensive Plan Map.

2.102.03 PERMITTED USES

A. Any primary use permitted in the Residential zone.

B. Retail sales outlet including but not limited to food stores, pharmacy, furniture store, hobby or photography store, florist, liquor store, hardware store, appliance or stereo equipment store, pet shop, sporting goods, department store, jewelry, gift, and other types of retail activities.

C. Retail and service related stores such as TV and radio sales and service, bicycle shop, gunsmith, equipment rental, upholstery shop or other similar activities where a service department customarily a secondary activity to the retail use.

D. Service-related businesses such as barber shops, beauty shops, advertising agencies, self serve laundry, dry cleaning, printing or photocopying, or other activities where the primary activity is the providing of a service to retail customers.

E. Preschools, nurseries and kindergartens.

F. Nonprofit member organizations, such as business associations, labor unions, political organizations or fraternal lodges.

G. Public automobile parking as specified in Section 2.202, Off-street Parking and Loading.

H. Public and semi-public buildings, structures and uses, such as parks, municipal offices, libraries, police and fire stations, churches and houses of worship, and hospitals.

I. Public utility structures and buildings, such as pump stations, reservoirs, electric substations, and necessary right-of-way for identified public utilities.

J. Business offices including, but not limited to, insurance, real estate and title insurance; credit agencies, brokerages, loan companies, and investment companies; and miscellaneous offices such as detective agencies, drafting services or contractors offices.

K. Professional offices.

L. Banks and other financial institutions.

M. Mortuary, including crematorium.

N. Greenhouse and garden supply.

O. Restaurants, drive-ins, taverns, snack shops and other types of eating and drinking establishments.

P. Amusement and recreation related businesses such as bowling alleys, miniature golf, pool halls, motion picture theaters, video arcades, and other types of amusement and recreational businesses.

Q. Hotel and Motel.

R. Residences which are located on the second story above a permitted-use commercial building.

S. Temporary Hardship Dwelling, pursuant to Section 2.209.03

T. Cottage Cluster Dwellings pursuant to Section 2.212.

U. Attached Single Family Dwellings (Maximum of two contiguous dwellings).

V. Accessory Dwelling Units (ADUs)

2.102.06 DEVELOPMENT STANDARDS AND SIGNS

A. Commercial uses shall be subject to the development standards, sign provisions and limitations on use set forth in the Commercial-Industrial Zone.

B. Residential uses shall be subject to the sign provisions of the Residential Zone and to the development standards of the Residential Zone which apply to the type of dwelling proposed.

1.Cottage Cluster Development is subject to the provisions of Section 2.212.

2.102.07 LIMITATIONS ON USE

A. All business, services, processing, or merchandise displays shall be conducted wholly within an enclosed building except for the following: 1. Off-street parking or loading. 2. Drive-through windows or service stations. 3. Temporary display and sales of merchandise provided it is under cover of a projecting roof and does not interfere with pedestrian, bicycle, or automobile circulation. 4. Business which, in all cases, require outdoor storage of merchandise, e.g., automobile, RV sales lots, or gas stations.

B. Not more than 50 percent of the floor area of the building and not more than 25 percent of the lot area of the commercial enterprise shall be used in the manufacturing, processing, or compounding of products.

2.102.08 DIMENSIONAL STANDARDS The following minimum dimensional standards shall be required for all development in the Commercial-Residential Zone.

A. Dimensional Standards

1. Single-family dwellings and manufactured homes on individual lots:

a. Minimum Lot Area: 7000 square feet.

b. Minimum Lot Width: 50 feet at the front building line.

c. Minimum Average Lot Depth: 100 feet.

2. Duplex and triplex dwellings:

- a. Minimum Lot Area: 8,000 square feet
- b. Minimum Lot Width: 60 feet at the front building line.
- c. Minimum Average Lot Depth: 100 feet.

3. Apartments and condominiums

- a. Maximum permitted density: 12 units per acre

4. Cottage Clusters

5. Townhouses

- a. Maximum lot coverage for townhouses: 60%
- b. Maximum permitted density: 12 units per acre
- c. Minimum lot width: 30 feet

B. Structure Setbacks:

- 1. The front yard setback shall be a minimum of 20 feet.
- 2. The minimum side yard setback for single-family dwellings, manufactured homes on individual lots, duplex units and triplex units shall be five (5) feet, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.
- 3. Apartment and condominium units shall maintain a minimum setback of 10 feet from the perimeter side yard of the project, except that the side yard adjacent to a street on a corner lot shall be a minimum of 20 feet.
- 4. Townhouse units shall maintain the following minimum setbacks:
 - a. Front, Streetside: 15
 - b. Side: 5, except attached dwellings may have a zero lot line.
 - c. Rear: 20
- 5. The rear yard setback for any permitted use shall be a minimum of 20 feet, except that an accessory structure of 200 square feet or less shall maintain a minimum of a 5-foot rear yard.

C. Structure Height: Structure height shall not exceed 35 feet.

D. Site Design Review: apartment dwellings shall be subject to site design review in accordance with the provisions of Section 3.104. 2.101.07

A. Single family dwellings and manufactured homes on individual lots:

- 1. Minimum Lot Area: 10,890 square feet.
- 2. Minimum Lot Width: 75 feet at the front building line.

~~3. Minimum Average Lot Depth: 100 feet.~~

~~EB.~~ Nonresidential uses in the Commercial-Residential Zone: Unless otherwise provided in Sections 2.200 and 2.201, and as required below, there shall be no minimum lot area and no required yards.

1. The side yard shall be not less than 15 feet when adjacent to the Residential Zone.
2. The rear yard shall be not less than 20 feet when adjacent to the Residential Zone.

2.102.09 EXCEPTIONS TO DIMENSIONAL STANDARDS The dimensional standards of this district may be modified as provided in Section 2.200 and 2.201.

2.203 ACCESSORY STRUCTURES

2.203.01 GENERALLY Accessory structures shall comply with the following requirements.

2.203.02 RESIDENTIAL ZONE

- A. Location and Number. Accessory structures shall be located within the rear or interior side yard. A maximum of two (2) accessory structures are permitted.
- B. Height. The maximum allowable height is 20 feet, except that no accessory structure shall exceed the height of the primary building.
- C. Property Setbacks. For structures 10 feet or less in height there shall be a minimum five (5) foot setback along the side and rear property lines. For buildings greater than 10 feet in height there shall be a setback of five (5) feet along each side property line and 10 feet along the rear property line.
- D. Building Separation. Accessory structures shall be separated from the primary building by a minimum of six (6) feet.
- E. Building Size. In no case shall the accessory structure occupy more than 20 percent of the rear yard. The building size limitation shall be considered the maximum allowable area permitted for all accessory structures.
- F. Exterior Finish. The accessory structure shall have an exterior finish that is residential in character.
- G. A building permit is required for all accessory structures that exceed 200 square feet in size or 10 feet in height.

2.203.03 COMMERCIAL-RESIDENTIAL, COMMERCIAL-INDUSTRIAL, AND FORESTRY ZONES

- A. Location and Number. Accessory structures may be located anywhere the primary structure may be placed. There is no limit to the number of permitted accessory structures with the exception that only one accessory dwelling unit shall be permitted per primary single-family residence-

B. Height. Accessory structures shall comply with the height provisions in the underlying zone for the primary structure.

C. Setbacks. Accessory structures shall comply with the setback provisions in the underlying zone for the primary structure.

D. Building size. There is no limitation, provided the building complies with the setback and height limitations of the underlying zone.

E. A building permit is required for all accessory structures that exceed 200 square feet in size or 10 feet in height.

Section 2.203.04- Accessory Dwelling Units

A. Purpose and Intent: The purpose and intent of allowing accessory dwelling units is to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
2. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing.
3. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle.
4. Provide housing for persons with disabilities.
5. Protect stability, property values, and the residential character of a neighborhood.

B. Permitted Uses: A maximum of one (1) accessory dwelling unit is permitted per lot containing an approved single-family dwelling in the Residential (R) or Commercial-Residential (CR) zone. Density standards within the R and CR zones do not apply to and accessory dwelling units meeting the provisions of this section.

C. Review Process: All permits for accessory dwelling units shall be processed under Falls City's building permit review process.

D. Criteria for the development of an accessory dwelling unit are as follows:

1. One accessory dwelling unit shall be allowed for each detached single-family dwelling on a lot. A manufactured home meeting the requirements of Section 2.209.02 Manufactured Homes, and placed on a perimeter foundation is allowed as a detached accessory dwelling unit. A "tiny home" placed on a perimeter foundation and constructed in accordance with the applicable building codes for single-family dwellings is allowed as a detached accessory dwelling unit.
2. A new separate outside entrance serving an accessory dwelling unit shall be on the side or rear of a detached accessory dwelling unit, and on the side or rear of the primary dwelling for an attached or interior accessory dwelling unit.
3. The maximum gross habitable floor area (GHFA) of the accessory dwelling unit shall not exceed fifty (50) percent of the GHFA of the primary dwelling on the lot, or shall not exceed a maximum of nine hundred (900) square feet, whichever is less. An accessory dwelling unit resulting from the conversion of a level or floor, including but not limited to a basement, attic, or second story, of a primary dwelling may occupy the entire level or floor.
4. An interior, attached or detached accessory dwelling unit shall not be enlarged beyond the maximum size in subsection 3, and shall not be the subject of a variance to allow such enlargement.
5. Off-Street Parking. No on-site parking is required.

6. An accessory dwelling unit shall not be located in a front yard.
7. The accessory dwelling unit shall not exceed the height restriction of the zone in which it is located.

Section 2.212 Specific Standards for Cottage Clusters: When applicable, standards within this standard shall override conflicting standards within the FCZDO

A. Permitted use and Approval Process

1. Permitted use: Cottage Cluster development is permitted where indicated as a permitted use in the applicable zone.
2. Approval Process: Cottage Cluster developments shall be reviewed in accordance with the SDR (Site Development Review) Type III process. Pre-application meetings shall be required for cottage cluster development.
3. Sufficient Infrastructure: The applicant shall provide evidence that sufficient infrastructure is provided, will be provided, or can be provided upon submittal of a cottage cluster development application.
4. Definition: Cottage Clusters are groupings of 4-12 detached dwellings with a minimum square footage of 250 SF and a maximum square footage of 1400 SF.
5. A cottage cluster unit must be placed on a foundation.
6. Ownership model: Cottage clusters are permitted in either Apartment-style, Fee Simple or Condo ownership types. Fee Simple development shall be subject to applicable subdivision standards in addition to the development standards within this section.

B. Development Standards

1. Applicability

- a. Cottage Cluster developments shall meet the standards of section 2.212, along with the applicable zone-based development standards and general development standards listed within FCZDO Section 2.200
- b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):
 1. Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).
 2. Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the siting or design of dwellings.

3. The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.

2. Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot size, width, and depth standards that apply to detached single family dwellings in the same zone so long as a cottage cluster development is capable of meeting all applicable development standards.

3. Density

a. Minimum Density: 4 units per acre.

b. Maximum Density: No maximum density; however all cottage cluster development must meet all applicable development standards.

4. Setbacks and Building Separation.

a. Setbacks

1. Front setback: 10 feet

2. Side setbacks: 5 feet

3. Rear setback: 10 feet

b. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

5. Unit Size and Building Footprint

a. The maximum average floor area for a cottage cluster dwelling unit is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

b. Where a dwelling unit within a cottage cluster has an attached garage or carport, up to 200 square feet of the attached garage or carport may be excluded from the maximum building footprint calculation for that unit. For purposes of this subsection, building footprint means the horizontal area of the building, measured from outside of all exterior walls and supporting columns. It includes the dwelling, garage, and carport, but not trellises, patios, and areas of porch, deck, and balcony less than 30 inches from finished grade, or cantilevered porches, or projections which do not have a post touching the ground or ramps and stairways required for access.

6. Building Height. The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.

C. Design Standards Cottage clusters shall meet the design standards in subsections (1) through (7) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (C).

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards:

a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.

b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

i. Have a main entrance facing the common courtyard;

ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and

iii. Be connected to the common courtyard by a pedestrian path.

c. Cottages within 20 feet of a street property line may have their entrances facing the street.

d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

a. The common courtyard must be a single, contiguous piece.

b. Cottages must abut the common courtyard on at least two sides of the courtyard.

c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).

d. The common courtyard must have no dimension less than 15 feet.

e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (B)(5).

b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 1400 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

4. Pedestrian Access.

a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:

i. The common courtyard;

ii. Shared parking areas;

iii. Community buildings; and

iv. Sidewalks in public rights-of-way abutting the site, or rights-of-way if there are no sidewalks.

b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.

6. Parking Design

a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:

i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.

ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.

iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.

iv. Clustered parking areas may be covered.

b. Off-Street Parking.

a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is one (1) space per unit. Spaces may be provided for individual cottages or in shared parking clusters.

b. Except as otherwise provided in this section, parking areas shall:

i. Shall not be located between the front property line abutting a street and those dwelling units within the cottage cluster that are located closest to the front property line abutting a street;

ii. Shall be setback a minimum of 20 feet from the property line abutting a street; and

iii. Shall be setback a minimum of 10 feet from all other property lines, except property lines abutting an alley where there is no minimum required setback.

c. When a cottage cluster is located on a corner lot or double frontage lot, off-street parking, vehicle storage, and vehicle maneuvering areas shall conform to the location and setback requirements included under subsection (b) of this section, except that such areas may be located between the dwelling units and a property line abutting a street on the side or rear of the lot, but shall be setback a minimum of 10 feet from the property line abutting such street.

d. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

d. Garages and carports.

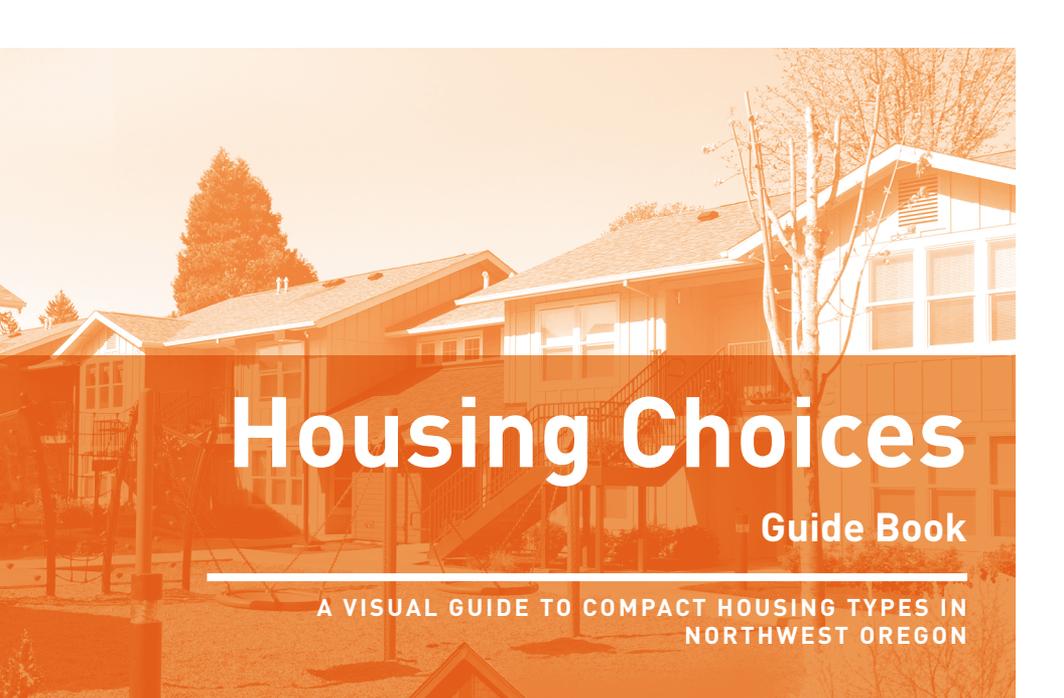
i. Garages and carports (whether shared or individual) must not abut common courtyards.

ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

iii. Individual detached garages must not exceed 400 square feet in floor area.

iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area. Accessory structures shall be permitted through the City of Falls City building permit process. ADUs shall not be permitted within cottage cluster development.



Housing Choices

Guide Book

A VISUAL GUIDE TO COMPACT HOUSING TYPES IN
NORTHWEST OREGON





This project is partially funded by a grant from the Transportation and Growth Management (“TGM”) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Fixing America’s Surface Transportation Act (FAST-Act), local government, and the State of Oregon funds.

The contents of this document do not necessarily reflect views or policies of the State of Oregon.

u r b s w o r k s



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WELCOME

Welcome to the Housing Choices Guidebook—a visual guide to compact housing types in Northwest Oregon. This Guidebook presents an illustrated catalogue of local examples of compact medium- and high-density housing.

This document provides over forty examples of duplexes, cottages, small apartments, courtyard apartments, and rowhouses that demonstrate the wide variety of housing that exists in Northwest Oregon. While the average household has fewer people than in the past, most housing being built is detached single dwellings on large lots (5,000 square feet and above). The examples in this booklet show that there are many examples of financially feasible, popular, and well-designed housing that is smaller in footprint, more compact in design, and that offer many choices for different kinds of households and families.

The homes in this document are found in a wide variety of locations including in large cities and small towns; as part of new multi-acre developments or greenfield; or tucked into existing neighborhoods on lots that are a fraction of an acre (infill). Examples are located in the Willamette Valley, all over the Portland metropolitan region, and in several Columbia River Gorge communities, including a small town on the Washington side of the Columbia River Gorge.

TERMS USED IN THIS DOCUMENT

Density Density, which is expressed as “# of units per acre,” is the number of housing units on one acre of land. For the purposes of this document this number is calculated as “net” density, meaning it does not include the land area provided by surrounding streets, neighborhood-serving parks, or schools. A project example may only have 12 units within it, but the density per acre may be 29 (net) units per acre. In this case the density is expressed as “29 per acre.”

Family A family is a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family. (U.S. Census Bureau)

Greenfield An undeveloped site that is typically in a natural state.

Household A household consists of all the people who occupy a housing unit. (U.S. Census Bureau)

Housing Unit (synonymous with Dwelling) A house, an apartment or other group of rooms, or a single room is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live and eat with any other persons in the structure and there is direct access from the outside or through a common hall. (U.S. Census Bureau)

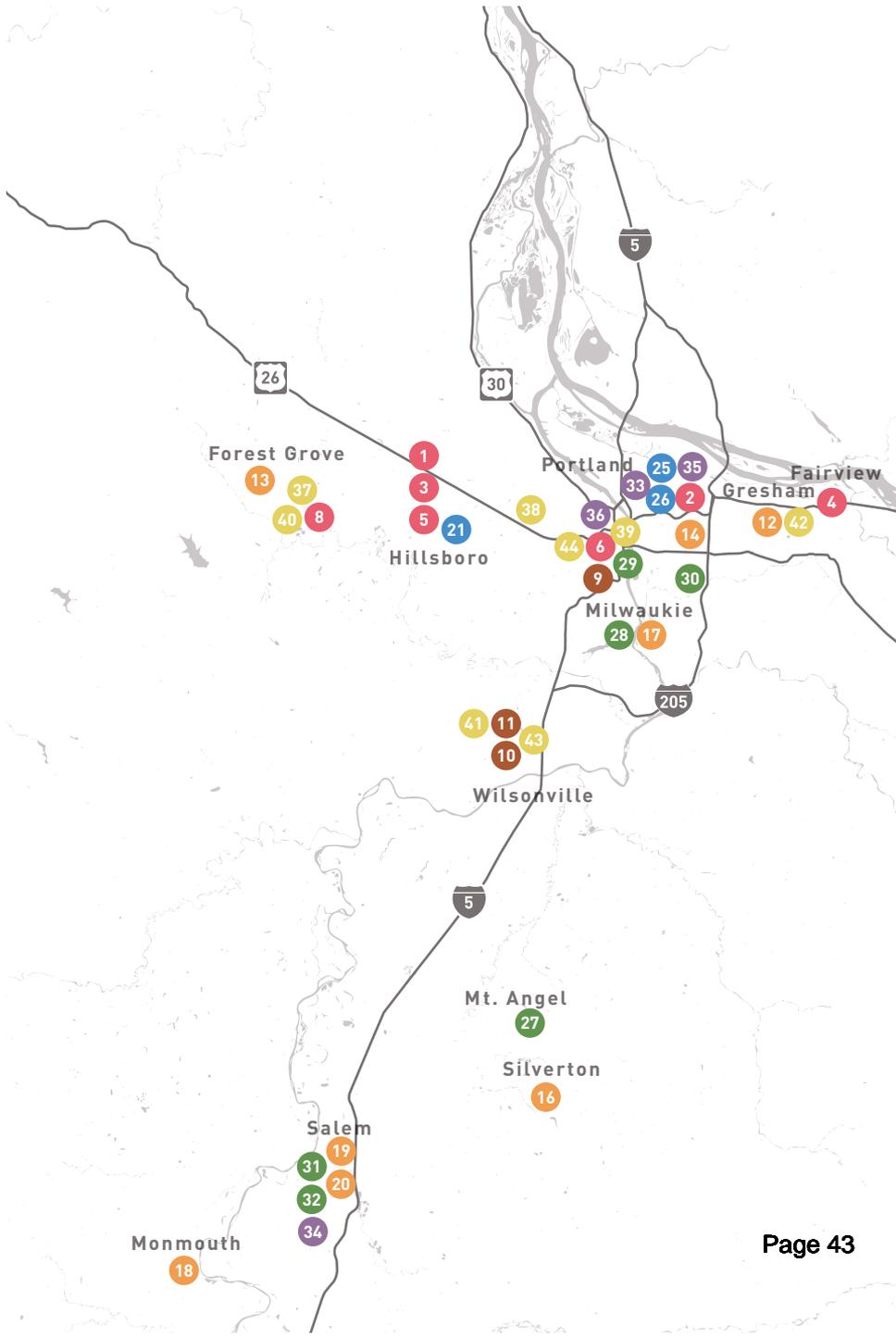


Households Formed When people form an independent household. Can be made by families and non-families. (Urban Land Institute)

Infill An undeveloped or underdeveloped site that is already subdivided or platted for urban development.

Missing Middle Missing middle is a term coined by Dan Parolek in 2010 to define a range of multi-unit or clustered housing types compatible in scale with single-family homes. The term refers to housing types that were often built, and still exist in most towns and cities, such as courtyard apartments or bungalow courts. They are “missing” because they are prohibited by many modern zoning codes and parking requirements. Many of these “old,” pre-suburban housing types filled in the gap between apartments and detached single dwellings. See <http://missingmiddlehousing.com>







 Rowhouse	 Courtyard Apartment
 Narrow-lot	 Multi-dwelling
 Cottages	
 ADU	
 Plexes	

Suggested tours lasting 2-3 hours (by car):

- 1: Mt. Angel, Salem and Monmouth.
- 2: Forest Grove, Hillsboro and Wilsonville



Rowhouse

Attached units, each on a separate lot, and each with its own entry from a public or shared street or common area.

VARIATIONS

Rowhouse over a flat • terrace rowhouse • above retail block • over structured parking • on the roof of a building • with a walled-in, private backyard • with private garage on the ground floor (front or back) • live-work rowhouse

TYPICAL HOUSEHOLD

Depending on square footage, all types of households, from adults with children to single adult householder. Can be designed to accommodate a home-based business.

FITTING INTO THE NEIGHBORHOOD

When rowhouses are grouped together in long buildings they are appropriate on major streets or facing open spaces. When grouped in smaller clusters of 3-5, they can fit into neighborhoods made up of predominantly single dwelling detached dwellings.

ALSO NAMED

Townhouse
Attached dwelling
Brownstone

LOT SIZE

1,800 – 3,500 sf

DENSITY RANGE

20 - 45 per acre

SALES PRICE

\$200,000 – \$750,000

RENT VS. OWN

Usually owned



1......
 Rowhouses arranged around shared open space designed to fit in character with other single dwelling homes; garages off shared alley courts. As few as two attached units and as many as five attached units. There are approximately 344 units in this development.

LOCATION.....

Stonewater at Orenco

ADDRESS.....

7113 NE Stonewater Street, Hillsboro, OR

LOT SIZE / DENSITY.....

1,875 sf / 23 per acre

DWELLING SIZE.....

1,200 sf

RENT VS. OWN.....

Typically owned



2......
 The Mason St. Townhomes development consists of thirteen new rowhouse-style condos and one existing single dwelling home arranged around shared garden and common house. Designed by Orange Splot and Communitecture. Project will be completed in 2018.

LOCATION.....

NE Portland

ADDRESS.....

5900 NE Mason St.
 Portland, OR

LOT SIZE / DENSITY.....

24,400 sf / 20 per acre

DWELLING SIZE.....

1,000 - 1,600 sf

RENT VS. OWN.....

Typically owned

LOCATION

Orencia

ADDRESS

1772 NE Orencia
Station Parkway,
Hillsboro, OR

LOT SIZE / DENSITY

2,500 sf / 17 per acre

DWELLING SIZE

3,480 sf

RENT VS. OWN

Typically owned



3. Rowhouses attached in groups of three with two beds / three baths. Built in 1999. Photo above shows rowhouses on a corner lot with entrances facing two different streets, each with their own patios.

LOCATION

Fairview

ADDRESS

1450 NE Park Lane
Fairview, OR

LOT SIZE / DENSITY

2,000 sf / 22 per acre

DWELLING SIZE

1,580 sf

RENT VS. OWN

Typically owned



4. Rowhouses attached in groups of four or five with alley-loaded parking. Internal courtyards are between the garages and dwelling space, creating a private outdoor space for each unit.



5......
 Live/Work rowhouses grouped in four to six units in the center of Orenco Station. Ground level space is separated and zoned for commercial or residential uses with two-story residential space above.

LOCATION.....
 Orenco Station

ADDRESS.....
 1457 NE Orenco
 Station Parkway
 Hillsboro, OR

LOT SIZE / DENSITY.....
 1,300 sf / 33 per acre

DWELLING SIZE.....
 2,700 sf

RENT VS. OWN.....
 Typically owned



6......
 Twelve units are arranged in six buildings on a single lot in the Lair Hill neighborhood. The design of the rowhouses fits into the neighborhood context. Each unit has a separate entrance and shared front porch. Parking is alley-accessed two-car tandem, leaving space in the front for on-street parking and trees.

LOCATION.....
 Lair Hill Crossings

ADDRESS.....
 3246 SW 2nd Avenue
 Portland, OR

LOT SIZE / DENSITY.....
 17,750 sf / 29 per acre

DWELLING SIZE.....
 2,400 sf

RENT VS. OWN.....
 Typically owned

LOCATION

Mosier Creek Place

ADDRESS

19 Mosier Creek Pl.
Mosier, OR

LOT SIZE / DENSITY

990 sf / 44 per acre

DWELLING SIZE

800 - 1,500 sf

RENT VS. OWN

Typically owned



7.

This development consists of twenty-two rowhouses and twelve flats. Units are attached in groups of three or four and share banks of covered parking across the access drive. Homes are perched on a hillside overlooking the Columbia River Gorge.

LOCATION

Ella Sea

ADDRESS

2025 Elm Street
Forest Grove, OR

LOT SIZE / DENSITY

1,500 sf / 29 per acre

DWELLING SIZE

~ 1,500 sf

RENT VS. OWN

Typically owned



8.

Rowhouses attached in groups of two to seven with attached single car garages in the rear. Pairs of units share a covered front porch. Homes are set back from the sidewalk, fitting into the residential context of the neighborhood and providing residents with privacy. Built in 2007.



Narrow-lot

Similar to a rowhouse with a narrow configuration on a separate lot and entrance on public right of way, but detached.

VARIATIONS

Live-work unit • detached rowhouse over a flat

TYPICAL HOUSEHOLD

Depending on square footage, all types of households, from adults with children to single adult householder. Can be designed to accommodate a home-based business.

FITTING INTO THE NEIGHBORHOOD

These houses fit into neighborhoods better when garages are accessed from an alley, driveways are shared, or they do not include a built-in garage. This minimizes curb cuts and maintains continuity of the sidewalk experience, allowing the streetscape to retain maximum street trees and on-street parking spaces.

ALSO NAMED

Skinny house

LOT SIZE

1,300 – 2,500 sf

DENSITY RANGE

20 - 35 per acre

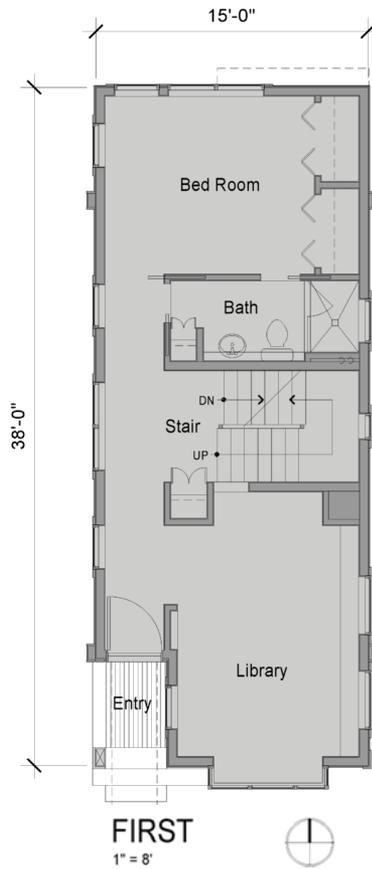
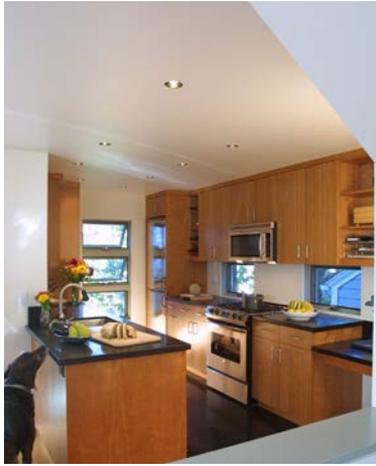
SALES PRICE

\$350,000 – \$530,000

RENT VS. OWN

Usually owned

HIGGINS HOUSE



LOCATION

Lair Hill
Neighborhood

ADDRESS

21 SW Whitaker St.
Portland, OR

LOT SIZE / DENSITY

1,300 sf / 34 per acre

DWELLING SIZE

1,872 sf

RENT VS. OWN

Owned



9.

Designed by architect Bryan Higgins of SRG Partnership, this home gained recognition in a 2004 City of Portland-sponsored design competition (Living Smart) for narrow-lot homes. It was one of several plans that were preapproved and permit-ready for construction. The lot is approximately twenty-five feet wide.

LOCATION

Villebois

ADDRESS

11301 SW Barber St.
Wilsonville, OR

LOT SIZE / DENSITY

1,960 sf / 22 per acre

DWELLING SIZE

2,017 sf

RENT VS. OWN

Typically owned



10.

Three-story narrow lot home with attached garages accessed from an alley. Lots in this development are approximately thirty feet wide.



11......
Three-story narrow lot home with attached garages accessed from an alley in the rear. Lots in this development are approximately twenty-five feet wide.

LOCATION.....

Villebois

ADDRESS.....

11393 SW Barber St.
Wilsonville, OR

LOT SIZE / DENSITY.....

1,500 sf / 29 per acre

DWELLING SIZE.....

2,500 sf

RENT VS. OWN.....

Typically owned



Cottages

Small, single-level, detached units, often on their own lots and sometimes clustered around pockets of shared open space. A cottage is typically under 1,000 square feet in footprint.

VARIATIONS

Cottages in a cluster facing shared open space with parking provided in a shared surface lot • cottages with built-in garages

ALSO NAMED

Cottage Cluster
Pocket Neighborhood

LOT SIZE

1,200 – 2,700 sf

TYPICAL HOUSEHOLD

These small units are ideal for small households—single adults or adult and child. They offer a home ownership alternative to apartment dwelling.

DENSITY RANGE

5 - 35 per acre

SALES PRICE

\$290,000 – \$450,000

FITTING INTO THE NEIGHBORHOOD

Because of their small footprint and low profile, cottages fit seamlessly into most detached single dwelling neighborhoods and are ideal for odd-shaped lots. Because they can be clustered, cottages lend themselves to sensitive sites where preserving trees and open space is a priority.

RENT VS. OWN

Usually owned

SALISH POND COTTAGES



LOCATION

Salish Pond Cottages

ADDRESS

750 W. Pond Drive
Fairview, OR

LOT SIZE / DENSITY

2,700 sf / 16 per acre

DWELLING SIZE

750 - 1200 sf

RENT VS. OWN

Typically owned



12.

Ten cottages on the edge of Salish pond in Fairview, Oregon. Cottages have detached parking and share one common house. Development designed by Ross Chapin Architects.

LOCATION

Green Grove
Cohousing

ADDRESS

3351 NW Thatcher Rd.
Forest Grove, OR

LOT SIZE / DENSITY

217,800 sf / 5 per acre

DWELLING SIZE

900 - 1,400 sf

RENT VS. OWN

Typically owned



13.

Two miles from downtown Forest Grove, is a development of nine units arranged around an historic farmhouse re-purposed as a common house. Other amenities include an art studio, orchard, garden, and wood shop. Construction is currently underway.



14......
 Twenty-three craftsman-style cottages straddle Clinton Street, each on their own lots and each with their own front porch. Shared greens and pathways between the cottages are common space and parking is grouped along the edge of the site with one shared driveway. The project was completed in 2005.

LOCATION.....
 Hastings Green
 Cottages

ADDRESS.....
 7055 SE Clinton St.
 Portland OR

LOT SIZE / DENSITY.....
 1,500 sf / 35 per acre

DWELLING SIZE.....
 1,200 - 1,500 sf

RENT VS. OWN.....
 Typically owned



15......
 Eighteen clustered homes located three blocks from downtown White Salmon. The development features twelve different home designs in a variety of sizes. Parking is a combination of detached garages and surface parking. Pathways connect between the units. Designed by Ross Chapin Architects.

LOCATION.....
 Wyer's End Cottages

ADDRESS.....
 509 SE 5th Avenue
 White Salmon, WA

LOT SIZE / DENSITY.....
 1,900 sf / 23 per acre

DWELLING SIZE.....
 500 - 1,700 sf

RENT VS. OWN.....
 Typically owned

LOCATION

Points Beyond

ADDRESS

990 East Main Street
Silverton, OR

LOT SIZE / DENSITY

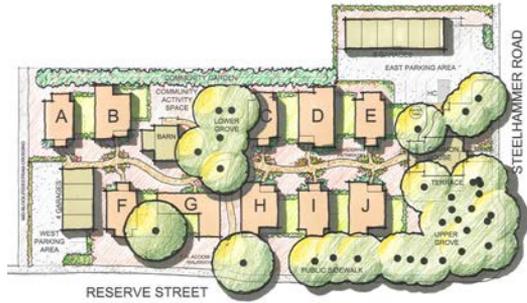
58,400 sf / 7 per acre

DWELLING SIZE

900 - 1,400 sf

RENT VS. OWN

Typically owned



16.

Points Beyond is a cohousing community of nine homes estimated to be completed by 2019. Homes will be clustered around shared open space and other shared amenities such as a common house, guest house, workshop, and community garden. Parking will be grouped in two separate areas on the site.

LOCATION

North Pocket
Neighborhood at
Rose Villa

ADDRESS

13515 SE Laurie Ave.
Milwaukie, OR

LOT SIZE / DENSITY

Not known

DWELLING SIZE

Not known

RENT VS. OWN

Not known



17.

Two new pocket neighborhoods of twenty-eight units were designed for the existing senior community of Rose Villa in Milwaukie, Oregon. One cluster consists of four buildings, one duplex and three triplexes, grouped around a community garden. Designed by Scott Edwards Architecture. This project has not yet been constructed.

TEA HOUSE COTTAGES



LOCATION

Tea House Cottages

ADDRESS

1755 Gwinn Street E
Monmouth, OR

LOT SIZE / DENSITY

3,000 sf / 15 per acre

DWELLING SIZE

1,190 - 1,750 sf

RENT VS. OWN

Owned



18.

Five cottages are clustered around a shared amenity, the “tea house”. They are part of the larger Edwards Addition development in Monmouth. Units have a single car garage and optional caregiver suite or home office space with a separate entrance, kitchen and loft.

LOCATION

Downtown Salem

ADDRESS

701 Cottage Street NE
Salem, OR

LOT SIZE / DENSITY

17,500 sf / 20 per acre

DWELLING SIZE

630 sf

RENT VS. OWN

Rented



19.

Built in 1936, eight individual single-story cottages face a shared common green on one lot. No parking is provided on site, however on street diagonal parking is adjacent to the site.



20......
Built in 1930, eight individual single-story cottages face a shared common green on one lot. Surface parking is provided on the alley side of the property. The two units closest to the alley are slightly larger than the others.

LOCATION.....

Downtown Salem

ADDRESS.....

736 Cottage Street NE
Salem, OR

LOT SIZE / DENSITY.....

14,600 sf / 24 per acre

DWELLING SIZE.....

670 - 810 sf

RENT VS. OWN.....

Rented



ADU

An ADU (Accessory Dwelling Unit) is a small living space located on the same lot as a single-family house.

VARIATIONS

Detached in the backyard • above or instead of a garage • beside, above or in the basement of the primary dwelling

TYPICAL HOUSEHOLD

These units are ideal for smaller households, single adults, two adults, or adult and children with a lower housing budget and less needs for square footage and allow households to accommodate additional relatives on-site.

FITTING INTO THE NEIGHBORHOOD

ADUs can create affordable rental opportunities without changing the character or quality of life of existing single dwelling neighborhoods.

ALSO NAMED

Laneway house
Granny flat

LOT SIZE

1,500 – 6,000 sf

DENSITY RANGE

Varies (doubles the density of an existing lot)

COST OF

CONSTRUCTION

\$80,000 – \$200,000

RENT VS. OWN

Usually rented



21......

Detached single dwelling with ADU over alley-facing attached garage, built in 1999. The ADU has a separate stair and entrance that is accessed from the alley-side of the lot.

LOCATION.....

Orengo

ADDRESS.....

1551 NE Orengo
Station Parkway,
Hillsboro, OR

LOT SIZE / DENSITY.....

3,400 sf / 26 per acre

DWELLING SIZE.....

2,417 sf

RENT VS. OWN.....

Typically rented



22......

Designed with a small footprint for an already compact backyard, this ADU has an open plan and living space. Designed by Zenbox.

LOCATION.....

Portland, OR*

LOT SIZE / DENSITY.....

~ 5,000 sf / ~ 17 per acre

DWELLING SIZE.....

460 sf

RENT VS. OWN.....

Typically rented

*Addresses have been provided for ADUs located off of a street or alley. Addresses have not been provided for backyard ADUs and house or garage conversions to protect the privacy of residents.

LOCATION

Portland, OR*

LOT SIZE / DENSITY

~ 5,000 sf / ~ 17 per acre

DWELLING SIZE

460 sf

RENT VS. OWN

Typically rented



23.

This ADU is a two-car garage conversion designed by Zenbox. A large accordion door connects the exterior with the interior, for a greater living area.

LOCATION

Portland, OR*

LOT SIZE / DENSITY

~ 5,000 sf / ~ 17 per acre

DWELLING SIZE

~ 750 sf

RENT VS. OWN

Typically rented



24.

This is an example of a freestanding accessory dwelling unit in the backyard of the primary house. The home has an open floor plan with a sleeping loft. There is a separate entrance and private patio space. Designed and built by Shelter Solutions.



25......
 The corner lot of this site allows the two-story ADU to have street frontage along the side street of the main house. The backyard of the main house provides further privacy and separation between the two units.

LOCATION.....
 NE Portland

ADDRESS.....
 3072 NE Emerson St.
 Portland, OR

LOT SIZE / DENSITY.....
 4,000 sf / 22 per acre

DWELLING SIZE.....
 750 sf

RENT VS. OWN.....
 Rented



26......
 Both the main house and the ADU have street frontage because they are on a corner lot. A large two-story window wall engages the street, and the several feet of building setback provide privacy and allow for a planted entrance area.

LOCATION.....
 NE Portland

ADDRESS.....
 2913 NE Going St.
 Portland, OR

LOT SIZE / DENSITY.....
 4,000 sf / 22 per acre

DWELLING SIZE.....
 700 sf

RENT VS. OWN.....
 Rented



Plexes

Multiple units inside one structure on a single lot. Usually each unit has its own entry.

VARIATIONS

Duplex (2 units) • Triplex (3 units) • Can be side-by-side, like townhouses, or stacked

ALSO NAMED

Side-by-side unit
Double-decker
Triple-decker

TYPICAL HOUSEHOLD

Depending on square footage, all types of households, from adults with children to single adult householder.

LOT SIZE

2,000 – 8,000 sf

DENSITY RANGE

15 - 45 per acre

FITTING INTO THE NEIGHBORHOOD

Plexes are often designed to look like single dwellings, and to blend in with surrounding traditional neighborhoods. This is a well-integrated and widely found historic housing type.

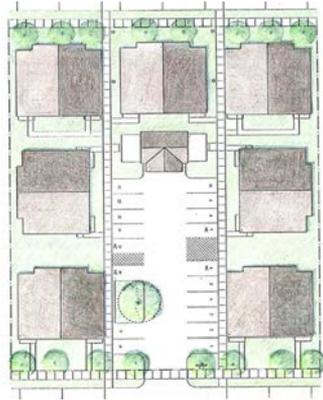
SALES PRICE

\$420,000 – \$550,000

RENT VS. OWN

Rented or owned

SHERIDAN SENIOR ESTATES



LOCATION

Sheridan Senior Estates

ADDRESS

185 S. Sheridan St.
Mount Angel, OR

LOT SIZE / DENSITY

35,000 sf / 17 per acre

DWELLING SIZE

~ 800 sf

RENT VS. OWN

Rented



27.

Fourteen single-level two-bedroom units for seniors are arranged in a cluster of seven duplexes around a shared surface parking area. Covered entries for each unit are on opposite corners, maximizing privacy for residents. Designed by Merryman Barnes Architects.

LOCATION

Lake Oswego

ADDRESS

37 D Avenue
Lake Oswego, OR

LOT SIZE / DENSITY

8,000 sf / 44 per acre

DWELLING SIZE

~ 700 sf

RENT VS. OWN

Rented



28.

Four duplexes (eight units) with sawtooth roof forms share a courtyard/driveway with tuck-under parking. They were designed by Waechter Architecture to maximize natural light and privacy and provide unobstructed views of the



29......

Built in 2016, the development consists of two buildings, one duplex, and one triplex on a single tax lot. Parking is attached and accessed by an alley in the back.

LOCATION.....

Lair Hill
Neighborhood

ADDRESS.....

3312 SW 1st Avenue
Portland, OR

LOT SIZE / DENSITY.....

10,000 sf / 22 per acre

DWELLING SIZE.....

1,872 sf

RENT VS. OWN.....

Typically owned



30......

Twelve attached two-story homes are arranged around a common green and parking area. Three units are attached in four separate buildings. This project was completed in 2000 and developed by ROSE Community Development.

LOCATION.....

Cooper Street
Bungalows

ADDRESS.....

8024 SE Cooper St.
Portland, OR

LOT SIZE / DENSITY.....

27,000 sf / 19 per acre

DWELLING SIZE.....

700 - 900 sf

RENT VS. OWN.....

Typically owned

LOCATION

Downtown Salem

ADDRESS

1365 Chemeketa St. NE
Salem, OR

LOT SIZE / DENSITY

4,350 sf / 30 per acre

DWELLING SIZE

750 - 1,250 sf

RENT VS. OWN

Owned and rented



31.

Triplex converted from a single dwelling home built in 1900. The three units consist of a main two-story unit, a one-bed/one-bath attic unit as well as a lower level unit. The two upper units share entrances off the front porch and the basement unit has a separate entrance along the side.

LOCATION

Downtown Salem

ADDRESS

1393 Chemeketa St. NE
Salem, OR

LOT SIZE / DENSITY

2,500 sf / 34 per acre

DWELLING SIZE

1,200 sf

RENT VS. OWN

Typically rented



32.

This 1932 Duplex sits on a corner lot where both units face the same street. A detached two-car garage is adjacent. Entrances have a small covered area and are positioned at the corners, providing residents with maximum privacy.

Courtyard Apartment



Attached housing units arranged around a courtyard, each with its own entry or other access off of the courtyard.

VARIATIONS

Stacked (like rowhouses), and oriented to a courtyard or open space • single level and oriented to courtyard • with separate garages off of an alley or tucked under the development

TYPICAL HOUSEHOLD

These small units are ideal for small households—single adults or adult and child. They offer an alternative to apartment flats, with access to the outdoors via a front door.

FITTING INTO THE NEIGHBORHOOD

Courtyard apartment have large footprints and therefore fit in well to the edges of single dwelling neighborhoods and on major streets. They can be designed to be low in profile and to fit seamlessly into most detached single dwelling neighborhoods. Like cottage clusters, they lend themselves to sensitive sites where preserving trees and open space is a priority.

ALSO NAMED

Garden apartment

LOT SIZE

10,000 – 80,000 sf

DENSITY RANGE

10 - 75 per acre

RENTAL PRICE

Not available

RENT VS. OWN

Usually rented

Sometimes owned as condominiums

WALNUT PARK ATTACHED HOUSES



LOCATION

Walnut Park Houses

ADDRESS

416 - 512 NE
Roselawn St.
Portland, OR

LOT SIZE / DENSITY

1,300 sf / 34 per acre

DWELLING SIZE

1,400 - 1,500 sf

RENT VS. OWN

Typically owned



33.

Ten units are attached in pairs front to back, both facing the street and each on their own lot. The linear orientation of the units creates a series of internal courtyards. Surface parking is provided in groups of two between each unit.

LOCATION

Downtown Salem

ADDRESS

1245 Chemeketa St. NE
Salem, OR

LOT SIZE / DENSITY

12,800 sf / 34 per acre

DWELLING SIZE

~ 550 sf

RENT VS. OWN

Not known



34.

Ten cottages on a single lot are arranged in two groups of five around a central green. Each unit has its own covered entrance and surface parking is located in the rear. Built in 1925.



35......
 Sixteen units including single dwellings, duplexes, and triplexes arranged around a shared common house and shared garden space with parking in carports along the side yard. Each unit has a porch and back patio space. Some units have ground floor bedrooms for aging in place. Developed by Orange Splot.

LOCATION.....

Cully Grove

ADDRESS.....

4763 NE Going Street
 Portland, OR

LOT SIZE / DENSITY.....

81,000 sf / 9 per acre

DWELLING SIZE.....

1,450 - 1,870 sf

RENT VS. OWN.....

Typically owned



36......
 This 1930's brick U-shaped building sits on a corner lot and has a shared internal courtyard. Units range from studios to two bedrooms and are typically owned as condominiums. There is no parking on site but it is well-located in the heart of NW Portland with easy access to many other transit options.

LOCATION.....

Patricia Court

ADDRESS.....

2182 NW Hoyt St.
 Portland, OR

LOT SIZE / DENSITY.....

10,000 sf / 74 per acre

DWELLING SIZE.....

450 - 1,500 sf

RENT VS. OWN.....

Typically owned



Multi-dwelling

Stacked flats in a single building or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.

VARIATIONS

Flats • lofts • two-level flats • split-level flats • through-building flats

ALSO NAMED

Flats
Multifamily
Apartments

TYPICAL HOUSEHOLD

Depending on square footage, all types of households, from adults with children to single adult householder.

LOT SIZE

7,200 – 320,000 sf

DENSITY RANGE

10 - 200 per acre

FITTING INTO THE NEIGHBORHOOD

Apartments vary in size and design but typically have large footprints and therefore fit in well to the edges of single dwelling neighborhoods and on major streets.

RENTAL PRICE

Varies

RENT VS. OWN

Usually rented
Sometimes owned as condominiums

JUNIPER GARDENS



LOCATION

Juniper Gardens

ADDRESS

2718 Juniper Street
Forest Grove, OR

LOT SIZE / DENSITY

165,000 sf / 12 per acre

DWELLING SIZE

900 - 1,470 sf

RENT VS. OWN

Rented



37.

Affordable housing development for farmworkers and their families. Ten buildings with four to five units in each are organized around pocket parks and a shared common building. Designed by Scott Edwards Architecture.

LOCATION

Trillium Hollow
Cohousing

ADDRESS

9601 NW Leahy Rd
Portland, OR

LOT SIZE / DENSITY

1,150 sf / 38 per acre

DWELLING SIZE

1,000 - 1,400 sf

RENT VS. OWN

Typically owned



38.

Compact co-housing community of twenty-eight units from studios to four bedrooms arranged in three stories above structured parking. Shared facilities include a common house with guest rooms, a play structure, a workshop, and a community garden.

LAIR CONDOMINIUMS



LOCATION.....

Lair Condominiums

ADDRESS.....

245 SW Meade Street
Portland, OR

LOT SIZE / DENSITY.....

10,000 sf / 57 per acre

DWELLING SIZE.....

500 - 1,300 sf

RENT VS. OWN.....

Typically owned



39......

Built on a steeply sloped site in the historic Lair Hill neighborhood of Portland, this design takes advantage of the topography by placing three flats on the lowest level, with ten two-story town houses above. A courtyard on the middle level provides a communal space for residents. Designed by Rick Potestio and completed in 2005.

LOCATION.....

Cedar Manor
Apartments

ADDRESS.....

2024 Hawthorne St.
Forest Grove, OR

LOT SIZE / DENSITY.....

65,000 sf / 19 per acre

DWELLING SIZE.....

600 - 1,225 sf

RENT VS. OWN.....

Rented



40......

Twenty-eight units in three-story buildings ranging from one to three bedrooms. Pitched roofs and the scale of the buildings fit into the context of the single dwelling residential neighborhood.



41......
Mixed use development with three stories of residential above ground-floor retail adjacent to a plaza at the center of the Villebois development. 274 units in total range from studios to three bedrooms. Amenities include a pool, rooftop deck, garden terrace, and fitness center.

LOCATION.....

Domaine at Villebois

ADDRESS.....

28900 SW Villebois Dr.
Wilsonville, OR

LOT SIZE / DENSITY.....

61,000 sf / 194 per acre

DWELLING SIZE.....

525 - 1,400

RENT VS. OWN.....

Rented



42......
One and two-bedroom apartments arranged in fifteen three-story buildings next to Salish Pond. Total number of units in the development is 203 with covered parking pavilions throughout the site. Amenities include pool and spa, club house, theatre room, and fitness center.

LOCATION.....

Lodges at Lake Salish

ADDRESS.....

20699 NE Glisan St.
Fairview, OR

LOT SIZE / DENSITY.....

322,000 sf / 27 per acre

DWELLING SIZE.....

715 - 1,125 sf

RENT VS. OWN.....

Rented

LOCATION.....

Villebois

ADDRESS.....

11573 SW Toulouse St.
Wilsonville, OR

LOT SIZE / DENSITY.....

1,050 sf / 41 per acre

DWELLING SIZE.....

594 sf

RENT VS. OWN.....

Typically rented



43......

Studio flats above parking garages, fronting on an alley in the Villebois community. Garages can be rented separately from the studio units. Each unit is accessed from an exterior stair leading to a small covered entrance.

LOCATION.....

Lair Hill
Neighborhood

ADDRESS.....

3401 SW 1st Avenue
Portland, OR

LOT SIZE / DENSITY.....

7,200 sf / 42 per acre

DWELLING SIZE.....

~ 1,000 sf

RENT VS. OWN.....

Rented



44......

Building takes advantage of corner lot by orienting units around the front and side, maintaining surface and tuck-under parking towards the rear. Designed by Vallaster Corl Architects in 1997, the development consists of seven one to two bedroom units in two separate buildings.



FIELD NOTES

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ACKNOWLEDGMENTS.....

Thank you to the following people and firms for assistance with project information and photographs:

- » Eli Spevak for Mason Street Townhomes (project 2) and Cully Grove (project 35).
- » Dan Riordan, City of Forest Grove for Ella Sea (project 8).
- » Bryan Higgins for Higgins House (project 9).
- » Ross Chapin Architects for Salish Pond Cottages (project 12) and Wyr's End Cottages (project 15).
- » Green Grove Cohousing Community (project 13).
- » Points Beyond Cohousing Community (project 16).
- » Scott Edwards Architecture for North Pocket Neighborhood at Rose Villa (project 17) and Juniper Gardens (project 37).
- » Olsen Design and Development for Tea House Cottages (project 18).
- » Zenbox for Eco ADU and Zen Loft (projects 22 and 23).
- » Shelter Solutions for Timby ADU (project 24).
- » Merryman Barnes Architects for Sheridan Senior Estates (project 27), Walnut Park (project 33) and Trillium Hollow Cohousing (project 38).
- » Potestio Studio for Lair Condominiums (project 39).





May 9, 2022

Falls City Council
299 Mill St,
Falls City, OR 97344

Re: Development Code Amendments targeting adjustments to the City's permitted uses, development standards, and processes for housing development. (LA 22-01)

Dear Mayor and Councilors:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO commend the planning staff for their commitment to broadening the housing options available to the residents of Falls City. We also acknowledge that in the required Goal 10 findings, planning staff gave their best assessment of the housing needs in Falls City based on the data available. However, crucial to this Goal 10 analysis is information from an acknowledged and up to date Housing Needs Analysis (HNA), which the City is lacking. We urge the City to pursue drafting and adopting an HNA so that this document can be utilized to help the City achieve its housing needs. Additionally, we look forward to the City's analysis of the impact of the proposed Development Code Amendments and encourage the City to reach out to FHCO or HLA with any questions.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Allan Lazo".

Allan Lazo
Executive Director
Fair Housing Council of Oregon

Cc: Kevin Young, DLCD

ORDINANCE #01-2022 AN ORDINANCE ADOPTING A LEGISLATIVE AMENDMENT TO THE FALLS CITY ZONING AND DEVELOPMENT ORDINANCE (“FCZDO”) SECTIONS 1.202.02, 2.101.03, 2.101.06, 2.102.03, 2.102.06, 2.102.08, 2.203.03, AND THE ADDITION OF SECTIONS 2.203.04 (ACCESSORY DWELLING UNITS) AND 2.212 (STANDARDS FOR COTTAGE CLUSTER DEVELOPMENT).

FINDINGS:

1. The Falls City City Council determined that the Falls City Zoning and Development Ordinance does not provide sufficient opportunity for the provision of needed housing.
2. The Falls City City Council directed staff to prepare draft amendments to the FCZDO to allow for a wider variety of housing opportunities.
3. The Falls City City Council held a work session on January 31, 2022 to review the background report prepared by staff.
4. The Falls City City Council held a second work session on March 14, 2022, to review the draft amendments prepared by staff and direct staff to prepare hearings ready amendments to the FCZDO
5. Notice was provided to the Department of Land Conservation and Development on March 16, 2022.
6. Measure 56 notice was provided to all property owners of property within the Commercial Residential and Residential zones.
7. Newspaper notice was posted in the Polk County Independent-Observer on May 14, 2022 and June 1, 2022. The Falls City City Council held public hearings on May 16, 2022 and June 13, 2022, at which time interested parties were given full opportunity to be present and heard on the proposed text changes to the FCZDO.
8. At the close of the public hearing, the City Council approved the request.

NOW THEREFORE THE CITY OF FALLS CITY ORDAINS AS FOLLOWS:

Section 1: The City Council hereby adopts findings in support of this legislative amendment to the Falls City Zoning and Development Ordinance, as set forth in the above recitals and attached as “Staff Report”

Section 2: Existing Sections 1.202.02, 2.101.03, 2.101.06, 2.102.03, 2.102.06, 2.102.08, 2.203.03, and new sections 2.203.04 (accessory dwelling units) AND 2.212 (standards for cottage cluster development) of the Falls City Zoning and Development Ordinance are hereby amended as set forth in the attached “Exhibit A.”

Section 3: All unamended provisions of the Falls City Zoning and Development Ordinance shall remain in force and in full effect.

Section 4: This ordinance will go into full force and effect 30 days after its adoption.

READ FIRST TIME by the Common Council of the City of Falls City this 13th day of June, 2022.

AYES: NAYES: ABSTAIN: ABSENT:

ORDINANCE #01-2022 AN ORDINANCE ADOPTING A LEGISLATIVE AMENDMENT TO THE FALLS CITY ZONING AND DEVELOPMENT ORDINANCE ("FCZDO") SECTIONS 1.202.02, 2.101.03, 2.101.06, 2.102.03, 2.102.06, 2.102.08, 2.203.03, AND THE ADDITION OF SECTIONS 2.203.04 (ACCESSORY DWELLING UNITS) AND 2.212 (STANDARDS FOR COTTAGE CLUSTER DEVELOPMENT).

READ SECOND TIME AND ADOPTED by the Common Council of the City of Falls City this ___ day of _____, 2022.

AYES: NAYES: ABSTAIN: ABSENT:

ATTEST _____

STAFF REPORT

Partition 2022-01, VAR 2022-01

Staff Report: June 7, 2022
City Council Meeting: June 13, 2022

- APPLICANT/OWNER:** Donald and Yvonne DePiero
- REQUEST:** To partition an approximately 22-acre parcels into two parcels of 12.44 and 10 acres respectively. The partition request is accompanied by a variance application to allow the applicant to sign a non-remonstrance agreement for required frontage improvements despite the property frontage exceeding 250 feet.
- ZONING/COMP PLAN:** Forestry/Forestry
- ASSESSOR'S MAP/TAX LOT:** 8.6.20 Lot 2600
- LOCATION:** 647 Harrington Rd.
- CURRENT LOT SIZE:** 21.97 acres
- CRITERIA/STANDARDS:** City of Falls City Zoning and Development Ordinance (FZDO), Sections 3.202 (Variances) and 3.209 (Partitions)
- EXHIBITS:**
- Exhibit A: Partition Application
 - Exhibit B: Variance Application
 - Exhibit C: Variance Narrative
 - Exhibit D: Vicinity Map

I. REQUEST

To partition an approximately 22-acre parcel into two parcels of 12.44 and 10 acres respectively. The partition request is accompanied by a variance application to allow the applicant to sign a non-remonstrance agreement for required frontage improvements despite the property frontage exceeding 250 feet.

II. PROCEDURE

Per the Falls City Zoning and Development Ordinance (FCZDO), Section 3.102, the City processes partitions as Type I-B ministerial actions and variances as Type III quasi-judicial actions.

The partition application was submitted on March 2, 2022 and deemed incomplete on March 20, 2022. The Variance application was submitted on March 22, 2022, and deemed complete on April 4, 2022, along with the originally submitted partition application.

Notice of the City Council hearing was sent to all property owners within 250 feet of the subject property on May 18, 2022, over 20 days prior to the City Council hearing.

III. APPEAL

According to the Zoning and Development Ordinance, Section 3.104, the decision of the City Council shall be final unless a notice of appeal is filed. Any party with standing may appeal the City Council's decision to the Land Use Board of Appeals (LUBA). An aggrieved party must file the appeal within 21 days of the mailing of the decision to LUBA.

IV. BACKGROUND

The subject property is currently vacant and utilized for forestry uses. Access is provided via Harrington and Hopkins roads, neither of which are improved to City Standards.

The subject property abuts properties zoned R (Residential) to the North, East, and South; and property zoned F (Forestry) to the West.

V. REVIEW STANDARDS AND CRITERIA

FCZDO 3.209.04 provides the criteria for partitions. Other dimensional standards such as yard setbacks, are applied at the time of proposed development assuming approval of the Partition applications,

3.209.04 GENERAL PROVISIONS

- A. All partitions shall be reviewed to assure compliance with the standards of this Ordinance and the Comprehensive Plan.*

2.106.04 A: Minimum lot size: 10 acres

Findings: The two parcels are approximately 12 and 10 acres respectively, exceeding the minimum lot size.

2.208.03 IMPROVEMENT REQUIREMENTS The following improvements shall be installed at the expense of the subdivider or partitioner:

- A. Water supply system. All lots within a subdivision or partition shall be served by the City water supply system.*

Findings: The subject property is forestland and currently does not contain any structures. Any future development shall be required to connect to the City Water system.

- B. Wastewater system. All lots within a subdivision or partition shall be connected to the City's wastewater system.*

Findings: The City's wastewater system currently does not extend to the border of the subject property. Any future improvements will have to have a septic system installed in compliance with both City and

the Polk County Department of Sanitation requirements, unless the city's wastewater system has been extended to the subject parcel by the time of development.

- C. Drainage. Such grading shall be performed and drainage facilities installed conforming to City specifications as are necessary to provide proper drainage within, or adjacent to, the subdivision or partition, in order to assure healthful, convenient conditions for the residents of the subdivision and for the general public. Drainage facilities in the subdivision shall be connected to drainageways or storm sewers outside the subdivision. Dikes and pumping systems shall be installed if necessary to protect the subdivision against flooding or other inundations.*

Findings: The proposal is not a residential or commercial subdivision, and there are no structures proposed should the partition be approved. The applicant has indicated that both parcels will continue to be used for forestry purposes. Any rezone that would allow for the construction of the residential subdivision shall require the applicant to submit both a rezone and subdivision application for review by City staff.

- D. Streets. The subdivider or partitioner shall grade and improve streets in and adjacent to subdivisions and partitions, including the extension of such streets to the paving line of existing streets with which such streets intersect, in conformance with City specifications. Street improvements shall include related improvements such as curbs, gutters, shoulders, and median strips, to the extent these are required.*

Findings: Neither Harrington or Hopkins Street are improved to City Standards. However, because there is no additional traffic to the site caused by the partition, staff finds that the existing access is sufficient to service the proposed use. Therefore, as **conditions of approval**, the applicant shall be required to:

1. Sign and record a non-remonstrance agreement for the required frontage improvements.
2. Dedicate an additional 15' of R/W (30' half Street) to accommodate the ultimate 60' wide R/W.
3. Dedicate a 10' PUE shall along the entire property street frontage immediately south of the new R/W.

It should be noted that per FCZDO Section 2.211.03.F(2), a non-remonstrance agreement is only permitted if the property frontage is less than 250 feet. Because the property frontage exceeds 250 feet, the applicant has submitted a variance to allow them to sign a non-remonstrance agreement in place of completing the required frontage improvements.

- E. Pedestrian ways. A paved sidewalk, not less than 5 feet wide, shall be installed along all streets within or adjacent to land divisions, and in the center of pedestrian ways within such developments*

Findings: There is no anticipated traffic to the site. Staff finds that the paved sidewalk can be included in the above referenced non-remonstrance agreement.

- B. No parcel within an approved partition may be re-divided within the same calendar year in which it was recorded, except through the subdivision process.*

Findings: The applicant shall not be permitted to re-divide within one year of the approval of PAR 2022-01, unless a rezone and subsequent subdivision application is submitted.

- C. *A master plan for development is required for any application, which leaves a portion of the subject property capable of further development.*

Findings: Staff finds a master plan for development within the Forestry Zone is unnecessary. Criterion C is intended for sites proposed for future development, which does not apply to the subject property.

- D. *Partition approval shall expire after one year from the date of approval if no final plat has been recorded. Partition approval is valid in perpetuity upon recording of the final surveyed plat.*

Findings: The applicant shall be required to record the final plat within one year of the date of approval, or else the approval shall expire.

FCZDO section 3.202.E. states, "The Planning Commission may allow a variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the review procedures, provided that the applicant provides evidence that the following circumstances substantially exist. Approval shall not be granted unless each of these criteria is met.

1. *Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances substantially exist.*

FINDINGS: The subject property has over 1000 feet of frontage, contains 22 acres of land, and is zoned for exclusively forestry-related uses. Because there will be no additional vehicle or pedestrian traffic generated as a result of the partition, staff finds that the scope of the frontage improvements are not proportionate to the proposed development.

2. *Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or zone.*

FINDINGS: Other properties in the F zone have the right to request a non-remonstrance agreement should City Council find that the proposed development does not generate the need for said improvements.

3. *The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.*

FINDINGS: The allowance of a non-remonstrance agreement will not be injurious to any property in the vicinity. Neither Hopkins or Harrington Streets are improved to City standards to the North or West of the subject property. A signed and recorded non-remonstrance agreement will ensure the City has the ability to coordinate frontage improvements in concert with neighboring properties.

4. *That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.*

FINDINGS: The application is not based on negligent or knowing violation of the ordinance. Full street improvements, as required by the FCZDO, are unreasonable and unproportionate to the impact of the partition on the City's infrastructure.

5. *The variance requested is the minimum variance which would alleviate the hardship.*

FINDINGS: Staff finds the variance is the minimum necessary to alleviate the hardship. As part of the final plat approval process, conditions of approval are added requiring half street and PUE dedications to ensure future improvements can be completed in concert with surrounding properties when the time comes for said improvements to occur.

6. *Strict adherence to the requirement or standards is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:*
- a. *Grant the variance will not create significant adverse effects to the appearance, function or safety of the use on the subject property; and*
 - b. *Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.*

FINDINGS: Staff finds that signing a non-remonstrance agreement for the frontage improvements will have no detrimental effect on the safety, appearance, or use of the subject property. Harrington and Hopkins streets are not improved up to the border of the subject property, and would need to be improved to allow for full use up to and past the subject property.

7. *Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.*

FINDINGS: Staff finds the approval of the Variance application would not conflict with the policies and objectives of the Falls City Comprehensive Plan.

Based upon the findings contained in the staff report, staff recommends approval of the proposed variance with the following condition:

VI. SUMMARY, RECOMMENDATION, AND CONDITIONS OF APPROVAL

The proposed partition meets or can be conditioned to meet the criterion in the Zoning and Development Ordinance. Staff recommends approval of PAR 2022-01 and VAR 2022-01 with the following conditions:

1. The current R/W is only 30'. The applicant shall dedicate an additional 15' of R/W (30' half Street) to accommodate the ultimate 60' wide R/W.
2. A 10' PUE shall be dedicated along the entire property street frontage immediately south of the new R/W.
3. The applicant shall sign and record a city-approved non-remonstrance agreement for the required frontage improvements prior to recordation of the final plat.

Performance Guarantee

The applicant shall file a performance guarantee to insure the full and faithful performance of all terms of an improvement agreement (e.g., conditions of approval), if any, or to ensure completion of all work for which permits are required, if required by the City.

Final Plat

- G. **Within 180 days of the final decision approving a tentative map**, the applicant or applicant's agent shall submit four (4) copies of the proposed final plat survey to the City and County for review and approval in conformance with Oregon Revised Statute (ORS) 92. The final plat shall substantially conform to the approval granted by the City. In conformance with FCZDO 3.209.07, if the final survey is not submitted within one year, the preliminary approval shall lapse.
- H. The City may extend the approval period for any partition for a period of not more than 180 additional days. Requests for extension of approval shall be submitted, in writing, at least thirty (30) days prior to the expiration date of the approval period accompanied by payment of the required fee.
- I. **Prior to final plat approval**, a certified title report from a title insurance company including all parties with interest in the property, all easements, all deed restrictions, and any other encumbrances shall be submitted to the City.
- J. After recording, the applicant shall submit two (2) copies of the recorded plat to the City.

VII. SAMPLE CITY COUNCIL ACTION

- A. I move to approve PAR 2022-01 and VAR 2022-01 with the conditions in the staff report.
- B. I move to deny PAR 2022-01 and VAR 2022-01 (explaining what criteria are not met by the applicant).
- C. I move to continue the public hearing to a time certain, or indefinitely (considering the 120-day limit on applications).

City of Falls City
Land Use Application

File # _____
Date Rec'd: 3/2/22
Fee Paid: _____
Receipt No.: _____
Rec'd By: _____

Type I-A Action:

- Access Permit
- Home Occupation Permit
- Property Line Adjustment
- Manufactured Home Placement Permit
- Sign Permit
- Certification of Appropriateness (COA)
(Historic Preservation Officer)

Type IV Action:

- Annexation
- Zone Change
- Comprehensive Plan Map Amendments
involving more than five (5) adjacent land
owners

Type 1-B Action:

- Flood Plain Development Permit
- Site Design Review
- Temporary Hardship Dwelling
Partitions
- Property Line Adjustments with Discretion

Other

- Pre-Application Conference
- Land Use Verification Letter

Type II Action:

- Code Interpretation (standalone application)
- Modification to Approval
- Partition Plat Modification

Type III Action:

- Comprehensive Plan Map Amendments
involving 5 or fewer adjacent land owners
- Conditional Use Permit
- Manufactured Home Park
- Planned Unit Development
- Subdivision
- Variance
- Non-Conforming Use
- Certificate of Appropriateness (COA)
(Historic Landmark Commission)
- Designation of a Historic Resource to the
Local Landmark Register
- Removal of a Historic Resource from the
Local Landmark Register

Applicant(s) Donald + Yvonne DePiero Telephone: 503-987-3539

Address: 647 Harrington Rd

Owner(s): _____ Telephone: _____

Address: _____

Engineer/Surveyor: _____ Telephone: _____

Address: _____

.....
General Information

Map Page and Tax Lot No.: 2600 Zone: F

Location: _____

Legal Description: _____

Existing Zoning/Comprehensive Plan Designation: F

Current Use/Structures: Designated Foresty Land

Proposed Use: _____

Topography: _____

Surrounding Uses: North: Residential

South: Residential

East: Residential

West: Forest

Acreage of Site: 24.44

Number/Size of New Lots or Parcels: 10 + 12.44
(Attach site map, if applicable)

Natural Features/Hazards of the Subject Site: _____

Public Utility Providers (gas, electric, water, sewer, telephone): _____

Easements: _____

Volume and Page Number

(As recorded in the office of the County Clerk)

Deed Restrictions: _____

SUBMITTAL REQUIREMENTS: Please see the Falls City Zoning and Development Code for a list of the submittal requirements for each type of land use application.

All land use applicants shall be charged the ACTUAL COST to the City of Falls City of rendering a decision on their land use application. Cost shall include but not be limited to: contract planning services, City of Falls City staff time, city attorney time, cost of supplies, printing, legal notices, stamps, and city engineer time spent on reviewing the application.

The applicant will be required to pay the amount set by the ordinance. When a final decision is rendered by either staff or City Council the city will send a final invoice to the applicant. Building permits will not be issued until the land use fees are paid in full to the city.

In the event an applicant chooses to withdraw an application prior to a final decision being made, the cost as set forth by the ordinance or the actual cost, whichever is greater, must be paid in full.

I certify that I have read, understand, and agree to the charges outlined above:

Applicant(s) Signature

Date

Applicant(s) Signature

Date

.....
We, the following:

Name: _____ Telephone: _____

Address: _____

Being the owner(s) of record or contract purchasers of the subject property respectfully petition the City of Falls City Planning Commission and/or Council for permission to (describe request you are making.)

The applicant(s) shall certify that:

- ◆ The request does not violate any deed restrictions that may be attached to or imposed upon the subject property.
- ◆ If the application is granted, the applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- ◆ All of the statements in this application and the statements in the prior plan, any attachments, and exhibits submitted with this application are true; and the applicants so acknowledge that any permit issued, based on this application, may be revoked if it is found that any such statements are false.

Dated this _____ day of _____, 20____.

Signature of each owner of the subject property

Print name after signature.

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)

City of Falls City – SITE PLAN FORM

INSTRUCTIONS FOR PREPARATION OF A SITE PLAN

Site plan must be current, drawn to scale, and show all property lines.

Failure to include all of the items listed below may delay the review necessary to obtain a permit

ITEMS THAT MUST BE SHOWN ON YOUR SITE PLAN:

- 1. NORTH ARROW.
- 2. SCALE OF DRAWING.
- 3. STREET NAME accessing the parcel.
- 4. ALL PROPERTY LINES AND DIMENSIONS – existing and proposed.
- 5. DRIVEWAYS, ROADS, INTERNAL ROADS, PARKING AND CIRCULATION AREAS –existing and proposed and label as "Paved" or "Gravel." Show driveway to public right-of-way.
- 6. EXISTING AND PROPOSED STRUCTURES - label as "Proposed" and "Existing". Include dimensions and distance to all property lines and other structures.
- 7. UTILITY LINES AND EASEMENTS.
- 8. GEOGRAPHIC FEATURES – ground slope and direction of slope, escarpments, streams, ponds, or other drainage ways.
- 9. WELLS – existing and proposed on this parcel and adjacent parcels within 100 feet.
- 10. FENCES, RETAINING WALLS – location of existing and/or proposed.
- 11. PARTITIONING (if applicable) – proposed new property line shown by dashed lines, with parcels labeled as "Parcel 1", "Parcel 2", etc. and proposed parcel sizes.
- 12. SEPTIC SYSTEM and REPLACEMENT AREA – existing and proposed. Show existing septic tank, drain field lines and distance from structure(s).
- 13. STORM WATER SYSTEMS OR DETENTION BASINS – show existing and proposed.
- 14. CUTS/FILLS – show existing and proposed.
- 15. ELEVATIONS – at lot corners or construction area and at corners of building site.
- 16. FLOODPLAIN – if applicable, show the boundary of the 100 year floodplain.

If sanitary sewer service is not available, a septic system must be installed. Include the following additional items on the site plan:

- 17. TEST HOLES – show distances between holes and property lines. One test hole should be located in the center of the initial system installation site, the other in the center of the replacement area. Accuracy of location is very important.
- 18. PROPOSED SEPTIC SYSTEM AND REPLACEMENT SYSTEM – show septic tank and distance from structure; show disposal trenches and length, width, and distance between trenches.

Commercial development must also include the following:

- 19. FIRE DEPARTMENT ACCESS
- 20. FIRE HYDRANTS –locations
- 21. HANDICAP ACCESS
- 22. LANDSCAPING – existing and proposed landscaping areas.
- 23. PARKING – lot configuration, number of parking spaces, and off-street loading area.

Additional information, such as patio slabs, walkways, roof overhangs, etc., may be required for the issuance of your permit.

Property Owner (s) Name: _____ Phone: _____

Site Address: _____ City: _____ Zip _____

SITE PLAN MUST SHOW ALL PROPERTY LINES AND DIMENSIONS

Drawn to Scale: 1 square = _____ Feet Not Drawn to Scale: Total Acres _____

A large rectangular area filled with a grid of small dots, intended for drawing a site plan. The grid is approximately 30 units wide by 40 units high.

I certify that the above information is accurate to the best of my knowledge. I AM THE | | Owner or | | Authorized Agent

NAME (please print): _____ Telephone # _____

Applicant's Signature: _____ Date: _____

Applicant's Mailing Address: _____ City: _____ Zip: _____

FOR OFFICE USE ONLY

PLANNING: _____ Date: _____

PUBLIC WORKS: _____ Date: _____

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)

City of Falls City
Land Use Application

File # VAR 22-01
Date Rec'd: 3/11/22
Fee Paid: _____
Receipt No.: _____
Rec'd By: JT

Type I-A Action:

- Access Permit
- Home Occupation Permit
- Property Line Adjustment
- Manufactured Home Placement Permit
- Sign Permit
- Certification of Appropriateness (COA)
(Historic Preservation Officer)

Type IV Action:

- Annexation
- Zone Change
- Comprehensive Plan Map Amendments
involving more than five (5) adjacent land
owners

Type I-B Action:

- Flood Plain Development Permit
- Site Design Review
- Temporary Hardship Dwelling
- Partitions
- Property Line Adjustments with Discretion

Other

- Pre-Application Conference
- Land Use Verification Letter

Type II Action:

- Code Interpretation (standalone application)
- Modification to Approval
- Partition Plat Modification

Type III Action:

- Comprehensive Plan Map Amendments
involving 5 or fewer adjacent land owners
- Conditional Use Permit
- Manufactured Home Park
- Planned Unit Development
- Subdivision
- Variance
- Non-Conforming Use
- Certificate of Appropriateness (COA)
(Historic Landmark Commission)
- Designation of a Historic Resource to the
Local Landmark Register
- Removal of a Historic Resource from the
Local Landmark Register

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)

Applicant(s) DONALD & YVONNE DELI Telephone: 503-787-3539

Address: 647 HARRINGTON

Owner(s): SAME Telephone: _____

Address: _____

Engineer/Surveyor: NORTH STAR Telephone: 541-757-9050

Address: _____

General Information

Map Page and Tax Lot No.: 2600 Zone: FOREST LAND

Location: HOPKIN ST

Legal Description: N/A

Existing Zoning/Comprehensive Plan Designation: FOREST LAND

Current Use/Structures: REFORESTATION

Proposed Use: REFORESTATION

Topography: HILLSIDE

Surrounding Uses: North: RESIDENTIAL

South: RESIDENTIAL

East: RESIDENTIAL

West: FOREST

Acreage of Site: 24

Number/Size of New Lots or Parcels: 10 & ~~12~~ 14
(Attach site map, if applicable)

Natural Features/Hazards of the Subject Site: NONE

Public Utility Providers (gas, electric, water, sewer, telephone): WATER, ELECTRIC, TELEPHONE

Easements: NONE

Volume and Page Number _____

(As recorded in the office of the County Clerk)

Deed Restrictions: NONE

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

City of Falls City – SITE PLAN FORM

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Additional information, such as patio slabs, walkways, roof overhangs, etc., may be required for the issuance of your permit.

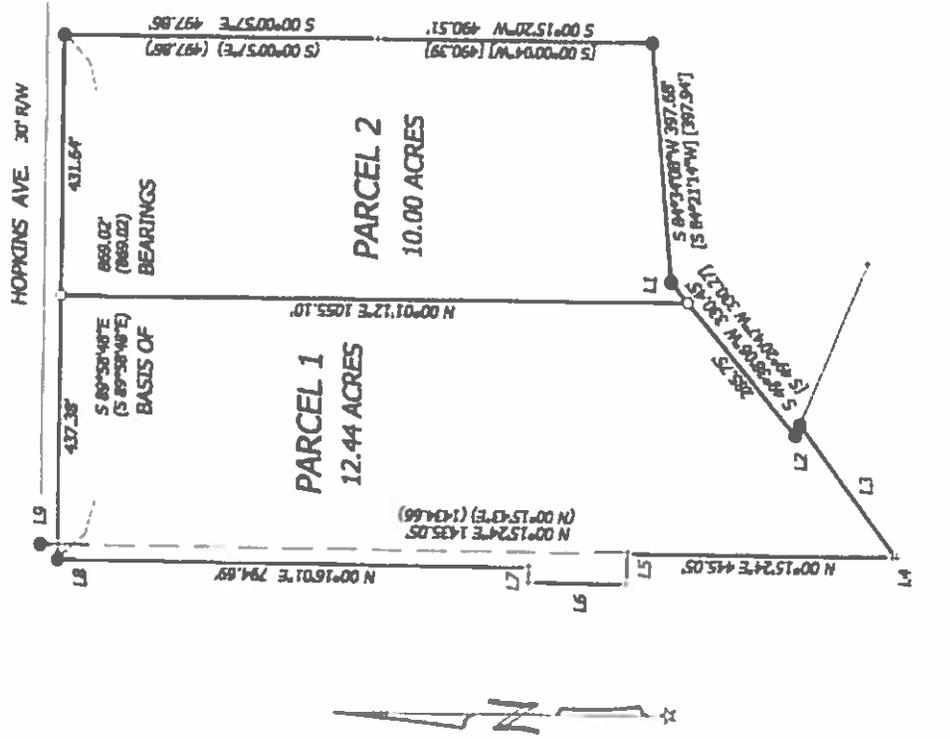
Property Owner (s) Name: Donald & Yvonne DePiero Phone: 503-787-3539
 Site Address: 647 HARRINGTON City: Falls City zip 97344
Tax Lot 260D

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)

DEPIERO SKETCH 2 24 22.pdf

Open with



I will attempt to address the issues raised in your email dated April 19.

- a) The property the variance was applied for is in a timberland zone, not residential.
- b) There are no other properties in the area that are zoned timberland except for my property, that I am requesting a variance.
- c) Since the partition is not going to change the current use of the property, it will not impact the surrounding properties.
- d) The partition application is allowed in a timberland zone, so there are no violations of the Ordinance.
- e) There is no development planned for the property, therefore if any development in the future would be planned, you have control over approving such plans.
- f) i) "Granting the variance will not create significant adverse effects to the appearance ,function, or safety of the use or uses of the subject property."
 - ii) " Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites."
- g) "Approval of the application does not conflict with policies and objectives of the Comprehensive Plan."

Thank- you, Don DePiero

THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

SEC. 20 T.8S. R.6W. W.M.

8.6.20

Polk County

1" = 400'

RAILROAD

ABANDONED

BLACK ROCK ROAD NO. 8612

See Map 8.6.17

See Map 8.6.20AB

See Map 8.6.20AA

Canceled No.

- 403
- 404
- 600
- 601
- 701
- 802
- 804
- 806
- 1000
- 1100
- 1500
- 1800
- 1802
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- 1900
- 2200
- 2300
- 2700
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- 3005
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- 3008
- 3010
- 3011
- 3012
- 3200

See Map 8.6.21BC

See Map 8.6.21CB

See Map 8.6.20DB

See Map 8.6.21C

See Map 8.6.28

See Map 8.6.29

See Map 8.6.19

18 17

19 20

19 20

30 29

17 16

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20 21

29 28

100 24.42 AC.

200 28.42 AC.

301 20.84 AC.

300 20.54 AC.

500 20.00 AC.

900 108.31 AC.

805 6.73 AC.

2-2

201 3.99 AC. PARCEL 2

100 30.40 AC. LOT 1

401 2.00 AC.

402 19.49 AC.

402 19.49 AC.

405 2.00 AC.

803 14.86 AC.

807 .62 AC.

801 4.30 AC.

1301 19.36 AC. PARCEL 2 "UNSURVEYED"

1302 1.00 AC. PARCEL 1

LOT 5 - 25.52 AC.

2400 23.40 AC.

3101 85 AC.

57-1

57-1

2400 2.00 AC.

2400 21.77 AC.

1200 7.15 AC.

1201 3.78 AC.

1301 19.36 AC. PARCEL 2 "UNSURVEYED"

1302 1.00 AC. PARCEL 1

LOT 5 - 25.52 AC.

2600 21.97 AC.

2602 .25 AC.

2601 2.79 AC. PARCEL 1

2900 2.79 AC. PARCEL 1

2902 4.45 AC. PARCEL 2

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3006 2.30 AC.

3014 4.64 AC.

3013 4.64 AC.

3001 3.6 AC.

1404 1.00 AC. PAR 3

1403 1.34 AC. PAR 2

1402 3.06 AC. PAR 1

1406 1.00 AC. PAR 2

1407 1.00 AC. PAR 3

1401 8.00 AC. SW COR. GOLDEN WEST ADD (PER SCHULSON CS 200)

1400 12.05 AC. PARCEL 1 (UNSURVEYED)

1405 1.00 AC. PARCEL 1

1600 13.67 AC.

1700 0.94 AC.

1808 Pt P13 PP1998-30

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19

FALLS CITY CITY COUNCIL		MONDAY, MAY 9, 2022
The Falls City City Council met in regular session on Monday, May 9, 2022 at 6:01 p.m. in the Community Center located at 320 N. Main Street		
Council Members Present: Council President Amy Houghtailing, Councilor Tony Meier, Councilor Dennis Sickles, Councilor Lori Jean Sickles. Councilor Martha Jirovec was excused.		
Staff Present: City Manager AJ Foscoli, City Recorder Jeremy Teal		
AGENDA		ACTION
Announcements, Appointments, Appreciations & Proclamations		
Polk County Tourism Month Proclamation		Mayor Bailey read the proclamation announcing Polk County Tourism Month.
Public Works Crew Introductions		Mr. Foscoli introduced Public Works Supervisor Jon Creekmore, Benny Puller, and Brian Iott.
MWVCOG Planner Introduction		Mr. Foscoli introduced Falls City's new MWVCOG Planner Scott Whyte. He noted he would be replacing Kiel Jenkins.
Public Comment		There were none.
Public Hearing		Mayor Bailey noted that Monday, May 16, 2020 would be the public hearing for the Code Amendments.
Consent Agenda		
a) April 11, 2022 Minutes		
b) Bread Board Business License		Mr. Foscoli noted this was a renewal for the Bread Board.
c) Jet Industries Business License		Mr. Foscoli noted this was a new business license for JET Industries.
d) Budget Committee Reappointments		Mr. Foscoli reported two budget committee members expired at the end of 2021 and this will reappoint them to the budget committee until 2025.
		It was moved by Councilor Meier to approve the Consent Agenda as presented. The motion was duly seconded by Councilor Sickles and CARRIED with a vote of 4-0 with Councilors Meier, Sickles, LJ Sickles, and Council President Houghtailing voting YES.
Reports or Comments from Mayor and Council Members		

	<p>Councilor Meier asked about the parking ordinance. Mr. Foscoli stated the Code Enforcement officer Vandewettering had years of experience and was using the state code for towing tags. He noted that if the Council was in favor of an additional ordinance regarding parking the Mr. Vandewettering would bring it to council.</p> <p>It was moved by Council President Houghtaling to accept the Luckiamute Community Building as its official name. The motion was duly seconded by Councilor Meier and CARRIED with a vote of 4-0 with Councilors Meier, Sickles, LJ Sickles, and Council President Houghtaling voting YES.</p>
Good of the Order	Mayor Bailey read Councilor Jirovec's list for Good of the Order.
Adjourn	There being no further business the meeting was adjourned at 6:46 p.m.
<p>Read and approved this ____ day of _____ 2022.</p> <p>Mayor: _____</p> <p>ATTEST:</p> <p>City Recorder: _____</p>	



City of Falls City

299 Mill St • Falls City, Oregon • 97344
Ph. (503) 787-3631 • www.fallscityoregon.gov

Mayor's Report

I would like to begin my report by thanking our city staff, volunteer fire department and our city council for their many contributions to our city. Often, being servants to our community is thankless and goes unnoticed. Please know that I, along with many of our residents, appreciate the many hours you put in to make our city safe and run effectively. I would also like to thank our Public Works, Parks and Recreation, Budget and Historic Landmarks Committee members for their service to our city. Committee members are volunteers who are servants to our community who do so with little to no recognition, or pay. It is because of our limited volunteers that our city is able to succeed and thrive.

Falls City Cleanup Day

On June 4th we held our annual city-wide cleanup day. Despite the weather not cooperating, we had an outstanding turn out and the cleanup was, once again, a huge success. The success of our cleanup day could not have happened without the many volunteers who used their own vehicles and gas to drive around town, load up our residents' metal, garbage, yard debris, sofas, mattresses and other items. It is because of our volunteers we were able to meet the numerous needs of our residents. I would also like to thank Republic Services Solid Waste Collection Company for sending an amazing crew to help our city. Without their continued involvement, this event would not be possible.

Falls City's Mental Health Wellness Block Party

On Saturday, May 21st, Falls City hosted the first annual "The Happy Dance: Mental Health Fair and Block Party". To say that this event was a success does not appropriately articulate the positive affects this event had towards raising the awareness that millions of Americans face the reality of living with a mental illness. This event helped raise awareness about mental health in our community and to let our residents know that they are not alone. Resources were provided to our residents along with a positive environment for our residents to come together and celebrate being part of a caring and supportive community. The event was coordinated by several groups including:

- Falls City Thrives
- Salem Health West Valley
- Polk County Outreach
- Falls City Booster Club
- Community Services Consortium
- Oregon Community Foundation
- Falls City High School Student Leadership

Pacific Source School Based Mental Health Services

On May 18th, Falls City hosted representatives from Pacific Source, Polk County Family and Community Outreach, Polk County Commissioners Office, Salem Health, Falls City School District and Falls City Thrives to discuss School Based Mental Health Services. The meeting was to discuss the possibility of having a Community Health Worker (CHW) within the Falls City School District. The CHW would potentially provide community-based, community-responsive health system navigation and support services for our students. The CHW would also potentially connect community members to mental health services. Depending on the Legislature's budget appropriation and Oregon Health Authority turnaround, the participating members could work together to apply for a School based Health Services Planning Grant in hopes of having a CHW stationed at the school and travel to various locations in the community to provide home visits to assist our residents with mental health resources and services. The community health worker is an alternative and would be available community wide. Not just for students.

Community Center Makeover

During our May 18th Mental Health Services meeting I was extremely disappointed in the state of our Community Center. The floors were dirty, sticky and disgusting. Upon entering the Community Center, the carpet was dirty with garbage, dirt, rotten food was in a box covered in flies, and cobwebs were all over the pictures, hanging from the lights and on the walls. Inside the Community Center, windows had numerous dead flies, dust and cobwebs. The trashcans were overflowing. Our kitchen has turned into a storage room where items need to be moved out before the kitchen can be used for community events and dinners. We have an amazing building to host partners from outside our community as well as host community events. However, it is time to take pride in our facilities. I respectfully suggest the following to help keep our Community Center looking great all the time:

- Weekly cleaning schedule with a monthly deep cleaning schedule for dusting, mopping and vacuuming
- Dispose of the broken bench in the entry way as well as the fountain that does not work and is a hazard to walk around.
- Having refundable deposits for community events if the facility is cleaned upon completion of the event
- Painting the walls both in the center and in the entry way
- Purchasing a storage cabinet to replace the broken white plastic container for board games
- Having décor that represents Falls City past, present and future development
- Hiring a community member to deep clean the center once a month

Our city runs on volunteerism. Unfortunately, we have very few volunteers who contribute too many projects at once, so I hate to ask them to do more but we need to come up with a plan to take care of our facility. These are just a few suggestions we, as a council and community, can decide on. I am open to any other suggestions. I am all for celebrating our heritage but I am also all for making our Community Center safe, positive and inviting to all our guests.

River's Edge Skate Park Project

River's Edge Skate Park Committee continues to meet on the first Wednesday of every month. Fundraising efforts continue in hopes to raise the funds necessary to hire a company to design the skatepark. The committee had an awareness table at the May 21st Mental Health Event. All of the conversations with the community about the skatepark were positive and supportive of the project.

During the city-wide cleanup day, River's Edge Skate Park had a drop site for cans and bottles. There were over 20 bags donated and we sincerely thank the community for their donations.

There will be a can and bottle drive July 3rd through July 6th where residents can drop off their donations. Once the designated drop site has been determined, a message will be sent via Facebook to inform the community where they can drop off their can and bottle donations. The committee hopes to have the blue bags from the Bottle Drop Recycling Facility available for residents to take and fill to help speed up fundraising efforts.

AGENDA REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: CITY MANAGER & BUDGET OFFICER, AJ FOSCOLI
SUBJECT: RESOLUTION 02-2022 ADOPT THE BUDGET, ELECT STATE REVENUE SHARING, MAKE APPROPRIATIONS, & LEVY TAXES
DATE: JUNE 13, 2022

SUMMARY

Adoption of the budget, appropriation of expenditures, adoption of tax levies, and election to accept state revenue sharing.

BACKGROUND

Oregon Local Budget Law requires cities to conduct certain hearings and take certain actions to adopt the annual budget.

1. The Budget Committee must approve the budget at a public meeting, and must conduct the following hearings/approvals at least once:
 - a. A Public hearing for questions and comments on the budget;
 - b. A Public hearing on revenue sharing with opportunity for written and/or oral testimony regarding use of the funds and offset against taxes;
 - a. Approve the proposed Budget;
 - b. Approve each Ad Valorem Tax Rate or Amount;
 - c. Each of the foregoing must be reflected in the BC meeting minutes.

*The Budget Committee met on June 13, 2022, conducted the appropriate hearings/approvals, and approved the proposed budget outlined in resolution 02-2022.

PREVIOUS COUNCIL ACTION

On June 13, 2022, the Budget Committee members approved the proposed budget, appropriations, taxes and state revenue sharing. Public hearings were held on the budget and state revenue sharing as required by law.

ALTERNATIVES/FINANCIAL IMPLICATIONS

Failure to adopt a budget before July 1, 2022, would render the City unable to operate.

STAFF RECCOMENDATION

Staff recommends the City Council adopt the Fiscal year 2022-2023 budget and appropriations, elect to receive state revenue sharing, and impose ad valorem taxes as recommended by the Budget Committee, and reflected in resolution 02-2022.

EXHIBIT

A) Resolution 02-2022 Fiscal Year 2022-2023 Budget

B) Budget Committee Meeting Minutes for June 13, 2022 (To be approved at the June 13, 2022, City Council Meeting).

PROPOSED MOTION

I move the City Council of the City of Falls City adopt resolution 02-2022, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES, AND ELECTING TO RECEIVE STATE REVENUES FOR FISCAL YEAR 2022-2023.

RESOLUTION 02-2022

**A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES,
AND ELECTING TO RECEIVE STATE REVENUES FOR FISCAL YEAR 2022-2023.**

Whereas, The City of Falls City is governed by Oregon Local Budgeting Law; and

Whereas, Oregon Local Budgeting Law requires the governing body of a municipality to adopt a budget, make appropriations, levy taxes, and elect state revenue sharing; and

Whereas, The City of Falls City Budget Committee heard questions and comments on the budget, and held a public hearing on use of State revenue sharing funds; and

Whereas, The City of Falls City Budget Committee approved the proposed budget, appropriations, taxes, and state revenue sharing on June 13, 2022.

NOW THEREFORE, the City of Falls City resolves as follows:

Section 1. Pursuant to ORS 221.770, the City hereby elects to receive state revenues for fiscal year 2022-2023.

Section 2. The City Council adopts the approved budget now on file at City Hall, 299 Mill Street Falls City, Oregon 97344, in the sum of \$2,673,806.

Section 4. The City of Falls City hereby imposes the taxes provided for in the adopted budget at the rate of \$2.9202 per \$1,000 of assessed value for operations and that these taxes are hereby imposed and categorized for tax year 2022-2023 upon the assessed value of all taxable property within the district.

Section 5. The City of Falls City hereby imposes the taxes provided for in the adopted budget at the rate of \$1.000 per \$1,000 of assessed value for Fire operations and equipment, and that these taxes are hereby imposed and categorized for tax year 2022-2023 upon the assessed value of all taxable property within the district.

Section 6. The taxes imposed in Sections 4 and 5 of this resolution are subject to Measure 5 compression as follows:

Subject to General Government Limitation	Excluded from Limitation
Permanent Rate Levy \$2.9202 per \$1,000	\$0
Fire Equipment and Operations Levy \$1.000 per \$1,000	\$0

Section 7. The amounts for the fiscal year beginning July 1, 2021, for all the purposes shown are hereby appropriated as follows:

General Fund

Administration -----	\$208,692
Fire-----	\$56,523
Parks & Cemeteries -----	\$31,961

Council----- \$3,100
 Code Enforcement & Court-----\$36,412
 Other/ Debt----- \$2,000
 Contingency----- \$310,163

Shared Services Fund

Materials & Services----- \$0
 Capital Outlay----- \$0
 Contingency----- \$0

Streets Fund

Personnel Services -----\$23,237
 Materials and Services-----\$25,400
 Capital----- \$571,520
 Contingency----- \$11,363

Sewer Fund

Personnel Services -----\$94,500
 Materials and Services-----\$36,500
 Capital----- \$122,000
 Contingency----- \$98,000

Water Fund

Personnel Services ----- \$133,769
 Materials and Services----- \$141,625
 Capital----- \$61,800
 Contingency----- \$179,306

Fire Levy Fund

Materials and Services-----\$22,300
 Capital----- \$19,965
 Contingency----- \$2,735

Utility Reserve Fund

Capital----- \$295,000
 Contingency----- \$80,000

Polk Community Development Fund

Materials & Services----- \$0

Wagner Library 80% Fund

Materials & Services-----\$30,000
 Contingency----- \$67,135

Luckiamute Community Building Fund

Materials & Services----- \$8,800
 Contingency----- \$0

TOTAL APPROPRIATIONS \$ 2,673,806
TOTAL RESERVED/UNAPPROPRIATED \$ 0
TOTAL ADOPTED BUDGET \$ 2,673,806

Vote:

AYE _____ NAY _____ ABSTAIN _____ ABSENT _____

Attest:

TJ Bailey, Mayor

Jeremy Teal, City Recorder

Memorandum of Understanding Establishing the Polk County Coordinated Homeless Response Advisory Board

WHEREAS, HB 4123 (2022) provides grants to local governments to create and establish a coordinated homeless response office and response system; and

WHEREAS, Polk County, with input from the other parties to this Agreement have applied for and received a grant to create a homeless response office and system; and

WHEREAS, County, city, tribal members and non-profit entities participating in this project are required to create an agreement establishing an advisory committee with representation and outlining roles and responsibilities, now therefore,

IT IS AGREED AS FOLLOWS:

- 1. Effective Date:** This agreement shall take effect on [DATE] or whenever all participating entities sign this agreement, whichever occurs last.
- 2. Purpose:** The purpose of this agreement is to establish an advisory board comprised of individuals appointed to the advisory board by each participating entity, hereinafter collectively referred to as the “participating entities.”
- 3. Advisory Board Composition:** The Polk County Homeless Response advisory board shall have an eight-member board consisting of one representative each from the participating entities. The participating entities shall be the cities of Dallas, Monmouth, Independence, Willamina and Falls City, the Confederated Tribes of Grand Ronde, the Mid-Valley Community Action agency and Polk County. Each entity shall independently select a representative from their entity to serve on the advisory board. These representatives shall be either an employee or elected official from each entity.
- 4. The Advisory Committee Chair:** The Committee shall elect a Chair and a Vice Chair in accordance with its bylaws, if any. The Chair shall establish agenda for any advisory board meetings and convene all necessary meetings. The Vice Chair shall perform the Chair’s responsibilities when the Chair is absent.
- 5. Advisory Committee Decisions:** Each of the eight advisory committee members of the board shall have one vote. A quorum shall consist of five or more board members. Decisions shall require the approval of five or more board members. Board members may attend meetings in person or electronically as permitted by Oregon laws. If deemed necessary the advisory committee may adopt bylaws covering meetings and procedures.

- 6. The Advisory Committee Roles and Responsibility:** The advisory board shall be an advisory body to the Polk County Board of Commissioners. The role of the advisory board shall be to provide input regarding the operations of the homeless response office, and review and approve the Polk County Homelessness Strategic Plan and annual budget, including major modifications thereto. In the event staff are hired to support the Polk County Homeless Response System, those staff shall be employees of Polk County, and will report to the Polk Board of Commissioners through Polk County personnel rules.
- 7. The Grant Recipient and Administrative Agency:** Polk County shall act as the grant recipient, establish a homeless response office and establish a central point of contact for the coordinated homeless response. Any staff or contractors in the coordinated homeless response office shall be employees or contractors of Polk County.
- 8. Agreement Adoption and Participating Entity Termination:** This agreement may be executed in one or more counterparts which, when combined, shall constitute the entire agreement. This agreement shall be in full force and effect until December 31, 2024. If a participating entity wishes terminate its involvement in this agreement and Polk County's Homeless Response System and it may do so by a majority vote of its governing body. In the event a participating entity's governing body elects to withdraw from this agreement, the remaining parties to this agreement shall meet to renegotiate the terms of this agreement, if needed.
- 9. Mutual Indemnity:** To the extent permitted by the Oregon Constitution and by the Oregon Tort Claims Act, each party to this agreement shall indemnify, within the limits of the Tort Claims Act, the other parties against liability for damage to life or property arising from the indemnifying party's own activities under this agreement, provided that a party will not be required to indemnify the other party for any such liability arising out of the wrongful acts of employees or agents of that other party.
- 10. Agreement Amendment:** This agreement may be amended at any time by a majority of the party's governing boards.

The Parties agree to all the terms of this Intergovernmental Agreement by signing below:

**Memorandum of Understanding Between
The City of Falls City
And
Falls City Thrives**

THIS MEMORANDUM OF UNDERSTANDING (the “MOU”) is entered into by and between the City of Falls City, Oregon (hereinafter “the City”) and Falls City Thrives (hereinafter “Thrives”), collectively they are referred to as the “Parties”.

RECITALS

WHEREAS, the City is a municipality in the State of Oregon; and

WHEREAS, Thrives is a private non-profit corporation organized under Oregon’s non-profit corporation statute for the express purpose of raising philanthropic support to enhance and sustain the community of Falls City, Oregon; and

WHEREAS, Thrives has tax exempt status from the Internal Revenue Service under Section 501(c)(3) of the United States Internal Revenue Code; and

WHEREAS, the City and Thrives want to formalize the relationship between the City and Thrives in regards to the operation of the Luckiamute Community Building (hereinafter “the Building”) by setting forth a series of mutual expectations;

NOW THEREFORE, in consideration of the mutual covenants, promises and commitments herein, the Parties agree as follows:

PURPOSE

The purpose of this MOU is to establish a general framework for cooperation and collaboration between the City and Thrives in regards to the operation of the Building. This MOU is non-binding. It will assist in defining the relationship between the Parties in order to ensure that the goals of each are accomplished in a mutually supportive way.

GUIDING PRINCIPLES

The guiding principles and assumptions for this MOU are as follows:

- Thrives exists to empower the community of Falls City to live with dignity by working to address issues of housing, downtown revitalization, volunteerism, and personal health faced by the Falls City community.

- Thrives is intended to act as a philanthropic partner for the City's efforts to improve the Falls City community.
- The Parties will work collaboratively to develop shared philanthropic priorities.
- The Parties will jointly form development plans which avoid duplication of effort, and which avoid competition for the same dollars, focused instead on the growth of funding opportunities for the benefit of the Falls City community.

RELATIONSHIP BETWEEN THE CITY, THRIVES AND THE BUILDING

- Thrives shall designate a Board member or an associated person to act as a liaison between the City and the tenants of the Building.
- Thrives' designated Building liaison shall be responsible for managing the day-to-day operations of the Building. The liaison will report to the Board of Thrives, and will communicate with the City's manager.
- The Tenants of the Building shall have a lease only with the City. Thrives will not perform enforcement or management of the lease agreements.
- All rents and fees shall be paid to the City. Thrives' liaison will facilitate communication of day to day operations of the Building.
- Thrives shall, in the exercise of all its functions and activities in relation to the Building, act consistently with all pertinent City policies.
- Any update or maintenance of the Building will be communicated in writing (electronic or otherwise) to the tenants 48 hours prior to the activity, by either the City or Thrives. Each Tenant will be notified if the City or its contractors need to access their space on any other than an emergency basis.
- In case of emergency, City staff may enter the building or rental spaces and will notify the Tenants as soon as possible thereafter.

- Tenants are responsible to secure their room(s) and equipment. The City and Thrives are not responsible for any loss or damaged items.
- Thrives will work with the City to adopt a procedure and policy for community rentals and special events.

RELATIONSHIP BETWEEN CITY AND THRIVES

- The Parties agree that, as separate corporate entities, each is responsible for any liabilities and costs arising from its own action(s) and/or inaction(s), and for procuring its own insurance(s) for such liabilities and costs in policy amounts as each deems prudent.
- The Parties will discuss and agree on a project-by-project basis if either party identifies a compelling reason to deviate from the general approach outlined in this MOU; further, the Parties recognize that there may be a compelling reason to adopt additional agreements for specific projects on which they might collaborate.
- This MOU will remain active for two years from the date of signing, and is renewable for additional two year terms by mutual written agreement of the Parties; renewal may require formal action by the Board of Thrives or the City Council.

COMPLIANCE WITH APPLICABLE LAW AND NON-DISCRIMINATION

- The Parties agree not to discriminate in any manner on the basis of race, religion, color, national origin, gender, disability, age, sexual orientation or preference, or marital,, parental, or veteran's status in its programs and activities, and to comply with all non-discriminatory laws and policies to which the City is subject.

- Any notice to either of the Parties required or permitted by this MOU must be in writing signed by the party giving it, and shall be deemed given when mailed postage prepaid through the U.S. Postal Service by first class, certified or express mail or other overnight mail service, or hand delivered, when addressed as follows:
 - To City:
 - To Thrives:

AMENDMENT AND TERMINATION

- This MOU may be amended only in writing signed by an authorized representative of both Parties.
- This MOU shall terminate immediately in the event that:
 - Thrives dissolves or ceases to be a nonprofit organization.
 - The City Council withdraws recognition of Thrives.

- **SIGNATURES**

IN WITNESS WHEREOF, the authorized representative(s) of the City and of Thrives have executed this MOU on this ____ day of _____, 2022, the effective date of this MOU. This MOU will expire two years from the date of signing, unless extended as set forth herein.

CITY OF FALLS CITY

By _____ (Signature) _____ (Printed Name)
 _____ (title)

FALLS CITY THRIVES By _____ (Signature) _____
 (Printed Name) _____ (title)

Call Volume for Falls City Volunteer Fire Dept. May, 2022 Calls

MEDICAL	PUBLIC (PCSO)	MVA	STRUCTURE FIRE	BURN COMPLAINT	POWER LINE	SW CALLS FCFD RESPOND ON	SW ASSISTED FCFD CALLS	MO. TOTAL CALLS
11	1	0	1 (SW Polk)	1	0	1	0	14

April 2022 Falls City Stats

Falls City Calls for Service							
Animal	3	Check Welfare	3	Fire/EMS	5	Stolen Veh.	1
Assist Other Agency	6	Misc. Crime	1	Follow Up	2	Susp. Person	4
Assault	2	Domestic Dist.	4	Hang Up	1	Susp. Veh	1
Attempt to Locate	1	Driving Comp.	2	Harassment	5	Traffic Stop	2
Citizen Contact	3	EDP	1	Illegal Parking	1	Wire Down	1
Civil	9	FIR	2	Sex Offense	1	Warrant Served	1

Falls City Calls for Service	62	Of the FC Calls for Service	13	involved crimes	
Total Calls for Service (county wide)	1776	FC Cases Cleared by Arrest	4	30.8%	clearance
Falls City % of Total Calls	3.5%	Total Arrests in Falls City	2	4.7%	of total arrests

Total Service Calls (Polk County)	1776				
	104	Crimes Occ	Junvenile Arrests	0	(county wide)
Cases Cleared by arrest	43	41.3%	Junvenile Arrests	0	(Falls City)
Total Arrests (county wide)	43		(only true crimes reported here)		

May 2022 Falls City Stats

Falls City Calls for Service							
Alarm	1	Drug	1	Hang Up	1	Tow	1
Assist Other Agency	8	Misc. Crime	1	Harassment	2	Traffic Stops	14
Comm Event	1	Domestic Dist.	3	Illegal Parking	2	Warrant Served	1
Attempt to Locate	2	Driving Comp.	3	Noise	1	Susp. Act	3
Check Welfare	1	EDP	3	Stolen Veh	1	Theft	2
Citizen Contact	7	FIR	5	Susp Person	1	Trespass	5
Civil	13	Fraud	1				
Criminal Miscief	2	Fire/EMS	2				
DOA	1	Follow Up	5				

Falls City Calls for Service	85	Of the FC Calls for Service	9	involved crimes
Total Calls for Service (county wide)	1796	FC Cases Cleared by Arrest	7	77.8% clearance
Falls City % of Total Calls	4.7%	Total Arrests in Falls City	7	8.6% of total arrests

Total Service Calls (Polk County)	1796	Crimes Occ	125	Juvenile Arrests	2	(county wide)
Cases Cleared by arrest	59	47.2%		Juvenile Arrests	0	(Falls City)
Total Arrests (county wide)	81			(only true crimes reported here)		



City of Falls City

299 Mill St • Falls City, Oregon • 97344
Ph. (503) 787-3631 • www.fallscityoregon.gov

Public Works Report May of 2021

Administration

Normal operations.

Water Division

Normal operations.

Sewer Division

Plugged sewer at 661 Bryant had tank pumped.

Streets Division

Normal operations.

Parks & Cemeteries Division

Prepared prior to Memorial Day

Non-Sewer Wastewater Division (TMDL)

Normal operations.



City of Falls City
299 Mill Street
Falls City, OR 97344
Ph 503.787.3631

City Manager's Report June 13, 2022

Introduction

The past month has been very busy at City Hall with our regular council meetings, code amendment meetings and budget committee meetings. The good news is that we are almost at the end for most of these processes. The bad news is that once we are through with these tasks, we will be rushing headlong into the summer event season, which this year should see the triumphant return of the community's Pride Festival. There will be many moving pieces, so the success of all of these events will come down to the many wonderful volunteers that this community can rely on.

Wastewater Project – I have been continuing to attend the regular meetings with the multi-organizational team putting together the ultimate application for financing through USDA-RD. The Preliminary Engineering Report (PER) which includes the main design of the new facility has been completed by our city engineer, so the focus now has shifted to the various federal administrative components for funding eligibility. We are still going through the process for the 401 Water Quality Certification to DEQ. As this process involves cross-jurisdictional determinations, DEQ is confirming with the Department of State lands around potential mitigation requirements. Once this is complete, we will have navigated one of the biggest hurdles in this project.

In a related note, I am continuing to engage the Polk County Board of Commissioners regarding our formal request for ARPA funding assistance for the wastewater treatment facility project. In light of the \$2.5 million in infrastructure funding support we've been earmarked thanks to our State Representative Anna Scharf, we still need to confer with the PCBOC regarding the timeline of their potential financial assistance to the project. Documentation for receipt of this funding has been submitted.

Luckiamute Community Building – The business space is operating at almost full capacity. Talks are ongoing with Polk County Behavioral Health to have a presence at the building and once the Polk County Board of Commissioners approves the monthly expenditure, a lease will be signed. Conversations are ongoing with Indy Commons in Independence to hold business support trainings for Falls City's businesses in the building.

Code Enforcement & Municipal Court – Our new Code Enforcement Officer Russ Vandewettering will appraise the council of the work being done in Falls City.

Note: If you have questions/concerns, please respond to me individually by email, phone, or in person. This way we avoid violating any public meetings laws with a "reply all" response, or multiple councilors discussing on the same thread.

Towing Services – We are currently working with TRS towing to outline a service contract. We expect this to begin in July.

Emergency Escape Routes out of Falls City – No update this month.

TextMyGov Implementation – TextMyGov widgets are embedded in our website to help people navigate how to use the texting download of FAQs, documents and event schedules. We are now live and encourage folks to sign up for updates.

CUSI Billing Software Implementation – City staff has been working with CUSI to get the updated software integrated with our website, as well as get the training needed to help customers use all of the new features available to them. Due to staff responsibility changes at CUSI, the tentative schedule is to have the system upgraded by the next billing cycle.

Air Filtration Grant – City has received communication from Oregon Buys and we’ve been notified that our submitted documents will hold our place in the cue for this grant opportunity.

City of Falls City and Falls City Thrives MOU – City staff has been working with representatives from Falls City Thrives in order to enter into a Memorandum of Understanding for the use and management of the Luckiamute Community Building. This information will be part of the grant request to the Polk County Board of Commissioners to support the Luckiamute Community Building.

Falls City Clean-up Day (& Citywide Garage Sale) – City staff, and 8 volunteers, worked for several weeks coordinating with Republic Services to organize and put on another successful Clean-up Day. TJ Bailey, Big Mike, Jim Miner (and assistant), Chris Warren, Pete Veronesi, Virginia Creekmore, Guy Mack all generously donated a precious weekend day to help gather:

- Six 40-yard drop boxes of trash totaling roughly 48,000 pounds of garbage.
- 1.5 50-yard drop boxes of metal
- 2 large gaylord containers of electronics
- 10-freon appliances

Our wonderful volunteers helped 35 of their fellow community members, who couldn’t drop off their recycling materials, with curbside pickups, and helped to receive and stack 213 tires. We owe a great debt of gratitude to these civic-minded individuals and to Republic Services for helping to make Falls City a little cleaner in 2022.

Sincerely,

