

**PORT ORFORD PLANNING COMMISSION
CITY COUNCIL CHAMBERS, PORT ORFORD CITY HALL
REGULAR MEETING, PUBLIC HEARING and WORKSHOP
Tuesday, November 2, 2021
3:30 PM**

Planning Commission Meeting
Tue, Nov 2, 2021 3:30 PM - 7:30 PM (PDT)

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Agenda

1. Call to Order
2. Planning Chair Comments
3. Additions to the Agenda
4. Approval of Minutes: October 5, 2021
5. Comments from the Public
6. Public Hearing
 - Proposed Ordinance Number 2022-03 Building Height Amendments
 - Staff Report from City Planner Crystal Shoji
 - Attachment A, Code amendments
 - Attachment B, Map of current City Zoning
 - Attachment C, Public Hearing Notice
 - Attachment D, Notice to DLCD
 - Exhibit 1, Letter from David Bassett
 - Exhibit 2, Letter from Sharon Rock
7. Planning Matters

Other Business

- A. Announcements and Communications:
 - City Planner Comments
 - Planning Commission Comments
- B. Old and Continuing Business
9. Public Considerations
10. Adjourn

CITY OF PORT ORFORD PLANNING COMMISSION
MINUTES OF MEETING
October 5, 2021, 3:30 p.m.
Regular Meeting, in person and virtually held
555 W. 20th Street
Port Orford, Oregon

Date Draft:
Date Corrected:
Date Final:

1. Call to Order.

The regular meeting of the City of Port Orford Planning Commission was called to order Tuesday, October 5, 2021, at 3:30 p.m. by Chair Nieraeth.

Those members present were: Chair Nieraeth, Vice Chair Berndt, Comm. Thelen, Comm. Rinehold. Comm. Rossi.

City staff present were: Legal Counsel Kudlac and Assistant Planner Clark.

Others present: Steve Lawton.

2. Planning Chair Comments.

Chair Nieraeth advised this agenda is sparse. Planning is waiting for the public hearing, which happens in November. Chair Nieraeth shared a letter from Mayor Cox regarding city council's status on vacation rentals and ADUs.

3. Additions to the Agenda: None.

4. Approval of Minutes September 7, 2021: Comm. Berndt moved to approve minutes of the September 7, 2021, meeting with Comm. Rossi as second. *Motion carried 5-0*
Discussion: None.

Comm. Thelen	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Rinehold	<u>Yes</u>	Comm. Rossi	<u>Yes</u>		

5. Comments from the Public: None.

6. Public Hearing – None.

7. Planning Matters: Chair Nieraeth suggested commissioners think in terms of where the Planning Commission wants to go, and she will discuss that with the mayor and then go to a workshop. Information on the state action of ADUs and land use issues was discussed. Assistant Planner Clark informed Chair Nieraeth that the city council is working on the water infrastructure; however, this is not a planning matter. Planning and city council information sharing policy was clarified.

Commissioner Berndt suggested commissioners do research and get informed about vacation rental and ADU current policies and how other cities are handling the issues. Comm. Thelen agreed to team with Comm. Berndt for this research. Assistant Planner Clark advised there are vacation rentals in every zone except the Marine Activity Zone and probably the Industrial Zone. She reviewed the process to start a vacation rental within the city. Not all vacation rentals follow policy and process.

Planning information in city council packets was discussed. Assistant Planner Clark shared the type of information in the city council packets.

8. Other Business
 - A. Announcements and Communications:
Planner: None.

Commissioners: Comm. Thelen expressed appreciation for the quality of minutes provided. Commissioners concur. Comm. Berndt advised commissioners that she worked with Planner Shoji and prepared a map on the 7-MA zone that will be part of the packet for the hearing. Assistant Planner Clark advised the map has already been provided to the public via mailings to addresses, physical posting at city hall and online posting.

B. Old and Continuing Business: None.

10. Public Considerations:
Steve Lawton reported that he attended the city council special session last week. CA Ginsburg informed the city council that she had counted 35 vacation rental business licenses within the city limits. Mr. Lawton counted 41 vacation rentals on Airbnb. He feels the numbers are underrepresented. Coos Bay recently found that only 10 of their 82 vacation rentals were registered. There are third party vendors that the city can hire who will comply and monitor vacation rentals. Mr. Lawton feels there is not a huge economic activity from vacation rentals. Mr. Lawton encouraged the Planning Commission to look at the recent state report that came out by the Office of Economic Analysis that addresses lower wages on the coast due to tourism. Mr. Lawton will share a link to a report involving the State of Arizona that looked at 34 communities and their concern with short-term rentals.

- 11: **Chair Nieraeth adjourned the October 5, 2021, meeting at 3:58 p.m.**

**City of Port Orford
Staff Report**

To: Mayor Pat Cox
Port Orford City Council

Krista Nieraeth, Chair
Port Orford Planning Commission

From: Crystal Shoji, AICP
Port Orford Planner – Shoji Planning, LLC

Date of Staff Report: October 26, 2021

Dates of Scheduled Legislative Hearings:

- Planning Commission Public Hearing - November 2, 2021, 3:30 p.m.. Virtual Meeting
- Port Orford City Council Public Hearing – November 18, 2021, 5:30 p.m., Virtual Meeting;

Note: This Staff Report will be revised to incorporate any revised recommendations following the Planning Commission Public Hearing

Subject:

Code amendments Proposed Ordinance Number 2022-03, as Recommended by the Port Orford Planning Commission September 7, 2021 are included as **Attachment A**.

A map of the current City Zoning is included as **Attachment B**.

In the following section of this Staff Report,
Language included within the current code is shown in *Italics*.

Findings recommended by the Planning Commission and City Planner
are provided in regular font.

Port Orford Municipal Code, Chapter 17.40, Amendments to Zoning and Comprehensive Plan

Chapter 17.40

An amendment to this ordinance in the text or the map may be initiated by the city council, the planning commission, or by application of a property owner or his authorized agent.

Finding: This proposed text amendment was initiated by the Port Orford City Council.

17.40.030 Process for Zone Text, Map or Comprehensive Plan Amendment.

- A. Any amendment to the zoning ordinance text, the Comprehensive Plan Goals and Policies, and/or the comprehensive [sic] Plan /zone map is subject to a two-step approval process:
- a. The Planning Commission holds a public hearing and makes a recommendation to the City Council.
 - b. The City Council holds a de novo public hearing and makes a final decision.
- B. Any amendment shall be adopted by (Ordinance [sic]).

Findings: The City is following the procedures set forth in Section 17.40.030 of the code.

Section 17.40.060 Notice for Public Hearing on Amendment

Notice of any Public Hearing shall comply with Section 17.04.90 of this ordinance and any additional requirements of ORS 227 applicable in regards to notice to property owners for any specific zone change. The names for this written notice to property owners shall be obtained from the records of the County Assessor. Failure of a person specified in this section to receive the notice shall not invalidate any proceedings in connection with the application for a change in zone. The hearings body may continue a public hearing to a date and time specified at an advertised hearing in order to obtain more information without further notice or to give further notice to persons it decides are affected by the proposed change in zone.

Findings: Notice for the proposed text amendments that address the height of structures was provided as required by ORA 227.186. A copy of the notice is included as **Attachment C**, to this document.

The language included within the box on the front page of the Attachment B notice is required by law, and has not been analyzed or verified to determine how the specific amendments will affect any specific individual property.

Section 17.40.070 DLCD Notice

When an amendment to the Comprehensive Plan text or map, or the Zoning Ordinance text or map is proposed, except where adoption is required to incorporate new Oregon Statutes or rules, the City shall submit the proposed change to Department of Land Conservation and Development (DLCD) on forms provided by DLCD at least 35 days before holding the first public hearing on the adoption of the proposed change.

Findings: The notice provided to DLCD is included as **Attachment D**.

Section 17.40.040 Criteria and Approval for Zone Text or Map Amendments.

An amendment to the zoning ordinance text or map is appropriate when there are findings that all of the applicable conditions exist.

- a. *Either the original wording or designation was made in error, or the amendment is justified due to changing circumstances.*

Findings: The amendments proposed within this document are zone text amendments, justified due to changing circumstances with the development patterns in the City of Port Orford, and all up and down the Oregon Coast.

- b. *Any amendment must comply with the Port Orford Comprehensive Plan Goals and Policies.*

Findings: The proposed amendments comply with the following Port Orford Comprehensive Plan Goals and Policies, which are acknowledged to be in compliance with the Statewide Planning Goals as follows:

Statewide Planning Goal 1: Citizen Involvement.

City Goal: Provide opportunities for Citizen involvement in all phases of the planning process.

City Policies:

2. *Citizens are encouraged to participate in planning for the City of Port Orford.*
 - a. *Citizens will have opportunities to assist with data collection, plan preparation, evaluation, and revisions to the Comprehensive Plan and other land use regulations.*
 - b. *Citizens will have opportunities to participate in workshops and public hearings.*
3. *Citizens will have opportunities to review and evaluate technical information, adopted plans and implementing ordinances, inventory materials, the rationale used to reach land use policy decisions, and maps utilized for decision-making by the Planning Commission and City Council. Information will be available at the City Hall and online:*
 - a. *The city will provide public notice of all meetings.*
 - b. *The City will disseminate planning information using a variety of methods: media messages, web based digitized information, postings on properties, mailings, depending upon the topic at hand.*

Findings: Citizens participated in all phases for consideration of the amendments, including, but not limited to data collection, workshops, and public hearings. Citizens provided examples from other cities, and suggested amendments. Citizens participated in workshops

and meetings on a regular basis over a number of months when the Planning Commission was considering the amendments. Citizens will have the opportunity to participate in Public Hearings held by the Planning Commission and the City Council.

The City provided widespread public notice of the topic and the proposed public hearings as identified within this Staff Report. The city disseminated information through the media, on the web, and through mailings.

Statewide Planning Goal 9: Economic Development.

City Goals:

1. Provide opportunities throughout the city for a variety of economic activities that are important to the health, welfare, and prosperity of the citizens and the community of Port Orford.

2. Diversify and improve the economy of Port Orford, while protecting the natural environment that makes the city a unique and inviting place.

City Policies:

6. Encourage human-scale amenities within commercial areas and adjacent to trails and lookouts to encourage tourism and enhance the city's sense of place.

Findings: The Planning Commission has determined that the recommended heights within the proposed Ordinance Number 2022-03 will provide opportunities for economic activities that are important to the health, welfare, and prosperity of the citizens and the community. Amendments have been considered and recommended with attention to the needs of the economy, and respect for the natural environment that makes the city a unique and inviting place.

The City relies upon a document titled, *Looking to the Future, June 30, 2006*, which is a visionary document that was developed with widespread involvement and support of the citizens of Port Orford. The following Goals are set forth in the document.

Chapter 7, Page 1: Maintain small town ambiance through planning and zoning by utilizing some of the following techniques:

- Limit the scale and footprint of uses in both residential and commercial areas.*
- Implement more stringent height restrictions.*

Findings: The amendments are consistent with the recommendations and goals set forth in the City's published vision for the City of Port Orford, as explained in *Looking to the Future, June 30, 2006*.

c. The map amendment must be compatible with surrounding zoning.

Findings: There is no map amendment proposed. An illustration adopting height restrictions is included within the text of Section *17.12.060 Marine activity zone (7-MA) zone to*

illustrate and define where height restrictions vary within the zone, but this is not a map amendment. The height restrictions have been organized to be compatible with surrounding zoning in all of the amendments. The two different height restrictions within the (7-MA) zone are recommended to respond to topography so that height restrictions are compatible with surrounding zoning.

Conclusion:

The proposed Ordinance Number 2022-03, with amendments recommended by the Port Orford Planning Commission September 7, 2021 is consistent with the Statewide Planning Goals, the Port Orford Comprehensive Plan and Title 17 of the Municipal Code, and with the visions and goals that the city relies upon from their document Looking to the Future, June 30, 2006.

Recommendations

The Planning Commission has the authority to amend the proposed text amendments including the illustration that is included to respond to public input at the Public Hearing.

The Planning Commission may adopt or amend the above findings to support their recommendations to the City Council following the Planning Commission public hearing.

At this time, I do not recommend carrying over the public hearing to gather additional information. The City Council's Public Hearing is scheduled for November 18, 2021 as indicated on the first page of this Staff Report. The City Council's Public Hearing is a de novo hearing, which means that the Council has the authority to consider new information.

Proposed ORDINANCE NUMBER 2022-03

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD
AMENDING BUILDING HEIGHTS WITHIN USE ZONES**

The Common Council of the City of Port Orford hereby ordains that the Port Orford Municipal Code, Title 17 Zoning, Chapter 17.04 General Provisions and Chapter 17.12 Use Zones, Section 17.20.050 General exception to building height limitations, Section 17.32.050 Additional standards governing conditional uses, and Section 17.46.080 Evacuation Route Improvement Requirements be amended by the following:

Proposed Amendments to Port Orford Municipal Code Title 17, Zoning, are Text Amendments:

Language included within the current code and the City's Vision document is shown in *Italics*.

Language proposed to be removed from the code is shown with ~~cross-outs~~.

Language proposed to be added to the code is shown in **Boldface**.

Port Orford Municipal Code Chapter 17.04

17.04.030 Definitions

~~"Observation tower" means a public structure used to view events from a long distance and to create a 360 degree range of vision.~~

"Public" means open to and shared by the citizens of Port Orford for their use, and owned, leased, or funded by public sources with operations overseen by the City, County or State.

Port Orford Municipal Code Chapter 17.12

17.12.010 Residential zone (1-R)

G. Height of Buildings. Except as provided in Section 17.20 050, in a 1-R zone no ~~building structure~~ shall exceed thirty (30) feet and two stories in height.

17.12.010 Residential zone (2-R)

G. Height of Buildings. Except as provided in Section 17.20 050, in a 2-R zone no ~~building structure~~ shall exceed thirty (30) feet and two stories in height.

17.12.030 Commercial zone (4-C)

*F. Height of Buildings. Except as provided in Section 17.20.050, in 4-C zone, no ~~building~~ structure shall exceed ~~forty-five (45)~~ **thirty-five (35)** feet in height.*

17.12.040 Industrial zone (5-I)

*F. Height of Buildings. Except as provided in Section 17.20.050, in a 5-I zone no ~~building~~ structure shall exceed ~~forty-five (45)~~ **thirty-five (35)** feet in height.*

17.12.050 Controlled Development zone (6-CD)

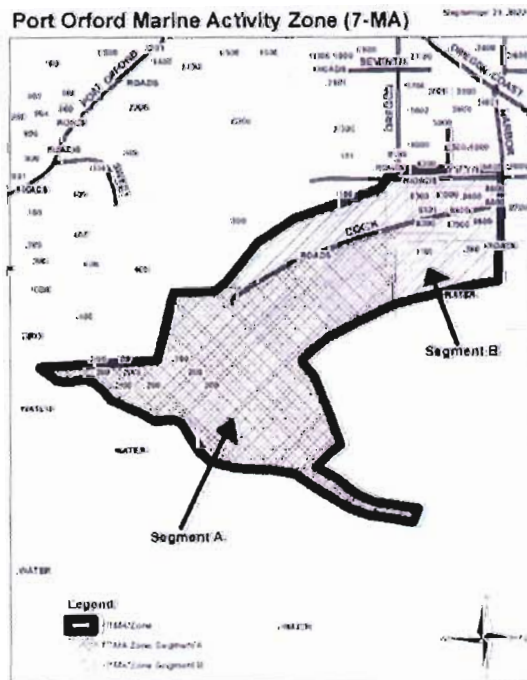
D. Height of Buildings. Except as provided in Section 17.20.050, in 6-CD zone, no ~~building~~ structure shall exceed ~~thirty-five (30)~~ feet in height

17.12.060 Marine activity zone (7-MA)

E. Height of Buildings. Except as provided in Section 17.20.050, in a 7-MA zone, no ~~building~~ structure shall exceed ~~forty-five (45)~~ feet in height. the following heights in Segments A and B of the (7-MA) zone.

- a. **Segment A. No structure shall exceed forty-five feet in height.**
- b. **Segment B. No structure shall exceed thirty-five feet in height.**

F. The map with Segments A and B addressing height restrictions within the 7-MA zone is made part of Section 17.12.060.



17.12.080 Shoreland overlay zone (9-SO)

G. Height of Buildings. Except as provided in Section 17.20-050, in a 9-SO zone no ~~building structure~~ shall exceed thirty (30) feet in height.

17.12.090 Battle Rock Mixed Use Zone (10-MU)

B. Uses Permitted Outright. In the 10-MU zone the following uses are permitted outright subject to the conditions within this chapter:

~~15. Any permitted use where building height exceeds 35 feet shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review.~~

~~16-~~ 15.

E. Design Standards for all New Development. All new structures and substantial improvements in a 10-MU Zone shall conform to the following design standards:

1. Building Size. Any building more than 125 feet in length, ~~or exceeding 35 feet in height~~ or with a footprint greater than 6,000 square feet shall be considered a large structure requiring site plan review in compliance with standards set forth in Chapter 17.33.

H. Height of Buildings. Except as provided in Section 17.20.050, in a 10-MU zone no ~~building structure~~ shall exceed thirty- five (35) feet in height.

17.20.050 General exception to building height limitations.

The following type of structure or structural parts are not subject to the building height limitations of this title: ~~stationery boat hoist or crane in the Port Facility, chimney or smokestack that does not exceed 5 feet over the building height limitation of the zone, tank, church spire, belfry, dome, monument, fire and hose towers, public observation tower, tsunami evacuation structure, mast, aerial cooling tower, elevator shaft, transmission tower or communication facility towers authorized by state or federal law, smokestack, flagpole, radio, or television towers, municipal and community water system towers approved by the City and the Oregon Health Authority, and other similar projections.~~

17.32.050 Additional standards governing conditional uses.

~~B. Church, Hospital, Nursing Home, Convalescent Home, Retirement Home.~~

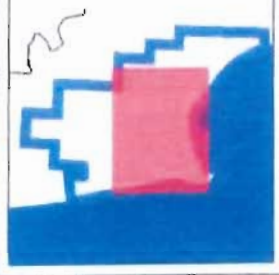
~~2. A church, hospital, nursing home, convalescent home, or retirement home may be built to exceed the height limitations of the zone in which it is located to a maximum height as determined by the State Fire Marshal if the total floor area of the building does not exceed one and one-half times the area of the site and if yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.~~

Note: When removing Section (B) above, renumber Sections (C), (D) and (E) so that numbers are consecutive.

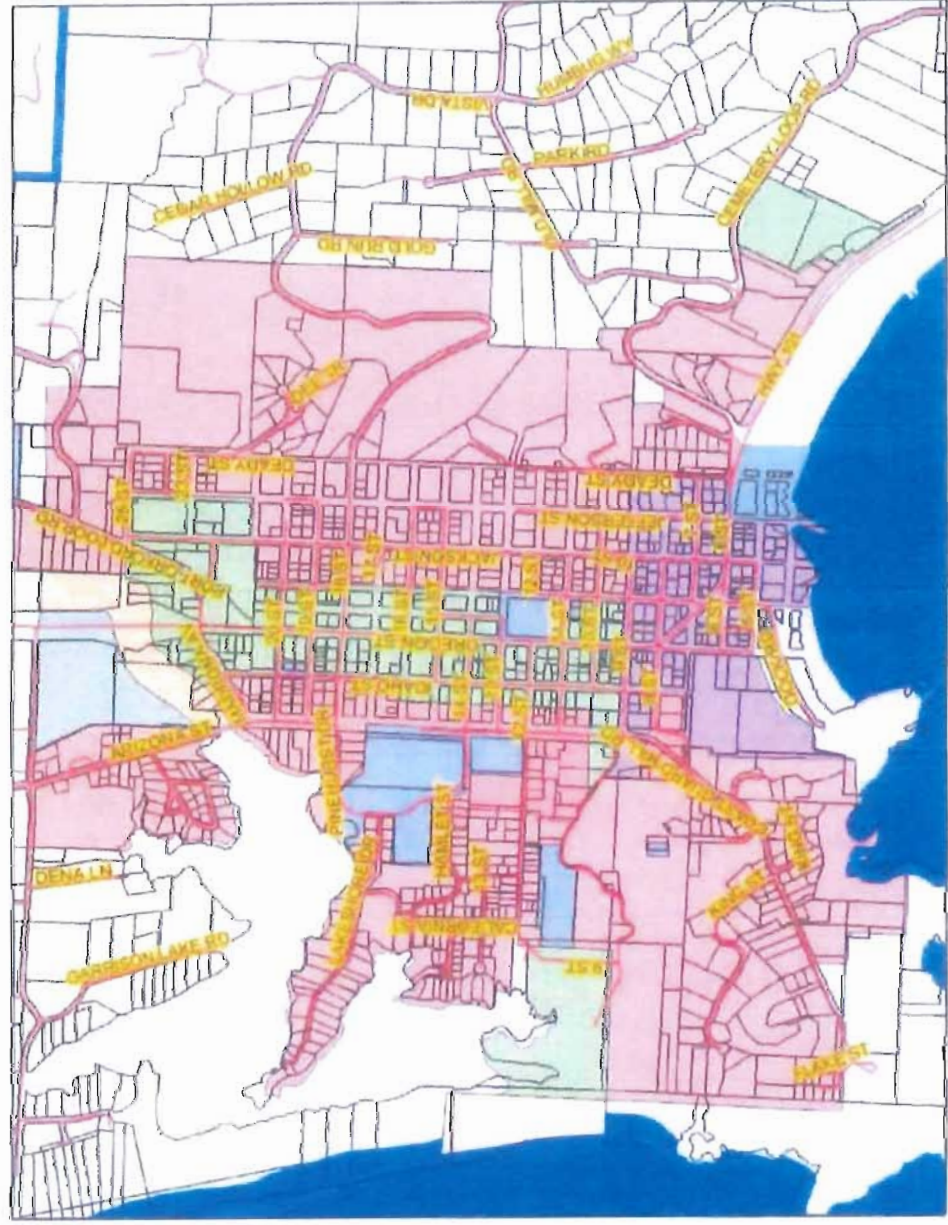
17.46.080 Evacuation Route Improvement Requirements.

D. **Public Tsunami Evacuation Structures:** *Public Tsunami evacuation structures are not subject to the building height limitations of this code.*

Curry County Enterprise GIS



- Legend**
- RIVERS
 - ROADS
 - PARCELS
 - URBAN GROWTH BOUNDARY
 - ZONING_PORT_ORFORD
 - 10-MU
 - 1R
 - 2R
 - 4C
 - 5-I
 - 6CD
 - 7MA
 - 8PF
 - OCEAN



Scale: 1:17,805

Map center: 42° 44' 38" N, 124° 29' 47" W



This map is a public resource of general information. Use this information at your own risk. Curry County makes no warranty, of any kind, expressed or implied, including any warranty of merchantability, fitness for any particular purpose or any other matter.

CITY OF PORT ORFORD

555 West 20th Street
Post Office Box 310
Port Orford, Oregon 97465
541-332-3681 (v) 877-281-5307 (t)

This Public Notice is provided to inform you about upcoming public hearings, and to comply with ORS 227.186 which requires the City to print the following language:

THIS IS TO NOTIFY YOU THAT THE CITY OF PORT ORFORD HAS PROPOSED LAND USE REGULATIONS THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

On Tuesday, November 2, 2021 at 3:30 p.m., and Thursday, November 18, 2021 at 5:30 p.m., the City of Port Orford will hold virtual public hearings regarding text amendments to the Municipal Code, City's Title 17 Zoning. The City of Port Orford has determined that adoption, which will be by ordinance, may affect the permissible uses of your property and other properties in the city, and may change the value of your property.

Proposed ordinance, Ordinance #2022-03 is available for inspection at the Port Orford City Hall located at 555 W. 20th Street, Port Orford, Oregon. Copies will be available on the City web site www.portorford.org. Copies of the proposed amendments are also available for purchase at the cost of 25 cents per page. For additional information concerning the amendments, you may contact the City of Port Orford, Phone 541-332-3681.

City Planning Commission Public Hearing

(Via Virtual Meeting)

Tuesday, November 2, 2021 beginning at 3:30 p.m.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/996167685>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 996-167-685

City Council Public Hearing

(Via Virtual Meeting)

Thursday, November 18, 2021 beginning at 5:30 p.m.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/271947893>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 271-947-893

You are invited to participate in either or both of the hearings, and in any workshops or continuation of the hearings that may be scheduled and announced at hearings. Please contact the City of Port Orford if you have questions or concerns - Phone: 541-332-3681.

Attachment C

What is the proposal for the amendments?

The following information describes the zoning provisions that are under consideration. The proposal is to amend zoning related to building and structure heights. Please review the proposed documents at City Hall and/or attend the scheduled hearings for more information, and to provide input.

Proposed Amendments

Amendments are proposed to reduce heights within the following zones: Section 17.12.030 Commercial zone (4-C); Section 17.12.040 Industrial zone (5-I); Section 17.12.060 Marine zone (7-MA) – a portion of the zone. Amendments are proposed to site plan review requirements in Section 17.12.090 Battle Rock Mixed Use zone (10-MU).

Section 17.20.050 General exception to building and structural height limitations is proposed to be amended to include new exceptions and eliminate some current exceptions.

Section 17.32.050 Additional standards governing conditional uses, (B) is proposed to be removed to disallow taller heights, which are currently based upon the sizes of the lot where church, hospital, nursing home, convalescent home and retirement home are to be built.

Section 17.04.030 Definitions proposes a new definition for "Public" and proposes removal of the definition for "Observation tower".

Any new requirements that may be adopted apply to new construction and/or substantially enlarged existing structures. Existing structures and buildings that currently legal are "grandfathered" and not required to come into compliance with new code language.

A map with proposed Marine zone (7-MA) heights (two different segments) is affixed on the following page with a City of Port Orford Zone Map is on the other side of the paper.



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FORM 1

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation at least 35 days before the first evidentiary hearing. (See OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: City of Port Orford

Local file no.: Proposed Ordinance #2022-03

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment over 100 acres by a metropolitan service district
- Urban reserve designation, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task – Task no.:
- Any other change to a comp plan or land use regulation (e.g., a post-acknowledgement plan amendment)

Local contact person (name and title): Patty Clark, Planning Assistant

Phone: 541-366-4570 E-mail: patty@portorford.org

Street address: 555 West 20th Street City: Port Orford Zip: 97465

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

The proposal is for text amendments to the PMC, Title 17, Zoning

Date of first evidentiary hearing: November 2, 2021 Virtual Public Hearing

Date of final hearing: November 18, 2021 Virtual Public Hearing

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from to
Change from to
- New or amended land use regulation
- Zoning map amendment(s) – Change from to
Change from to
- An exception to a statewide planning goal is proposed – goal(s) subject to exception
- Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts:

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCDC's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCDC receives the proposal in its Salem office. **DLCDC will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCDC will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<https://www.oregon.gov/LCD/CPU/Pages/Plan-Amendments.aspx>

4. **Electronic submittals** may be sent via e-mail. Address e-mails to plan.amendments@dlcd.oregon.gov with the subject line "Notice of Proposed Amendment."

FTP may be needed for large file submittals. Contact DLCDC for FTP information.

DLCDC encourages all users to submit a PAPA via PAPA Online at:

<https://www.oregon.gov/LCD/CPU/Pages/Plan-Amendments.aspx>

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-373-0050 or plan.amendments@dlcd.oregon.gov.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCDC of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-373-0050 or e-mail plan.amendments@dled.oregon.gov.

Notice checklist. Include all that apply:

- ✓ Completed Form 1
- ✓ The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- ✓ Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- ✓ A map of the affected area showing existing and proposed plan and zone designations [City Zoning Map](#)
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- ✓ Any other information necessary to advise DLCD of the effect of the proposal [Measure 56 Notice](#)

Jessica Ginsburg

From: David Bassett <dabpe@peak.org>
Sent: Tuesday, October 26, 2021 2:31 PM
To: Krista Nieraeth
Cc: Jessica Ginsburg
Subject: Re: Email asking for help to discuss proposed zoning ordinance changes.

David Bassett <dabpe@peak.org> wrote:

>
>Krista,
>
>Wow, ok sorry. Since you are at the top of the front page on the document from City Hall yesterday, I believed we could have a constructive explanatory conversation before preparing my written testimony.
>
>Please advise who IS available for citizen discussion that is a competent and experienced land use planner. Thank you.
>
>Also, the City use of 'Go to Meeting' has proven to be completely unacceptable as to audio and video. The app drops attendees, makes voices garbled and black screens instead of video.
>
>There is no pressing need or urgency to implement these polarizing revisions that are overly restrictive..... especially when we should be empowering citizens to make the best use of our limited properties.
>
>Inovation is the engine that creates prosperous communities, not arbitrary restrictions.
>
>We should allow for best judgements on the merits of each project rather than picking arbitrary limiting numbers and restrictive definations that clearly consitute a 'taking of property rights with no commensurate public benefit.'
>
>Therefore, please do not act on proposed ordinance 2022 ~ 3 until in person meetings allow for full discussion and improvements / changes to the proposed text.
>
>Thank you. Dab.
>
>Sent by Android phone of David A Bassett PE, CBO, F.PEO, 541.660.3131

Patty Clark

From: Sharon Rock <sharonrock@gmail.com>
Sent: Wednesday, October 27, 2021 11:32 AM
To: patty@portorford.org
Subject: Planning Commission Hearing 11/2/21 re. proposed ordinance 2022-03

Members of the Port Orford Planning Commission,

As a landowner within the City limits, I am strongly in favor of the proposed ordinance 2022-03.

Construction height limits are critical to help ensure current and future sustainability of the City. And with construction height limits come many other benefits such as retention of human scale amenities and less distraction from the natural beauty.

I urge you to submit proposed ordinance 2022-03 to the City Council as it is currently written, or with more restrictive language but not less.

Sincere appreciation,

Sharon Rock
720 Deady St. (Port Orford)
PO Box 1723
Bisbee, AZ 8560520-255-0050



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