

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of Ordinance)	ORDER
Amendment Request #851-25-)	#25- <u>056</u>
000264-PLNG in the Department of)	
Community Development)	

This matter came before the Tillamook County Board of Commissioners on July 23, 2025, and September 3, 2025, at the request of Sarah Absher, Director, Department of Community Development. The Board of Commissioners, being fully apprised of the records and files herein, finds as follows:

1. The files in this proceeding can be found in the office of the Tillamook County Department of Community Development under Ordinance Amendment Request #851-25-000264-PLNG.
2. A public hearing on the above-entitled matter was held before the Tillamook County Planning Commission on July 10, 2025. After consideration of all available evidence including findings of fact and conclusions contained within the staff report, staff memos, public testimony, evidence and information presented, written and oral testimony received at the hearing, and the Department's presentation, the Tillamook County Planning Commission voted unanimously, seven (7) in favor and zero (0) opposed, to recommend approval of the proposed amendments as presented at the July 23, 2025, Board of County Commissioners' hearing.
3. The Tillamook County Board of Commissioners opened a de novo public hearing on July 23, 2025. The Board of Commissioners considered the ordinance amendment request together with the Legislative Text Amendment criteria listed in Section 9.030 of the Tillamook County Land Use Ordinance ("TCLUO"), the Planning Commission's recommendations, and other testimony and evidence on the record including the staff report and findings contained therein.
4. Following the public comment portion of the public hearing on July 23, 2025, the Board closed the hearing with a directive to staff to prepare a Board Order for adoption of the proposed amendments under Ordinance Amendment Request #851-25-000264-PLNG.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

5. Ordinance Amendment Request #851-25-000264-PLNG is approved.
6. Article 5 of the Tillamook County Land Use Ordinance is amended to reflect the newly adopted Section 5.120: Middle Housing Development Standards in "Exhibit A" to establish development standards in accordance with Senate Bill 406 for middle housing types in residential zones located in Tillamook County unincorporated communities served by water and sewer.

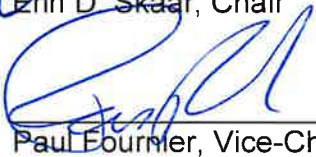
7. The findings contained in the Staff Report dated July 3, 2025, included as "Exhibit B" are hereby incorporated into this Order.
8. The Board finds the amendments are necessary for public health, safety and general welfare that an emergency exists, and this ordinance shall take effect immediately upon passage by the Board of Commissioners.
9. This order shall become effective September 3, 2025.

DATED THIS 3rd day of September, 2025.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON


Erin D. Skaar, Chair

Aye	Nay	Abstain/Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Paul Fournier, Vice-Chair

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Absent
Mary Faith Bell, Commissioner

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ATTEST: Christy Nyseth
County Clerk

APPROVED AS TO FORM:

By: 
Special Deputy


William K. Sargent, County Counsel



“EXHIBIT A”

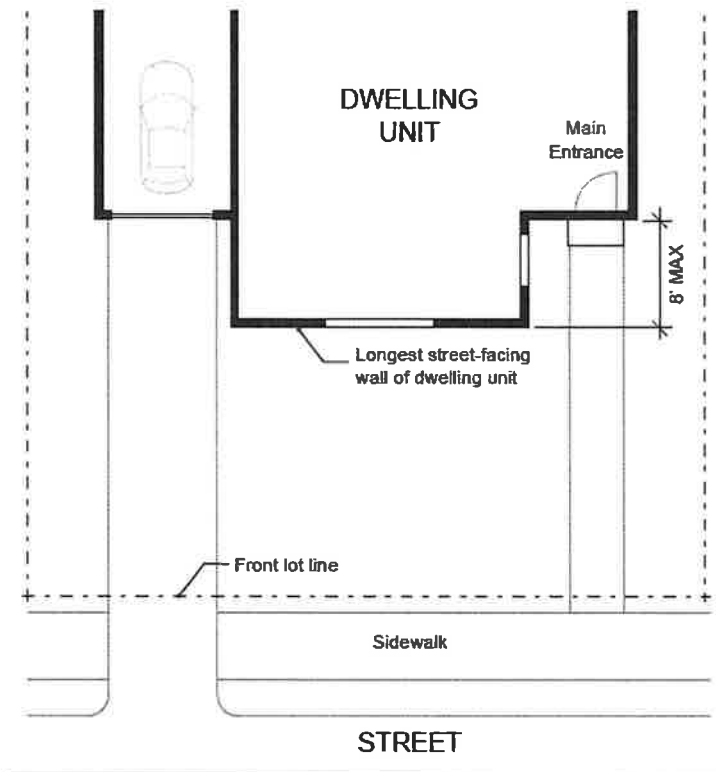
SECTION 5.120: MIDDLE HOUSING STANDARDS

- (1) **PURPOSE.** The purpose of the middle housing standards is to ensure that new middle housing can be integrated within community boundaries where it is permitted and reviewed according to clear and objective standards. Middle housing includes triplexes, quadplexes, townhouses and cottage clusters, intended to provide an alternative to single-family dwellings for greater flexibility that can include dwellings of different sizes and configurations.
- (2) **LOCATION:** A triplex, quadplex, townhome or cottage cluster may be sited on a lawfully established residentially zoned property located within the unincorporated community boundaries of Neahkahnie, Barview/Twin Rocks/Watseco, Oceanside, Netarts, Hebo, Cloverdale, Pacific City/Woods and Neskowin, subject to the development standards of the underlying zone and this section.
- (3) **SUFFICIENT INFRASTRUCTURE.** Applicants shall demonstrate that sufficient infrastructure is provided, or will be provided, upon submittal of an application for a triplex, quadplex, townhouse project or cottage cluster, including documentation from a local service provider or special district verifying:
 - (a) Connection to a public sewer system capable of meeting established service levels or permit approval of onsite wastewater treatment system;
 - (b) Connection to a public water system capable of meeting established service levels;
 - (c) Access via public or private streets meeting adopted emergency vehicle access standards to a public street system; and
 - (d) Storm drainage facilities capable of meeting established service levels for storm drainage.
- (4) **TRIPLEX AND QUADPLEX STANDARDS.**
 - (a) **Development Standards.** The development standards of the applicable base zone apply.
 - (b) **Entry Orientation.** At least one main entrance for each triplex or quadplex structure shall meet the standards below. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling is exempt from meeting these standards.
 - i. The entrance shall be within 8 feet of the longest street-facing wall of the dwelling unit; and
 - ii. The entrance shall either:
 1. Face the street (see Figure 5.120(3)-1);

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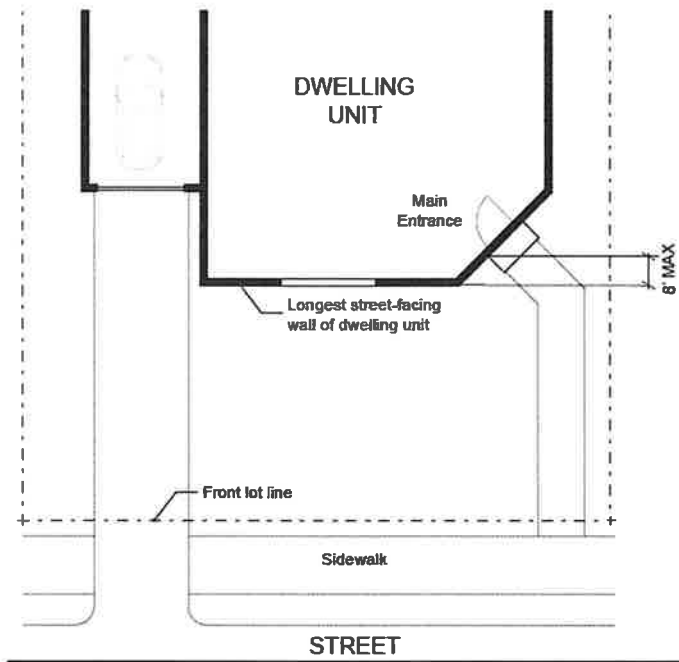
2. Be at an angle of up to 45 degrees from the street (see Figure 5.120(3)-2);
3. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 5.120(3)-3); or
4. Open onto a porch that is at least 25 square feet in area, and that has at least one entrance facing the street or have a roof (see Figure 5.120(3)-4).

Figure 5.120(3)-1



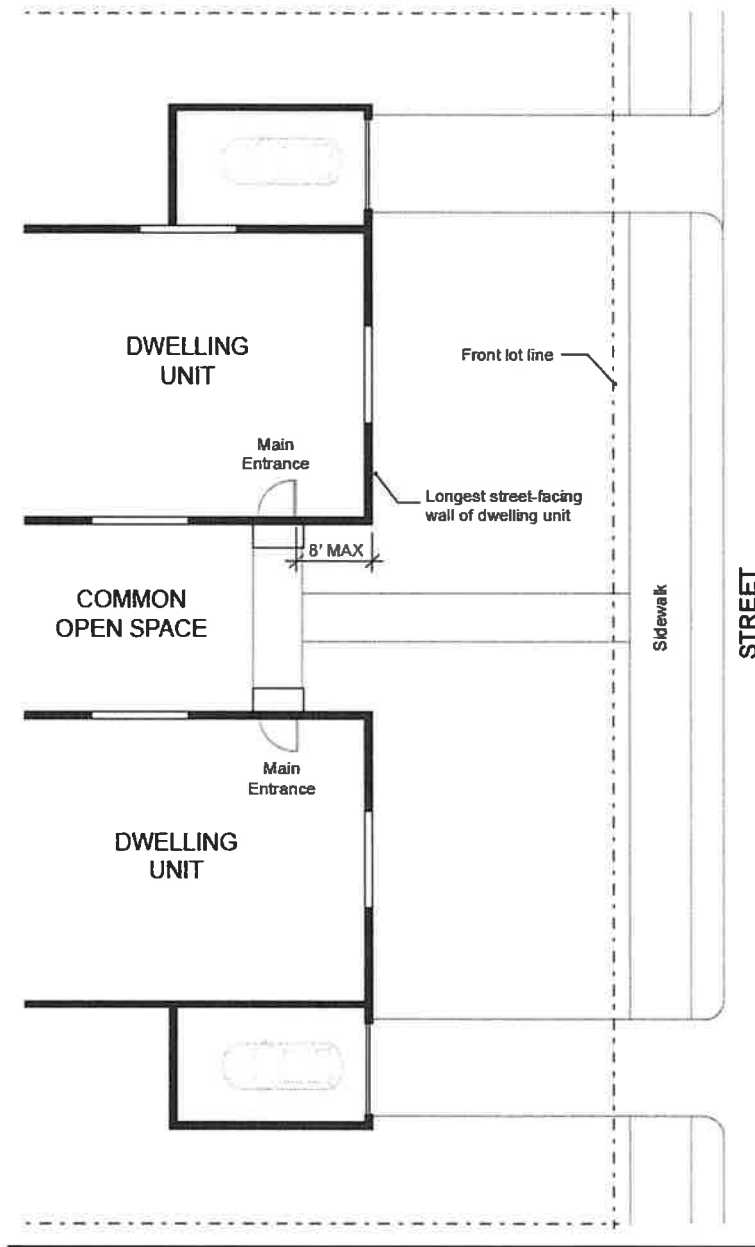
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Figure 5.120(3)-2



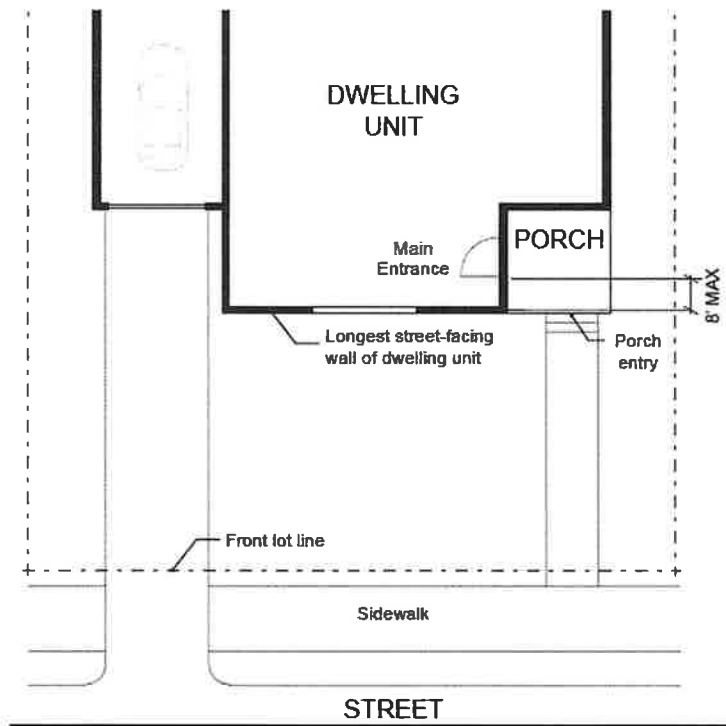
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Figure 5.120(3)-3



“EXHIBIT A”

Figure 5.120(3)-4



- (c) Windows. A minimum of 15 percent of the area of all street-facing facades shall include windows or entrance doors. Facades separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 5.120(3)-5.

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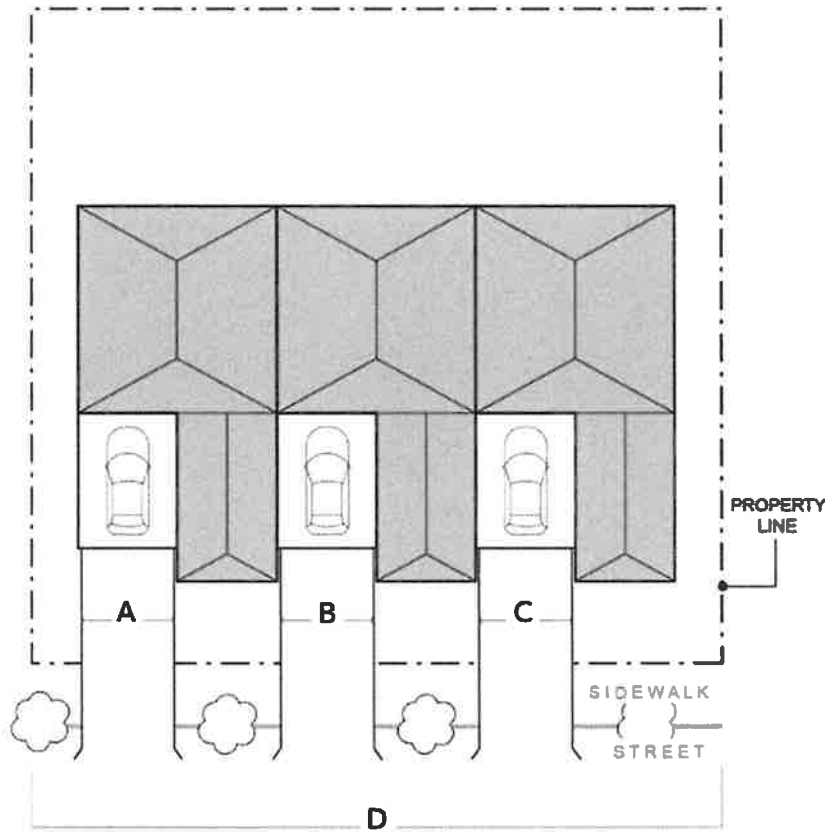
Figure 5.120(3)-5



- (d) Garages and Off-Street Parking Areas. Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except where they comply with the following standards:
- i. The garage or off-street parking area is separated from the street property line by a dwelling; or
 - ii. The combined width of all garages and outdoor on-site parking and maneuvering areas do not exceed a total of 50 percent of the street frontage. See Figure 5.120(3)-6; or
 - iii. The location of the garage and off-street parking area are an extension of the road approach approved by Tillamook County Public Works or the local road authority.

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Figure 5.120(3)-6



A/B/C Garage and on-site parking and maneuvering areas

D Total street frontage

$$\frac{A + B + C}{D} \leq 50\%$$

- (e) Driveway Approach. Driveway approaches shall comply with the following:
- The total width of all driveway approaches shall not exceed 32 feet per frontage, as measured at the property line (see Figure 5.120(3)-7), unless a different total width is required by Tillamook County Public Works or the

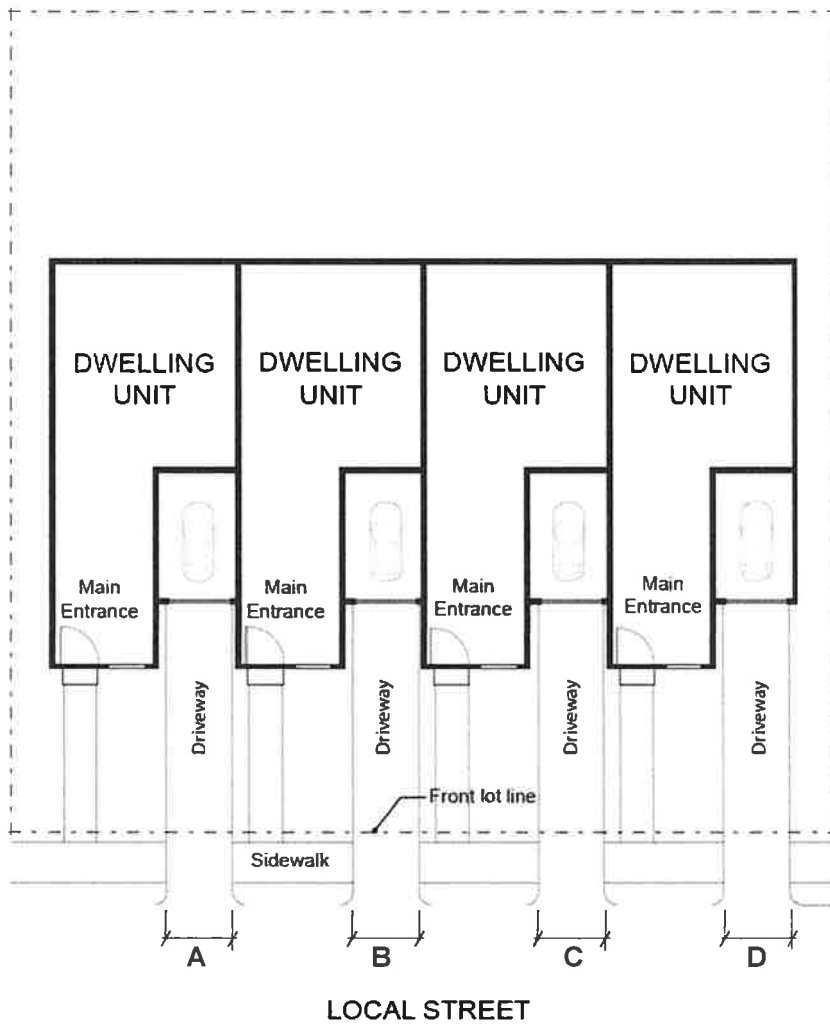
“EXHIBIT A”

local road authority.

- ii. Driveway approaches may be separated when located on a local street (see Figure 5.120(3)-7).
- iii. In addition, lots with more than one frontage shall comply with the following:
 1. Lots shall access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley, access shall be taken from the alley (see Figure 5.120(3)-8).
 2. Lots or parcels with frontages only on collectors and/or arterial streets shall meet the access standards applicable to collectors and/or arterials.
 3. Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:
 - Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - One maximum 16-foot-wide driveway approach per frontage (see Figure 5.120(3)-9); or
 - As determined by the Tillamook County Public Works Department or local road authority.

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Figure 5.120(3)-7

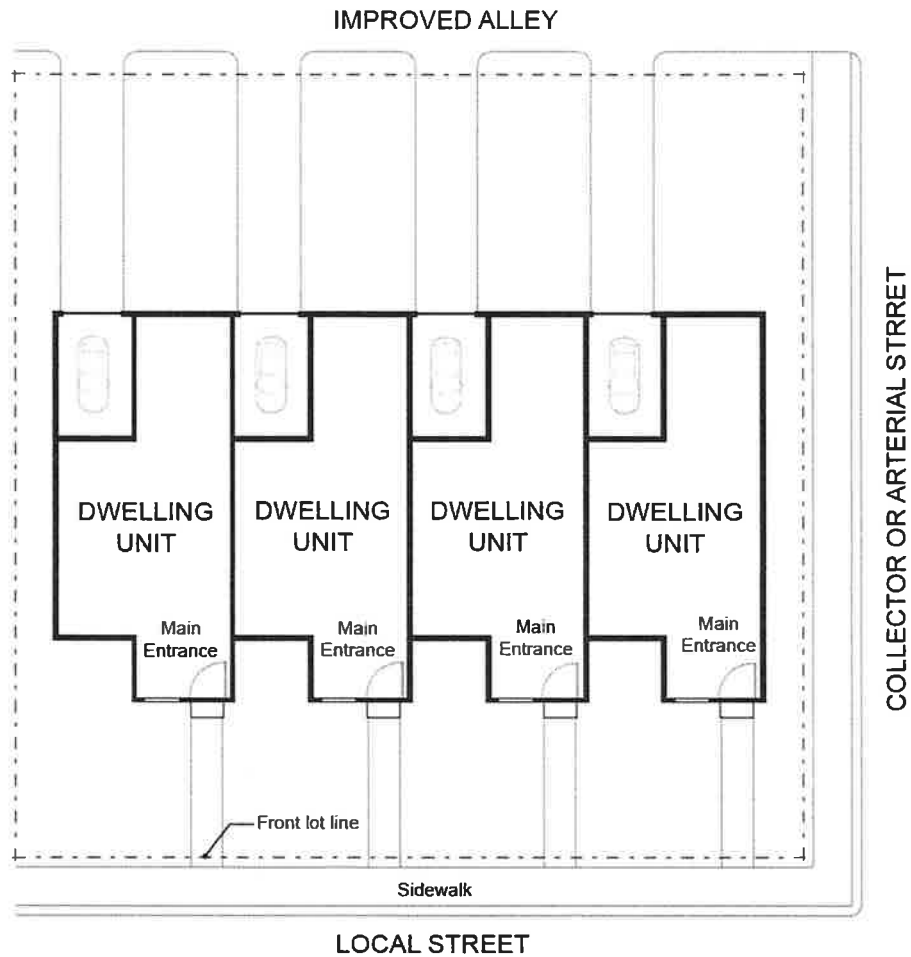


Width of **A+B+C+D** shall not exceed 32 feet

* Driveway approaches may be separated on a local street

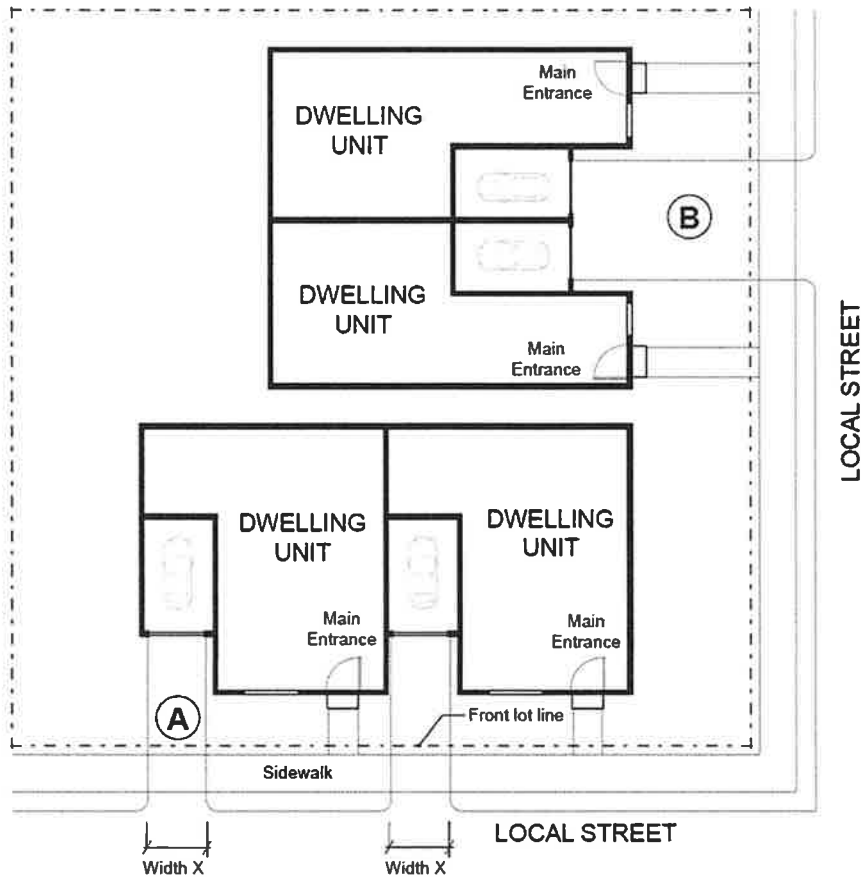
“EXHIBIT A”

Figure 5.120(3)-8



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Figure 5.120(3)-9



Options for site with more than one frontage on local streets:

- (A)** Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured $X1 + X2$); or
- (B)** One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

- (f) Conversions. Internal conversion of an existing detached single-family dwelling or duplex to a triplex or quadplex is subject to the following standards:
 - i. Conversions are exempt from the design standards of subsections (b) through (e), and
 - ii. Conversions are exempt from the minimum parking requirements in Section 4.030.
 - iii. Notwithstanding Article 7, a nonconforming structure that is an existing

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single-family dwelling or duplex may be converted to a triplex or quadplex without review provided that the conversion does not increase nonconformance with applicable clear and objective standards.

(5) TOWNHOUSE STANDARDS.

(a) Development Standards. The development standards of the applicable base zone apply, with the following exceptions and additions:

- i. The minimum lot width shall be 20 feet in all zones, except it shall be 15 feet where specified in the underlying zone.
- ii. The side setback where townhouse units are attached shall be zero feet.

(b) Entry Orientation. The main entrance of each townhouse shall:

- i. The entrance shall be within 8 feet of the longest street-facing wall of the dwelling unit; and
- ii. The entrance shall either:
 1. Face the street (see Figure 5.120(3)-1);
 2. Be at an angle of up to 45 degrees from the street (see Figure 5.120(3)-2);
 3. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 5.120(3)-3); or
 4. Open onto a porch that is at least 25 square feet in area, and that has at least one entrance facing the street or have a roof (see Figure 5.120(3)-4).

(c) Unit Definition. Each townhouse shall include at least one of the following on at least one street-facing façade (see Figure 5.120(4)-1):

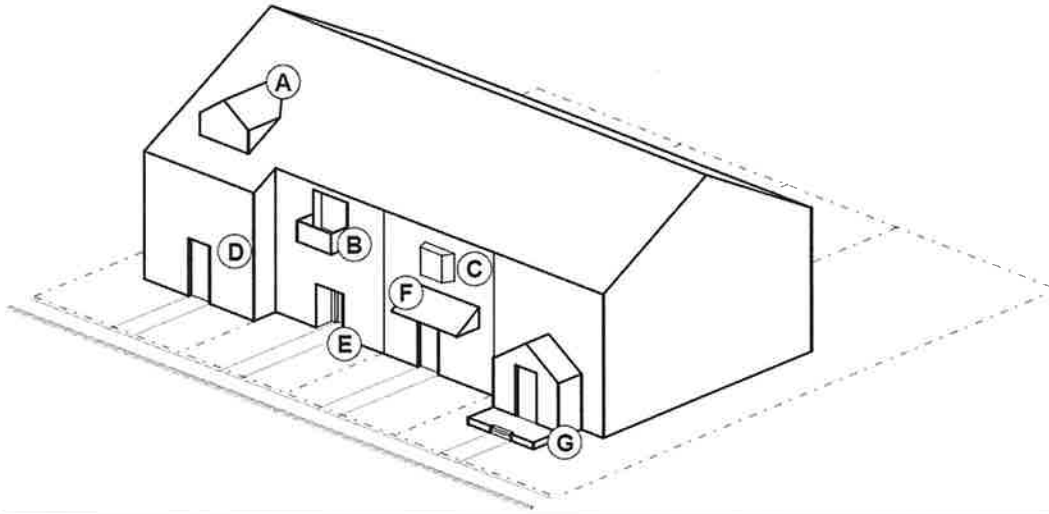
- i. A roof dormer a minimum of four feet in width, or
- ii. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room, or
- iii. A bay window that extends from the façade a minimum of two feet, or
- iv. An offset of the façade of a minimum of two feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
- v. An entryway that is recessed a minimum of three feet, or

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- vi. A covered entryway with a minimum depth of four feet, or
- vii. A porch with at least 25 square feet in area, and at least one entrance facing the street or have a roof.

Balconies and bay windows may encroach into a required setback area.

Figure 5.120(4)-1



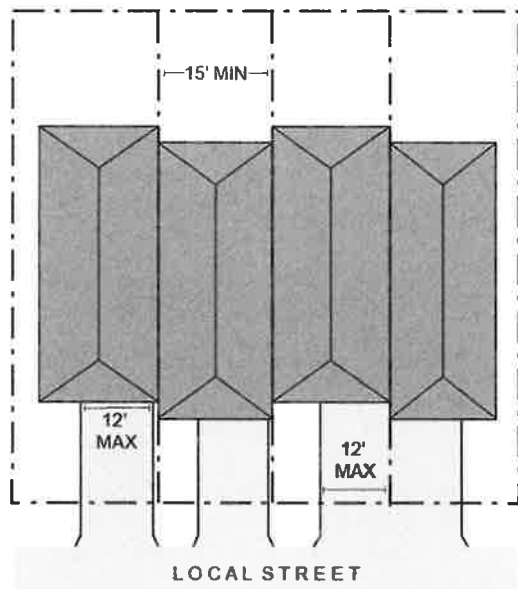
- (A)** Roof dormer, minimum of 4 feet wide
- (B)** Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C)** Bay window extending minimum of 2 feet from facade
- (D)** Facade offset, minimum of 2 feet deep
- (E)** Recessed entryway, minimum 3 feet deep
- (F)** Covered entryway, minimum of 4 feet deep
- (G)** Porch, meets standards of subsection (1)(b)(iv) of section (C)

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- (d) Windows. A minimum of 15 percent of the area of all street-facing facades on each individual unit shall include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 5.120(3)-5.
- (e) Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:
 - i. Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 5.120(4)-2):
 - 1. Each townhouse lot has a street frontage of at least 15 feet on a local street, or as determined by the Tillamook County Public Works Department or local road authority.
 - 2. A maximum of one driveway per lot is allowed that does not exceed 12 feet wide. For two abutting lots in the same townhouse project, driveways are encouraged to be paired and abut along the lot line to create one shared driveway approach.
 - 3. The garage width shall be a maximum of 12 feet wide, as measured from the inside of the garage door frame.

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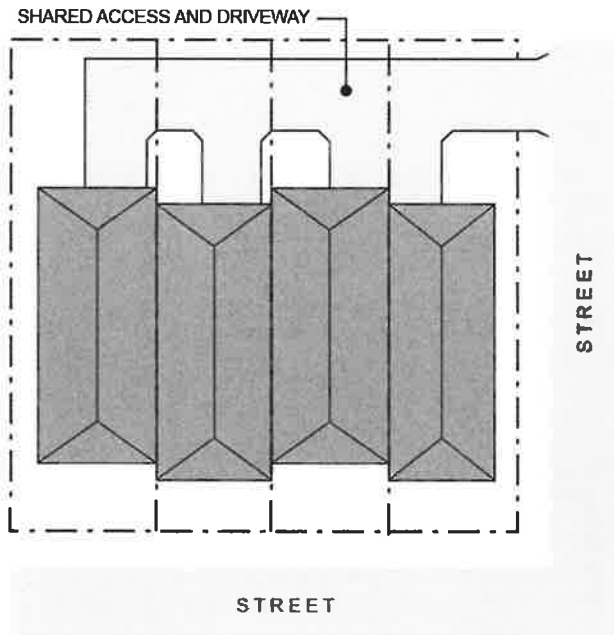
Figure 5.120(4)-2



- ii. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (i).
 1. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
 2. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 5.120(4)-3.

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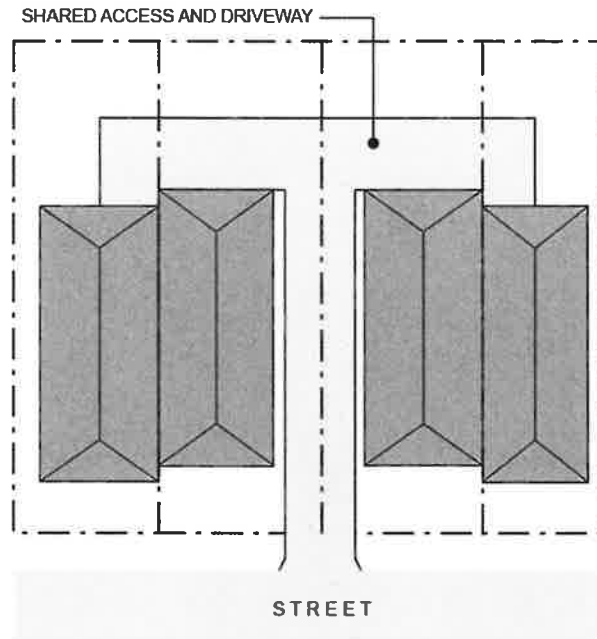
Figure 5.120(4)-3



3. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the areas directly between the front façade and the front lot line of any of the townhouses. See Figure 5.120(4)-4.

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Figure 5.120(4)-4



4. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

- iii. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (ii).

(6) COTTAGE CLUSTER DESIGN STANDARDS.

- (a) Development Standards. The development standards of the applicable base zone apply, with the following exceptions and additions:

- i. The maximum building footprint for a cottage in a cottage cluster shall be 900 square feet. Up to 200 square feet for an attached garage or carport shall be exempt from the calculation of the building footprint.
- ii. The maximum floor area for a cottage in a cottage cluster shall be 900 square feet.
- iii. The maximum height for cottage clusters shall be 17 feet.
- iv. A minimum density of four units per net acre shall apply to cottage clusters in all zones.
- v. No minimum front, side or rear yard shall exceed 10 feet in all zones.

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- vi. Cottages shall be separated by a minimum distance of 10 feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
 - vii. A minimum of three cottages and a maximum of eight cottages shall be permitted per cottage cluster.
- (b) Cottage Orientation. Cottages shall be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and shall meet the following standards (see Figure 5.120(5)-1):
- i. Each cottage within a cluster shall either abut the common courtyard or shall be directly connected to it by a pedestrian path.
 - ii. A minimum of 50 percent of cottages within a cluster shall be oriented to the common courtyard and shall:
 - 1. Have a main entrance facing the common courtyard;
 - 2. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - 3. Be connected to the common courtyard by a pedestrian path.
 - iii. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - iv. Cottages not facing the common courtyard or the street shall have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
- (c) Common Courtyard Design Standards. Each cottage cluster shall share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards shall meet the following standards (see Figure 5.120(5)-1):
- i. The common courtyard shall be a single, contiguous area.
 - ii. The common courtyard shall be abutted by cottages on at least two sides.
 - iii. The common courtyard shall contain a minimum of 150 square feet per cottage within the associated cluster.
 - iv. The common courtyard shall be a minimum of 15 feet wide at its narrowest dimension.
 - v. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include

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recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

- vi. Pedestrian paths shall 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.
- (d) 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 may be no larger than 900 square feet.
- (e) Pedestrian Access.
 - i. An accessible pedestrian path shall be provided that connects the main entrance of each cottage to the following:
 - 1. The common courtyard;
 - 2. Shared parking areas;
 - 3. Community buildings; and
 - 4. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
 - ii. The pedestrian path shall be hard-surfaced and a minimum of four feet wide.
- (f) Parking Design
 - i. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - 1. Cottage cluster projects are permitted parking clusters of not more than five contiguous spaces.
 - 2. Parking clusters shall be separated from other spaces by at least four feet of landscaping.
 - 3. Clustered parking areas may be covered.
 - ii. Parking location and access.
 - 1. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - Within of 10 feet from any street property line, except alley

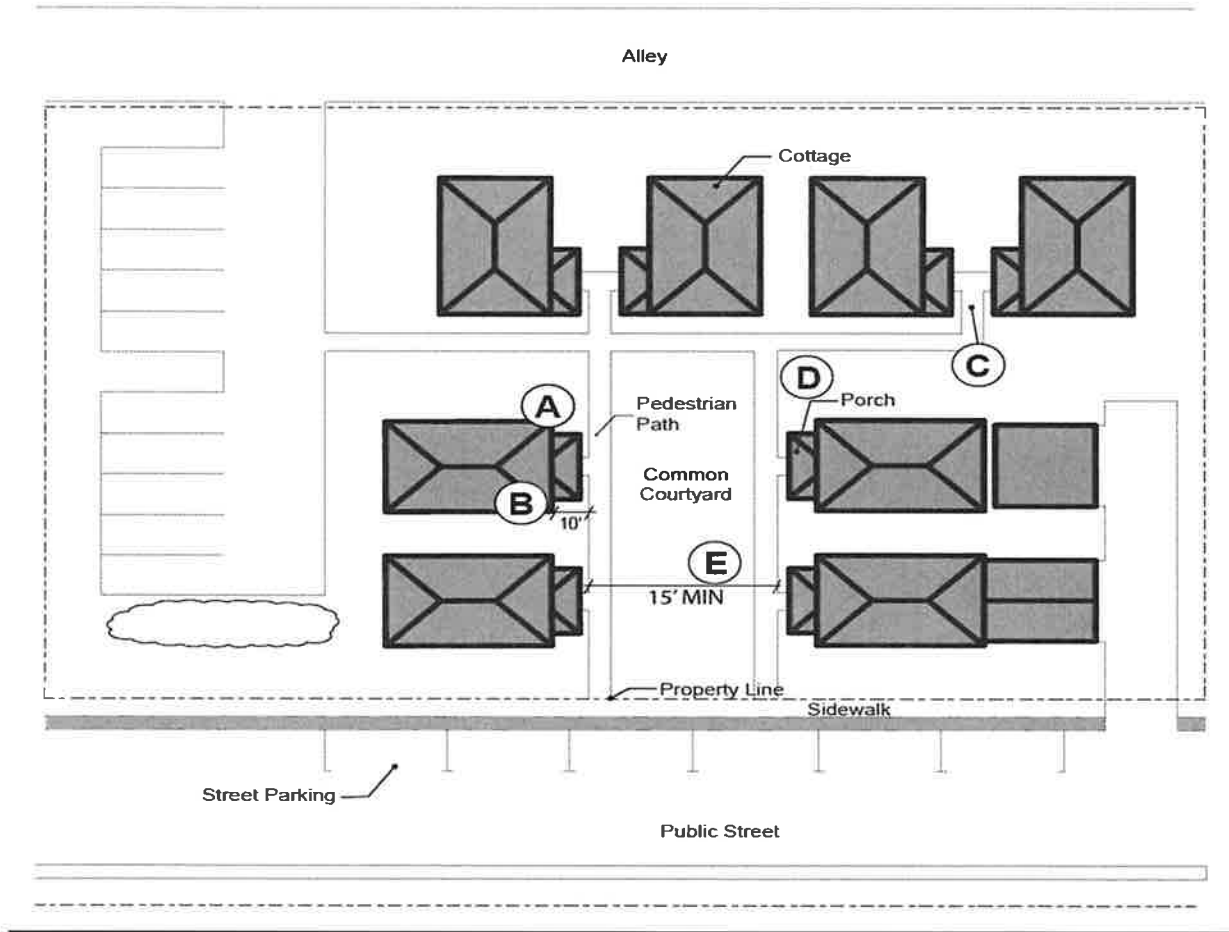
“EXHIBIT A”

property lines;

- Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
2. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- iii. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 - iv. Garages and carports.
 1. Garages and carports (whether shared or individual) shall not abut common courtyards.
 2. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 3. Individual detached garages shall not exceed 400 square feet in floor area.
 4. Garage doors for attached and detached individual garages shall not exceed 20 feet in width.

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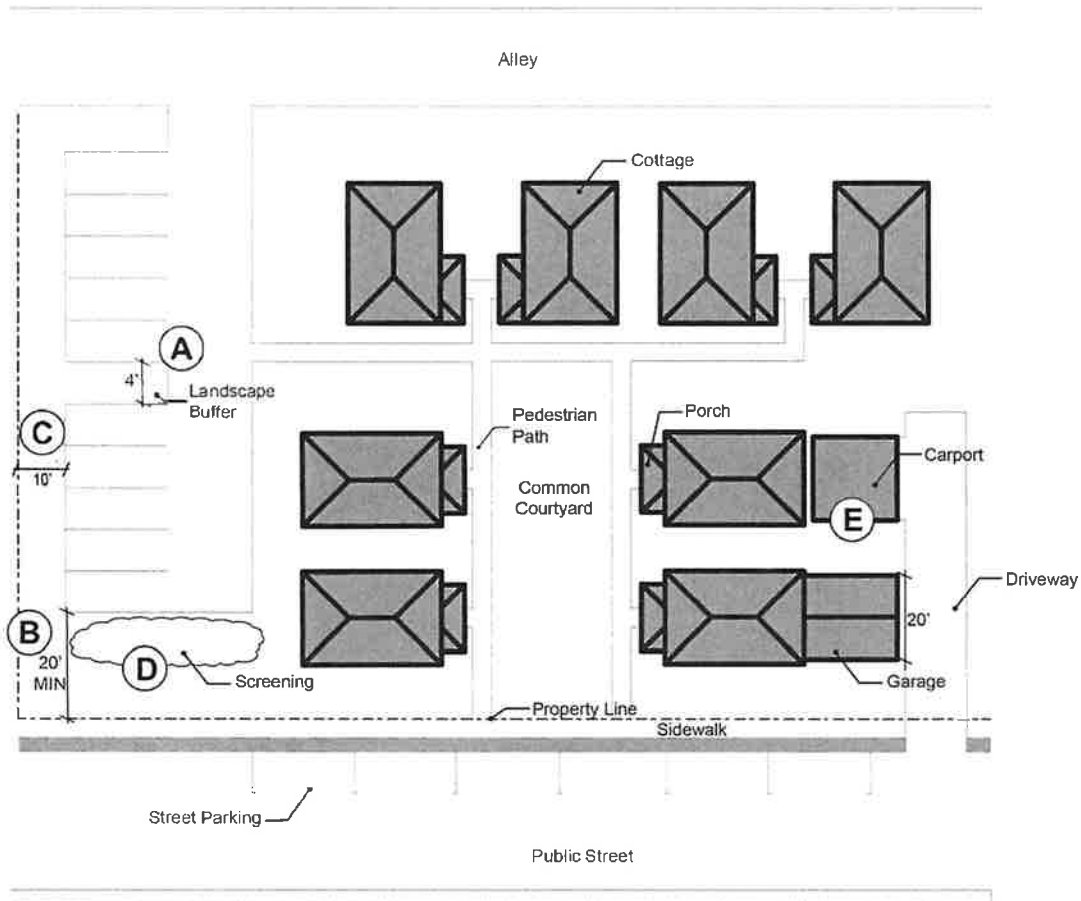
(7) Figure 5.120(5)-1



- (A): A minimum of 50% of cottages shall be oriented to the common courtyard.
- (B): Cottages oriented to the common courtyard shall be within 10 feet of the courtyard.
- (C): Cottages shall be connected to the common courtyard by a pedestrian path.
- (D): Cottages shall abut the courtyard on at least two sides of the courtyard.
- (E): The common courtyard shall be at least 15 feet wide at its narrowest width.

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Figure 5.120(5)-2



- (A) Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B) No parking or vehicle area within 20 feet from street property line (except alley).
- (C) No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D) Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E) Garages and carports shall not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

- (a) Existing Dwellings. On a lot or parcel to be used for a cottage cluster project, an existing single-family dwelling on the same lot at the time of proposed development

“EXHIBIT A”

of the cottage cluster may be incorporated into the cottage cluster under the following conditions:

- i. The existing dwelling may be nonconforming with respect to the requirements of this code.
- ii. The existing dwelling may be expanded up to the maximum height, building footprint and floor area allowed in subsection (a). Existing dwellings that exceed the maximum height, footprint and/or floor area of this code may not be expanded.
- iii. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard required in subsection (b).

“EXHIBIT B”



DEPARTMENT OF COMMUNITY DEVELOPMENT BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1 (800) 488-8280

Land of Cheese, Trees and Ocean Breeze

LEGISLATIVE TEXT AMENDMENT REQUESTS **MIDDLE HOUSING CODE AMENDMENTS** **(IMPLEMENTATION OF SENATE BILL 406)**

CONSOLIDATED STAFF REPORT DATE: July 3, 2025 & July 16, 2025
TILLAMOOK COUNTY PLANNING COMMISSION HEARING DATE: July 10, 2025
BOARD OF COMMISSIONERS HEARING DATE: July 23, 2025
REPORT PREPARED BY: Sarah Absher, CFM, Director

I. GENERAL INFORMATION

Requested actions: Legislative text amendment requests to amend the Tillamook County Land Use Ordinance and Tillamook County Land Division Ordinance that include the following:

#851-25-000271-PLNG: Legislative Text Amendment request to amend Article 3, Section 3.011: Community Single Family Residential (CSFR) Zone, Section 3.012: Community Low Density Urban Residential (CR-1) Zone, Section 3.014: Community Medium Density Urban Residential (CR-2) Zone, and Section 3.016: Community High Density Urban Residential (CR-3) Zone of the Tillamook County Land Use Ordinance (TCLUO) to establish middle housing types as outright permitted uses in accordance with Senate Bill 406.

#851-25-000263-PLNG: Legislative Text Amendment request to amend Article 3, Section 3.331: Pacific City/Woods Rural Residential (PCW-RR) Zone, Section 3.332: Pacific City/Woods Low Density Residential (PCW-R1) Zone, Section 3.333: Pacific City/Woods Medium Density Residential (PCW-R2) Zone, and Section 3.334: Pacific City/Woods High Density Residential (PCW-R3) of the Tillamook County Land Use Ordinance (TCLUO) to establish middle housing types as outright permitted uses in accordance with Senate Bill 406.

#851-25-000260-PLNG: Legislative Text Amendment request to amend Article 3, Section 3.340: Netarts Medium Density Urban Residential (NT-R2) Zone, Section 3.342: Netarts High Density Urban Residential (NT-R3) Zone, and Section 3.344: Netarts Residential Manufactured Dwelling (NT-RMD)

“EXHIBIT B”

Zone of the Tillamook County Land Use Ordinance (TCLUO) to establish middle housing types as outright permitted uses in accordance with Senate Bill 406.

#851-25-000259-PLNG: Legislative Text Amendment request to amend Article 3, Section 3.320: Neskowin Rural Residential (NeskRR) Zone, Section 3.322: Neskowin Low Density Residential (NeskR-1) Zone, Section 3.324: Neskowin High Density Urban Residential (NeskR-3) Zone of the Tillamook County Land Use Ordinance (TCLUO) to establish middle housing types as outright permitted uses.

#851-25-000264-PLNG: Legislative Text Amendment request to amend Article 5 of the Tillamook County Land Use Ordinance (TCLUO) to add Section 5.120: Middle Housing Development Standards and establish development standards in accordance with Senate Bill 406 for middle housing types in residential zones located in Tillamook County unincorporated communities served by water and sewer.

#851-25-000265-PLNG: Legislative Text Amendment request to amend the Tillamook County Land Division Ordinance to establish land division criteria and standards in accordance with Senate Bill 406 for middle housing types.

#851-25-000266-PLNG: Legislative Text Amendment request to amend Article 4: Development Standards and Article 11: Definitions of the Tillamook County Land Use Ordinance (TCLUO) in accordance with Senate Bill 406.

Initiated By: Tillamook County Department of Community Development

II. BACKGROUND

Oregon State Legislature passed Senate Bill 406 at the conclusion of the 2023 long session, extending the requirements of House Bill 2001 to Tillamook County cities and unincorporated communities served by water and sewer. As a result, Tillamook County and incorporated cities are required to complete residential zoning code updates to include middle housing types as outright permitted uses with clear and objective standards. Middle housing types include single-family dwellings, accessory dwelling units (ADUs) duplexes, triplexes, quadplexes, cottage clusters and townhouses.

With the proposed middle housing code updates, the goal is to balance concerns about neighborhood compatibility and other factors against the need to address the County’s housing shortage by increasing opportunities for a diverse array housing options as uses permitted outright with clear and objective development standards to ensure siting and design regulations do not, individually or cumulatively, discourage the development of middle housing resulting from unreasonable costs or delays.

The proposed middle housing code amendments are part of the County’s overall strategies to address countywide housing shortages. The Tillamook County Housing Commission completed a Housing Need Assessment (HNA) in December 2019. The HNA provided comprehensive review of the County’s housing shortages and forecasted housing demands for the next 20 years. The HNA determined new housing production has not kept pace with demand, leading to a severe shortage of housing availability and affordability issues. Most new construction over the past two decades has occurred in coastal “resort” towns, and 66%-80% of the total housing stock is owned by part-time residents. At the time of the study, it was determined that approximately one in three local workers reside outside Tillamook County.

The HNA estimated an increase of 2,936 residents in the 20-year projection between the base and forecast years with significant socio-economic and demographic shifts. Accordingly, the number of housing units necessary to ensure an adequate supply is expected to increase in tandem with a variety of housing types

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needed to accommodate a diversity of new residents. The HNA concludes that renters—the vast majority of new residents—will demand medium- and high-density housing types.

The 2019 HNA forecasts the housing needs for Tillamook County under four scenarios and underlying assumptions to determine the additional housing units needed by 2039. Future demand for attainably priced housing will largely require the development of medium density “missing middle” housing types. The likely forecast housing mix and greatest housing type needs include single-family detached homes, accessory dwelling units (ADUs), and middle housing types including plexes, townhomes and condominiums, as well as manufactured housing units.

Since the completion of the 2019 HNA, the County has updated residential zoning districts in unincorporated communities to allow for Accessory Dwelling Units (ADUs), one of many strategies implemented by Tillamook County to address the county’s housing needs. Senate Bill 406, specifically the middle housing code updates under consideration, are additional strategies that align with the County’s efforts to create greater opportunities for diverse housing options. If adopted, the proposed ordinance amendments will further the County’s efforts to meet the demands identified in the 2019 HNA.

It should also be noted that updates to the 2019 HNA have been initiated by the County. The preliminary findings from the consulting team in their work with the Tillamook County Housing Commission, Housing Coordinator and the Department reaffirm middle housing options are critically needed countywide to meet existing and future housing demands.

III. APPLICABILITY & PURPOSE

The proposed middle housing code updates are reflected in residential zoning districts located within the Tillamook County Unincorporated Communities of Neahkahnie, Barview/Twin Rocks/Watseco, Oceanside, Netarts, Hebo, Cloverdale, Pacific City/Woods, and Neskowin (Exhibits A-D). It should be noted that Unincorporated Communities not served by sewer, such as Mohler, Idaville, Siskeyville and Beaver include the same residential zoning designation (Community Single Family Residential- CSFR) as Barview/Twin Rocks/Watseco, Hebo, and Cloverdale. A distinction has been made in draft code language for the CSFR zone (Section 3.011) and proposed Section 5.120, a new section, to address middle housing project proposals in these unincorporated communities where a sewer services are not available or where a sewer district is not present to the community at-large.

IV. AMENDMENTS TO THE TILLAMOOK COUNTY LAND USE ORDINANCE (TCLUO)

Community Residential Zones: #851-25-000271-PLNG (EXHIBIT A)

Zoning Districts:

- Section 3.011: Community Single Family Residential (CSFR) Zone
- Section 3.012: Community Low Density Urban Residential (CR-1) Zone
- Section 3.014: Community Medium Density Urban Residential (CR-2) Zone
- Section 3.016: Community High Density Urban Residential (CR-3) Zone

Location of Zoning Districts:

- Barview/Twin Rocks/Watseco
- Hebo
- Cloverdale
- *Mohler**
- *Idaville**

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- *Beaver**
- *Siskeyville**

**Represents Unincorporated Communities where sewer service is not available to the community at large.*

Summary of Amendments

- Middle Housing Types Listed as Outright Permitted Uses
 - References new Section 5.120
- Development Standards
 - Maintains Minimum Lot Size Requirements
 - Maintains Setbacks (Except Street Side Yard Setback)
 - Maintains Building Height Maximums (Increases 24-Feet to 25-Feet for Ocean or Bayfront Lots)
 - Maintains Setback from Resource Zone Boundary Where Already Exists in Code

Pacific City/Woods Residential Zones: #851-25-000263-PLNG (EXHIBIT B)

Zoning Districts:

- Section 3.331: Pacific City/Woods Rural Residential (PCW-RR) Zone
- Section 3.332: Pacific City/Woods Low Density Residential (PCW-R1) Zone
- Section 3.333: Pacific City/Woods Medium Density Residential (PCW-R2) Zone
- Section 3.334: Pacific City/Woods High Density Residential (PCW-R3)

Summary of Amendments

- Middle Housing Types Listed as Outright Permitted Uses
 - References new Section 5.120
- Development Standards
 - Maintains Minimum Lot Size Requirements
 - Maintains Setbacks (Except Street Side Yard Setback)
 - Maintains Building Height Maximums (Increases 24-Feet to 25-Feet for Ocean or Bayfront Lots)
 - Maintains Setback from Resource Zone Boundary Where Already Exists in Code

Netarts Residential Zones: #851-25-000260-PLNG (EXHIBIT C)

- Section 3.340: Netarts Medium Density Urban Residential (NT-R2) Zone
- Section 3.342: Netarts High Density Urban Residential (NT-R3) Zone
- Section 3.344: Netarts Residential Manufactured Dwelling (NT-RMD) Zone

Summary of Amendments

- Middle Housing Types Listed as Outright Permitted Uses
 - References new Section 5.120
- Development Standards
 - Maintains Minimum Lot Size Requirements
 - Establishes New Minimum Lot Sizes for 4+ Units and Cottage Clusters where Minimum Lot Size is Less Than 7,000 Square Feet
 - Maintains Setbacks (Except Street Side Yard Setback)
 - Increases Maximum Lot Coverage for Single-Family Dwelling
 - No Maximum Lot Coverage for Other Middle Housing Types

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- Maintains Building Height Maximums (Increases 24-Feet to 25-Feet for Ocean or Bayfront Lots)
- Maintains Setback from Resource Zone Boundary Where Already Exists in Code

Neskowin Residential Zones: #851-25-000259-PLNG (EXHIBIT D)

- Section 3.320: Neskowin Rural Residential (NeskRR) Zone
- Section 3.322: Neskowin Low Density Residential (NeskR-1) Zone
- Section 3.324: Neskowin High Density Urban Residential (NeskR-3) Zone

Summary of Amendments

- Middle Housing Types Listed as Outright Permitted Uses
 - References new Section 5.120
- Development Standards
 - Maintains Minimum Lot Size Requirements
 - Establishes New Minimum Lot Sizes for 4+ Units and Cottage Clusters where Minimum Lot Size is Less Than 7,000 Square Feet
 - Maintains Setbacks (Except Street Side Yard Setback)
 - Maintains Maximum Lot Coverage Standards
 - Maintains Building Height Maximums (Increases 24-Feet to 25-Feet for Ocean or Bayfront Lots)
 - Maintains Setback from Resource Zone Boundary Where Already Exists in Code

Article 4 and Article 11 Updates: #851-25-000266-PLNG (EXHIBITS E & G)

- Article 4: Development Standards
 - Section 4.030: Off-Street Parking and Off-Street Loading Requirements
 - Updated to reflect parking requirements for middle housing types
 - Section 4.060: Access
 - Updated to add standard for townhouses
 - Section 4.100: General Exceptions to Lot Size Requirements
 - Establishes that small lots less than 3,000 square feet can be developed with a single-family dwelling or duplex in unincorporated communities served by water and sewer, provided that all other development standards of this section and applicable supplemental provisions of the TCLUO are met.
 - Section 4.110: Exceptions to Yard Setback Requirements
 - Establishes that front yard averaging can be applied for determining a front yard setback for either a single-family dwelling or duplex.
- Article 11: Definitions
 - Adds definitions for middle housing and cottage cluster projects.
 - Updates or removes existing definitions to reflect state law.

Article 5 Updates: New Section 5.120: Middle Housing Development Standards: #851-25-000264-PLNG (EXHIBIT F)

Summary of Proposed Section

- The purpose of the middle housing standards is to ensure that new middle housing can be integrated within community boundaries where it is permitted and reviewed according to clear and objective standards. Middle housing includes triplexes, quadplexes, townhouses and cottage clusters, intended to provide an alternative to single-family dwellings for greater flexibility that can include dwellings of different sizes and configurations.

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- Establishes the location where these middle housing types can be permitted.
- Requires sufficient infrastructure exists for middle housing projects, requiring applicants to demonstrate sufficient infrastructure by submitting service provider letters for water and sewer, submitting a copy of onsite wastewater permits (where applicable), and a copy of the driveway permit (road approach) at the time of consolidated zoning and building permit application submittal. Also requires integration of stormwater improvements into project design to ensure stormwater is managed onsite and is not discharged into road right of way or adjacent properties.
- Establishes clear and objective development standards for triplexes and quadplexes, including entry orientation and driveway design, and basic design standards for buildings.
- Establishes clear and objective development standards for townhomes, including entry orientation and driveway design, and basic design standards for buildings.
- Establishes clear and objective development standards for cottage cluster developments, including maximum size and building height of each cottage, requirements for open space, pedestrian paths, parking and orientation of cottages.

V. AMENDMENTS TO THE TILLAMOOK COUNTY LAND DIVISION ORDINANCE: #851-25-000265-PLNG (EXHIBIT H)

Summary of Proposed Amendments

- Establishes land division criteria and standards for middle housing projects.
- Establishes review processes and notification processes for middle housing projects.

VI. ANALYSIS:

1. Statewide Planning Goal & Tillamook County Comprehensive Plan Discussion

Oregon's 19 statewide planning goals are adopted as Administrative Rule and express the state's policies on land use as well as land use related topics. Oregon counties and incorporated cities are required to have a comprehensive plan consistent with Oregon's statewide planning goals as well as zoning and land division ordinances for implementation of comprehensive plan policies and objectives. The Tillamook County Comprehensive Plan contains 17 of the 19 Statewide Planning Goal Elements. Goal 15 (Willamette Valley) and Goal 19 (Ocean Resources) are absent from the Tillamook County Comprehensive Plan as the goals and policies for the Willamette Valley do not apply to Tillamook County and the Ocean Resources Element was created after the adoption of the County's comprehensive plan.

Tillamook County's Comprehensive Plan provides the County with an important opportunity to make a detailed statement describing the needs and desires of its citizens for the future use of the County's land and water resources, and to guide future development of the County through agreed upon policy statements which give direction to County actions and programs. The policies provide a basis for coordination of the programs of other governmental entities and are also intended to assist the private sector in reaching development decisions which are beneficial to the citizens of the County generally as well as to the private property owner.

The County's comprehensive plan must also be in conformance with the adopted statewide planning goals and policy statements are to be based upon required inventories of resources and other pertinent information and findings related to analysis of problems and opportunities existing in Tillamook County.

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The plan is intended to be used to guide actions for problem-solving, and state goals also require local adoption of implementation measures appropriate for dealing with the identified problems and needs.

- Tillamook County Comprehensive Plan Goal 1 Element: The Planning Process
Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

The proposed amendments are consistent with the Goal 1 element policies. Notice of public hearing was published in the Headlight Herald in accordance with the Article 10 of the TCLUO with notice provided to County designated Citizen Advisory Committees (CACs) at least 28-days prior to the first evidentiary hearing. Notice of the proposed amendments were also provided to local water, sewer and fire districts. As required, notice of public hearing and accompanying documents part of the PAPA process have been submitted to the Oregon Department of Land Conservation and Development at least 35 days prior to the first evidentiary hearing.

In addition to the notification actions outlined above, the County's Citizen Advisory Committees (CACs) played an active role in the development of the middle housing codes where community choices were available. Each CAC utilized land use subcommittees active within the CAC or formed new working groups to assist staff in development of the proposed middle housing code updates. The participation of these committees and groups was substantial, including bi-weekly meetings that were regularly noticed for community participation. Regular updates on the progress of middle housing code updates were also shared at general CAC meetings. Copies of presentations and meeting materials are included in "Exhibit I" of this report.

Staff are very grateful for the participation and work of the CACs and look forward to presenting more on CAC engagement at the July 10th hearing.

- Tillamook County Comprehensive Plan Goal 2 Element: THE LAND USE PLAN
Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program and describes the development of Tillamook County's Comprehensive Plan including justification for identifying exception areas.

The proposed amendments are consistent with the Goal 2 element and an exception is not required for the proposed amendments.

- Tillamook County Comprehensive Plan Goal 3 Element: AGRICULTURAL LANDS
Summary: Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.
- Tillamook County Comprehensive Plan Goal 4 Element: FOREST LANDS
Summary: This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

The proposed amendments do not apply to resource lands.

- Tillamook County Comprehensive Plan Goal 5 Element: NATURAL RESOURCES

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Summary: The purpose of Goal 5 is to protect natural resources, and conserve scenic and historic areas and open space. Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

Findings: The proposed amendments do not reduce existing protections or resources, or natural features reflected in the policies of the Goal 5 Element.

- Tillamook County Comprehensive Plan Goal 6 Element: AIR, WATER AND LAND RESOURCES QUALITY

Summary: This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution and noise control in Tillamook County.

Findings: The proposed amendments do not reduce existing protections or resources, or natural features contained in the policies of the Goal 6 Element.

- Tillamook County Comprehensive Plan Goal 7 Element: HAZARDS

Summary: Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there. In Tillamook County, the purpose of addressing hazards is not meant to restrict properties from development, but to institute policies concerning potential problems, so they can be considered before financial losses and possible injury which may be avoided by the application of the policies formulated in the Comprehensive Plan.

Findings: The proposed amendments do not reduce existing protections against hazards addressed in the Goal 7 element or waive requirements for satisfaction of standards intended to address hazards such as those contained in TCLUO Section 4.130: Development requirements for Geologic Hazard Areas, TCLUO Section 3.510: Flood Hazard Overlay (FH) Zone, TCLUO Section 3.530: Beach and Dune Overlay (BD) Zone and TCLUO Section 3.580: Tsunami Hazard Overlay (TH) Zone.

- Tillamook County Comprehensive Plan Goal 8 Element: RECREATION

Summary: This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts. In Tillamook County, the main issue surrounding recreation is that of quantity, location and orientation. This Goal element recognizes that the tourism sector of the County's economy is rapidly growing and some feel tourism places too large a burden on local public facilities and services.

Findings: Recreation opportunities are not prohibited or limited by the proposed amendments.

- Tillamook County Comprehensive Plan Goal 9 Element: POPULATION AND ECONOMY

Summary: Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs. Projections in this Element of the Comprehensive Plan extend to year 2000. The importance of cottage industry, rural industry and light industry is recognized throughout this Element, stating that regulations be adopted to permit low-impact light

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manufacturing activity in suitable rural zones.

Findings: The Tillamook County Comprehensive Plan needs updated population projections. The forecasted housing needs contained within the 2019 Tillamook County Housing Needs Analysis (HNA) include current population data and forecasts for housing needed for Tillamook County’s workforce. Absent updated information in the Goal 9 element, updated information that supports housing needs and the need for diverse, multi-housing options can be found in the County’s 2019 HNA.

The policies contained within the Goal 9 element of the Tillamook County Comprehensive Plan are directive in actions needed to be taken by Tillamook County to promote and sustain the County’s economy in collaboration with special districts and others. Policies also prioritize the needs of industrial and commercial lands.

Commercial and industrial zoning districts are excluded from the list of eligible zoning districts part of Senate Bill 406 and this amendment process. Support for the proposed amendments can be considered by way of providing needed workforce housing- also needed to help sustain and grow Tillamook County’s economy. The proposed amendments are consistent with efforts to provide diverse, multiple housing options to Tillamook County’s workforce.

- Tillamook County Comprehensive Plan Goal 10 Element: HOUSING

Summary: This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types. This Goal element within the Tillamook County Comprehensive Plan focuses on the separation of housing needs and opportunities in both rural and urban areas. There is a strong tie to the Goal 11: Public Facilities and Goal 14: Urbanization elements of the Comprehensive Plan in this section.

Findings: Goal 10 requires planning for housing that encourages the availability of adequate numbers of housing units, and allows for flexibility of housing location, type and density. It is recognized that the intent of the statewide planning goals is to encourage the concentration of growth within the urban growth boundaries of cities, however this interpretation has resulted from the definition of “buildable lands” which has traditionally only included lands within urban growth boundaries.

The County’s Goal 10 element supports a second interpretation of the applicability of the Housing Goal consistent with past LCDC decision- that it is unreasonable to conclude that, because Goal 10’s building land inventory requirement applies only within urban growth boundaries, all housing needs must be satisfied within urban growth boundaries. Given the spatial distance of location of incorporated cities within Tillamook County, and the fact that there are no cities and urban growth boundaries from the City of Tillamook to the City of Lincoln City in Lincoln County, all housing needs cannot be satisfied within the urban growth boundaries of the seven incorporated cities in Tillamook County. This reality was a significant contributing factor in working with the state legislature in passing Senate Bill 406.

As a policy, Tillamook County interprets the Housing Goal (Goal 10) as applying to all areas of the County, not just to incorporated areas and their urban growth boundaries. Given the County’s geographic circumstances, this is the only reasonable non-contradictory interpretation of the goal.

The County can encourage the availability of housing to meet needs by 1) zoning a sufficient amount

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of land for needed housing types, 2) encouraging cities and service districts to service a sufficient amount of land to meet housing needs, and 3) minimizing the effect of regulations on housing cost. The structure of the proposed amendments and subsequent work under Senate Bill 406 supports these actionable objectives, most notably the third action listed by creating processes with clear and objective standards.

Staff find the proposed amendments are supported by the goals and policies of the Goal 10 element of the Tillamook County Comprehensive Plan.

The Goal 10 Housing element references other applicable goal elements and discusses the relationships between housing and public facilities and services, urbanization and applicability of the housing goal to urban and rural areas. Goal elements 11 and 14 are further discussed below.

- Tillamook County Comprehensive Plan Goal 11 Element: PUBLIC FACILITIES

Summary: Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs. This Element of the Comprehensive Plan outline types and levels of urban and rural facilities and services, with guidance to ensure timely, orderly and efficient arrangement of public facilities and services in Tillamook County.

Findings: Middle Housing densities are limited to up to four dwelling units (plexes and townhomes) and allow cottage cluster developments to be a maximum of 8 units. Development standards established in community zoning districts and proposed Section 5.120 establish minimum property size requirements for all middle housing types, maintaining existing low to moderate density levels already established in community zones with little change to urban and high-density zoning districts where many middle housing options already exist through zoning.

As mentioned previously in this report, middle housing opportunities at a density exceeding one unit (single-family dwelling) are limited to residentially zoned properties within unincorporated communities where public facilities and services exist. As stated in proposed Section 5.120, documentation from service providers is required to be submitted in conjunction with a consolidated zoning/building permit application to ensure public services are available and can accommodate the proposed development of a middle housing project.

- Tillamook County Comprehensive Plan Goal 12 Element: TRANSPORTATION

Summary: The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged." Policies outlined in this Goal element of the Tillamook County Comprehensive Plan require the County to protect the function, operation and safety of existing and planned roadways as identified in the County's Transportation Plan, consider land use impacts on existing or planned transportation facilities in all land use decisions, plan for multi-modal networks, and coordinate transportation planning efforts with other jurisdictions to assure adequate connections to streets and transportation systems between incorporated and unincorporated areas.

Findings: The development standards contained in proposed Section 5.120 establish standards for driveways and access to properties for middle housing projects. The Department has collaborated with the Tillamook County Public Works Department on review of the middle housing code updates required by Senate Bill 406, and this work is reflected in proposed Section 5.120, the development

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standards of a residential zoning district and is also reflected in the updates to Section 4.030: Off-Street Parking and Off-Street Loading Standards of the TCLUO.

- Tillamook County Comprehensive Plan Goal 13 Element: ENERGY CONSERVATION
Summary: Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles." Planning for energy conservation and opportunities to promote the installation of renewable energy systems are discussed in this Goal element of the Tillamook County Comprehensive Plan.

Findings: Existing opportunities for renewable energy conservation systems and efforts to maximize conservation of existing energy facilities are not affected by the proposed amendments.

- Tillamook County Comprehensive Plan Goal 14 Element: URBANIZATION
Summary: This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses. This Goal element of the Tillamook County Comprehensive Plan focuses largely on development within unincorporated communities, public facility limitations to rural areas, and impacts of urban sprawl on resource lands.

Findings: Consistent with Goal 11 Comprehensive Plan policies, continued planning to ensure adequate public services such as sewer, water, law enforcement and fire protection is critical to the public health, welfare and safety of Tillamook County communities and its residents.

As mentioned previously in this report, middle housing opportunities exceeding one dwelling unit (single-family dwelling) are limited to residentially zoned properties within unincorporated communities where public facilities and services exist. Middle housing projects will not be allowed on residential properties outside of residentially zoned properties within unincorporated communities (urbanizable lands).

Time, place and management regulations contained within proposed Section 5.120 and reflected in individual community zoning codes have been designed to maintain consistency relevant goals and policies contained within the Goal 14 element of the Tillamook County Comprehensive Plan, ensuring middle housing development does not result in urban sprawl on resource lands.

- Tillamook County Comprehensive Plan Goal 16 Element: ESTUARINE RESOURCES
Summary: This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units." Five estuaries are inventoried and described in this element of the Tillamook County Comprehensive Plan, the Nehalem Estuary, Tillamook Estuary, Netarts Estuary, Sandlake Estuary and Nestucca Estuary.
- Tillamook County Comprehensive Plan Goal 17 Element: COASTAL SHORELANDS
Summary: The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal

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land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses. Coastal Shorelands inventoried in Tillamook County as described in this element are Nehalem Estuary Shorelands, Tillamook Estuary Shorelands, Netarts Estuary Shorelands, Sandlake Estuary Shorelands, and Nestucca Estuary Shorelands.

- **Tillamook County Comprehensive Plan Goal 18 Element: BEACHES AND DUNES**

Summary: Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes. Several categories of dunes are described and discussed in this element of the Tillamook County Comprehensive Plan, and includes discussion about where residential, commercial and industrial uses are prohibited. Goal 18 Exception areas are also inventoried within this element which allow for residential, industrial and commercial uses in dune areas that would otherwise be prohibited.

Findings: The proposed amendments are not in conflict with the goals and policies of the coastal elements. Coastal resources areas already under policy protection will continue to remain under those protections contained within the Comprehensive Plan.

2. Tillamook County Land Use Ordinance, Article IX, Amendment Process

A. Section 9.030: Text Amendment Procedure (Amend Article 5 of the TCLUO to include Section 5.110: Accessory Dwelling Unit (ADU) Standards)

1. A COMPREHENSIVE PLAN TEXT or ORDINANCE AMENDMENT may be requested by any person, subject to the requirements of a Type IV procedure and Article 10.

If County initiated, Article 9 requires the Department to prepare an analysis of the proposed amendments addressing such issues as the intent of the applicable Comprehensive Plan policies; the intent of the provisions being amended; the effect on the land use patterns in the County; the effect on the productivity of resource lands in the County; administration and enforcement; and the benefits or costs to Departmental resources resulting from the proposed amendments.

Staff finds as follows:

- Analysis of the proposed amendments in relation to existing Comprehensive Plan policies is contained in this report.
- The proposed amendments do not impair legally designated uses permitted outright or conditionally in the established underlying residential zones part of this middle housing code update. These updates reflect Senate Bill 406 and are limited to residential zoning code updates to allow for middle housing types within already established residential zoning districts within unincorporated communities served by water and sewer.
- Land use patterns establish how land is used in a specific area- residential, commercial, agricultural, and industrial are primary examples. Residential uses consisting of more than one-dwelling unit property (middle housing) are already established uses permitted outright and conditionally in unincorporated community residential zoning districts, and middle housing types are largely already part of established land use patterns in unincorporated

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communities. Additionally:

- The state has determined that middle housing types provide opportunities for increased housing supply in developed neighborhoods that blend well with detached single-family dwellings.
 - The minimum lot size requirements for permitted uses in these residential zoning districts remain the same with no reductions in minimum lot sizes for middle housing.
 - Minimum setback requirements already established in these residential zoning districts also remain the same with few proposed amendments as reflected in the draft zoning codes.
 - Lot coverage maximums, where established in residential zoning districts, also remain the same or, in the case of Netarts, have increased or waived lot coverage maximums for middle housing projects.
 - Established building height maximums in these residential zoning districts are also largely unchanged, except for oceanfront and bay front lots where there is a proposed height increase to 25-feet.
- The proposed amendments do not have an anticipated effect on the productivity of resource lands in Tillamook County. The proposed amendments do not allow the development of middle housing projects on resource lands.
 - The Department does not anticipate negative impacts on County administration or enforcement following adoption of the proposed middle housing codes. One of the primary goals of these middle housing code updates mandated under Senate Bill 406 is to streamline permitting processes that should also result in improved administrative processes. Adoption of middle housing code updates also presents an opportunity to address non-conforming structures and uses, as well as provide a clear and objective permitting path for unpermitted construction of additional dwelling units where this type of path may not have been previously available.
 - A fee structure already exists for required land use, zoning and building permit application(s) which will continue to apply to development requests of properties located within unincorporated Tillamook County.
 - Permitting requirements for middle housing projects are briefly described in this report. Permitting processes will follow standard procedures and review processes currently in place to ensure compliance with applicable building, zoning and sanitation code requirements.

2. CRITERIA

- (a) If the proposal involves an amendment to the Comprehensive Plan, the amendment must be consistent with the Statewide Planning Goals and relevant Oregon Administrative Rules;*
- (b) The proposal must be consistent with the Comprehensive Plan. (The Comprehensive Plan may be amended concurrently with proposed changes in zoning);*
- (c) The Board must find the proposal to be in the public interest with regard to community conditions; the proposal either responds to changes in the community, or it corrects a mistake or inconsistency in the subject plan or ordinance; and*
- (d) The amendment must conform to Section 9.040 Transportations Planning Rule Compliance.*

Staff finds as follows:

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- Goals and policies reflected in the Tillamook County Comprehensive Plan are required to be consistent with the Statewide Planning Goals and relevant Oregon Administrative Rules.
- The proposed amendments do not involve an amendment to the Tillamook County Comprehensive Plan. Policies contained within the Goal 10: Housing element of the Tillamook County Comprehensive Plan support adoption of the proposed amendments.
- The proposed amendments are needed to address countywide housing shortages as well as existing and future housing needs. The proposed amendments are within the public interest regarding community conditions and known future housing needs contained within the County’s Housing Needs Analysis.
- The proposed amendments are not in conflict with Section 9.040 Transportation Planning Rule Compliance, specifically this updated information will not significantly affect a transportation facility pursuant with Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR).

VII. EXHIBITS:

Exhibit A: Community Residential Zoning Codes- Sections 3.011 through 3.016
Exhibit B: Pacific City/Woods Residential Zoning Codes- Sections 3.331 through Section 3.334
Exhibit C: Netarts Residential Zoning Codes- Sections 3.340 through Section 3.344
Exhibit D: Neskowin Residential Zoning Codes- Sections 3.320 through Section 3.324
Exhibit E: Article 4: Development Standards
Exhibit F: Article 5: Section 5.120 (New)
Exhibit G: Article 11: Definitions
Exhibit H: Tillamook County Land Division Ordinance
Exhibit I: Community Presentation & Meeting Materials
Exhibit J: Senate Bill 406
Exhibit K: Public Testimony