



PLANNING COMMISSION WORK SESSION AGENDA

Monday, February 28, 2022 - 6:00 PM

City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

This meeting will be held electronically. The public can livestream this meeting at <https://newportoregon.gov>. The meeting will also be broadcast on Charter Channel 190. Public comment may be made, via e-mail, up to four hours before the meeting start time at publiccomment@newportoregon.gov. The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

Anyone wishing to make real time public comment should submit a request to publiccomment@newportoregon.gov. at least four hours before the meeting start time, and a Zoom link will be e-mailed.

1. CALL TO ORDER

Jim Patrick, Bill Branigan, Lee Hardy, Bob Berman, Jim Hanselman, Gary East, Braulio Escobar, Dustin Capri, and Greg Sutton.

2. NEW BUSINESS

2.A Outline of Housekeeping Amendments Addressing 2021 Legislation.

[Memorandum](#)

[House Bill 2008 \(2021\)](#)

[SB 8 \(2021\)](#)

[HB 2583 \(2021\)](#)

[HB 3261 \(2021\)](#)

[HB 2560 \(2021\)](#)

[HB 3109 \(2021\)](#)

[HB 2607 \(2021\)](#)

[HB 2809 \(2021\)](#)
[SB 405 \(2021\)](#)
[HB 4064 A-Engrossed \(2022\)](#)

3. UNFINISHED BUSINESS

3.A Draft 2022/23 City Council Goals.

[Memorandum](#)
[Draft 22/23 City Council Goals](#)
[Greater Newport Vision 2040 Strategy Brochure](#)

3.B Updated Planning Commission Work Program.

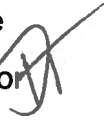
[PC Work Program 2-25-22](#)

4. ADJOURNMENT

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee
 From: Derrick I. Tokos, AICP, Community Development Director 
 Date: February 24, 2022
 Re: Outline of Housekeeping Amendments Addressing 2021 Legislation

Below is my initial take on areas in the Newport Municipal Code (NMC) that will need to be amended to implement changes to state law from the 2021 Oregon legislative session. I also included one bill from the 2022 short session that is likely to pass. The City is required to apply the statutes directly if it has not adopted the language into its municipal code, so the exercise here is largely housekeeping to ensure that our code picks up required language and we don't miss something when we are assisting the public. I'll try to call out areas where the City has discretion, and how that can be exercised, as this moved forward.

1. HB 2008, requires local governments allow non-profit religious organizations to construct affordable housing on commercial property where it is adjacent to a residentially zoned parcel/lot. Property zoned for industrial use is excluded.
 - a. Amend NMC Section 14.01.020, Definitions, to include a definition for affordable housing consistent with the definition in ORS 197.311 (Affordable to households at or below 60% median family income).
 - b. Add language to NMC Section 14.03.040, Intent of Zoning Districts, to clarify that zoned for residential, commercial, or industrial use is the base zone designation. This terminology is used in the bill, and the city has a number of mixed use zones, so it is important to address this point.
 - c. Revise NMC Section 14.03.070, Commercial and Industrial Uses, to note that affordable housing on property owned by a non-profit corporation, organized as a religious corporation, is permitted outright on commercial land that is adjacent to a residentially zoned parcel or lot. Cross-reference to NMC Chapter 14.15, residential uses in non-residential zoning districts, for clear and objective development standards that will apply.
 - d. Update NMC Section 14.03.080, Water-Dependent and Water-Related Uses, to clarify that one or both are "property zoned for industrial use," and are; therefore, ineligible. This would make it clear that they are not in play for this type of housing development.
 - e. Amend NMC Chapter 14.15, residential uses in non-residential zoning districts to indicate that affordable housing is permitted at street grade subject to clear and objective development standards that apply to adjacent residentially zoned property. Currently, residential uses are prohibited at street grade.

2. SB 8, similar to the above; however, the definition for “affordable housing” is 80% of median family income and it expands the locations where affordable housing must be allowed to include land owned by a public body, including publicly owned industrial sites, and property zoned for public use.
 - a. Ensure the HB 2008 revisions are broad enough to encompass the SB 8 requirements.
 - b. Revise NMC Section 14.03.070, Commercial and Industrial Uses, to note that affordable housing on property owned by a public body is permitted on light and medium industrial zoned property adjacent to land zoned for residential use.
 - c. Revise NMC Section 14.03.100, Public Uses, to indicate that affordable housing is allowed on public zoned property adjacent to land zoned for residential use.
 - d. Amend NMC Chapter 14.13, Density Limitations, to include density bonuses required for affordable housing projects on residentially zoned property.
 - e. City can prohibit affordable housing on non-residential properties in hazard areas. This is optional and would necessitate amendments to Section 14.46.050, Prohibited Uses, in the Tsunami Hazard Overlay.
3. HB 2583, prohibits local governments from imposing occupancy limits based upon familial or non-familial relationships.
 - a. Amend NMC 14.01.020, Definitions, to delete definition of “family” and clarify definitions of “boarding, lodging, or rooming house,” “child care facility,” “hostel,” and “laundromat,” where the term is used.
4. HB 3261, requires local governments allow hotels and motels to be converted for affordable housing or emergency shelter use.
 - a. Amend Sections 14.03.060 and 14.03.070 to include this allowance. As with SB 8, the City can prohibit conversions in hazard areas like the Tsunami Hazard Overlay Zone.
5. HB 2560, requires local governments provide the public the opportunity to participate at public hearings by telephone or video and to submit testimony electronically, including during a hearing.
 - a. May warrant amendments to NMC Chapter 14.52, Procedural Requirements.
6. HB 3109, requires local governments allow child care centers in all commercial and industrial zones, except heavy industrial zoned areas.
 - a. Amend NMC 14.01.020, Definitions, to include a definition for “child care center,” and “family child care home.” Clarify existing definition for “child care facility” and “day care facility,” as needed, to align with state law. The gist of the law is to allow the care of fewer than 16 kids, in structures other than dwellings, in these non-residential areas.
 - b. Update NMC Section 14.03.070, Commercial and Industrial Uses, to allow child care centers in all commercial and industrial zones, except heavy industrial. Hold off on

adding to water-related and water-dependent, since heavy industrial activities are allowed in those zones. Sync with existing Tsunami Hazard Overlay restrictions.

7. HB 2607, provides that construction excise taxes cannot be applied to residential housing being constructed to replace housing destroyed or damaged by natural disaster.
 - a. Amend NMC Section 3.20.025, affordable Housing Construction Excise Tax, Exemptions, to include this language. Will also pickup affordable housing exemption in statute that is not currently in the code.
8. HB 2809, requires that local governments allow a recreational vehicle on a lot/parcel where the dwelling has been destroyed or damaged by natural disaster.
 - a. Amend NMC Section 14.06.050, Recreational Vehicle: General Provisions, to include the statutory parameters.
 - b. Clarify that NMC Section 14.09.030, Temporary Living Quarters, which requires a temporary use permit in order for a recreational vehicle to be used as a place of habitation during construction of a dwelling, does not apply to these circumstances. Potentially eliminate in favor of it being an outright use in all cases?
9. SB 405, prohibits local governments from barring the reestablishment of a non-conforming use due to discontinuance if a state or local emergency order limits or prohibits reestablishment of the use.
 - a. Amend Section 14.32.020, Nonconforming Uses, General Provisions, to include language addressing the bill requirements.
10. HB 4064-A, this bill appears likely to pass in the coming weeks during the 2022 legislative short session, and can be picked up with this package. B-Engrossed version of the bill will be released shortly.
 - a. Amend NMC Section 14.01.020, Definitions, to include a definition for “prefabricated structure” consistent with the legislation.
 - b. Revise NMC Chapter 14.06, Manufactured Dwellings and Recreational Vehicles, to allow prefabricated structures in manufactured dwelling parks. Eliminate standards in NMC Section 14.06.020, Manufactured Dwellings on Individual Lots, that are not clear and objective. These standards had been called out as permissible in statute, but are removed with this legislation.

Attachments

HB 2008 (2021)
 SB 8 (2021)
 HB 2583 (2021)
 HB 3261 (2021)
 HB 2560 (2021)
 HB 3109 (2021)
 HB 2607 (2021)
 HB 2809 (2021)
 SB 405 (2021)
 HB 4064 A-Engrossed (2022)

Enrolled House Bill 2008

Sponsored by Representative KOTEK; Representatives CAMPOS, DEXTER, FAHEY, GRAYBER, HAYDEN, KROPF, LEIF, MCLAIN, NOBLE, NOSSE, OWENS, PHAM, PRUSAK, RAYFIELD, REYNOLDS, SCHOUTEN, SMITH DB, SMITH G, STARK, VALDERRAMA, WILLIAMS, WRIGHT, Senator KNOPP

CHAPTER

AN ACT

Relating to affordable housing provided by religious organizations; creating new provisions; amending ORS 197.311, 215.441, 227.500, 307.140 and 307.162; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 307.140 is amended to read:

307.140. Upon compliance with ORS 307.162, the following property owned or being purchased by religious organizations shall be exempt from taxation:

(1) All houses of public worship and other additional buildings and property used solely for administration, education, literary, benevolent, charitable, entertainment and recreational purposes by religious organizations, the lots on which they are situated, and the pews, slips and furniture therein. However, any part of any house of public worship or other additional buildings or property which is kept or used as a store or shop or for any purpose other than those stated in this section shall be assessed and taxed the same as other taxable property.

(2) Parking lots used for parking or any other use as long as that parking or other use is permitted without charge for no fewer than 355 days during the tax year.

(3) Land and [the] buildings [thereon] on the land held or used solely for cemetery or crematory purposes, including any buildings solely used to store machinery or equipment used exclusively for maintenance of such lands.

(4)(a) Land and buildings on the land held or used solely to provide affordable housing to low-income households including, but not limited to, any portion of the property for any period during which the portion of the property is rented out as affordable housing to low-income households.

(b) As used in this subsection:

(A) "Affordable housing" has the meaning given that term in ORS 197.311.

(B) "Low-income households" means households described in ORS 197.311 (1).

(5) ORS 315.037 does not apply to this section.

SECTION 2. ORS 307.162 is amended to read:

307.162. (1)(a) Before any real or personal property may be exempted from taxation under ORS 307.092, 307.110 (3)(h), 307.115, 307.118, 307.130 to 307.140, 307.145, 307.147, 307.150, 307.160, 307.181 (3), 307.513 or 307.580 for any tax year, the institution or organization entitled to claim the exemption must file a claim with the county assessor, on or before April 1 preceding the tax year for

which the exemption is claimed. The claim must contain statements, verified by the oath or affirmation of the president or other proper officer of the institution or organization, that:

(A) List all real property claimed to be exempt and show the purpose for which the real property is used; and

(B) Cite the statutes under which exemption for personal property is claimed.

(b)(A) Notwithstanding paragraph (a) of this subsection, a claim for an initial year of exemption under ORS 307.140 (4) must be filed with the Department of Revenue.

(B) If the ownership of all property, other than property described in ORS 307.110 (3)(h) or 307.140 (4), included in the claim filed with the county assessor for a prior year remains unchanged, a new claim is not required.

(c) When the property designated in the claim for exemption is acquired after March 1 and before July 1, the claim for that year must be filed within 30 days from the date of acquisition of the property.

(2)(a) Notwithstanding subsection (1) of this section, a claim may be filed under this section for the current tax year:

(A) On or before December 31 of the tax year, if the claim is accompanied by a late filing fee of the greater of \$200, or one-tenth of one percent of the real market value as of the most recent assessment date of the property to which the claim pertains.

(B) On or before April 1 of the tax year, if the claim is accompanied by a late filing fee of \$200 and the claimant demonstrates good and sufficient cause for failing to file a timely claim, is a first-time filer or is a public entity described in ORS 307.090.

(b)(A) Notwithstanding subsection (1) of this section, a claimant that demonstrates good and sufficient cause for failing to file a timely claim, is a first-time filer or is a public entity described in ORS 307.090 may file a claim under this section for the five tax years prior to the current tax year:

(i) Within 60 days after the date on which the county assessor mails notice of additional taxes owing under ORS 311.206 for the property to which the claim filed under this subparagraph pertains; or

(ii) At any time if no notice is mailed.

(B) A claim filed under this paragraph must be accompanied by a late filing fee of the greater of \$200, or one-tenth of one percent of the real market value as of the most recent assessment date of the property to which the claim pertains, multiplied by the number of prior tax years for which exemption is claimed.

(c) If a claim filed under this subsection is not accompanied by the late filing fee or if the late filing fee is not otherwise paid, an exemption may not be allowed for the tax years sought by the claim. A claim may be filed under this subsection notwithstanding that there are no grounds for hardship as required for late filing under ORS 307.475.

(d) The value of the property used to determine the late filing fee under this subsection and the determination of the county assessor relative to a claim of good and sufficient cause are appealable in the same manner as other acts of the county assessor.

(e) A late filing fee collected under this subsection must be deposited in the county general fund.

(3)(a) In a claim for exemption of property described in ORS 307.110 (3)(h), the county or city, town or other municipal corporation or political subdivision of this state that is filing the claim must substantiate that the property is used for affordable housing or that it is leased or rented to persons of lower income, as applicable.

(b) A claim filed under this subsection must be filed annually on a form prescribed by the Department of Revenue.

(4) As used in this section:

(a) "First-time filer" means a claimant that:

(A) Has never filed a claim for the property that is the subject of the current claim; and

(B) Did not receive notice from the county assessor on or before December 1 of the tax year for which exemption is claimed regarding the potential property tax liability of the property.

(b)(A) "Good and sufficient cause" means an extraordinary circumstance beyond the control of the taxpayer or the taxpayer's agent or representative that causes the failure to file a timely claim.

(B) "Good and sufficient cause" does not include hardship, reliance on misleading information unless the information is provided by an authorized tax official in the course of the official's duties, lack of knowledge, oversight or inadvertence.

(c) "Ownership" means legal and equitable title.

(5)(a) Notwithstanding subsection (1) of this section, if an institution or organization owns property that is exempt from taxation under a provision of law listed in subsection (1) of this section and fails to file a timely claim for exemption under subsection (1) of this section for additions or improvements to the exempt property, the additions or improvements may nevertheless qualify for exemption.

(b) The organization must file a claim for exemption with the county assessor to have the additions or improvements to the exempt property be exempt from taxation. The claim must:

(A) Describe the additions or improvements to the exempt property;

(B) Describe the current use of the property that is the subject of the application;

(C) Identify the tax year and any preceding tax years for which the exemption is sought;

(D) Contain any other information required by the department; and

(E) Be accompanied by a late filing fee equal to the product of the number of tax years for which exemption is sought multiplied by the greater of \$200 or one-tenth of one percent of the real market value as of the most recent assessment date of the property that is the subject of the claim.

(c) Upon the county assessor's receipt of a completed claim and late filing fee, the assessor shall determine for each tax year for which exemption is sought whether the additions or improvements that are the subject of the claim would have qualified for exemption had a timely claim been filed under subsection (1) of this section. Any property that would have qualified for exemption had a timely claim been filed under subsection (1) of this section is exempt from taxation for each tax year for which the property would have qualified.

(d) A claim for exemption under this subsection may be filed only for tax years for which the time for filing a claim under subsections (1) and (2)(a) of this section has expired. A claim filed under this subsection, however, may serve as the claim required under subsection (1) of this section for the current tax year.

(e) A late filing fee collected under this subsection must be deposited in the county general fund.

(6) For each tax year for which an exemption granted pursuant to subsection (2) or (5) of this section applies:

(a) Any tax, or interest attributable thereto, that was paid with respect to the property that is declared exempt from taxation must be refunded. Refunds must be made without interest from the unsegregated tax collections account established under ORS 311.385.

(b) Any tax, or interest attributable thereto, that remains unpaid as of the date the exemption is granted must be abated.

(7) If an institution or organization owns property that is exempt from taxation under a provision of law listed in subsection (1) of this section and changes the use of the property to a use that would not entitle the property to exemption from taxation, the institution or organization must notify the county assessor of the change to a taxable use within 30 days.

SECTION 2a. The amendments to ORS 307.140 and 307.162 by sections 1 and 2 of this 2021 Act apply to property tax years beginning on or after July 1, 2021.

SECTION 2b. A religious organization may file a claim, under ORS 307.162 (2)(a)(A), for exemption for property under ORS 307.140 (4) for the property tax year beginning on July 1, 2021, without paying a filing fee.

SECTION 3. ORS 197.311 is amended to read:

197.311. (1) As used in this section:

(a) "Affordable housing" means housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater, that is subject to an affordable housing covenant, as

provided in ORS 456.270 to 456.295, that maintains the affordability for a period of not less than 60 years from the date of the certificate of occupancy.

(b) "Multifamily residential building" means a building in which three or more residential units each have space for eating, living and sleeping and permanent provisions for cooking and sanitation.

(2) Notwithstanding ORS 215.427 (1) or 227.178 (1), a city with a population greater than 5,000 or a county with a population greater than 25,000 shall take final action on an application qualifying under subsection (3) of this section, including resolution of all local appeals under ORS 215.422 or 227.180, within 100 days after the application is deemed complete.

(3) An application qualifies for final action within the timeline described in subsection (2) of this section if:

(a) The application is submitted to the city or the county under ORS 215.416 or 227.175;

(b) The application is for development of a multifamily residential building containing five or more residential units within the urban growth boundary; **and**

(c) At least 50 percent of the residential units included in the development will be sold or rented as affordable housing. [*; and*]

[(d) The development is subject to a covenant appurtenant that restricts the owner and each successive owner of the development or a residential unit within the development from selling or renting any residential unit described in paragraph (c) of this subsection as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.]

(4) A city or a county shall take final action within the time allowed under ORS 215.427 or 227.178 on any application for a permit, limited land use decision or zone change that does not qualify for review and decision under subsection (3) of this section, including resolution of all appeals under ORS 215.422 or 227.180, as provided by ORS 215.427 and 215.435 or by ORS 227.178 and 227.181.

(5) With respect to property within an urban growth boundary owned by a nonprofit corporation organized as a religious corporation, a local government:

(a) May apply only restrictions or conditions of approval to the development of affordable housing that are, notwithstanding ORS 197.307 (5) or statewide land use planning goals relating to protections for historic areas:

(A) Clear and objective as described in ORS 197.307 (4); or

(B) Discretionary standards related to health, safety, habitability or infrastructure.

(b) Shall approve the development of affordable housing on property not zoned for housing if:

(A) The property is not zoned for industrial uses; and

(B) The property is contiguous to property zoned to allow residential uses.

(6) Affordable housing allowed under subsection (5)(b) of this section may be subject only to the restrictions applicable to the contiguously zoned residential property as limited by subsection (5)(a) of this section and without requiring that the property be rezoned for residential uses. If there is more than one contiguous residential property, the zoning of the property with the greatest density applies.

SECTION 4. ORS 215.441 is amended to read:

215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a county shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

(a) Worship services.

(b) Religion classes.

(c) Weddings.

(d) Funerals.

(e) Meal programs.

(f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education.

[(g) Providing housing or space for housing in a building or buildings that are detached from the place of worship, provided:]

[(A) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;]

[(B) The real property is in an area zoned for residential use that is located within the urban growth boundary; and]

[(C) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone.]

(2) A county may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review or design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or restrict the use of real property by a place of worship described in subsection (1) of this section if the county finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a county may allow a private or parochial school for prekindergarten through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

[(4) Housing and space for housing provided under subsection (1)(g) of this section must be subject to a covenant appurtenant that restricts the owner and each successive owner of a building or any residential unit contained in a building from selling or renting any residential unit described in subsection (1)(g)(A) of this section as housing that is not affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located for a period of 60 years from the date of the certificate of occupancy.]

SECTION 5. ORS 227.500 is amended to read:

227.500. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a city shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

(a) Worship services.

(b) Religion classes.

(c) Weddings.

(d) Funerals.

(e) Meal programs.

(f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education.

[(g) Providing housing or space for housing in a building or buildings that are detached from the place of worship, provided:]

[(A) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;]

[(B) The real property is in an area zoned for residential use that is located within the urban growth boundary; and]

[(C) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone.]

(2) A city may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review and design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or regulate the use of real property by a place of worship described in subsection (1) of this section if the city finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a city may allow a private or parochial school for prekindergarten through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

[(4) *Housing and space for housing provided under subsection (1)(g) of this section must be subject to a covenant appurtenant that restricts the owner and each successive owner of a building or any residential unit contained in a building from selling or renting any residential unit described in subsection (1)(g)(A) of this section as housing that is not affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located for a period of 60 years from the date of the certificate of occupancy.*]

SECTION 6. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by House May 20, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 17, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled Senate Bill 8

Sponsored by Senator COURTNEY; Senator MANNING JR, Representatives BYNUM, DEXTER,
FAHEY, KOTEK, KROPF, ZIKA

CHAPTER

AN ACT

Relating to land use planning for housing; creating new provisions; amending ORS 197.830, 197.850,
215.441 and 227.500; and repealing ORS 197.779.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “affordable housing” means residential property:

(a) In which:

(A) Each unit on the property is made available to own or rent to families with incomes of 80 percent or less of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; or

(B) The average of all units on the property is made available to families with incomes of 60 percent or less of the area median income; and

(b) Whose affordability is enforceable, including as described in ORS 456.270 to 456.295, for a duration of no less than 30 years.

(2) A local government shall allow affordable housing, and may not require a zone change or conditional use permit for affordable housing on property if:

(a) The housing is owned by:

(A) A public body, as defined in ORS 174.109; or

(B) A nonprofit corporation that is organized as a religious corporation; or

(b) The property is zoned:

(A) For commercial uses;

(B) To allow religious assembly; or

(C) As public lands.

(3) Subsection (2) of this section:

(a) Does not apply to the development of housing not within an urban growth boundary.

(b) Does not trigger any requirement that a local government consider or update an analysis as required by a statewide planning goal relating to economic development.

(c) Applies on property zoned to allow for industrial uses only if the property is:

(A) Publicly owned;

(B) Adjacent to lands zoned for residential uses or schools; and

(C) Not specifically designated for heavy industrial uses.

(d) Does not apply on lands where the local government determines that:

(A) The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;

(B) The property contains a slope of 25 percent or greater;

(C) The property is within a 100-year floodplain; or

(D) The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:

(i) Natural disasters and hazards; or

(ii) Natural resources, including air, water, land or natural areas, but not including open spaces or historic resources.

(4) A local government shall approve an application at an authorized density level and authorized height level, as defined in ORS 227.175 (4), for the development of affordable housing, at the greater of:

(a) Any local density bonus for affordable housing; or

(b) Without consideration of any local density bonus for affordable housing:

(A) For property with existing maximum density of 16 or fewer units per acre, 200 percent of the existing density and 12 additional feet;

(B) For property with existing maximum density of 17 or more units per acre and 45 or fewer units per acre, 150 percent of the existing density and 24 additional feet; or

(C) For property with existing maximum density of 46 or more units per acre, 125 percent of the existing density and 36 additional feet.

(5)(a) Subsection (4) of this section does not apply to housing allowed under subsection (2) of this section in areas that are not zoned for residential uses.

(b) A local government may reduce the density or height of the density bonus allowed under subsection (4) of this section as necessary to address a health, safety or habitability issue, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal. Notwithstanding ORS 197.350, the local government must adopt findings supported by substantial evidence demonstrating the necessity of this reduction.

SECTION 1a. Section 1 of this 2021 Act is added to and made a part of ORS 197.286 to 197.314.

SECTION 2. (1) The Land Use Board of Appeals shall award attorney fees to an applicant whose application is only for the development of affordable housing, as defined in section 1 of this 2021 Act, or publicly supported housing, as defined in ORS 456.250, if the board affirms a quasi-judicial land use decision approving the application or reverses a quasi-judicial land use decision denying the application.

(2) A party who was awarded attorney fees under this section or ORS 197.850 shall repay the fees plus any interest from the time of the judgment if the property upon which the fees are based is developed for a use other than affordable housing.

(3) As used in this section:

(a) "Applicant" includes:

(A) An applicant with a funding reservation agreement with a public funder for the purpose of developing publicly supported housing;

(B) A housing authority, as defined in ORS 456.005;

(C) A qualified housing sponsor, as defined in ORS 456.548;

(D) A religious nonprofit corporation;

(E) A public benefit nonprofit corporation whose primary purpose is the development of affordable housing; and

(F) A local government that approved the application of an applicant described in this paragraph.

(b) "Attorney fees" includes prelitigation legal expenses, including preparing the application and supporting the application in local land use hearings or proceedings.

SECTION 2a. Section 2 of this 2021 Act is added to and made a part of ORS 197.830 to 197.845.

SECTION 3. ORS 197.830 is amended to read:

197.830. (1) Review of land use decisions or limited land use decisions under ORS 197.830 to 197.845 shall be commenced by filing a notice of intent to appeal with the Land Use Board of Appeals.

(2) Except as provided in ORS 197.620, a person may petition the board for review of a land use decision or limited land use decision if the person:

(a) Filed a notice of intent to appeal the decision as provided in subsection (1) of this section; and

(b) Appeared before the local government, special district or state agency orally or in writing.

(3) If a local government makes a land use decision without providing a hearing, except as provided under ORS 215.416 (11) or 227.175 (10), or the local government makes a land use decision that is different from the proposal described in the notice of hearing to such a degree that the notice of the proposed action did not reasonably describe the local government's final actions, a person adversely affected by the decision may appeal the decision to the board under this section:

(a) Within 21 days of actual notice where notice is required; or

(b) Within 21 days of the date a person knew or should have known of the decision where no notice is required.

(4) If a local government makes a land use decision without a hearing pursuant to ORS 215.416 (11) or 227.175 (10):

(a) A person who was not provided notice of the decision as required under ORS 215.416 (11)(c) or 227.175 (10)(c) may appeal the decision to the board under this section within 21 days of receiving actual notice of the decision.

(b) A person who is not entitled to notice under ORS 215.416 (11)(c) or 227.175 (10)(c) but who is adversely affected or aggrieved by the decision may appeal the decision to the board under this section within 21 days after the expiration of the period for filing a local appeal of the decision established by the local government under ORS 215.416 (11)(a) or 227.175 (10)(a).

(c) A person who receives notice of a decision made without a hearing under ORS 215.416 (11) or 227.175 (10) may appeal the decision to the board under this section within 21 days of receiving actual notice of the nature of the decision, if the notice of the decision did not reasonably describe the nature of the decision.

(d) Except as provided in paragraph (c) of this subsection, a person who receives notice of a decision made without a hearing under ORS 215.416 (11) or 227.175 (10) may not appeal the decision to the board under this section.

(5) If a local government makes a limited land use decision which is different from the proposal described in the notice to such a degree that the notice of the proposed action did not reasonably describe the local government's final actions, a person adversely affected by the decision may appeal the decision to the board under this section:

(a) Within 21 days of actual notice where notice is required; or

(b) Within 21 days of the date a person knew or should have known of the decision where no notice is required.

(6) The appeal periods described in subsections (3), (4) and (5) of this section:

(a) May not exceed three years after the date of the decision, except as provided in paragraph (b) of this subsection.

(b) May not exceed 10 years after the date of the decision if notice of a hearing or an administrative decision made pursuant to ORS 197.195 or 197.763 is required but has not been provided.

(7)(a) Within 21 days after a notice of intent to appeal has been filed with the board under subsection (1) of this section, any person described in paragraph (b) of this subsection may intervene in and be made a party to the review proceeding by filing a motion to intervene and by paying a filing fee of \$100.

(b) Persons who may intervene in and be made a party to the review proceedings, as set forth in subsection (1) of this section, are:

(A) The applicant who initiated the action before the local government, special district or state agency; or

(B) Persons who appeared before the local government, special district or state agency, orally or in writing.

(c) Failure to comply with the deadline or to pay the filing fee set forth in paragraph (a) of this subsection shall result in denial of a motion to intervene.

(8) If a state agency whose order, rule, ruling, policy or other action is at issue is not a party to the proceeding, it may file a brief with the board as if it were a party. The brief shall be due on the same date the respondent's brief is due and shall be accompanied by a filing fee of \$100.

(9) A notice of intent to appeal a land use decision or limited land use decision shall be filed not later than 21 days after the date the decision sought to be reviewed becomes final. A notice of intent to appeal plan and land use regulation amendments processed pursuant to ORS 197.610 to 197.625 shall be filed not later than 21 days after notice of the decision sought to be reviewed is mailed or otherwise submitted to parties entitled to notice under ORS 197.615. Failure to include a statement identifying when, how and to whom notice was provided under ORS 197.615 does not render the notice defective. Copies of the notice of intent to appeal shall be served upon the local government, special district or state agency and the applicant of record, if any, in the local government, special district or state agency proceeding. The notice shall be served and filed in the form and manner prescribed by rule of the board and shall be accompanied by a filing fee of \$200 and a deposit for costs to be established by the board. If a petition for review is not filed with the board as required in subsections (10) and (11) of this section, the filing fee and deposit shall be awarded to the local government, special district or state agency as cost of preparation of the record.

(10)(a) Within 21 days after service of the notice of intent to appeal, the local government, special district or state agency shall transmit to the board the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceeding the record may be shortened. The board may require or permit subsequent corrections to the record; however, the board shall issue an order on a motion objecting to the record within 60 days of receiving the motion. If the board denies a petitioner's objection to the record, the board may establish a new deadline for the petition for review to be filed that may not be less than 14 days from the later of the original deadline for the brief or the date of denial of the petitioner's record objection.

(b) Within 10 days after service of a notice of intent to appeal, the board shall provide notice to the petitioner and the respondent of their option to enter into mediation pursuant to ORS 197.860. Any person moving to intervene shall be provided such notice within seven days after a motion to intervene is filed. The notice required by this paragraph shall be accompanied by a statement that mediation information or assistance may be obtained from the Department of Land Conservation and Development.

(11) A petition for review of the land use decision or limited land use decision and supporting brief shall be filed with the board as required by the board under subsection (13) of this section.

(12) The petition shall include a copy of the decision sought to be reviewed and shall state:

(a) The facts that establish that the petitioner has standing.

(b) The date of the decision.

(c) The issues the petitioner seeks to have reviewed.

(13)(a) The board shall adopt rules establishing deadlines for filing petitions and briefs and for oral argument.

(b) At any time subsequent to the filing of a notice of intent and prior to the date set for filing the record, or, on appeal of a decision under ORS 197.610 to 197.625, prior to the filing of the respondent's brief, the local government or state agency may withdraw its decision for purposes of reconsideration. If a local government or state agency withdraws an order for purposes of reconsideration, it shall, within such time as the board may allow, affirm, modify or reverse its decision.

If the petitioner is dissatisfied with the local government or agency action after withdrawal for purposes of reconsideration, the petitioner may refile the notice of intent and the review shall proceed upon the revised order. An amended notice of intent is not required if the local government or state agency, on reconsideration, affirms the order or modifies the order with only minor changes.

(14) The board shall issue a final order within 77 days after the date of transmittal of the record. If the order is not issued within 77 days the applicant may apply in Marion County or the circuit court of the county where the application was filed for a writ of mandamus to compel the board to issue a final order.

(15) Upon entry of its final order, the board:

(a) May, in its discretion, award costs to the prevailing party including the cost of preparation of the record if the prevailing party is the local government, special district or state agency whose decision is under review. The board shall apply the deposit required by subsection (9) of this section to any costs charged against the petitioner.

(b) Shall award reasonable attorney fees and expenses to the prevailing party against any other party who the board finds presented a position or filed any motion without probable cause to believe the position or motion was well-founded in law or on factually supported information.

[(c) Upon affirming a quasi-judicial land use decision approving an application that is only for the development of publicly supported housing, as defined in ORS 456.250, shall award reasonable attorney fees and expenses to a prevailing respondent that is the applicant or local government.]

(c) Shall award costs and attorney fees to a party as provided in section 2 of this 2021 Act.

(16) Orders issued under this section may be enforced in appropriate judicial proceedings.

(17)(a) The board shall provide for the publication of its orders that are of general public interest in the form it deems best adapted for public convenience. The publications shall constitute the official reports of the board.

(b) Any moneys collected or received from sales by the board shall be paid into the Board Publications Account established by ORS 197.832.

(18) Except for any sums collected for publication of board opinions, all fees collected by the board under this section that are not awarded as costs shall be paid over to the State Treasurer to be credited to the General Fund.

(19) The board shall track and report on its website:

(a) The number of reviews commenced, as described in subsection (1) of this section, the number of reviews commenced for which a petition is filed under subsection (2) of this section and, in relation to each of those numbers, the rate at which the reviews result in a decision of the board to uphold, reverse or remand the land use decision or limited land use decision. The board shall track and report reviews under this paragraph in categories established by the board.

(b) A list of petitioners, the number of reviews commenced and the rate at which the petitioner's reviews have resulted in decisions of the board to uphold, reverse or remand the land use decision or limited land use decision.

(c) A list of respondents, the number of reviews involving each respondent and the rate at which reviews involving the respondent have resulted in decisions of the board to uphold, reverse or remand the land use decision or limited land use decision. Additionally, when a respondent is the local government that made the land use decision or limited land use decision, the board shall track whether the local government appears before the board.

(d) A list of reviews, and a brief summary of the circumstances in each review, under which the board exercises its discretion to require a losing party to pay the attorney fees of the prevailing party.

SECTION 3a. ORS 197.850 is amended to read:

197.850. (1) Any party to a proceeding before the Land Use Board of Appeals under ORS 197.830 to 197.845 may seek judicial review of a final order issued in those proceedings.

(2) Notwithstanding the provisions of ORS 183.480 to 183.540, judicial review of orders issued under ORS 197.830 to 197.845 is solely as provided in this section.

(3)(a) Jurisdiction for judicial review of proceedings under ORS 197.830 to 197.845 is conferred upon the Court of Appeals. Proceedings for judicial review are instituted by filing a petition in the Court of Appeals. The petition must be filed within 21 days following the date the board delivered or mailed the order upon which the petition is based.

(b) Filing of the petition, as set forth in paragraph (a) of this subsection, and service of a petition on all persons identified in the petition as adverse parties of record in the board proceeding is jurisdictional and may not be waived or extended.

(4) The petition must state the nature of the order the petitioner desires reviewed. Copies of the petition must be served by first class, registered or certified mail on the board and all other parties of record in the board proceeding.

(5) Within seven days after service of the petition, the board shall transmit to the court the original or a certified copy of the entire record of the proceeding under review, but, by stipulation of all parties to the review proceeding, the record may be shortened. The court may tax a party that unreasonably refuses to stipulate to limit the record for the additional costs. The court may require or permit subsequent corrections or additions to the record when deemed desirable. Except as specifically provided in this subsection, the court may not tax the cost of the record to the petitioner or any intervening party. However, the court may tax such costs and the cost of transcription of record to a party filing a frivolous petition for judicial review.

(6) Petitions and briefs must be filed within time periods and in a manner established by the Court of Appeals by rule.

(7)(a) The court shall hear oral argument within 49 days of the date of transmittal of the record.

(b) The court may hear oral argument more than 49 days from the date of transmittal of the record provided the court determines that the ends of justice served by holding oral argument on a later day outweigh the best interests of the public and the parties. The court may not hold oral argument more than 49 days from the date of transmittal of the record because of general congestion of the court calendar or lack of diligent preparation or attention to the case by any member of the court or any party.

(c) The court shall set forth in writing a determination to hear oral argument more than 49 days from the date the record is transmitted, together with the reasons for its determination, and shall provide a copy to the parties. The court shall schedule oral argument as soon as practicable thereafter.

(d) In making a determination under paragraph (b) of this subsection, the court shall consider:

(A) Whether the case is so unusual or complex, due to the number of parties or the existence of novel questions of law, that 49 days is an unreasonable amount of time for the parties to brief the case and for the court to prepare for oral argument; and

(B) Whether the failure to hold oral argument at a later date likely would result in a miscarriage of justice.

(8) Judicial review of an order issued under ORS 197.830 to 197.845 must be confined to the record. The court may not substitute its judgment for that of the board as to any issue of fact.

(9) The court may affirm, reverse or remand the order. The court shall reverse or remand the order only if it finds:

(a) The order to be unlawful in substance or procedure, but error in procedure is not cause for reversal or remand unless the court finds that substantial rights of the petitioner were prejudiced thereby;

(b) The order to be unconstitutional; or

(c) The order is not supported by substantial evidence in the whole record as to facts found by the board under ORS 197.835 (2).

(10) The Court of Appeals shall issue a final order on the petition for judicial review with the greatest possible expediency.

(11) If the order of the board is remanded by the Court of Appeals or the Supreme Court, the board shall respond to the court's appellate judgment within 30 days.

(12) A party must file with the board an undertaking with one or more sureties insuring that the party will pay all costs, disbursements and attorney fees awarded against the party by the Court of Appeals if:

(a) The party appealed a decision of the board to the Court of Appeals; and

(b) In making the decision being appealed to the Court of Appeals, the board awarded attorney fees and expenses against that party under ORS 197.830 (15)(b) or (c).

(13) Upon entry of its final order, the court shall award attorney fees and expenses to a party who:

(a) Prevails on a claim that an approval condition imposed by a local government on an application for a permit pursuant to ORS 215.416 or 227.175 is unconstitutional under section 18, Article I, Oregon Constitution, or the Fifth Amendment to the United States Constitution; or

(b) Is entitled to attorney fees under [ORS 197.830 (15)(c)] **section 2 of this 2021 Act.**

(14) The undertaking required in subsection (12) of this section must be filed with the board and served on the opposing parties within 10 days after the date the petition was filed with the Court of Appeals.

SECTION 4. ORS 215.441 is amended to read:

215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a county shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

(a) Worship services.

(b) Religion classes.

(c) Weddings.

(d) Funerals.

(e) Meal programs.

(f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education.

[(g) Providing housing or space for housing in a building or buildings that are detached from the place of worship, provided:]

[(A) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;]

[(B) The real property is in an area zoned for residential use that is located within the urban growth boundary; and]

[(C) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone.]

(2) A county may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review or design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or restrict the use of real property by a place of worship described in subsection (1) of this section if the county finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a county may allow a private or parochial school for prekindergarten through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

[(4) Housing and space for housing provided under subsection (1)(g) of this section must be subject to a covenant appurtenant that restricts the owner and each successive owner of a building or any residential unit contained in a building from selling or renting any residential unit described in subsection (1)(g)(A) of this section as housing that is not affordable to households with incomes equal to

or less than 60 percent of the median family income for the county in which the real property is located for a period of 60 years from the date of the certificate of occupancy.]

SECTION 5. ORS 227.500 is amended to read:

227.500. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under state law and rules and local zoning ordinances and regulations, a city shall allow the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including:

- (a) Worship services.
- (b) Religion classes.
- (c) Weddings.
- (d) Funerals.
- (e) Meal programs.

(f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education.

[(g) Providing housing or space for housing in a building or buildings that are detached from the place of worship, provided:]

[(A) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;]

[(B) The real property is in an area zoned for residential use that is located within the urban growth boundary; and]

[(C) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone.]

(2) A city may:

(a) Subject real property described in subsection (1) of this section to reasonable regulations, including site review and design review, concerning the physical characteristics of the uses authorized under subsection (1) of this section; or

(b) Prohibit or regulate the use of real property by a place of worship described in subsection (1) of this section if the city finds that the level of service of public facilities, including transportation, water supply, sewer and storm drain systems is not adequate to serve the place of worship described in subsection (1) of this section.

(3) Notwithstanding any other provision of this section, a city may allow a private or parochial school for prekindergarten through grade 12 or higher education to be sited under applicable state law and rules and local zoning ordinances and regulations.

[(4) Housing and space for housing provided under subsection (1)(g) of this section must be subject to a covenant appurtenant that restricts the owner and each successive owner of a building or any residential unit contained in a building from selling or renting any residential unit described in subsection (1)(g)(A) of this section as housing that is not affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located for a period of 60 years from the date of the certificate of occupancy.]

SECTION 6. ORS 197.779 is repealed.

Passed by Senate April 21, 2021

Repassed by Senate June 8, 2021

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House June 3, 2021

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

81st OREGON LEGISLATIVE ASSEMBLY--2021 Regular Session

Enrolled House Bill 2583

Sponsored by Representative FAHEY; Representatives CAMPOS, DEXTER, MARSH, MORGAN
(Presession filed.)

CHAPTER

AN ACT

Relating to maximum occupancy of residential dwelling units.

Be It Enacted by the People of the State of Oregon:

SECTION 1. A maximum occupancy limit may not be established or enforced by any local government, as defined in ORS 197.015, for any residential dwelling unit, as defined in ORS 90.100, if the restriction is based on the familial or nonfamilial relationships among any occupants.

Passed by House April 10, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 3, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled House Bill 3261

Sponsored by Representative MARSH; Senator GOLDEN

CHAPTER

AN ACT

Relating to conversion of properties for living spaces; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) Except as provided in this section and notwithstanding any statewide land use planning goals or land use regulations, a local government shall unconditionally allow the conversion of the lawful use of a property:

(a) From use as a hotel or motel, to use as an emergency shelter.
(b) From use as a hotel or motel, or a hotel or motel that was converted to an emergency shelter under paragraph (a) of this subsection, to use as affordable housing.

(2) This section applies only to areas:

(a) Within an urban growth boundary;
(b) Not designated by the local government as specifically for heavy industrial uses;
(c) With adequate transportation access to commercial and medical services; and
(d) Not within an area designated for a statewide land use planning goal relating to natural disasters or hazards, including flood plains or mapped environmental health hazards, unless the converted use complies with regulations directly related to the disasters or hazards.

(3) A local government may require a converted use under this section to comply with:

(a) Applicable building codes;
(b) Occupancy limits; or
(c) For uses under subsection (1)(b) of this section, reasonable standards relating to siting or design, if the standards do not, individually or cumulatively, prohibit the conversion through unreasonable costs or delay.

(4) A conversion under this section is not a land use decision as defined in ORS 197.015.

(5) A local government is not required to consider whether the conversion significantly affects an existing or planned transportation facility for the purposes of implementing a statewide land use planning goal relating to transportation.

(6) As used in this section:

(a) "Affordable housing" means housing in which all units are affordable to households with incomes equal to or less than 60 percent of the area median income as defined in ORS 458.610 and whose affordability is enforceable by an affordable housing covenant, as described in ORS 456.270 to 456.295, for a duration of no less than 30 years.

(b) "Conversion" includes an alteration to a building that changes the number of units but does not expand the building footprint.

(c) "Emergency shelter" means a building that provides shelter on a temporary basis for individuals and families who lack permanent housing.

(d) "Lawful use" includes a nonconforming use as described in ORS 215.130 (6) or any other local land use regulation allowing for the continuation of a use that was lawful when first enacted.

SECTION 3. Section 2 of this 2021 Act applies to conversions or applications for conversions on or after January 1, 2021.

SECTION 4. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House March 31, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Koteck, Speaker of House

Passed by Senate April 26, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled House Bill 2560

Sponsored by Representative MEEK, Senator STEINER HAYWARD; Representatives DEXTER, GRAYBER, MARSH, MCLAIN, REARDON, REYNOLDS, SALINAS, SCHOUTEN, SMITH, WARNER, SOLLMAN, VALDERRAMA, WILDE, WILLIAMS, Senator MANNING JR (Presession filed.)

CHAPTER

AN ACT

Relating to expanding remote participation of public in self-government through use of technology; amending ORS 192.670.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 192.670 is amended to read:

192.670. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 192.690.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where, or at least one electronic means by which, the public can listen to the communication at the time it occurs. A place provided may be a place where no member of the governing body of the public body is present.

(3) All meetings held by a governing body of a public body, excluding executive sessions, must provide to members of the general public, to the extent reasonably possible, an opportunity to:

(a) Access and attend the meeting by telephone, video or other electronic or virtual means;

(b) If in-person oral testimony is allowed, submit during the meeting oral testimony by telephone, video or other electronic or virtual means; and

(c) If in-person written testimony is allowed, submit written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.

(4) The provisions of subsection (3) of this section:

(a) Apply to hearings under ORS 197.763, 215.402 to 215.438 and 215.700 to 215.780 regardless of whether a governing body or governing body's designee, including a hearings officer, conducts the hearing; and

(b) Do not apply to contested case hearings under ORS chapter 183.

Passed by House April 10, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 27, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled House Bill 3109

Sponsored by Representatives ZIKA, MARSH; Representatives BYNUM, GRAYBER, KROPP, LEIF,
MORGAN, NOBLE, REYNOLDS, SMITH DB

CHAPTER

AN ACT

Relating to child care facilities; amending ORS 215.213, 215.283, 329A.030, 329A.250, 329A.280 and
329A.440.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 329A.440 is amended to read:

329A.440. (1) As used in this section:

(a) "Child care center" means a child care facility, other than a family child care home, that is certified under ORS 329A.280 (3).

(b) "Family child care home" means a child care facility in a dwelling that is caring for not more than 16 children and is certified under ORS 329A.280 (2) or is registered under ORS 329A.330.

(c) "Land use regulation" and "local government" have the meanings given those terms in ORS 197.015.

[(1)] (2)(a) [A registered or certified] A family child care home [shall be] is considered a residential use of property for zoning purposes. [The registered or certified family child care home shall be] A family child care home is a permitted use in all areas zoned for residential or commercial purposes, including areas zoned for single-family dwellings.

(b) [A city or county] A local government may not enact or enforce [zoning ordinances] a land use regulation prohibiting the use of a residential dwelling, located in an area zoned for residential or commercial use, as a [registered or certified] family child care home.

[(2)] (c) [A city or county may impose zoning] A local government may not impose land use regulations, special fees or conditions on the establishment [and] or maintenance of a [registered or certified] family child care home [in an area zoned for residential or commercial use if the conditions are no] more restrictive than [conditions] those imposed on other residential dwellings in the same zone.

(3) Notwithstanding subsection (2)(c) of this section, a county may[.]

[(a) Allow a registered or certified family child care home in an existing dwelling in any area zoned for farm use, including an exclusive farm use zone established under ORS 215.203;]

[(b)] impose reasonable conditions on the establishment of a [registered or certified] family child care home in an area zoned for farm use[; and]

[(c) Allow a division of land for a registered or certified family child care home in an exclusive farm use zone only as provided in ORS 215.263 (9).]

[(4) This section applies only to a registered or certified family child care home where child care is offered in the home of the provider to not more than 16 children, including children of the provider, regardless of full-time or part-time status.]

(4)(a) A child care center is a permitted use in all areas zoned for commercial or industrial use, except areas specifically designated by the local government for heavy industrial use.

(b) A local government may not impose land use regulations, special fees or conditions on the establishment or maintenance of a child care center in an area zoned for commercial or industrial use that are more restrictive than those imposed for other uses in the same zone.

(5) Notwithstanding subsection (4) of this section, a local government may impose reasonable conditions upon the establishment or maintenance of a child care center in an area zoned for industrial uses.

(6) As used in this section, "reasonable conditions" includes, but is not limited to, siting restrictions for properties designated on the Department of Environmental Quality's statewide list of contaminated properties as having known or suspected releases of hazardous substances.

SECTION 2. ORS 329A.280 is amended to read:

329A.280. (1) A person may not operate a child care facility, except a facility subject to the registration requirements of ORS 329A.330, without a certification for the facility from the Office of Child Care.

(2) The Early Learning Council shall adopt rules for the certification of a family child care home caring for not more than 16 children. *[The rules shall be specifically]* **Rules may be adopted specifically** for *[the regulation of]* certified child care facilities operated in *[a facility constructed as]* a single-family dwelling **or other dwelling**. Notwithstanding fire and other safety regulations, the rules that the council adopts for certified child care facilities shall set standards that can be met without significant architectural modification *[of a typical home]*. In adopting the rules, the council may consider and set limits according to factors including the age of children in care, the ambulatory ability of children in care, the number of the provider's children present, the length of time a particular child is continuously cared for and the total amount of time a particular child is cared for within a given unit of time.

(3) In addition to rules adopted for and applied to a certified family child care home providing child care for not more than 16 children, the council shall adopt and apply separate rules appropriate for any child care facility that is a child care center.

(4) Any person seeking to operate a child care facility may apply for a certification for the facility from the Office of Child Care and receive a certification upon meeting certification requirements.

(5) A facility described in ORS 329A.250 (5)(d) may, but is not required to, apply for a certification under this section and receive a certification upon meeting certification requirements.

NOTE: Sections 3 through 6 were deleted by amendment. Subsequent sections were not renumbered.

SECTION 7. ORS 329A.250 is amended to read:

329A.250. As used in ORS 329A.030 and 329A.250 to 329A.450, unless the context requires otherwise:

(1) "Babysitter" means a person who goes into the home of a child to give care during the temporary absence of the parent or legal guardian or custodian.

(2) "Certification" means the certification that is issued under ORS 329A.280 by the Office of Child Care to a family child care home, child care center or other child care facility.

(3) "Child" means a child under 13 years of age or a child under 18 years of age who has special needs or disabilities and requires a level of care that is above normal for the child's age.

(4)(a) *[Subject to ORS 329A.440,]* "Child care" means the care, supervision and guidance on a regular basis of a child, unaccompanied by a parent, guardian or custodian, provided to a child

during a part of the 24 hours of the day, in a place other than the child's home, with or without compensation.

(b) "Child care" does not include care provided:

[(a)] (A) In the home of the child;

[(b)] (B) By the child's parent, guardian, or person acting in loco parentis;

[(c)] (C) By a person related to the child by blood or marriage within the fourth degree as determined by civil law;

[(d)] (D) On an occasional basis by a person not ordinarily engaged in providing child care;

[(e)] (E) By providers of medical services;

[(f)] (F) By a babysitter;

[(g)] (G) By a person who cares for children from only one family other than the person's own family;

[(h)] (H) By a person who cares for no more than three children other than the person's own children; or

[(i)] (I) By a person who is a member of the child's extended family, as determined by the office on a case-by-case basis.

(5) "Child care facility" means any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home or similar unit operating under any name, but not including any:

(a) Preschool recorded program.

(b) Facility providing care for school-age children that is primarily a single enrichment activity, for eight hours or less a week.

(c) Facility providing care that is primarily group athletic or social activities sponsored by or under the supervision of an organized club or hobby group.

(d) Facility operated by:

(A) A school district as defined in ORS 332.002;

(B) A political subdivision of this state; or

(C) A governmental agency.

(e) Residential facility licensed under ORS 443.400 to 443.455.

(f) Babysitters.

(g) Facility operated as a parent cooperative for no more than four hours a day.

(h) Facility providing care while the child's parent remains on the premises and is engaged in an activity offered by the facility or in other nonwork activity.

(i) Facility operated as a school-age recorded program.

(6) "Family" has the meaning given that term in ORS 329.145.

(7) "Occasional" means that care is provided for no more than 70 days in any calendar year.

(8) "Parent cooperative" means a child care program in which:

(a) Care is provided by parents on a rotating basis;

(b) Membership in the cooperative includes parents;

(c) There are written policies and procedures; and

(d) A board of directors that includes parents of the children cared for by the cooperative controls the policies and procedures of the program.

(9) "Preschool recorded program" means a facility providing care for preschool children that is primarily educational for four hours or less per day and where no child is present at the facility for more than four hours per day.

(10) "Record" means the record that is issued under ORS 329A.255 to a preschool recorded program or under ORS 329A.257 to a school-age recorded program.

(11) "Registration" means the registration that is issued under ORS 329A.330 by the Office of Child Care to a family child care home where care is provided in the family living quarters of the provider's home.

(12) "School age" means of an age eligible to be enrolled in kindergarten or above on or before the first day of the current school year.

(13) "School-age recorded program" means a program for school-age children:

(a) That is not operated by a school district as defined in ORS 332.002;

(b) That is not required to be certified under ORS 329A.280 or registered under ORS 329A.330; and

(c) In which youth development activities are provided to children during hours that school is not in session and does not take the place of a parent's care.

(14) "Youth development activities" means care, supervision or guidance that is intended for enrichment, including but not limited to teaching skills or proficiency in physical, social or educational activities such as tutoring, music lessons, social activities, sports and recreational activities.

SECTION 8. ORS 329A.030 is amended to read:

329A.030. (1) The Office of Child Care shall establish a Central Background Registry and may maintain information in the registry through electronic records systems.

(2)(a) A subject individual shall apply to and must be enrolled in the Central Background Registry as part of the individual's application to operate a program or serve in a position described in subsection (10) of this section.

(b) An individual who has been the subject of a founded or substantiated report of child abuse shall apply to and be enrolled in the Central Background Registry prior to providing any of the types of care identified in ORS 329A.250 [(4)(a), (g) or (h)] (4)(b)(A), (G) or (H) if:

(A) The child abuse occurred on or after January 1, 2017, and involved a child who died or suffered serious physical injury, as defined in ORS 161.015; or

(B) The child abuse occurred on or after September 1, 2019, and involved any child for whom the individual was providing child care, as defined in ORS 329A.250 (4), or care identified in ORS 329A.250 [(4)(a), (c), (f), (g), (h) or (i)] (4)(b)(A), (C), (F), (G), (H) or (I).

(c) Notwithstanding paragraph (a) of this subsection, an individual described in paragraph (b)(B) of this subsection is not required to enroll in the Central Background Registry if more than seven years has elapsed since the date of the child abuse determination.

(3)(a) Upon receiving an application for enrollment in the Central Background Registry, the office shall complete:

(A) A criminal records check under ORS 181A.195;

(B) A criminal records check of other registries or databases in accordance with rules adopted by the Early Learning Council;

(C) A child abuse and neglect records check in accordance with rules adopted by the council; and

(D) A foster care certification check and an adult protective services check in accordance with rules adopted by the council.

(b) In addition to the information that the office is required to check under paragraph (a) of this subsection, the office may consider any other information obtained by the office that the office, by rule, determines is relevant to enrollment in the Central Background Registry.

(4)(a) The office shall enroll the individual in the Central Background Registry if the individual:

(A) Is determined to have no criminal, child abuse and neglect, negative adult protective services or negative foster home certification history, or to have dealt with the issues and provided adequate evidence of suitability for the registry;

(B) Has paid the applicable fee established pursuant to ORS 329A.275; and

(C) Has complied with the rules of the Early Learning Council adopted pursuant to this section.

(b) Notwithstanding subsection (3) of this section and paragraph (a) of this subsection, the office may enroll an individual in the registry if the Department of Human Services has completed a background check on the individual and the individual has received approval from the department for purposes of providing child care.

(5)(a) Notwithstanding subsections (3) and (4) of this section, the office may not enroll an individual in the Central Background Registry if:

(A) The individual has a disqualifying condition as defined in rules adopted by the council; or

(B) The individual is an exempt prohibited individual, as provided by ORS 329A.252.

(b) If an individual prohibited from enrolling in the registry as provided by this subsection is enrolled in the registry, the office shall remove the individual from the registry.

(6)(a) The office may conditionally enroll an individual in the Central Background Registry pending the results of a nationwide criminal records check through the Federal Bureau of Investigation if the individual has met other requirements of the office for enrollment in the registry.

(b) The office may enroll an individual in the registry subject to limitations identified in rules adopted by the council.

(7) An enrollment in the Central Background Registry may be renewed upon application to the office, payment of the fee established pursuant to ORS 329A.275 and compliance with rules adopted by the Early Learning Council pursuant to this section. However, an individual who is determined to be ineligible for enrollment in the registry after the date of initial enrollment shall be removed or suspended from the registry by the office.

(8)(a) A child care facility shall not hire or employ an individual if the individual is not enrolled in the Central Background Registry.

(b) Notwithstanding paragraph (a) of this subsection, a child care facility may employ on a probationary basis an individual who is conditionally enrolled in the Central Background Registry.

(9) The Early Learning Council may adopt any rules necessary to carry out the purposes of this section, including but not limited to rules regarding expiration and renewal periods and limitations related to the subject individual's enrollment in the Central Background Registry.

(10) For purposes of this section, "subject individual" means a subject individual as defined by the Early Learning Council by rule, an individual subject to subsection (2)(b) of this section or a person who applies to be:

(a) The operator or an employee of a child care or treatment program;

(b) The operator or an employee of an Oregon prekindergarten program under ORS 329.170 to 329.200;

(c) The operator or an employee of a federal Head Start program regulated by the United States Department of Health and Human Services;

(d) An individual in a child care facility who may have unsupervised contact with children as identified by the office;

(e) A contractor or an employee of the contractor who provides early childhood special education or early intervention services pursuant to ORS 343.455 to 343.534;

(f) A child care provider who is required to be enrolled in the Central Background Registry by any state agency;

(g) A contractor, employee or volunteer of a metropolitan service district organized under ORS chapter 268 who may have unsupervised contact with children and who is required to be enrolled in the Central Background Registry by the metropolitan service district;

(h) A provider of respite services, as defined in ORS 418.205, for parents pursuant to a properly executed power of attorney under ORS 109.056 who is providing respite services as a volunteer with a private agency or organization that facilitates the provision of such respite services; or

(i) The operator or an employee of an early learning program as defined in rules adopted by the council.

(11)(a) Information provided to a metropolitan service district organized under ORS chapter 268 about the enrollment status of the persons described in subsection (10)(g) of this section shall be subject to a reciprocal agreement with the metropolitan service district. The agreement must provide for the recovery of administrative, including direct and indirect, costs incurred by the office from participation in the agreement. Any moneys collected under this paragraph shall be deposited in the Child Care Fund established under ORS 329A.010.

(b) Information provided to a private agency or organization facilitating the provision of respite services, as defined in ORS 418.205, for parents pursuant to a properly executed power of attorney under ORS 109.056 about the enrollment status of the persons described in subsection (10)(h) of this section shall be subject to an agreement with the private agency or organization. The agreement must provide for the recovery of administrative, including direct and indirect, costs incurred by the

office from participation in the agreement. Any moneys collected under this paragraph shall be deposited in the Child Care Fund established under ORS 329A.010.

(c) Information provided to a private agency or organization about the enrollment status of the persons described in subsection (10)(i) of this section shall be subject to an agreement with the private agency or organization. The agreement must provide for the recovery of administrative, including direct and indirect, costs incurred by the office from participation in the agreement. Any moneys collected under this paragraph shall be deposited in the Child Care Fund established under ORS 329A.010.

SECTION 9. ORS 215.213 is amended to read:

215.213. (1) In counties that have adopted marginal lands provisions under ORS 197.247 (1991 Edition), the following uses may be established in any area zoned for exclusive farm use:

- (a) Churches and cemeteries in conjunction with churches.
- (b) The propagation or harvesting of a forest product.
- (c) Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in:
 - (A) ORS 215.275; or
 - (B) If the utility facility is an associated transmission line, as defined in ORS 215.274 and 469.300.
- (d) A dwelling on real property used for farm use if the dwelling is occupied by a relative of the farm operator or the farm operator's spouse, which means a child, parent, stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of either, if the farm operator does or will require the assistance of the relative in the management of the farm use and the dwelling is located on the same lot or parcel as the dwelling of the farm operator. Notwithstanding ORS 92.010 to 92.192 or the minimum lot or parcel size requirements under ORS 215.780, if the owner of a dwelling described in this paragraph obtains construction financing or other financing secured by the dwelling and the secured party forecloses on the dwelling, the secured party may also foreclose on the homesite, as defined in ORS 308A.250, and the foreclosure shall operate as a partition of the homesite to create a new parcel.
- (e) Nonresidential buildings customarily provided in conjunction with farm use.
- (f) Subject to ORS 215.279, primary or accessory dwellings customarily provided in conjunction with farm use. For a primary dwelling, the dwelling must be on a lot or parcel that is managed as part of a farm operation and is not smaller than the minimum lot size in a farm zone with a minimum lot size acknowledged under ORS 197.251.
- (g) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732 (2)(a) or (b).
- (h) Operations for the exploration for minerals as defined by ORS 517.750. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732 (2)(a) or (b).
- (i) One manufactured dwelling or recreational vehicle, or the temporary residential use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use. The governing body or its designee shall provide for periodic review of the hardship claimed under this paragraph. A temporary residence approved under this paragraph is not eligible for replacement under paragraph (q) of this subsection.
- (j) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(k) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(L) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(m) Minor betterment of existing public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

(n) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as historic property as defined in ORS 358.480.

(o) Creation, restoration or enhancement of wetlands.

(p) A winery, as described in ORS 215.452 or 215.453.

(q) Alteration, restoration or replacement of a lawfully established dwelling, as described in ORS 215.291.

(r) Farm stands if:

(A) The structures are designed and used for the sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items and fee-based activity to promote the sale of farm crops or livestock sold at the farm stand if the annual sale of incidental items and fees from promotional activity do not make up more than 25 percent of the total annual sales of the farm stand; and

(B) The farm stand does not include structures designed for occupancy as a residence or for activity other than the sale of farm crops or livestock and does not include structures for banquets, public gatherings or public entertainment.

(s) An armed forces reserve center, if the center is within one-half mile of a community college. For purposes of this paragraph, "armed forces reserve center" includes an armory or National Guard support facility.

(t) A site for the takeoff and landing of model aircraft, including such buildings or facilities as may reasonably be necessary. Buildings or facilities shall not be more than 500 square feet in floor area or placed on a permanent foundation unless the building or facility preexisted the use approved under this paragraph. The site shall not include an aggregate surface or hard surface area unless the surface preexisted the use approved under this paragraph. An owner of property used for the purpose authorized in this paragraph may charge a person operating the use on the property rent for the property. An operator may charge users of the property a fee that does not exceed the operator's cost to maintain the property, buildings and facilities. As used in this paragraph, "model aircraft" means a small-scale version of an airplane, glider, helicopter, dirigible or balloon that is used or intended to be used for flight and is controlled by radio, lines or design by a person on the ground.

(u) A facility for the processing of farm products as described in ORS 215.255.

(v) Fire service facilities providing rural fire protection services.

(w) Irrigation reservoirs, canals, delivery lines and those structures and accessory operational facilities, not including parks or other recreational structures and facilities, associated with a district as defined in ORS 540.505.

(x) Utility facility service lines. Utility facility service lines are utility lines and accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following:

(A) A public right of way;

(B) Land immediately adjacent to a public right of way, provided the written consent of all adjacent property owners has been obtained; or

(C) The property to be served by the utility.

(y) Subject to the issuance of a license, permit or other approval by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.050, 468B.053 or 468B.055, or in compliance with rules adopted under ORS 468B.095, and as provided in ORS 215.246 to 215.251, the land application of reclaimed water, agricultural or industrial process water or biosolids, or the onsite treatment of septage prior to the land application of biosolids, for agricultural, horticultural or silvicultural production, or for irrigation in connection with a use allowed in an exclusive farm use zone under this chapter. For the purposes of this paragraph, onsite treatment of septage prior to the land application of biosolids is limited to treatment using treatment facilities that are portable, temporary and transportable by truck trailer, as defined in ORS 801.580, during a period of time within which land application of biosolids is authorized under the license, permit or other approval.

(z) Dog training classes or testing trials, which may be conducted outdoors or in farm buildings in existence on January 1, 2019, when:

(A) The number of dogs participating in training does not exceed 10 dogs per training class and the number of training classes to be held on-site does not exceed six per day; and

(B) The number of dogs participating in a testing trial does not exceed 60 and the number of testing trials to be conducted on-site is limited to four or fewer trials per calendar year.

(aa) A cider business, as described in ORS 215.451.

(bb) A farm brewery, as described in ORS 215.449.

(2) In counties that have adopted marginal lands provisions under ORS 197.247 (1991 Edition), the following uses may be established in any area zoned for exclusive farm use subject to ORS 215.296:

(a) A primary dwelling in conjunction with farm use or the propagation or harvesting of a forest product on a lot or parcel that is managed as part of a farm operation or woodlot if the farm operation or woodlot:

(A) Consists of 20 or more acres; and

(B) Is not smaller than the average farm or woodlot in the county producing at least \$2,500 in annual gross income from the crops, livestock or forest products to be raised on the farm operation or woodlot.

(b) A primary dwelling in conjunction with farm use or the propagation or harvesting of a forest product on a lot or parcel that is managed as part of a farm operation or woodlot smaller than required under paragraph (a) of this subsection, if the lot or parcel:

(A) Has produced at least \$20,000 in annual gross farm income in two consecutive calendar years out of the three calendar years before the year in which the application for the dwelling was made or is planted in perennials capable of producing upon harvest an average of at least \$20,000 in annual gross farm income; or

(B) Is a woodlot capable of producing an average over the growth cycle of \$20,000 in gross annual income.

(c) Commercial activities that are in conjunction with farm use, including the processing of farm crops into biofuel not permitted under ORS 215.203 (2)(b)(K) or 215.255.

(d) Operations conducted for:

(A) Mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, not otherwise permitted under subsection (1)(g) of this section;

(B) Mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources subject to ORS 215.298;

(C) Processing, as defined by ORS 517.750, of aggregate into asphalt or portland cement; and

(D) Processing of other mineral resources and other subsurface resources.

(e) Community centers owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community, hunting and fishing preserves, public and private parks, playgrounds and campgrounds. Subject to the approval of the county governing body or its designee, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation.

Upon request of a county governing body, the Land Conservation and Development Commission may provide by rule for an increase in the number of yurts allowed on all or a portion of the campgrounds in a county if the commission determines that the increase will comply with the standards described in ORS 215.296 (1). A public park or campground may be established as provided under ORS 195.120. As used in this paragraph, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance.

(f) Golf courses on land determined not to be high-value farmland as defined in ORS 195.300.

(g) Commercial utility facilities for the purpose of generating power for public use by sale. If the area zoned for exclusive farm use is high-value farmland, a photovoltaic solar power generation facility may be established as a commercial utility facility as provided in ORS 215.447. A renewable energy facility as defined in ORS 215.446 may be established as a commercial utility facility.

(h) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. A personal-use airport as used in this section means an airstrip restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by invited guests, and by commercial aviation activities in connection with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Oregon Department of Aviation in specific instances. A personal-use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable rules of the Oregon Department of Aviation.

(i) A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in ORS 215.203 (2). Such a facility may be approved for a one-year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in this section, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.

(j) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality together with equipment, facilities or buildings necessary for its operation.

(k)(A) Commercial dog boarding kennels; or

(B) Dog training classes or testing trials that cannot be established under subsection (1)(z) of this section.

(L) Residential homes as defined in ORS 197.660, in existing dwellings.

(m) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission or insect species. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture. The county shall provide notice of all applications under this paragraph to the State Department of Agriculture. Notice shall be provided in accordance with the county's land use regulations but shall be mailed at least 20 calendar days prior to any administrative decision or initial public hearing on the application.

(n) Home occupations as provided in ORS 215.448.

(o) Transmission towers over 200 feet in height.

(p) Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels.

(q) Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels.

(r) Improvement of public road and highway related facilities such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required but not resulting in the creation of new land parcels.

(s) A destination resort that is approved consistent with the requirements of any statewide planning goal relating to the siting of a destination resort.

(t) Room and board arrangements for a maximum of five unrelated persons in existing residences.

(u) A living history museum related to resource based activities owned and operated by a governmental agency or a local historical society, together with limited commercial activities and facilities that are directly related to the use and enjoyment of the museum and located within authentic buildings of the depicted historic period or the museum administration building, if areas other than an exclusive farm use zone cannot accommodate the museum and related activities or if the museum administration buildings and parking lot are located within one quarter mile of the metropolitan urban growth boundary. As used in this paragraph:

(A) "Living history museum" means a facility designed to depict and interpret everyday life and culture of some specific historic period using authentic buildings, tools, equipment and people to simulate past activities and events; and

(B) "Local historical society" means the local historical society, recognized as such by the county governing body and organized under ORS chapter 65.

(v) Operations for the extraction and bottling of water.

(w) An aerial fireworks display business that has been in continuous operation at its current location within an exclusive farm use zone since December 31, 1986, and possesses a wholesaler's permit to sell or provide fireworks.

(x) A landscape contracting business, as defined in ORS 671.520, or a business providing landscape architecture services, as described in ORS 671.318, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use.

(y) Public or private schools for kindergarten through grade 12, including all buildings essential to the operation of a school, primarily for residents of the rural area in which the school is located.

(z) Equine and equine-affiliated therapeutic and counseling activities, provided:

(A) The activities are conducted in existing buildings that were lawfully constructed on the property before January 1, 2019, or in new buildings that are accessory, incidental and subordinate to the farm use on the tract; and

(B) All individuals conducting therapeutic or counseling activities are acting within the proper scope of any licenses required by the state.

(aa) Child care facilities, preschool recorded programs or school-age recorded programs that are:

(A) Authorized under ORS 329A.250 to 329A.450;

(B) Primarily for the children of residents and workers of the rural area in which the facility or program is located; and

(C) Colocated with a community center or a public or private school allowed under this subsection.

(3) In counties that have adopted marginal lands provisions under ORS 197.247 (1991 Edition), a single-family residential dwelling not provided in conjunction with farm use may be established on a lot or parcel with soils predominantly in capability classes IV through VIII as determined by the Agricultural Capability Classification System in use by the United States Department of Agriculture Soil Conservation Service on October 15, 1983. A proposed dwelling is subject to approval of the governing body or its designee in any area zoned for exclusive farm use upon written findings showing all of the following:

(a) The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming practices on nearby lands devoted to farm use.

(b) The dwelling is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of the tract. A lot or parcel shall not be considered unsuitable solely because of its size or location if it can reasonably be put to farm use in conjunction with other land.

(c) Complies with such other conditions as the governing body or its designee considers necessary.

(4) In counties that have adopted marginal lands provisions under ORS 197.247 (1991 Edition), one single-family dwelling, not provided in conjunction with farm use, may be established in any area zoned for exclusive farm use on a lot or parcel described in subsection (7) of this section that is not larger than three acres upon written findings showing:

(a) The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming practices on nearby lands devoted to farm use;

(b) If the lot or parcel is located within the Willamette River Greenway, a floodplain or a geological hazard area, the dwelling complies with conditions imposed by local ordinances relating specifically to the Willamette River Greenway, floodplains or geological hazard areas, whichever is applicable; and

(c) The dwelling complies with other conditions considered necessary by the governing body or its designee.

(5) Upon receipt of an application for a permit under subsection (4) of this section, the governing body shall notify:

(a) Owners of land that is within 250 feet of the lot or parcel on which the dwelling will be established; and

(b) Persons who have requested notice of such applications and who have paid a reasonable fee imposed by the county to cover the cost of such notice.

(6) The notice required in subsection (5) of this section shall specify that persons have 15 days following the date of postmark of the notice to file a written objection on the grounds only that the dwelling or activities associated with it would force a significant change in or significantly increase the cost of accepted farming practices on nearby lands devoted to farm use. If no objection is received, the governing body or its designee shall approve or disapprove the application. If an objection is received, the governing body shall set the matter for hearing in the manner prescribed in ORS 215.402 to 215.438. The governing body may charge the reasonable costs of the notice required by subsection (5)(a) of this section to the applicant for the permit requested under subsection (4) of this section.

(7) Subsection (4) of this section applies to a lot or parcel lawfully created between January 1, 1948, and July 1, 1983. For the purposes of this section:

(a) Only one lot or parcel exists if:

(A) A lot or parcel described in this section is contiguous to one or more lots or parcels described in this section; and

(B) On July 1, 1983, greater than possessory interests are held in those contiguous lots, parcels or lots and parcels by the same person, spouses or a single partnership or business entity, separately or in tenancy in common.

(b) "Contiguous" means lots, parcels or lots and parcels that have a common boundary, including but not limited to, lots, parcels or lots and parcels separated only by a public road.

(8) A person who sells or otherwise transfers real property in an exclusive farm use zone may retain a life estate in a dwelling on that property and in a tract of land under and around the dwelling.

(9) No final approval of a nonfarm use under this section shall be given unless any additional taxes imposed upon the change in use have been paid.

(10) Roads, highways and other transportation facilities and improvements not allowed under subsections (1) and (2) of this section may be established, subject to the approval of the governing body or its designee, in areas zoned for exclusive farm use subject to:

(a) Adoption of an exception to the goal related to agricultural lands and to any other applicable goal with which the facility or improvement does not comply; or

(b) ORS 215.296 for those uses identified by rule of the Land Conservation and Development Commission as provided in section 3, chapter 529, Oregon Laws 1993.

(11) The following agri-tourism and other commercial events or activities that are related to and supportive of agriculture may be established in any area zoned for exclusive farm use:

(a) A county may authorize a single agri-tourism or other commercial event or activity on a tract in a calendar year by an authorization that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract, if the agri-tourism or other commercial event or activity meets any local standards that apply and:

(A) The agri-tourism or other commercial event or activity is incidental and subordinate to existing farm use on the tract;

(B) The duration of the agri-tourism or other commercial event or activity does not exceed 72 consecutive hours;

(C) The maximum attendance at the agri-tourism or other commercial event or activity does not exceed 500 people;

(D) The maximum number of motor vehicles parked at the site of the agri-tourism or other commercial event or activity does not exceed 250 vehicles;

(E) The agri-tourism or other commercial event or activity complies with ORS 215.296;

(F) The agri-tourism or other commercial event or activity occurs outdoors, in temporary structures, or in existing permitted structures, subject to health and fire and life safety requirements; and

(G) The agri-tourism or other commercial event or activity complies with conditions established for:

(i) Planned hours of operation;

(ii) Access, egress and parking;

(iii) A traffic management plan that identifies the projected number of vehicles and any anticipated use of public roads; and

(iv) Sanitation and solid waste.

(b) In the alternative to paragraphs (a) and (c) of this subsection, a county may authorize, through an expedited, single-event license, a single agri-tourism or other commercial event or activity on a tract in a calendar year by an expedited, single-event license that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract. A decision concerning an expedited, single-event license is not a land use decision, as defined in ORS 197.015. To approve an expedited, single-event license, the governing body of a county or its designee must determine that the proposed agri-tourism or other commercial event or activity meets any local standards that apply, and the agri-tourism or other commercial event or activity:

(A) Must be incidental and subordinate to existing farm use on the tract;

(B) May not begin before 6 a.m. or end after 10 p.m.;

(C) May not involve more than 100 attendees or 50 vehicles;

(D) May not include the artificial amplification of music or voices before 8 a.m. or after 8 p.m.;

(E) May not require or involve the construction or use of a new permanent structure in connection with the agri-tourism or other commercial event or activity;

(F) Must be located on a tract of at least 10 acres unless the owners or residents of adjoining properties consent, in writing, to the location; and

(G) Must comply with applicable health and fire and life safety requirements.

(c) In the alternative to paragraphs (a) and (b) of this subsection, a county may authorize up to six agri-tourism or other commercial events or activities on a tract in a calendar year by a limited use permit that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract. The agri-tourism or other commercial events or activities must meet any local standards that apply, and the agri-tourism or other commercial events or activities:

(A) Must be incidental and subordinate to existing farm use on the tract;

(B) May not, individually, exceed a duration of 72 consecutive hours;

(C) May not require that a new permanent structure be built, used or occupied in connection with the agri-tourism or other commercial events or activities;

(D) Must comply with ORS 215.296;

(E) May not, in combination with other agri-tourism or other commercial events or activities authorized in the area, materially alter the stability of the land use pattern in the area; and

(F) Must comply with conditions established for:

(i) The types of agri-tourism or other commercial events or activities that are authorized during each calendar year, including the number and duration of the agri-tourism or other commercial events and activities, the anticipated daily attendance and the hours of operation;

(ii) The location of existing structures and the location of proposed temporary structures to be used in connection with the agri-tourism or other commercial events or activities;

(iii) The location of access and egress and parking facilities to be used in connection with the agri-tourism or other commercial events or activities;

(iv) Traffic management, including the projected number of vehicles and any anticipated use of public roads; and

(v) Sanitation and solid waste.

(d) In addition to paragraphs (a) to (c) of this subsection, a county may authorize agri-tourism or other commercial events or activities that occur more frequently or for a longer period or that do not otherwise comply with paragraphs (a) to (c) of this subsection if the agri-tourism or other commercial events or activities comply with any local standards that apply and the agri-tourism or other commercial events or activities:

(A) Are incidental and subordinate to existing commercial farm use of the tract and are necessary to support the commercial farm uses or the commercial agricultural enterprises in the area;

(B) Comply with the requirements of paragraph (c)(C), (D), (E) and (F) of this subsection;

(C) Occur on a lot or parcel that complies with the acknowledged minimum lot or parcel size; and

(D) Do not exceed 18 events or activities in a calendar year.

(12) A holder of a permit authorized by a county under subsection (11)(d) of this section must request review of the permit at four-year intervals. Upon receipt of a request for review, the county shall:

(a) Provide public notice and an opportunity for public comment as part of the review process; and

(b) Limit its review to events and activities authorized by the permit, conformance with conditions of approval required by the permit and the standards established by subsection (11)(d) of this section.

(13) For the purposes of subsection (11) of this section:

(a) A county may authorize the use of temporary structures established in connection with the agri-tourism or other commercial events or activities authorized under subsection (11) of this section. However, the temporary structures must be removed at the end of the agri-tourism or other event or activity. The county may not approve an alteration to the land in connection with an agri-tourism or other commercial event or activity authorized under subsection (11) of this section, including, but not limited to, grading, filling or paving.

(b) The county may issue the limited use permits authorized by subsection (11)(c) of this section for two calendar years. When considering an application for renewal, the county shall ensure compliance with the provisions of subsection (11)(c) of this section, any local standards that apply and conditions that apply to the permit or to the agri-tourism or other commercial events or activities authorized by the permit.

(c) The authorizations provided by subsection (11) of this section are in addition to other authorizations that may be provided by law, except that "outdoor mass gathering" and "other gathering," as those terms are used in ORS 197.015 (10)(d), do not include agri-tourism or other commercial events and activities.

SECTION 10. ORS 215.283 is amended to read:

215.283. (1) The following uses may be established in any area zoned for exclusive farm use:

(a) Churches and cemeteries in conjunction with churches.

(b) The propagation or harvesting of a forest product.

(c) Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in:

(A) ORS 215.275; or

(B) If the utility facility is an associated transmission line, as defined in ORS 215.274 and 469.300.

(d) A dwelling on real property used for farm use if the dwelling is occupied by a relative of the farm operator or the farm operator's spouse, which means a child, parent, stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of either, if the farm operator does or will require the assistance of the relative in the management of the farm use and the dwelling is located on the same lot or parcel as the dwelling of the farm operator. Notwithstanding ORS 92.010 to 92.192 or the minimum lot or parcel size requirements under ORS 215.780, if the owner of a dwelling described in this paragraph obtains construction financing or other financing secured by the dwelling and the secured party forecloses on the dwelling, the secured party may also foreclose on the homesite, as defined in ORS 308A.250, and the foreclosure shall operate as a partition of the homesite to create a new parcel.

(e) Subject to ORS 215.279, primary or accessory dwellings and other buildings customarily provided in conjunction with farm use.

(f) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732 (2)(a) or (b).

(g) Operations for the exploration for minerals as defined by ORS 517.750. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732 (2)(a) or (b).

(h) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(i) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(j) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(k) Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

(L) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as historic property as defined in ORS 358.480.

(m) Creation, restoration or enhancement of wetlands.

(n) A winery, as described in ORS 215.452 or 215.453.

(o) Farm stands if:

(A) The structures are designed and used for the sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items and fee-based activity to promote the sale of farm crops or livestock sold at the farm stand if the annual sale of incidental items and fees from promotional activity do not make up more than 25 percent of the total annual sales of the farm stand; and

(B) The farm stand does not include structures designed for occupancy as a residence or for activity other than the sale of farm crops or livestock and does not include structures for banquets, public gatherings or public entertainment.

(p) Alteration, restoration or replacement of a lawfully established dwelling, as described in ORS 215.291.

(q) A site for the takeoff and landing of model aircraft, including such buildings or facilities as may reasonably be necessary. Buildings or facilities shall not be more than 500 square feet in floor area or placed on a permanent foundation unless the building or facility preexisted the use approved under this paragraph. The site shall not include an aggregate surface or hard surface area unless the surface preexisted the use approved under this paragraph. An owner of property used for the purpose authorized in this paragraph may charge a person operating the use on the property rent for the property. An operator may charge users of the property a fee that does not exceed the operator's cost to maintain the property, buildings and facilities. As used in this paragraph, "model aircraft" means a small-scale version of an airplane, glider, helicopter, dirigible or balloon that is used or intended to be used for flight and is controlled by radio, lines or design by a person on the ground.

(r) A facility for the processing of farm products as described in ORS 215.255.

(s) Fire service facilities providing rural fire protection services.

(t) Irrigation reservoirs, canals, delivery lines and those structures and accessory operational facilities, not including parks or other recreational structures and facilities, associated with a district as defined in ORS 540.505.

(u) Utility facility service lines. Utility facility service lines are utility lines and accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following:

(A) A public right of way;

(B) Land immediately adjacent to a public right of way, provided the written consent of all adjacent property owners has been obtained; or

(C) The property to be served by the utility.

(v) Subject to the issuance of a license, permit or other approval by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.050, 468B.053 or 468B.055, or in compliance with rules adopted under ORS 468B.095, and as provided in ORS 215.246 to 215.251, the land application of reclaimed water, agricultural or industrial process water or biosolids, or the onsite treatment of septage prior to the land application of biosolids, for agricultural, horticultural or silvicultural production, or for irrigation in connection with a use allowed in an exclusive farm use zone under this chapter. For the purposes of this paragraph, onsite treatment of septage prior to the land application of biosolids is limited to treatment using treatment facilities that are portable, temporary and transportable by truck trailer, as defined in ORS 801.580, during a period of time within which land application of biosolids is authorized under the license, permit or other approval.

(w) A county law enforcement facility that lawfully existed on August 20, 2002, and is used to provide rural law enforcement services primarily in rural areas, including parole and post-prison supervision, but not including a correctional facility as defined under ORS 162.135.

(x) Dog training classes or testing trials, which may be conducted outdoors or in preexisting farm buildings, when:

(A) The number of dogs participating in training does not exceed 10 dogs per training class and the number of training classes to be held on-site does not exceed six per day; and

(B) The number of dogs participating in a testing trial does not exceed 60 and the number of testing trials to be conducted on-site is limited to four or fewer trials per calendar year.

(y) A cider business, as described in ORS 215.451.

(z) A farm brewery, as described in ORS 215.449.

(2) The following nonfarm uses may be established, subject to the approval of the governing body or its designee in any area zoned for exclusive farm use subject to ORS 215.296:

(a) Commercial activities that are in conjunction with farm use, including the processing of farm crops into biofuel not permitted under ORS 215.203 (2)(b)(K) or 215.255.

(b) Operations conducted for:

(A) Mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted under subsection (1)(f) of this section;

(B) Mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources subject to ORS 215.298;

(C) Processing, as defined by ORS 517.750, of aggregate into asphalt or portland cement; and

(D) Processing of other mineral resources and other subsurface resources.

(c) Private parks, playgrounds, hunting and fishing preserves and campgrounds. Subject to the approval of the county governing body or its designee, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. Upon request of a county governing body, the Land Conservation and Development Commission may provide by rule for an increase in the number of yurts allowed on all or a portion of the campgrounds in a county if the commission determines that the increase will comply with the standards described in ORS 215.296 (1). As used in this paragraph, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance.

(d) Parks and playgrounds. A public park may be established consistent with the provisions of ORS 195.120.

(e) Community centers owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community. A community center authorized under this paragraph may provide services to veterans, including but not limited to emergency and transitional shelter, preparation and service of meals, vocational and educational counseling and referral to local, state or federal agencies providing medical, mental health, disability income replacement and substance abuse services, only in a facility that is in existence on January 1, 2006. The services may not include direct delivery of medical, mental health, disability income replacement or substance abuse services.

(f) Golf courses on land:

(A) Determined not to be high-value farmland, as defined in ORS 195.300 (10); or

(B) Determined to be high-value farmland described in ORS 195.300 (10)(c) if the land:

(i) Is not otherwise described in ORS 195.300 (10);

(ii) Is surrounded on all sides by an approved golf course; and

(iii) Is west of U.S. Highway 101.

(g) Commercial utility facilities for the purpose of generating power for public use by sale. If the area zoned for exclusive farm use is high-value farmland, a photovoltaic solar power generation facility may be established as a commercial utility facility as provided in ORS 215.447. A renewable energy facility as defined in ORS 215.446 may be established as a commercial utility facility.

(h) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. A personal-use airport, as used in this section, means an airstrip restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by invited guests, and by commercial aviation activities in connection with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Oregon Department of Aviation in specific instances. A personal-use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable rules of the Oregon Department of Aviation.

(i) Home occupations as provided in ORS 215.448.

(j) A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in ORS 215.203 (2). Such a facility may be approved for a one-year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment

to market. Forest products, as used in this section, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.

(k) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality together with equipment, facilities or buildings necessary for its operation.

(L) One manufactured dwelling or recreational vehicle, or the temporary residential use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use. The governing body or its designee shall provide for periodic review of the hardship claimed under this paragraph. A temporary residence approved under this paragraph is not eligible for replacement under subsection (1)(p) of this section.

(m) Transmission towers over 200 feet in height.

(n)(A) Commercial dog boarding kennels; or

(B) Dog training classes or testing trials that cannot be established under subsection (1)(x) of this section.

(o) Residential homes as defined in ORS 197.660, in existing dwellings.

(p) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission or insect species. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture. The county shall provide notice of all applications under this paragraph to the State Department of Agriculture. Notice shall be provided in accordance with the county's land use regulations but shall be mailed at least 20 calendar days prior to any administrative decision or initial public hearing on the application.

(q) Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels.

(r) Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels.

(s) Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required but not resulting in the creation of new land parcels.

(t) A destination resort that is approved consistent with the requirements of any statewide planning goal relating to the siting of a destination resort.

(u) Room and board arrangements for a maximum of five unrelated persons in existing residences.

(v) Operations for the extraction and bottling of water.

(w) Expansion of existing county fairgrounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS 565.210.

(x) A living history museum related to resource based activities owned and operated by a governmental agency or a local historical society, together with limited commercial activities and facilities that are directly related to the use and enjoyment of the museum and located within authentic buildings of the depicted historic period or the museum administration building, if areas other than an exclusive farm use zone cannot accommodate the museum and related activities or if the museum administration buildings and parking lot are located within one quarter mile of an urban growth boundary. As used in this paragraph:

(A) "Living history museum" means a facility designed to depict and interpret everyday life and culture of some specific historic period using authentic buildings, tools, equipment and people to simulate past activities and events; and

(B) "Local historical society" means the local historical society recognized by the county governing body and organized under ORS chapter 65.

(y) An aerial fireworks display business that has been in continuous operation at its current location within an exclusive farm use zone since December 31, 1986, and possesses a wholesaler's permit to sell or provide fireworks.

(z) A landscape contracting business, as defined in ORS 671.520, or a business providing landscape architecture services, as described in ORS 671.318, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use.

(aa) Public or private schools for kindergarten through grade 12, including all buildings essential to the operation of a school, primarily for residents of the rural area in which the school is located.

(bb) Equine and equine-affiliated therapeutic and counseling activities, provided:

(A) The activities are conducted in existing buildings that were lawfully constructed on the property before January 1, 2019, or in new buildings that are accessory, incidental and subordinate to the farm use on the tract; and

(B) All individuals conducting therapeutic or counseling activities are acting within the proper scope of any licenses required by the state.

(cc) Guest ranches in eastern Oregon, as described in ORS 215.461.

(dd) Child care facilities, preschool recorded programs or school-age recorded programs that are:

(A) Authorized under ORS 329A.250 to 329A.450;

(B) Primarily for the children of residents and workers of the rural area in which the facility or program is located; and

(C) Colocated with a community center or a public or private school allowed under this subsection.

(3) Roads, highways and other transportation facilities and improvements not allowed under subsections (1) and (2) of this section may be established, subject to the approval of the governing body or its designee, in areas zoned for exclusive farm use subject to:

(a) Adoption of an exception to the goal related to agricultural lands and to any other applicable goal with which the facility or improvement does not comply; or

(b) ORS 215.296 for those uses identified by rule of the Land Conservation and Development Commission as provided in section 3, chapter 529, Oregon Laws 1993.

(4) The following agri-tourism and other commercial events or activities that are related to and supportive of agriculture may be established in any area zoned for exclusive farm use:

(a) A county may authorize a single agri-tourism or other commercial event or activity on a tract in a calendar year by an authorization that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract, if the agri-tourism or other commercial event or activity meets any local standards that apply and:

(A) The agri-tourism or other commercial event or activity is incidental and subordinate to existing farm use on the tract;

(B) The duration of the agri-tourism or other commercial event or activity does not exceed 72 consecutive hours;

(C) The maximum attendance at the agri-tourism or other commercial event or activity does not exceed 500 people;

(D) The maximum number of motor vehicles parked at the site of the agri-tourism or other commercial event or activity does not exceed 250 vehicles;

(E) The agri-tourism or other commercial event or activity complies with ORS 215.296;

(F) The agri-tourism or other commercial event or activity occurs outdoors, in temporary structures, or in existing permitted structures, subject to health and fire and life safety requirements; and

(G) The agri-tourism or other commercial event or activity complies with conditions established for:

(i) Planned hours of operation;

(ii) Access, egress and parking;

(iii) A traffic management plan that identifies the projected number of vehicles and any anticipated use of public roads; and

(iv) Sanitation and solid waste.

(b) In the alternative to paragraphs (a) and (c) of this subsection, a county may authorize, through an expedited, single-event license, a single agri-tourism or other commercial event or activity on a tract in a calendar year by an expedited, single-event license that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract. A decision concerning an expedited, single-event license is not a land use decision, as defined in ORS 197.015. To approve an expedited, single-event license, the governing body of a county or its designee must determine that the proposed agri-tourism or other commercial event or activity meets any local standards that apply, and the agri-tourism or other commercial event or activity:

(A) Must be incidental and subordinate to existing farm use on the tract;

(B) May not begin before 6 a.m. or end after 10 p.m.;

(C) May not involve more than 100 attendees or 50 vehicles;

(D) May not include the artificial amplification of music or voices before 8 a.m. or after 8 p.m.;

(E) May not require or involve the construction or use of a new permanent structure in connection with the agri-tourism or other commercial event or activity;

(F) Must be located on a tract of at least 10 acres unless the owners or residents of adjoining properties consent, in writing, to the location; and

(G) Must comply with applicable health and fire and life safety requirements.

(c) In the alternative to paragraphs (a) and (b) of this subsection, a county may authorize up to six agri-tourism or other commercial events or activities on a tract in a calendar year by a limited use permit that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract. The agri-tourism or other commercial events or activities must meet any local standards that apply, and the agri-tourism or other commercial events or activities:

(A) Must be incidental and subordinate to existing farm use on the tract;

(B) May not, individually, exceed a duration of 72 consecutive hours;

(C) May not require that a new permanent structure be built, used or occupied in connection with the agri-tourism or other commercial events or activities;

(D) Must comply with ORS 215.296;

(E) May not, in combination with other agri-tourism or other commercial events or activities authorized in the area, materially alter the stability of the land use pattern in the area; and

(F) Must comply with conditions established for:

(i) The types of agri-tourism or other commercial events or activities that are authorized during each calendar year, including the number and duration of the agri-tourism or other commercial events and activities, the anticipated daily attendance and the hours of operation;

(ii) The location of existing structures and the location of proposed temporary structures to be used in connection with the agri-tourism or other commercial events or activities;

(iii) The location of access and egress and parking facilities to be used in connection with the agri-tourism or other commercial events or activities;

(iv) Traffic management, including the projected number of vehicles and any anticipated use of public roads; and

(v) Sanitation and solid waste.

(d) In addition to paragraphs (a) to (c) of this subsection, a county may authorize agri-tourism or other commercial events or activities that occur more frequently or for a longer period or that do not otherwise comply with paragraphs (a) to (c) of this subsection if the agri-tourism or other commercial events or activities comply with any local standards that apply and the agri-tourism or other commercial events or activities:

(A) Are incidental and subordinate to existing commercial farm use of the tract and are necessary to support the commercial farm uses or the commercial agricultural enterprises in the area;

(B) Comply with the requirements of paragraph (c)(C), (D), (E) and (F) of this subsection;

(C) Occur on a lot or parcel that complies with the acknowledged minimum lot or parcel size; and

(D) Do not exceed 18 events or activities in a calendar year.

(5) A holder of a permit authorized by a county under subsection (4)(d) of this section must request review of the permit at four-year intervals. Upon receipt of a request for review, the county shall:

(a) Provide public notice and an opportunity for public comment as part of the review process; and

(b) Limit its review to events and activities authorized by the permit, conformance with conditions of approval required by the permit and the standards established by subsection (4)(d) of this section.

(6) For the purposes of subsection (4) of this section:

(a) A county may authorize the use of temporary structures established in connection with the agri-tourism or other commercial events or activities authorized under subsection (4) of this section. However, the temporary structures must be removed at the end of the agri-tourism or other event or activity. The county may not approve an alteration to the land in connection with an agri-tourism or other commercial event or activity authorized under subsection (4) of this section, including, but not limited to, grading, filling or paving.

(b) The county may issue the limited use permits authorized by subsection (4)(c) of this section for two calendar years. When considering an application for renewal, the county shall ensure compliance with the provisions of subsection (4)(c) of this section, any local standards that apply and conditions that apply to the permit or to the agri-tourism or other commercial events or activities authorized by the permit.

(c) The authorizations provided by subsection (4) of this section are in addition to other authorizations that may be provided by law, except that "outdoor mass gathering" and "other gathering," as those terms are used in ORS 197.015 (10)(d), do not include agri-tourism or other commercial events and activities.

Passed by House April 15, 2021

Received by Governor:

Repassed by House June 8, 2021

.....M.,....., 2021

Approved:

.....
Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2021

.....
Tina Kotek, Speaker of House

.....
Kate Brown, Governor

Passed by Senate June 7, 2021

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Peter Courtney, President of Senate

.....
Shemia Fagan, Secretary of State

Enrolled
House Bill 2607

Sponsored by Representatives GOMBERG, POST, Senator GIROD; Representatives BONHAM, BOSHART DAVIS, BREESE-IVERSON, CATE, DRAZAN, HAYDEN, MARSH, MEEK, MOORE-GREEN, MORGAN, NOBLE, REARDON, RESCHKE, SMITH DB, STARK, WITT, WRIGHT, ZIKA (Presession filed.)

CHAPTER

AN ACT

Relating to construction taxes; creating new provisions; amending ORS 320.173; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 320.173 is amended to read:

320.173. Construction taxes may not be imposed on the following:

- (1) Private school improvements.
- (2) Public improvements as defined in ORS 279A.010.
- (3) Residential housing that is guaranteed to be affordable, under guidelines established by the United States Department of Housing and Urban Development, to households that earn no more than 80 percent of the median household income for the area in which the construction tax is imposed, for a period of at least 60 years following the date of construction of the residential housing.
- (4) Public or private hospital improvements.
- (5) Improvements to religious facilities primarily used for worship or education associated with worship.
- (6) Agricultural buildings, as defined in ORS 455.315 (2)(a).
- (7) Facilities that are operated by a not-for-profit corporation and that are:
 - (a) Long term care facilities, as defined in ORS 442.015;
 - (b) Residential care facilities, as defined in ORS 443.400; or
 - (c) Continuing care retirement communities, as defined in ORS 101.020.
- (8) **Residential housing being constructed on a lot or parcel of land to replace residential housing on the lot or parcel of land that was destroyed or damaged by wildfire or another event or circumstance that is the basis for a state of emergency declared under ORS 401.165 or 401.309 or for the exercise of authority under ORS 476.510 to 476.610.**

SECTION 2. The amendments to ORS 320.173 by section 1 of this 2021 Act apply to residential housing damaged or destroyed on or after January 1, 2020.

SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by House April 9, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 10, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled House Bill 2809

Sponsored by Representatives SMITH DB, GOMBERG; Representatives CATE, HAYDEN, LEIF, MOORE-GREEN, MORGAN, RESCHKE, WILDE, WRIGHT, ZIKA, Senator KENNEMER (Pre-session filed.)

CHAPTER

AN ACT

Relating to temporary siting of recreational vehicles on properties with dwellings destroyed by natural disasters; amending ORS 197.493.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 197.493 is amended to read:

197.493. (1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle **as a residential dwelling**, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a)(A) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;
 [(b)] (B) Occupied as a residential dwelling; and
 [(c)] (C) Lawfully connected to water and electrical supply systems and a sewage disposal system[.]; or

(b) Is on a lot or parcel with a manufactured dwelling or single-family dwelling that is uninhabitable due to damages from a natural disasters, including wildfires, earthquakes, flooding or storms, until no later than the date:

(A) The dwelling has been repaired or replaced and an occupancy permit has been issued;
 (B) The local government makes a determination that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or
 (C) Twenty-four months after the date the dwelling first became uninhabitable.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle.

Passed by House April 15, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Koteck, Speaker of House

Passed by Senate May 28, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled Senate Bill 405

Sponsored by Senators PROZANSKI, GIROD, Representative CATE; Senator KENNEMER, Representatives HAYDEN, LEIF, LEWIS, MEEK, MORGAN, STARK, WILDE, WRIGHT (Presession filed.)

CHAPTER

AN ACT

Relating to nonconforming uses; creating new provisions; amending ORS 215.130, 215.215 and 215.297; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 227.

SECTION 2. City land use regulations that allow the resumption of a nonconforming use after its interruption or abandonment may not consider a use interrupted or abandoned during the time that a federal, state or local emergency order limits or prohibits the use or the repair or replacement of the use.

SECTION 3. ORS 215.130 is amended to read:

215.130. (1) Any legislative ordinance relating to land use planning or zoning shall be a local law within the meaning of, and subject to, ORS 250.155 to 250.235.

(2) An ordinance designed to carry out a county comprehensive plan and a county comprehensive plan shall apply to:

(a) The area within the county also within the boundaries of a city as a result of extending the boundaries of the city or creating a new city unless, or until the city has by ordinance or other provision provided otherwise; and

(b) The area within the county also within the boundaries of a city if the governing body of such city adopts an ordinance declaring the area within its boundaries subject to the county's land use planning and regulatory ordinances, officers and procedures and the county governing body consents to the conferral of jurisdiction.

(3) An area within the jurisdiction of city land use planning and regulatory provisions that is withdrawn from the city or an area within a city that disincorporates shall remain subject to such plans and regulations which shall be administered by the county until the county provides otherwise.

(4) County ordinances designed to implement a county comprehensive plan shall apply to publicly owned property.

(5) The lawful use of any building, structure or land at the time of the enactment or amendment of any zoning ordinance or regulation may be continued. Alteration of any such use may be permitted subject to subsection (9) of this section. Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS 215.215, a county shall not place conditions upon the continuation or alteration of a use described under this subsection when necessary to comply with state or local health or safety re-

quirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

(6) Restoration or replacement of any use described in subsection (5) of this section may be permitted when the restoration or replacement is made necessary by fire, other casualty or natural disaster. Restoration or replacement *[shall]* **must** be commenced within one year from the occurrence of the fire, casualty or natural disaster. If restoration or replacement is necessary under this subsection, restoration or replacement *[shall]* **must** be done in compliance with ORS 195.260 (1)(c).

(7)(a) Any use described in subsection (5) of this section may not be resumed after a period of interruption or abandonment unless the resumed use conforms with the requirements of zoning ordinances or regulations applicable at the time of the proposed resumption.

(b) Notwithstanding any local ordinance, a surface mining use continued under subsection (5) of this section *[shall not be deemed to be]* **is not considered** interrupted or abandoned for any period after July 1, 1972, provided:

(A) The owner or operator was issued and continuously renewed a state or local surface mining permit, or received and maintained a state or local exemption from surface mining regulation; and

(B) The surface mining use was not inactive for a period of 12 consecutive years or more.

(c) For purposes of **paragraph (b)** of this subsection, “inactive” means no aggregate materials were excavated, crushed, removed, stockpiled or sold by the owner or operator of the surface mine.

(d) A use continued under subsection (5) of this section is not considered interrupted or abandoned for any period while a federal, state or local emergency order temporarily limits or prohibits the use or the restoration or replacement of the use.

(8) Any proposal for the verification or alteration of a use under subsection (5) of this section, except an alteration necessary to comply with a lawful requirement, for the restoration or replacement of a use under subsection (6) of this section or for the resumption of a use under subsection (7) of this section shall be subject to the provisions of ORS 215.416. An initial decision by the county or its designate on a proposal for the alteration of a use described in subsection (5) of this section shall be made as an administrative decision without public hearing in the manner provided in ORS 215.416 (11).

(9) As used in this section, “alteration” of a nonconforming use includes:

(a) A change in the use of no greater adverse impact to the neighborhood; and

(b) A change in the structure or physical improvements of no greater adverse impact to the neighborhood.

(10) A local government may adopt standards and procedures to implement the provisions of this section. The standards and procedures may include but are not limited to the following:

(a) For purposes of verifying a use under subsection (5) of this section, a county may adopt procedures that allow an applicant for verification to prove the existence, continuity, nature and extent of the use only for the 10-year period immediately preceding the date of application. Evidence proving the existence, continuity, nature and extent of the use for the 10-year period preceding application creates a rebuttable presumption that the use, as proven, lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of application[;].

(b) Establishing criteria to determine when a use has been interrupted or abandoned under subsection (7) of this section[; or].

(c) Conditioning approval of the alteration of a use in a manner calculated to ensure mitigation of adverse impacts as described in subsection (9) of this section.

(11) For purposes of verifying a use under subsection (5) of this section, a county may not require an applicant for verification to prove the existence, continuity, nature and extent of the use for a period exceeding 20 years immediately preceding the date of application.

SECTION 4. Section 2 of this 2021 Act and the amendments to ORS 215.130 by section 3 of this 2021 Act apply to uses limited or prohibited by federal, state or local emergency orders issued on or after January 1, 2020.

SECTION 5. Restoration or replacement of a use under ORS 215.130 (5) or under city land use regulations that allow the restoration or reestablishment of a nonconforming use, including under section 2 of this 2021 Act, must commence no later than September 30, 2025, notwithstanding the time limitation under ORS 215.130 (6) or any other local land use regulation if the restoration is for uses that between September 1 and September 30, 2020, were damaged or destroyed by wildfires that were:

- (1) The subject of a federal or state major disaster declaration; or
- (2) Subject to a Governor's executive order invoking the Emergency Conflagration Act under ORS 476.510 to 476.610.

SECTION 6. Section 5 of this 2021 Act is repealed January 2, 2026.

SECTION 7. ORS 215.215 is amended to read:

215.215. (1) Notwithstanding ORS 215.130 [(6)] (5) to (11), if a nonfarm use exists in an exclusive farm use zone and is unintentionally destroyed by fire, other casualty or natural disaster, the county may allow by its zoning regulations such use to be reestablished to its previous nature and extent, but the reestablishment shall meet all other building, plumbing, sanitation and other codes, ordinances and permit requirements.

(2) Consistent with ORS 215.243, the county governing body may zone for the appropriate nonfarm use one or more lots or parcels in the interior of an exclusive farm use zone if the lots or parcels were physically developed for the nonfarm use prior to the establishment of the exclusive farm use zone.

SECTION 8. ORS 215.297 is amended to read:

215.297. (1) As part of the conditional use approval process under ORS 215.296, for the purpose of verifying the existence, continuity and nature of the business described in ORS 215.213 (2)(w) or 215.283 (2)(y), representatives of the business may apply to the county and submit evidence including, but not limited to, sworn affidavits or other documentary evidence that the business qualifies.

(2) [*Alteration, restoration or replacement of*] A use authorized in ORS 215.213 (2)(w) or 215.283 (2)(y) may be altered, restored or replaced pursuant to ORS 215.130 (5)[, (6) and (9)] to (11).

SECTION 9. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by Senate March 31, 2021

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House May 4, 2021

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

A-Engrossed House Bill 4064

Ordered by the House February 10
Including House Amendments dated February 10

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of House Interim Committee on Housing for Representative Pam Marsh)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Prohibits local governments from prohibiting siting of prefabricated structures in all residential zones. *[Allows siting of all]* **Expands eligibility for siting** manufactured homes and prefabricated structures on lands zoned to allow single-family dwellings within urban growth boundary. Allows siting of prefabricated structures in mobile home or manufactured dwelling parks.

Limits improvements that landlord of manufactured dwelling park may require of tenant. Requires Attorney General to update model statement by January 1, 2023.

Expands eligibility for manufactured dwelling replacement program to allow owners of dwellings destroyed by natural disaster to replace outside of disaster area.

Updates certain definitions of manufactured dwellings and manufactured dwelling parks to include prefabricated structures.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to manufactured structures; creating new provisions; amending ORS 62.803, 90.230, 90.514, 174.101, 197.286, 197.307, 197.312, 197.314, 197.485, 197.492, 215.010, 307.651, 446.003, 458.352, 458.356 and 458.358 and section 18, chapter 401, Oregon Laws 2019; repealing ORS 446.007; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SITING MANUFACTURED HOMES AND PREFABRICATED STRUCTURES

SECTION 1. ORS 197.314 is amended to read:

197.314. (1) *[Notwithstanding ORS 197.296, 197.298, 197.299, 197.301, 197.302, 197.303, 197.307, 197.312 and 197.313, within urban growth boundaries each city and county shall amend its comprehensive plan and land use regulations for all land zoned for single-family residential uses to allow for siting of manufactured homes as defined in ORS 446.003. A local government may only subject the siting of a manufactured home allowed under this section to regulation as set forth in ORS 197.307 (8).]* **Notwithstanding any other provision in ORS 197.286 to 197.314, within an urban growth boundary, a local government shall allow the siting of manufactured homes and prefabricated structures on all land zoned to allow the development of single-family dwellings.**

[(2) Cities and counties shall adopt and amend comprehensive plans and land use regulations under subsection (1) of this section according to the provisions of ORS 197.610 to 197.651.]

[(3)] (2) *[Subsection (1) of]* This section does not apply to any area designated in an acknowl-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 edged comprehensive plan or land use regulation as a historic district or residential land imme-
2 diately adjacent to a historic landmark.

3 *[(4) Manufactured homes on individual lots zoned for single-family residential use in subsection (1)*
4 *of this section shall be in addition to manufactured homes on lots within designated manufactured*
5 *dwelling subdivisions.]*

6 **(3) Manufactured homes and prefabricated structures allowed under this section are in**
7 **addition to manufactured dwellings or prefabricated structures allowed within designated**
8 **manufactured dwelling subdivisions.**

9 **(4) A local government may not subject manufactured homes or prefabricated structures**
10 **within an urban growth boundary, or the land upon which the homes or structures are sited,**
11 **to any applicable standard that would not apply to a detached, site-built single-family dwell-**
12 **ing on the same land, except:**

13 **(a) As necessary to comply with a protective measure adopted pursuant to a statewide**
14 **land use planning goal; or**

15 **(b) To require that the manufacturer certify that the manufactured home or prefabri-**
16 **cated structure has an exterior thermal envelope meeting performance standards which re-**
17 **duce levels equivalent to the performance standards required of single-family dwellings**
18 **constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.**

19 **(5) Within any residential zone inside an urban growth boundary where a manufactured dwelling**
20 **park is otherwise allowed, a city or county [shall] may not adopt[, by charter or ordinance,] a min-**
21 **imum lot size for a manufactured dwelling park that is larger than one acre.**

22 *[(6) A city or county may adopt the following standards for the approval of manufactured homes*
23 *located in manufactured dwelling parks that are smaller than three acres:]*

24 *[(a) The manufactured home shall have a pitched roof, except that no standard shall require a slope*
25 *of greater than a nominal three feet in height for each 12 feet in width.]*

26 *[(b) The manufactured home shall have exterior siding and roofing that, in color, material and*
27 *appearance, is similar to the exterior siding and roofing material commonly used on residential*
28 *dwellings within the community or that is comparable to the predominant materials used on sur-*
29 *rounding dwellings as determined by the local permit approval authority.]*

30 *[(7)]* **(6) This section [shall] may not be construed as abrogating a recorded restrictive covenant.**

31 **SECTION 2. ORS 197.307, as amended by section 14, chapter 401, Oregon Laws 2019, is**
32 **amended to read:**

33 **197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for**
34 **persons of lower, middle and fixed income, including housing for farmworkers, is a matter of state-**
35 **wide concern.**

36 **(2) Many persons of lower, middle and fixed income depend on government assisted housing as**
37 **a source of affordable, decent, safe and sanitary housing.**

38 **(3) When a need has been shown for housing within an urban growth boundary at particular**
39 **price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or**
40 **in zones described by some comprehensive plans as overlay zones with sufficient buildable land to**
41 **satisfy that need.**

42 **(4) Except as provided in subsection (6) of this section, a local government may adopt and apply**
43 **only clear and objective standards, conditions and procedures regulating the development of hous-**
44 **ing, including needed housing. The standards, conditions and procedures:**

45 **(a) May include, but are not limited to, one or more provisions regulating the density or height**

A-Eng. HB 4064

1 of a development.

2 (b) May not have the effect, either in themselves or cumulatively, of discouraging needed hous-
3 ing through unreasonable cost or delay.

4 (5) The provisions of subsection (4) of this section do not apply to:

5 (a) An application or permit for residential development in an area identified in a formally
6 adopted central city plan, or a regional center as defined by Metro, in a city with a population of
7 500,000 or more.

8 (b) An application or permit for residential development in historic areas designated for pro-
9 tection under a land use planning goal protecting historic areas.

10 (6) In addition to an approval process for needed housing based on clear and objective standards,
11 conditions and procedures as provided in subsection (4) of this section, a local government may
12 adopt and apply an alternative approval process for applications and permits for residential devel-
13 opment based on approval criteria regulating, in whole or in part, appearance or aesthetics that are
14 not clear and objective if:

15 (a) The applicant retains the option of proceeding under the approval process that meets the
16 requirements of subsection (4) of this section;

17 (b) The approval criteria for the alternative approval process comply with applicable statewide
18 land use planning goals and rules; and

19 (c) The approval criteria for the alternative approval process authorize a density at or above
20 the density level authorized in the zone under the approval process provided in subsection (4) of this
21 section.

22 (7) Subject to subsection (4) of this section, this section does not infringe on a local
23 government's prerogative to:

24 (a) Set approval standards under which a particular housing type is permitted outright;

25 (b) Impose special conditions upon approval of a specific development proposal; or

26 (c) Establish approval procedures.

27 *[(8) In accordance with subsection (4) of this section and ORS 197.314, a jurisdiction may adopt
28 any or all of the following placement standards, or any less restrictive standard, for the approval of
29 manufactured homes located outside mobile home parks:]*

30 *[(a) The manufactured home shall be multisectional and enclose a space of not less than 1,000
31 square feet.]*

32 *[(b) The manufactured home shall be placed on an excavated and back-filled foundation and en-
33 closed at the perimeter such that the manufactured home is located not more than 12 inches above
34 grade.]*

35 *[(c) The manufactured home shall have a pitched roof, except that no standard shall require a slope
36 of greater than a nominal three feet in height for each 12 feet in width.]*

37 *[(d) The manufactured home shall have exterior siding and roofing which in color, material and
38 appearance is similar to the exterior siding and roofing material commonly used on residential
39 dwellings within the community or which is comparable to the predominant materials used on sur-
40 rounding dwellings as determined by the local permit approval authority.]*

41 *[(e) The manufactured home shall be certified by the manufacturer to have an exterior thermal en-
42 velope meeting performance standards which reduce levels equivalent to the performance standards re-
43 quired of single-family dwellings constructed under the state building code as defined in ORS
44 455.010.]*

45 *[(f) The manufactured home shall have a garage or carport constructed of like materials. A juris-*

diction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.]

[(g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject.]

SECTION 3. ORS 197.485 is amended to read:

197.485. (1) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, in a mobile home or manufactured dwelling park in a zone with a residential density of eight to 12 units per acre.

(2) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, on a buildable lot or parcel located outside urban growth boundaries or on a space in a mobile home or manufactured dwelling park, if the manufactured dwelling is being relocated due to the closure of a mobile home or manufactured dwelling park or a portion of a mobile home or manufactured dwelling park.

(3) A jurisdiction may not prohibit the placement of a prefabricated structure in a mobile home or manufactured dwelling park.

[(3)] (4) A jurisdiction may impose reasonable safety and inspection requirements for homes that were not constructed in conformance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403).

SECTION 4. ORS 197.312 is amended to read:

197.312. (1) A [city or county] **local government** may not [by charter] prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy, [or] **manufactured homes or prefabricated structures**. A city or county may not [by charter] prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other single-family dwellings in the same zone.

(3)(a) Multifamily housing for farmworkers and farmworkers' immediate families is a permitted use in any residential or commercial zone that allows multifamily housing generally as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers' immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

(5)(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-

1 family dwellings the development of at least one accessory dwelling unit for each detached single-
2 family dwelling, subject to reasonable local regulations relating to siting and design.

3 (b) As used in this subsection:

4 (A) "Accessory dwelling unit" means an interior, attached or detached residential structure that
5 is used in connection with or that is accessory to a single-family dwelling.

6 (B) "Reasonable local regulations relating to siting and design" does not include owner-
7 occupancy requirements of either the primary or accessory structure or requirements to construct
8 additional off-street parking.

9 (6) Subsection (5) of this section does not prohibit local governments from regulating vacation
10 occupancies, as defined in ORS 90.100, to require owner-occupancy or off-street parking.

11 **SECTION 5.** ORS 197.286 is amended to read:

12 197.286. As used in ORS 197.286 to 197.314 and 197.475 to 197.490:

13 (1) "Buildable lands" means lands in urban and urbanizable areas that are suitable, available
14 and necessary for residential uses. "Buildable lands" includes both vacant land and developed land
15 likely to be redeveloped.

16 [(2) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.]

17 [(3)] (2) "Government assisted housing" means housing that is financed in whole or part by ei-
18 ther a federal or state housing agency or a housing authority as defined in ORS 456.005, or housing
19 that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers
20 provided by either a federal or state housing agency or a local housing authority.

21 (3) "Manufactured dwelling," "manufactured dwelling park," "manufactured home" and
22 "mobile home park" have the meanings given those terms in ORS 446.003.

23 [(4) "Manufactured homes" has the meaning given that term in ORS 446.003.]

24 [(5) "Mobile home park" has the meaning given that term in ORS 446.007.]

25 [(6)] (4) "Periodic review" means the process and procedures as set forth in ORS 197.628 to
26 197.651.

27 (5) "Prefabricated structure" means a prefabricated structure, as defined in ORS 455.010,
28 that is relocatable, more than eight and one-half feet wide and designed for use as a single-
29 family dwelling.

30 [(7)] (6) "Urban growth boundary" means an urban growth boundary included or referenced in
31 a comprehensive plan.

32 **SECTION 6.** Section 18, chapter 401, Oregon Laws 2019, as amended by section 1c, chapter 422,
33 Oregon Laws 2019, is amended to read:

34 **Sec. 18.** [Section 9, chapter 401, Oregon Laws 2019,] **ORS 455.616**, the amendments to ORS
35 [197.307,] 446.003, 455.010, 455.135, 455.156 and 455.610 by sections 10 to [14] 13, chapter 401, Oregon
36 Laws 2019, and section 1b, **chapter 422, Oregon Laws 2019, [of this 2019 Act,]** and the repeal of
37 section 2, chapter 401, Oregon Laws 2019, by section 17, chapter 401, Oregon Laws 2019, become
38 operative on January 2, 2026.

40 **REQUIRED IMPROVEMENTS BY PARK TENANTS**

41
42 **SECTION 7.** ORS 90.514 is amended to read:

43 90.514. (1) Before a prospective tenant signs a rental agreement for space in a manufactured
44 dwelling park or for a converted rental space, the landlord must provide the prospective tenant with
45 a written statement that discloses the improvements that the landlord will require under the rental

1 agreement. The written statement must be in the format developed by the Attorney General pursu-
2 ant to ORS 90.516 and include at least the following:

3 (a) A notice that the tenant may select and contract directly with a contractor to be the pro-
4 vider of an improvement.

5 (b) Separately stated and identifiable information for each required improvement that specifies:

6 (A) The dimensions, materials and finish for improvements to be constructed;

7 (B) The *[installation charges imposed by the landlord and the]* installation fees imposed by gov-
8 ernment agencies; and

9 *[(C) The system development charges to be paid by the tenant; and]*

10 *[(D)]* (C) The site preparation requirements and restrictions, including, but not limited to, re-
11 quirements and restrictions on the use of plants and landscaping.

12 (c) Identification of the improvements that belong to the tenant and the improvements that must
13 remain with the space.

14 (2) A landlord may not require as part of the improvements under the rental agreement
15 that a tenant:

16 (a) Pay any fee to the landlord for improvements.

17 (b) Pay any system development charges.

18 (c) Construct an improvement that cannot be reasonably removed and owned by the
19 tenant at the termination of the tenancy, except for porches, stairs, decks, awnings,
20 carports, sheds or landscaping on the site or any other improvements necessary for the safe
21 and lawful installation of the manufactured dwelling.

22 *[(2)]* (3) Except as provided in ORS 41.740, a written statement provided under this section is
23 considered to contain all of the terms relating to improvements that a prospective tenant must make
24 under the rental agreement. There may be no evidence of the terms of the written statement other
25 than the contents of the written statement.

26 **SECTION 8.** The Attorney General shall update the model written statement under ORS
27 90.516 to include the provisions in the amendments to ORS 90.514 by section 7 of this 2022
28 Act on or before January 1, 2023.

29
30 **MANUFACTURED DWELLING REPLACEMENT PROGRAM**

31
32 **SECTION 9.** ORS 458.356 is amended to read:

33 458.356. (1) As used in ORS 458.356 to 458.362:

34 (a) "Manufactured dwelling" means:

35 (A) A manufactured dwelling, as defined in ORS 446.003; or

36 (B) A prefabricated structure, as defined in ORS 455.010, that is relocatable, more than
37 eight and one-half feet wide and designed for use as a single-family dwelling.

38 (b) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.

39 *[(1)]* (2) The Housing and Community Services Department shall establish a program to provide
40 loans to individuals to buy and site manufactured dwellings that replace older and less energy effi-
41 cient manufactured dwellings, or manufactured dwellings destroyed by a natural disaster. The de-
42 partment may contract with local governments or public or private housing sponsors to carry out
43 the department's responsibilities under this program.

44 *[(2)]* (3) The department may make loans under the program only to individual borrowers who:

45 (a) Are members of households with income that complies with income restrictions determined

A-Eng. HB 4064

1 at the advice and consent of the Oregon Housing Stability Council, but not to exceed the greater
 2 of 100 percent of the statewide or local area median income adjusted for household size as deter-
 3 mined annually by the Housing and Community Services Department using United States Depart-
 4 ment of Housing and Urban Development information; and

5 (b) Will purchase a manufactured dwelling that:

6 (A) Meets energy efficiency standards as prescribed by the Housing and Community Services
 7 Department;

8 *[(B)(i) Will be sited in a manufactured dwelling park that has registered with the department and
 9 either has entered into a regulatory agreement with the department or is negotiating a regulatory
 10 agreement that is at least partially conditioned upon the replacement of the dwelling;]*

11 *[(ii) Will be sited on land owned or purchased under a land sale contract by the individual bor-
 12 rower; or]*

13 *[(iii) Will be sited in a manufactured dwelling park that has been affected by a natural disaster
 14 and the department has, pursuant to rule, provided the borrower with a waiver of the requirement that
 15 the park enter into an agreement under sub-subparagraph (i) of this subparagraph; and]*

16 (B) Will be sited as required under subsection (4) of this section; and

17 (C) Will be the primary residence of the borrower throughout the term of the loan.

18 (4) To be eligible for a loan under this section, the borrower must site the replacement
 19 manufactured dwelling on land that is:

20 (a) Owned by the borrower or being purchased by the borrower under a land sale con-
 21 tract;

22 (b) In a manufactured dwelling park that has registered with the department and either
 23 has entered into a regulatory agreement with the department or is negotiating a regulatory
 24 agreement that is at least partially conditioned upon the replacement of the dwelling; or

25 (c) In any location, provided that the borrower has obtained a waiver from the depart-
 26 ment and is replacing a manufactured dwelling that was destroyed by a natural disaster.

27 *[(3)]* (5) The department shall prescribe by rule the maximum loan amount per individual, lend-
 28 ing requirements and terms for loans made under this program, including:

29 (a) Interest rates charged to borrowers, if any;

30 (b) Repayment requirements, if any;

31 (c) Loan forgiveness opportunities, if any;

32 (d) Affordability requirements; and

33 (e) Remedies upon transfer or default.

34 *[(4)]* (6) In servicing loans under the program, the department shall deposit all moneys received
 35 into the Manufactured Home Preservation Fund established in ORS 458.366.

36 *[(5)]* (7) The council may establish priorities for evaluating loan applications and shall give
 37 consideration to prioritizing loans to borrowers who are:

38 (a) From low income households; and

39 (b) Decommissioning and replacing manufactured dwellings that are older or less resource or
 40 energy efficient.

41

42

STANDARDIZING DEFINITIONS

43

44 **SECTION 10.** ORS 62.803 is amended to read:

45 62.803. As used in ORS 62.800 to 62.815, unless the context requires otherwise:

- 1 (1) "Lienholder" means the holder of a manufactured dwelling lien:
2 (a) That is recorded in the deed records of the county in which the manufactured dwelling is
3 located;
4 (b) That is perfected with the Department of Consumer and Business Services pursuant to ORS
5 446.611; or
6 (c) Of which a manufactured dwelling park nonprofit cooperative has actual knowledge.
7 (2) "Manufactured dwelling" *[has the meaning given that term in ORS 446.003]* means:
8 (a) A manufactured dwelling, as defined in ORS 446.003; or
9 (b) A prefabricated structure, as defined in ORS 455.010, that is relocatable, more than
10 eight and one-half feet wide and designed for use as a single-family dwelling.
11 (3) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.
12 (4) "Manufactured dwelling park nonprofit cooperative" means a cooperative corporation that:
13 (a) Is organized to acquire or develop, and to own, an interest in one or more manufactured
14 dwelling parks that are primarily used for the siting of manufactured dwellings owned and occupied
15 by members of the cooperative;
16 (b) Limits the use of all income and earnings to use by the cooperative and not for the benefit
17 or profit of any individual; and
18 (c) Elects to be governed by ORS 62.800 to 62.815.
19 **SECTION 11.** ORS 90.230 is amended to read:
20 90.230. (1) If a tenancy is for the occupancy of a recreational vehicle in a manufactured dwelling
21 park[,] or mobile home park, as defined in ORS 446.003, or recreational vehicle park, *[all]* as de-
22 fined in ORS 197.492, the landlord shall provide a written rental agreement for a month-to-month,
23 week-to-week or fixed-term tenancy. The rental agreement must state:
24 (a) If applicable, that the tenancy may be terminated by the landlord under ORS 90.427 without
25 cause upon 30 or 60 days' written notice for a month-to-month tenancy or upon 10 days' written
26 notice for a week-to-week tenancy.
27 (b) That any accessory building or structure paid for or provided by the tenant belongs to the
28 tenant and is subject to a demand by the landlord that the tenant remove the building or structure
29 upon termination of the tenancy.
30 (c) That the tenancy is subject to the requirements of ORS 197.493 (1) for exemption from
31 placement and occupancy restrictions.
32 (2) If a tenant described in subsection (1) of this section moves following termination of the
33 tenancy by the landlord under ORS 90.427, and the landlord failed to provide the required written
34 rental agreement before the beginning of the tenancy, the tenant may recover the tenant's actual
35 damages or twice the periodic rent, whichever is greater.
36 (3) If the occupancy fails at any time to comply with the requirements of ORS 197.493 (1) for
37 exemption from placement and occupancy restrictions, and a state agency or local government re-
38 quires the tenant to move as a result of the noncompliance, the tenant may recover the tenant's
39 actual damages or twice the periodic rent, whichever is greater. This subsection does not apply if
40 the noncompliance was caused by the tenant.
41 (4) This section does not apply to a vacation occupancy.
42 **SECTION 12.** ORS 174.101 is amended to read:
43 174.101. (1) As used in the statutes of this state, "manufactured structure" has the meaning
44 given that term in this section only if the statute using "manufactured structure" makes specific
45 reference to this section and indicates that the term used has the meaning given in this section.

As used in the statutes of this state, "recreational vehicle" has the meaning given that term in this section only if the statute using "recreational vehicle" makes specific reference to this section [or ORS 446.007] and thereby indicates that the term used has the meaning given in this section.

(2) "Manufactured structure" means a manufactured dwelling, as defined in ORS 446.003, or a recreational vehicle, as defined in this section.

(3) "Recreational vehicle" means a vehicle with or without motive power that is designed for use as temporary living quarters and as further defined by rule by the Director of Transportation.

SECTION 13. ORS 197.492 and 197.493 are added to and made a part of ORS 197.475 to 197.490.

SECTION 14. ORS 197.492 is amended to read:

197.492. As used in this section and ORS 197.493:

[(1) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.]

[(2) "Mobile home park" and "recreational vehicle" have the meanings given those terms in ORS 446.007.]

(1) "Recreational vehicle" has the meaning given that term in ORS 174.101.

[(3)] (2) "Recreational vehicle park":

(a) Means a place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose:

(A) The renting of space and related facilities for a charge or fee; or

(B) The provision of space for free in connection with securing the patronage of a person.

(b) Does not mean:

(A) An area designated only for picnicking or overnight camping; or

(B) A manufactured dwelling park or mobile home park.

SECTION 15. ORS 215.010 is amended to read:

215.010. As used in this chapter:

(1) The terms defined in ORS 92.010 shall have the meanings given therein, except that "parcel":

(a) Includes a unit of land created:

(A) By partitioning land as defined in ORS 92.010;

(B) In compliance with all applicable planning, zoning and partitioning ordinances and regulations; or

(C) By deed or land sales contract, if there were no applicable planning, zoning or partitioning ordinances or regulations.

(b) Does not include a unit of land created solely to establish a separate tax account.

(2) "Tract" means one or more contiguous lots or parcels under the same ownership.

(3) The terms defined in ORS chapter 197 shall have the meanings given therein.

(4) "Farm use" has the meaning given that term in ORS 215.203.

(5) "Recreational structure" means a campground structure with or without plumbing, heating or cooking facilities intended to be used by any particular occupant on a limited-time basis for recreational, seasonal, emergency or transitional housing purposes and may include yurts, cabins, fabric structures or similar structures as further defined, by rule, by the Director of the Department of Consumer and Business Services.

[(5)] (6) "Recreational vehicle" has the meaning given that term in ORS 174.101.

[(6)] (7) "The Willamette Valley" is Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties and the portion of Benton and Lane Counties lying east of the summit of the Coast

1 Range.

2 **SECTION 16.** ORS 307.651 is amended to read:

3 307.651. As used in ORS 307.651 to 307.687, unless the context requires otherwise:

4 (1) "Governing body" means the city legislative body having jurisdiction over the property for
5 which an exemption may be applied for under ORS 307.651 to 307.687.

6 (2) "Qualified dwelling unit" means a dwelling unit that, at the time an application is filed pur-
7 suant to ORS 307.667, has a market value for the land and improvements of no more than 120 per-
8 cent, or a lesser percentage as adopted by the governing body by resolution, of the median sales
9 price of dwelling units located within the city.

10 (3) "Single-unit housing" means a structure having one or more dwelling units that:

11 (a) Is, or will be, upon purchase, rehabilitation or completion of construction, in conformance
12 with all local plans and planning regulations, including special or district-wide plans developed and
13 adopted pursuant to ORS chapters 195, 196, 197 and 227.

14 (b) If newly constructed, is completed within two years after application for exemption is ap-
15 proved under ORS 307.674.

16 (c) Is designed for each dwelling unit within the structure to be purchased by and lived in by
17 one person or one family.

18 (d) Has one or more qualified dwelling units within the single-unit housing.

19 (e) Is not a floating home, as defined in ORS 830.700, or a manufactured structure, other than
20 a manufactured home described in ORS 197.307 (8)(a) to (f) **(2021 Edition)**.

21 (4) "Structure" does not include the land or any site development made to the land, as those
22 terms are defined in ORS 307.010.

23 **SECTION 17.** ORS 446.003 is amended to read:

24 446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, [*and for the purposes of ORS*
25 *chapters 195, 196, 197, 215 and 227, the following definitions apply,*] unless the context requires
26 otherwise[,] or unless administration and enforcement by the State of Oregon under the existing or
27 revised National Manufactured Housing Construction and Safety Standards Act would be adversely
28 affected[, *and except as provided in ORS 197.746 or 446.007*]:

29 (1) "Accessory building or structure" means any portable, demountable or permanent structure
30 established for use of the occupant of the manufactured dwelling and as further defined by rule by
31 the Director of the Department of Consumer and Business Services.

32 (2)(a) "Alteration" means any change, addition, repair, conversion, replacement, modification or
33 removal of any equipment or installation that may affect the operation, construction or occupancy
34 of a manufactured dwelling.

35 (b) "Alteration" does not include:

36 (A) Minor repairs with approved component parts;

37 (B) Conversion of listed fuel-burning appliances in accordance with the terms of their listing;

38 (C) Adjustment and maintenance of equipment; or

39 (D) Replacement of equipment or accessories in kind.

40 (3) "Approved" means approved, licensed or certified by the Department of Consumer and
41 Business Services or its designee.

42 [(4) "Board" means the Residential and Manufactured Structures Board.]

43 [(5)] (4) "Cabana" means a stationary, lightweight structure that may be prefabricated, or de-
44 mountable, with two or more walls, used adjacent to and in conjunction with a manufactured
45 dwelling to provide additional living space.

A-Eng. HB 4064

1 [(6)] (5) "Certification" means an evaluation process by which the department verifies a
2 manufacturer's ability to produce manufactured dwellings to the department rules and to the de-
3 partment approved quality control manual.

4 [(7)] (6) "Dealer" means any person engaged in the business of selling, leasing or distributing
5 manufactured dwellings or equipment, or both, primarily to persons who in good faith purchase or
6 lease manufactured dwellings or equipment, or both, for purposes other than resale.

7 [(8)] (7) "Department" means the Department of Consumer and Business Services.

8 [(9)] (8) "Director" means the Director of the Department of Consumer and Business Services.

9 [(10)] (9) "Distributor" means any person engaged in selling and distributing manufactured
10 dwellings or equipment for resale.

11 [(11)] (10) "Equipment" means materials, appliances, subassembly, devices, fixtures, fittings and
12 apparatuses used in the construction, plumbing, mechanical and electrical systems of a manufactured
13 dwelling.

14 [(12)] (11) "Federal manufactured housing construction and safety standard" means a standard
15 for construction, design and performance of a manufactured dwelling promulgated by the Secretary
16 of Housing and Urban Development pursuant to the federal National Manufactured Housing Con-
17 struction and Safety Standards Act of 1974 (Public Law 93-383).

18 [(13)] *"Fire Marshal" means the State Fire Marshal.*

19 [(14)] (12) "Imminent safety hazard" means an imminent and unreasonable risk of death or se-
20 vere personal injury.

21 [(15)] (13) "Insignia of compliance" means the HUD label for a manufactured dwelling.

22 [(16)] (14) "Inspecting authority" or "inspector" means the Director of the Department of Con-
23 sumer and Business Services or representatives as appointed or authorized to administer and enforce
24 provisions of ORS [446.111, 446.160, 446.176] **446.003 to 446.200**, 446.225 to 446.285, 446.310 to
25 446.350[,] and 446.990 [and this section].

26 [(17)] (15) "Installation" in relation to:

27 (a) Construction means the arrangements and methods of construction, fire and life safety,
28 electrical, plumbing and mechanical equipment and systems within a manufactured dwelling.

29 (b) Siting means the manufactured dwelling and cabana foundation support and tiedown, the
30 structural, fire and life safety, electrical, plumbing and mechanical equipment and material con-
31 nections and the installation of skirting and temporary steps.

32 [(18)] (16) "Installer" means any individual licensed by the director to install, set up, connect,
33 hook up, block, tie down, secure, support, install temporary steps for, install skirting for or make
34 electrical, plumbing or mechanical connections to manufactured dwellings or cabanas or who pro-
35 vides consultation or supervision for any of these activities, except architects registered under ORS
36 671.010 to 671.220 or engineers registered under ORS 672.002 to 672.325.

37 [(19)] (17) "Listed" means equipment or materials included in a list, published by an organization
38 concerned with product evaluation acceptable to the department that maintains periodic inspection
39 of production of listed equipment or materials, and whose listing states either that the equipment
40 or materials meets appropriate standards or has been tested and found suitable in a specified man-
41 ner.

42 [(20)] (18) "Lot" means any space, area or tract of land, or portion of a manufactured dwelling
43 park, mobile home park or recreation park that is designated or used for occupancy by one manu-
44 factured dwelling.

45 [(21)(a)] (19)(a) "Manufactured dwelling" means a residential trailer, mobile home or manufac-

tured home.

(b) "Manufactured dwelling" does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.020 or 455.610 or the Small Home Specialty Code adopted under section 2, chapter 401, Oregon Laws 2019.

[(22)(a)] (20)(a) "Manufactured dwelling park" means any place where four or more manufactured dwellings or prefabricated structures, as defined in ORS 455.010, that are relocatable and more than eight and one-half feet wide, are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

(b) "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

[(23)(a)] (21)(a) "Manufactured home," except as provided in paragraph (b) of this subsection, means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

(b) For purposes of implementing any contract pertaining to manufactured homes between the department and the federal government, "manufactured home" has the meaning given the term in the contract.

[(24)] (22) "Manufacturer" means any person engaged in manufacturing, building, rebuilding, altering, converting or assembling manufactured dwellings or equipment.

[(25)] (23) "Manufacturing" means the building, rebuilding, altering or converting of manufactured dwellings that bear or are required to bear an Oregon insignia of compliance.

[(26)] (24) "Minimum safety standards" means the plumbing, mechanical, electrical, thermal, fire and life safety, structural and transportation standards prescribed by rules adopted by the director.

[(27)] (25) "Mobile home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

[(28)] (26) "Mobile home park":

(a) Means any place where four or more manufactured dwellings, recreational vehicles as defined in ORS 174.101, or a combination thereof, are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

(b) Does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

[(29)] (27) "Municipality" means a city, county or other unit of local government otherwise au-

A-Eng. HB 4064

1 thorized by law to enact codes.

2 [(30)] (28) "Residential trailer" means a structure constructed for movement on the public
3 highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy,
4 that is being used for residential purposes and that was constructed before January 1, 1962.

5 [(31)] (29) "Sale" means rent, lease, sale or exchange.

6 [(32)] (30) "Skirting" means a weather resistant material used to enclose the space below a
7 manufactured dwelling.

8 [(33)] (31) "Tiedown" means any device designed to anchor a manufactured dwelling securely to
9 the ground.

10 [(34)] *"Transitional housing accommodations" means accommodations described under ORS*
11 *197.746.*

12 [(35)] (32) "Utilities" means the water, sewer, gas or electric services provided on a lot for a
13 manufactured dwelling.

14 **SECTION 18.** ORS 446.003, as amended by section 1b, chapter 422, Oregon Laws 2019, and
15 section 7, chapter 260, Oregon Laws 2021, is amended to read:

16 446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, *[and for the purposes of ORS*
17 *chapters 195, 196, 197, 215 and 227, the following definitions apply,]* unless the context requires
18 otherwise[,] or unless administration and enforcement by the State of Oregon under the existing or
19 revised National Manufactured Housing Construction and Safety Standards Act would be adversely
20 affected[, *and except as provided in ORS 197.746 or 446.007*]:

21 (1) "Accessory building or structure" means any portable, demountable or permanent structure
22 established for use of the occupant of the manufactured dwelling and as further defined by rule by
23 the Director of the Department of Consumer and Business Services.

24 (2)(a) "Alteration" means any change, addition, repair, conversion, replacement, modification or
25 removal of any equipment or installation that may affect the operation, construction or occupancy
26 of a manufactured dwelling.

27 (b) "Alteration" does not include:

28 (A) Minor repairs with approved component parts;

29 (B) Conversion of listed fuel-burning appliances in accordance with the terms of their listing;

30 (C) Adjustment and maintenance of equipment; or

31 (D) Replacement of equipment or accessories in kind.

32 (3) "Approved" means approved, licensed or certified by the Department of Consumer and
33 Business Services or its designee.

34 [(4)] *"Board" means the Residential and Manufactured Structures Board.*

35 [(5)] (4) "Cabana" means a stationary, lightweight structure that may be prefabricated, or de-
36 mountable, with two or more walls, used adjacent to and in conjunction with a manufactured
37 dwelling to provide additional living space.

38 [(6)] (5) "Certification" means an evaluation process by which the department verifies a
39 manufacturer's ability to produce manufactured dwellings to the department rules and to the de-
40 partment approved quality control manual.

41 [(7)] (6) "Dealer" means any person engaged in the business of selling, leasing or distributing
42 manufactured dwellings or equipment, or both, primarily to persons who in good faith purchase or
43 lease manufactured dwellings or equipment, or both, for purposes other than resale.

44 [(8)] (7) "Department" means the Department of Consumer and Business Services.

45 [(9)] (8) "Director" means the Director of the Department of Consumer and Business Services.

1 [(10)] (9) "Distributor" means any person engaged in selling and distributing manufactured
2 dwellings or equipment for resale.

3 [(11)] (10) "Equipment" means materials, appliances, subassembly, devices, fixtures, fittings and
4 apparatuses used in the construction, plumbing, mechanical and electrical systems of a manufactured
5 dwelling.

6 [(12)] (11) "Federal manufactured housing construction and safety standard" means a standard
7 for construction, design and performance of a manufactured dwelling promulgated by the Secretary
8 of Housing and Urban Development pursuant to the federal National Manufactured Housing Con-
9 struction and Safety Standards Act of 1974 (Public Law 93-383).

10 [(13)] *"Fire Marshal" means the State Fire Marshal.*

11 [(14)] (12) "Imminent safety hazard" means an imminent and unreasonable risk of death or se-
12 vere personal injury.

13 [(15)] (13) "Insignia of compliance" means the HUD label for a manufactured dwelling.

14 [(16)] (14) "Inspecting authority" or "inspector" means the Director of the Department of Con-
15 sumer and Business Services or representatives as appointed or authorized to administer and enforce
16 provisions of ORS [446.111, 446.160, 446.176] **446.003 to 446.200**, 446.225 to 446.285, 446.310 to
17 446.350[,] **and 446.990** [and this section].

18 [(17)] (15) "Installation" in relation to:

19 (a) Construction means the arrangements and methods of construction, fire and life safety,
20 electrical, plumbing and mechanical equipment and systems within a manufactured dwelling.

21 (b) Siting means the manufactured dwelling and cabana foundation support and tiedown, the
22 structural, fire and life safety, electrical, plumbing and mechanical equipment and material con-
23 nections and the installation of skirting and temporary steps.

24 [(18)] (16) "Installer" means any individual licensed by the director to install, set up, connect,
25 hook up, block, tie down, secure, support, install temporary steps for, install skirting for or make
26 electrical, plumbing or mechanical connections to manufactured dwellings or cabanas or who pro-
27 vides consultation or supervision for any of these activities, except architects registered under ORS
28 671.010 to 671.220 or engineers registered under ORS 672.002 to 672.325.

29 [(19)] (17) "Listed" means equipment or materials included in a list, published by an organization
30 concerned with product evaluation acceptable to the department that maintains periodic inspection
31 of production of listed equipment or materials, and whose listing states either that the equipment
32 or materials meets appropriate standards or has been tested and found suitable in a specified man-
33 ner.

34 [(20)] (18) "Lot" means any space, area or tract of land, or portion of a manufactured dwelling
35 park, mobile home park or recreation park that is designated or used for occupancy by one manu-
36 factured dwelling.

37 [(21)(a)] (19)(a) "Manufactured dwelling" means a residential trailer, mobile home or manufac-
38 tured home.

39 (b) "Manufactured dwelling" does not include any building or structure constructed to conform
40 to the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code adopted
41 pursuant to ORS 455.020, 455.610 or 455.616.

42 [(22)(a)] (20)(a) "Manufactured dwelling park" means any place where four or more manufac-
43 tured dwellings or prefabricated structures, as defined in ORS 455.010, that are relocatable and more
44 than eight and one-half feet wide, are located within 500 feet of one another on a lot, tract or parcel
45 of land under the same ownership, the primary purpose of which is to rent or lease space or keep

A-Eng. HB 4064

1 space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease
 2 or use of facilities or to offer space free in connection with securing the trade or patronage of such
 3 person.

4 (b) "Manufactured dwelling park" does not include a lot or lots located within a subdivision
 5 being rented or leased for occupancy by no more than one manufactured dwelling per lot if the
 6 subdivision was approved by the local government unit having jurisdiction under an ordinance
 7 adopted pursuant to ORS 92.010 to 92.192.

8 [(23)(a)] (21)(a) "Manufactured home," except as provided in paragraph (b) of this subsection,
 9 means a structure constructed for movement on the public highways that has sleeping, cooking and
 10 plumbing facilities, that is intended for human occupancy, that is being used for residential purposes
 11 and that was constructed in accordance with federal manufactured housing construction and safety
 12 standards and regulations in effect at the time of construction.

13 (b) For purposes of implementing any contract pertaining to manufactured homes between the
 14 department and the federal government, "manufactured home" has the meaning given the term in
 15 the contract.

16 [(24)] (22) "Manufacturer" means any person engaged in manufacturing, building, rebuilding, al-
 17 tering, converting or assembling manufactured dwellings or equipment.

18 [(25)] (23) "Manufacturing" means the building, rebuilding, altering or converting of manufac-
 19 tured dwellings that bear or are required to bear an Oregon insignia of compliance.

20 [(26)] (24) "Minimum safety standards" means the plumbing, mechanical, electrical, thermal, fire
 21 and life safety, structural and transportation standards prescribed by rules adopted by the director.

22 [(27)] (25) "Mobile home" means a structure constructed for movement on the public highways
 23 that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is
 24 being used for residential purposes and that was constructed between January 1, 1962, and June 15,
 25 1976, and met the construction requirements of Oregon mobile home law in effect at the time of
 26 construction.

27 [(28)] (26) "Mobile home park":

28 (a) Means any place where four or more manufactured dwellings, recreational vehicles as de-
 29 fined in ORS 174.101, or a combination thereof, are located within 500 feet of one another on a lot,
 30 tract or parcel of land under the same ownership, the primary purpose of which is to rent space or
 31 keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of
 32 facilities or to offer space free in connection with securing the trade or patronage of such person.

33 (b) Does not include a lot or lots located within a subdivision being rented or leased for occu-
 34 pancy by no more than one manufactured dwelling per lot if the subdivision was approved by the
 35 municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

36 [(29)] (27) "Municipality" means a city, county or other unit of local government otherwise au-
 37 thorized by law to enact codes.

38 [(30)] (28) "Residential trailer" means a structure constructed for movement on the public
 39 highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy,
 40 that is being used for residential purposes and that was constructed before January 1, 1962.

41 [(31)] (29) "Sale" means rent, lease, sale or exchange.

42 [(32)] (30) "Skirting" means a weather resistant material used to enclose the space below a
 43 manufactured dwelling.

44 [(33)] (31) "Tiedown" means any device designed to anchor a manufactured dwelling securely to
 45 the ground.

1 [(34) "Transitional housing accommodations" means accommodations described under ORS
2 197.746.]

3 [(35)] (32) "Utilities" means the water, sewer, gas or electric services provided on a lot for a
4 manufactured dwelling.

5 **SECTION 19. ORS 446.007 is repealed.**

6 **SECTION 20.** ORS 458.352 is amended to read:

7 458.352. (1) As used in this section:

8 (a) "Average income" means an income that complies with income restrictions determined at the
9 advice and consent of the Oregon Housing Stability Council, but not to exceed the greater of 100
10 percent of the statewide or local area median income adjusted for household size as determined
11 annually by the Housing and Community Services Department using United States Department of
12 Housing and Urban Development information.

13 (b) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.

14 [(b)] (c) "Nonprofit corporation" means a corporation that is exempt from income taxes under
15 section 501(c)(3) or (4) of the Internal Revenue Code as amended and in effect on December 31, 2016.

16 (2) The Housing and Community Services Department shall provide one or more loans to
17 nonprofit corporations to create manufactured dwelling park preservation programs that invest in,
18 and provide loans for, the preservation and affordability of manufactured dwelling parks in this
19 state, including through:

20 (a) The repair or reconstruction of parks destroyed by natural disasters; or

21 (b) The acquisition and development of land for parks or for the expansion of parks in areas that
22 have been affected by a natural disaster.

23 (3) To be eligible for a loan under this section, a nonprofit corporation shall demonstrate to the
24 satisfaction of the department that the nonprofit corporation:

25 (a) Is a community development financial institution operating statewide to support investment
26 in, and acquisition, renovation and construction of, affordable housing;

27 (b) Has the ability and capacity to provide the services and reporting required of the program
28 described in subsections (4) and (6) of this section; and

29 (c) Meets other requirements established by the department regarding financial risk and avail-
30 ability or accessibility of additional resources.

31 (4) An eligible nonprofit corporation, with input from the department, shall develop a manufac-
32 tured dwelling park preservation program that:

33 (a) Invests in, and loans funds to, other nonprofit corporations, housing authorities, manufac-
34 tured dwelling park nonprofit cooperatives as defined in ORS 62.803, local units of government as
35 defined in ORS 466.706, agencies as defined in ORS 183.310, or any entity in which a nonprofit cor-
36 poration has a controlling share, to:

37 (A) Purchase or refinance manufactured dwelling parks that will maintain the parks as parks
38 long term; or

39 (B) Develop, expand, repair or reconstruct parks destroyed by natural disasters;

40 (b) Emphasizes, when providing loans under paragraph (a) of this subsection, the financing of
41 parks whose residents are predominantly members of households with income less than average in-
42 come; and

43 (c) Preserves the affordability of the park space rent to park tenants who are members of
44 households with income less than average income.

45 (5) An eligible nonprofit corporation shall create a park preservation account to be used by the

A-Eng. HB 4064

1 nonprofit corporation for the manufactured dwelling park preservation program and shall deposit the
2 moneys loaned by the department into the account.

3 (6) An eligible nonprofit corporation shall ensure that all financial activities of the program are
4 paid from and into the park preservation account created under subsection (5) of this section. Each
5 nonprofit corporation shall report to the department no less than semiannually, showing the ex-
6 penses and incomes of the park preservation account and the results of the manufactured dwelling
7 park preservation program.

8 (7) A loan made by the department under this section:

9 (a) May require the nonprofit corporation to pay interest.

10 (b) May not require the nonprofit corporation to make any loan payments before the maturity
11 date of the loan.

12 (c) Must have a maturity date of no later than September 15, 2036.

13 (d) May have its maturity date extended by the department.

14 (e) Shall have all or part of the unpaid balance forgiven by the department in an amount not to
15 exceed the losses incurred on investments or loans made by the nonprofit corporation under sub-
16 section (4)(a) of this section.

17 (f) May include such agreements by the nonprofit corporation practical to secure the loan made
18 by the department and to accomplish the purposes of the program described in subsection (4) of this
19 section.

20 (8) The department or the State Treasurer shall deposit moneys received in servicing the loan
21 into the General Housing Account of the Oregon Housing Fund created under ORS 458.620.

22 **SECTION 21.** ORS 458.358 is amended to read:

23 458.358. (1) The Housing and Community Services Department shall establish a program to pro-
24 vide grants to persons for safely decommissioning and disposing of a manufactured dwelling [*as de-*
25 *defined in ORS 446.003*].

26 (2) The department may award grants under the program only to a person that is:

27 (a)(A) An individual who owns a manufactured dwelling sited:

28 (i) In a manufactured dwelling park that has registered with the department and either has en-
29 tered into a regulatory agreement with the department or is negotiating a regulatory agreement that
30 is at least partially conditioned upon the replacement of the dwelling;

31 (ii) On land owned by the individual; or

32 (iii) On land being purchased by the individual under a land sale contract as defined in ORS
33 18.960; or

34 (B) An entity described in paragraph (b)(B) of this subsection that has a controlling interest,
35 including a controlling interest in a general partner of a limited partnership, in:

36 (i) The manufactured dwelling; or

37 (ii) A manufactured dwelling park where the manufactured dwelling slated for disposal is sited;
38 and

39 (b)(A) An individual who is a member of a household with income that complies with income
40 restrictions determined at the advice and consent of the Oregon Housing Stability Council, and not
41 exceeding the greater of 100 percent of the statewide or local area median income adjusted for
42 household size as determined annually by the Housing and Community Services Department using
43 United States Department of Housing and Urban Development information; or

44 (B) A nonprofit corporation as defined in ORS 317.097, a manufactured dwelling park nonprofit
45 cooperative as defined in ORS 62.803, a housing authority as defined in ORS 456.005, a local unit

1 of government as defined in ORS 466.706 or a state governmental entity.

2 (3) Grants awarded under the program may not exceed \$15,000 or the cost of decommissioning
3 and disposing of the manufactured dwelling.

4 (4) The Oregon Housing Stability Council may establish priorities for the evaluation of grant
5 applications and shall consider prioritizing grant awards:

6 (a) For the safe remediation of dwellings with environmental and public health hazards and
7 risks, including asbestos, lead paint and mold;

8 (b) To owners from low income households; and

9 (c) For the decommissioning of manufactured dwellings that are older or less resource and en-
10 ergy efficient.

11 12 UNIT CAPTIONS

13
14 **SECTION 22.** The unit captions used in this 2022 Act are provided only for the conven-
15 ience of the reader and do not become part of the statutory law of this state or express any
16 legislative intent in the enactment of this 2022 Act.

17 18 EMERGENCY CLAUSE

19
20 **SECTION 23.** This 2022 Act being necessary for the immediate preservation of the public
21 peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect
22 on its passage.
23

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director 

Date: February 25, 2022

Re: Draft 2022/23 City Council Goals

Enclosed is a draft set of the City Council's 2022/23 Goals. They will be presented for potential adoption at a public hearing on March 7th. Please take a moment to read through them. I have also attached the Vision 2040 strategies that are referenced in the document by their code numbers.

Spencer has asked that City Department Heads review the goals, and in particular the objectives, and provide comments by March 1st. I would be happy to include any comments you may have along with those that I will be preparing.

Attachments

Draft 22/23 City Council Goals

Greater Newport Vision 2040 Strategy Brochure



GOALS AND OBJECTIVES

2022-2023

Goal Setting Session
January 10, 2022 at 9 A.M.

Draft Goals Approved
January 18, 2022 at 6:00 P.M.

Comments Received Through
March 1, 2022

Public Hearing and Adoption of Goals
March 7, 2022 at 6 PM

Mission Statement: The City of Newport pledges to effectively manage essential community services for the well-being and public safety of residents and visitors. The City will encourage economic diversification, sustainable development, and livability.

CITY OF NEWPORT FISCAL YEAR 2022-2023

Draft Proposed Goals

GREATER NEWPORT AREA VISION 2040

In 2040, Greater Newport is the heart of the Oregon Coast, an enterprising, livable community that feels like home to residents and visitors alike. We live in harmony with our coastal environment - the ocean, beaches and bay, natural areas, rivers, and forests that sustain and renew us with their exceptional beauty, bounty, and outdoor recreation. Our community collaborates to create economic opportunities and living-wage jobs that help keep the Greater Newport Area dynamic, diverse, and affordable. We take pride in our community's education, innovation, and creativity, helping all our residents learn, grow and thrive. Our community is safe and healthy, equitable and inclusive, resilient and always prepared. We volunteer, help our neighbors, support those in need, and work together as true partners in our shared future.

On January 10, 2022, the City Council met from 9 AM to 3:15 PM to identify various Council goals and objectives for the Fiscal Year 2021-2022 and beyond. The goal setting process focused on the six focus areas, and the strategies identified as part of the 2040 Vision and Strategic Plan adopted by Council on November 20, 2017.

City administration drafted a preliminary report on goals and objectives identifying items to be carried over from the Fiscal Year 2021-2022, and subsequent actions taken by the Council through the course of the year. The Council reviewed and modified this report and identified additional ideas to consider for prioritization. Additional ideas identified by four or more Council members were added to the draft report.

In addition, departmental and advisory committee goals and objectives for 2022-2023 were reviewed by the Council and are included in this report.

Understanding the References in the 2022-2023 Council Goal Report.

The Council goals and objectives for this next fiscal year are organized by the six focus areas identified in the Greater Newport Area Vision 2040 Plan. The 2040 Vision Plan can be found at the following link:

https://newportoregon.gov/dept/cdd/documents/Vision2040/Vision2040_Final_Draft.pdf

For purposes of this report, a **goal** is typically broader in scope than an objective. A goal identifies intended outcome concerning one or more functions for an organization.

Objectives help translate goals into actionable items with specific deliverables, and typically would be tied to budget resources necessary to achieve that goal.

Strategies are identified with each goal and objective, and relate to the strategies included in the Greater Newport Area Vision 2040 Plan.

Additional Ideas are concepts that were identified by the City Council at the January 10 Goal Setting session, but not prioritized as a goal or objective. They are included for informational purposes only.

Each of the Council goals are followed by specific objectives for Fiscal Year 2022-2023. These objectives are the actionable items that Council desires to be implemented in this next twelve-month period. The objectives will be specifically addressed in the budget proposed by the City Manager for Fiscal Year 2022-2023.

The description from the 2040 Vision for each focus area is included in this report. The description is followed by the goals and objectives identified by the City Council through this year's goal setting process.

The status of the 2021-2022 Council, Committees, and Department goals can be found at <https://goals.newportoregon.gov>. Fiscal Year 2022-2023 goals will be updated at various points through the next fiscal year.

2022-2023 Goals and Objectives

A. ENHANCING A LIVABLE REGION

In 2040, the Greater Newport Area is an enterprising, livable community that feels like home to residents and visitors alike. We have carefully planned for growth with well-maintained infrastructure, affordable housing for all income levels, robust public transportation, diverse shopping opportunities, and distinct, walkable districts and neighborhoods.

Council Goals

A-1 Invest in upgrades to the City's water distribution and storage tank systems. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

A-1(a) Secure grant funding through FEMA for the replacement of the City's two main water storage tanks with two new seismically sound water tanks. (Vision Strategy A1)

A-1(b) Secure grant funding through FEMA for the replacement of the 54th Street pump station. (Vision Strategy A1)

A-1(c) Update the Water Master Plan. (Vision Strategy A1)

A-2 Improve maintenance activities of the City street system. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

A-2(a) Evaluate and implement the use of a system to proactively identify and potholes for repair in city streets. (Vision Strategy A1)

A-3 Prepare the North Side Transportation Plan in collaboration with the Oregon Department of Transportation. (Vision Strategy A10) 1 year

Objectives for 2022-2023

A-3(a) Develop a strategic plan for the revitalization of the City's central business district. (Vision Strategy A10)

A-3(b) Identify, in the planning process, a gathering spot as part of the City Center revitalized strategies. (Vision Strategy A5)

A-4 Increase supplies of affordable and workforce housing, including rentals for the community. (Vision Strategy A2) 5+ years

Objectives for 2022-2023

A-4(a) Develop bilingual educational materials to promote and encourage homeowners to consider building accessory dwellings on their principal homestead properties as allowed by law with information being available electronically on the City website. (Vision Strategy A2)

A-5 Complete pedestrian safety amenities throughout the community. (Vision Strategy A11) 5+ years

Objectives for 2022-2023

A-5(a) Conduct feasibility and develop preliminary costs for infilling sidewalk from Don Davis Park to Government Street along Elizabeth Street. (Vision Strategy A11)

A-5(b) Complete design for a pedestrian walkway on US 101 from 25th Street to 36th Street utilizing URA funding for the project. (Vision Strategy A11)

A-5(c) Construct a pedestrian crosswalk at Highway 20 and Eads Street. (Vision Strategy A11)

A-5(d) Initiate planning with ODOT for the bike and pedestrian improvements from NE 36th Street to NE 60th Street. (Vision Strategy A11)

A-6 Establish a Trolley to move visitors, employees, and residents between Nye Beach, the Bayfront and Downtown. (Vision Strategy A16) 2.5 years

Objectives for 2022-2023

A-6(a) Evaluate information that was compiled in the parking study and report findings to the City Council. (Vision Strategy A16)

A-6(b) Meet with Lincoln County Transit, ODOT and others to determine feasibility costs of operating a trolley or shuttle. (Vision Strategy A16)

A-7 Acquire property in the Big Creek Reservoir watershed. (Vision Strategy A1) 5+years

Objectives for 2022-2023

A-7(b) Develop plans for acquisition of reservoir properties. (Vision Strategy A1)

A-8 Improve the intersection, including a turn lane, on US 101 at NE 58th Street and the movie theater driveway (Vision Strategy A10) 5+years

Objectives for 2022-2023

A-8(a) Meet with ODOT to discuss improvements in safety at this intersection (Vision Strategy A10)

A-8(b) Seek funding for preliminary engineering to identify options for redesigning the intersection at US 101 and NE 58th Street (Vision Strategy A10)

B. PRESERVING & ENJOYING OUR ENVIRONMENT

In 2040, the Greater Newport Area lives in harmony with its coastal environment. Our ocean, beaches and bay, natural areas, rivers, and forests sustain and renew us with their exceptional beauty, bounty and outdoor recreation. We retain our connection to nature, protecting our land, air, water, natural habitats, and promoting more sustainable ways of living.

Council Goals

B-1 Invest in upgrades to the City's sanitary sewer collection system. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

B-1(a) Proceed with Phase 1 of the North side pump station headworks. (Vision Strategy B1)

B-1(b) Replace the Minnie Street lift station. (Vision Strategy B1)

B-2 Invest in upgrades to the City's storm sewer collection system (Vision Strategy A1) 5+ years

Objectives for 2022-2023

B-2(a) Fund the replacement of the storm sewer on Hatfield. (Vision Strategy B4)

B-2(b) Fund the replacement of the storm sewer running under the fire hall and through Betty Wheeler Park. (Vision Strategy B1)

B-3 Modernize and upgrade the waste water treatment plant. (Vision Strategy A1.) 2-5 years.

Objectives for 2022-2023

B-3(a) Fund and complete the Wastewater Treatment Plant Master Plan identifying replacement/upgrades necessary for effective treatment of waste water. (Vision Strategy B1)

B-4 Review and implement cost-effective priorities from the Parks and Recreation Master Plan for implementation. (Vision Strategy B3.) 2.5 years

Objectives for 2022-2023

B-4(a) Parks and Recreation will reactivate a foundation to provide a source of funding for parks equipment and scholarships. (Vision Strategy B3)

B-4(b) Pursue negotiations with State Parks for a new soccer field. (Vision Strategy B3)

B-4(c) Provide funding for the construction of outdoor fields at Agate Beach Wayside. (Vision Strategy B3)

B-5 Evaluate the implementation of a dark sky lighting plan for the City. (Vision Strategy B5) 2-5 years

Objectives for 2022-2023

B-5(a) Determine the feasibility of utilizing the energy savings through the use of LED fixtures and more efficient placement of outdoor lighting to help expedite implementation of the dark sky street lighting system for the City. (Vision Strategy B3)

B-5 (b) Consider development of Dark Sky regulations for private outdoor lighting in the city. (Vision Strategy B5)

B-6 Develop a long-term climate action plan for the City of Newport. (Vision Strategy B9) 2-5 years

Objectives for 2022-2023

B-6(a) Develop educational materials and meet with heavy industrial users of water to discuss the implementation of water conservation practices. (Vision Strategy B6)

B-6(b) Further develop and implement sustainability information on measure the City can implement in our day-to-day operations to reduce environmental impacts. (Vision Strategy B9)

B-7 Promote gray water diversion and home storage rainwater. (Vision Strategy B1) 1 year

Objectives for 2022-2023

B-7(a) Review existing ordinances to determine current provisions that need to be amended to promote gray water diversion and rainwater storage and use. (Vision Strategy B1)

B-7(b) Explore other ordinances and policies regarding gray water diversion and rainwater storage and uses and report back to Council at a future work session. (Vision Strategy B1)

C. CREATING NEW BUSINESSES & JOBS

In 2040, the Greater Newport Area collaborates to create economic opportunities and living-wage job that help keep Newport dynamic, diverse, and affordable. Our economy is balanced and sustainable, producing living-wage jobs in the trades and professions, while supporting new start-up companies and small businesses based on local talent, entrepreneurship, ideas, and resources.

COUNCIL GOALS

C-1 Develop opportunities for buildable lands and utilization of existing structures for creating new businesses and jobs. (Vision Strategy C9) 5+ years

Objectives for 2022-2023

C-1(a) Update the City's commercial/industrial buildable lands inventory. (Vision Strategy C3)

C-1(b) Pursue implementation of a plan for repurposing the South Beach URA property. (Vision Strategy C4)

C-2 Support business growth, development, and financial sustainability at the Airport. (Vision Strategy C4) 5+ years

Objectives for 2022-2023

C-2(a) Evaluate development of a solar farm on Airport property. (Vision Strategy B8)

D. LEARNING, EXPLORING, & CREATING NEW HORIZONS

In 2040, the Greater Newport Area takes pride in our community's education, innovation, and creativity, helping all our resident learn, grow, and thrive. Our schools are appropriately funded through diverse means of support to meet the highest standards of educational achievement. Our college and university prepare students for rewarding lives and productive careers. The arts and opportunities for creative expression and learning are high quality, diverse, and available and accessible to everyone.

Council Goals

D-1 Provide sufficient funding to support public arts. (Vision Strategy D3) 5+years

Objectives for 2022-2023

D-1(a) Provide an annual appropriation of funding to support the acquisition of public art for the city. (Vision Strategy D3)

E. IMPROVING COMMUNITY HEALTH & SAFETY

In 2040, the Greater Newport Area is safe and healthy, equitable and inclusive, resilient and always prepared. We volunteer, help our neighbors, and support those in need. Our community's physical, environmental, social, and economic assets allow all of our residents, including families and children, young people, and seniors to live healthy lives and find the support and services they require, including excellent, affordable, and accessible healthcare and childcare.

Council Goals

E-1 Replace the Big Creek Dam. (Vision Strategy E5) 5+years

Objectives for 2022-2023

E-1(a) Develop information to inform the Greater Newport Area of the critical need to replace the Big Creek Dams. (Vision Strategy E5)

E-1(b) Proceed with design and permitting for the replacement dam for Big Creek. (Vision Strategy E5)

E-1(c) Conduct emergency preparedness planning regarding the dam failure. (Vision Strategy E5)

E-1(d) Continue efforts at identifying funding for dam replacement. (Vision Strategy E5)

E-1(e) Secure a grant agreement from the State of Oregon for the \$14 million appropriation of lottery bonds. (Vision Strategy E1)

E-2 Continue with efforts with Listos Training. (Vision Strategy E5) 2-5 years

Objectives for 2022-2023

E-2(a) Renew LISTOS training. (Vision Strategy E5)

E-3 Implement recommendations from the Homelessness Task Force. (Vision Strategy E7) 2-5 years

Objectives for 2022-2023

E-3(a) Determine the feasibility of developing a program using homeless individuals for litter and trash clean up in return for financial assistance. (Vision Strategy E7)

E-3(b) Participate in the Affordable Housing Partners meetings to discuss strategies on managing homelessness. (Vision Strategy E7)

E-3(c) Identify areas where campsites would be permitted in the city with portable toilets and garbage disposal. (Vision Strategy E7)

E-3(d) Explore the future installation of Portland loos in key locations throughout the community. (Vision Strategy E-7)

E-3(e) Request that the organized faith-based community coordinate services offered by local churches and other faith-based groups. (Vision E-7)

E-3(f) Pursue efforts to create a more permanent overnight shelter. (Vision Strategy E-7)

E-3(g) Identify needs and advocate for financial support on health-related issues, including mental health, physical health, and drug and alcohol abuse issues for homeless populations. (Vision Strategy E-7)

E-3(h) Determine the impact of affordable housing on homelessness. (Vision Strategy E-7)

E-4 Evaluate Fire Service needs for the community. (Vision Strategy E6) 2-5 years

Objectives for 2022-2023

E-4(a) Evaluate the feasibility of consolidating the City Fire Department with the Rural Fire District. (Vision Strategy E6)

E-4(b) Increase the number of active Fire Department volunteers. (Vision Strategy E6)

E-5 Re-establish the position of school resource officer (Vision Strategy E6) 1 year

Objectives for 2022-2023

E-5(a) Explore funding this position in the Fiscal Year 2022-2023 (Vision Strategy E6)

E-6 Enhance coordination among social services, non-profits, and local government to collaborate in all actions to guide creation of a healthier community. (Vision Strategy E4) 5+ years

Objectives for 2022-2023

E-6(a) Participate in the Quarterly Community Health Improvement Plan meetings and/or the Health Integration Network meetings to discuss opportunities to collaborate with health organizations to create a healthier community. (Vision Strategy E4)

F. FOSTERING COLLABORATION & ENGAGEMENT

In 2040, the Greater Newport Area's local governments and public agencies, schools and higher educational institutes, businesses, local employers, nonprofits, community groups, faith-based institutions, and residents work together as true partners in our shared future. Governments reach out to engage and listen to residents, involve them in important plans and decisions, and collaborate for a better community in a rapidly changing world.

Council Goals

F-1 Utilize the Greater Newport Area Vision 2040 strategies as a foundational document for ongoing public processes, planning and decision making. (Vision Strategy F2) 5+ years

Objectives for 2022-2023

F-1(a) Develop a plan to sustain active coordination of the Greater Newport Vision beyond the funding provided by the Ford Family Foundation.) (Vision Strategy F2)

F-2 Increase involvement of younger generations in community issues. (Vision Strategy F9) 5+ years

Objectives for 2022-2023

F-2(a) Work collaboratively with the school district to establish a youth council. (Vision Strategy F9)

F-3 Foster an inclusive organization and community that embraces diversity in ethnicity, race, age, gender identity, sexual orientation, self-identity, and perspectives consistent with our slogan “The Friendliest”. (Vision Strategy F5) 5+years

Objectives for 2022-2023

F-3(a) Conduct outreach for prospective candidates to diversify City staff as well as membership on City committees, boards, and panels to ensure that all community voices are represented in discussions in City policies.

F-3(b) Support and seek out opportunities to collaborate with local partner organizations on cultural programming by collaborating on these programs during the fiscal year.

F-3(c) Develop and publicize a process to address complaints of bias or discrimination relating to the City of Newport. The City commits to develop a specific protocol, or set of protocols, to investigate and respond to grievances with the goal of eliminating systemic bias within our organization.

F-4 Promote the development of Neighborhood Associations (Vision Strategy F4) 5+ years

Objectives for 2022-2023

F-3(a) Consider funding to support staffing and financial support for neighborhood associations In the 2022-2023 budget.

G. OTHER ORGANIZATIONAL ISSUES

As part of the goal setting process, the City Council establishes goals that do not fall directly in line with specific Vision Strategies. The goals are specific to the operational issues for the City of Newport.

Council Goals

G-1 Address long-term financial sustainability planning for the City of Newport. 2-5 years

Objectives for 2022-2023

G-1(a) Review the Five-Year Financial Sustainability Plan as part of the 2022-2023 Preliminary Budget Committee Meeting.

G-1(b) Consider a grant writer position in the 2022-2023 budget.

G-2 Implement purchasing procedures to reduce costs and improve accountability and transparency of these expenditures. 1 year

Objectives for 2022-2023 Objectives

G-2(a) Examine opportunities to consolidate purchases that are currently done on a department-by- department basis to reduce overall costs for those purchases. The City administration needs to be mindful that any new processes to centralized these activities have time and expenses in themselves. It will be important to determine the cost benefit of those specific actions. A report will be provided to the City Council by December 31, 2021 on these efforts.

G-3 Improve methods for revenue collection. 2-5 years

Objectives for 2022-2023

G-3(a) Implement procedures to improve the collection of miscellaneous fees, fines and other revenues that help support various City services.

G-3(b) Implement a centralized process of monitoring leases and provisions within those leases, expiration of leases, and other activities that need to be done on a consolidated basis.

G-3(c) Develop a routine practice to regularly place liens on properties for unpaid property-related bills.

G-3(d) Evaluate new collection procedures with the goal reducing uncollectable accounts considering the costs and benefit of the procedures.

G-4 Continue to expand access to city services through the use of technology. 5+years

Objectives for 2022-2023

G-4(a) Take necessary steps to provide public access to specific components of the City's GIS system.

G-5 Build a strong and healthy work place culture within the City organization 2-5 years

Objectives for 2022-2023

G-5(a) Purchase or secure housing for use by new employees to the City of Newport.

G-5(b) Develop a policy providing use of the Recreation Center by City Council elected officials as is provided for City employees.

H. ADDITIONAL IDEAS NOT PRIORITIZED

During the January 10, 2022 Goal Setting session, the Council generated a number of ideas that were categorized as part of the goal setting process. This report includes all of the ideas that were generated by the City Council during the Goal Setting session. Please note that these ideas are in addition to approximately 55 draft objectives that served as a starting point for developing the priorities for the next fiscal year. The number shown in parentheses following the various ideas for goals and objectives indicates the number of

Council members that prioritized that particular concept. If there is no number included in the parentheses following the idea, then the idea was generated by a Council member, but not prioritized for moving forward at this time by any Council members. The ideas shown in bold are those ideas that have been incorporated in the previous section of this report as a goal and/or objective for Fiscal Year 2022-2023.

A. ENHANCING A LIVABLE REGION

- **Establish a trolley to move visitors around from Nye Beach to the Bayfront to down town (6)**
- **Improve the intersection, including a turn lane, into the movie theatre at NW 58th Street (6)**
- **Develop a walkway from Walmart to 60th Street (4)**
- Construct a pedestrian crossing light at US 20 and Eads (3)
- Build the crosswalk on NE 60th Street near the Surf View Apartments (3)
- Renovate City Hall grounds (1)
- Purchase EASSPAPON (1)
- Provide a year-round covered pavilion for the Farmers Market (1)
- Wrap downtown windows of vacant buildings
- Address downtown blight
- Reconstruct Golf Course Drive
- Promote mixed-use of residential/commercial multistory buildings within the Deco District

B. PRESERVING & ENJOYING OUR ENVIRONMENT

- **Amend the code to provide for gray water diversion and home storage of rain water (4)**
- Develop an east side park in the Agate Beach area (2)
- Seek consulting services for urban forestry management (2)
- Create an incentive program for green businesses (2)
- Conduct upgrades to the wastewater plant (1)
- Add more dog parks (1)
- Transition to a more paper-free and smart device access with using QR Codes for things such as Council agendas and paying water bills (1)
- Develop a multi-use path from Agate Beach to Yhona (1)
- Reduce fuels on City-owned land including watershed parcels (1)
- Educate the public regarding the blue carbon value of wetlands as carbon sinks
- Explore curbside collection of recycled glass
- Enhance the trail systems for multi-purpose use in South Beach
- Continue to develop the orchard project
- Implement the City's tree plan system including the use of tree plotter software at a cost of \$15,600
- Participate in the County Solid Waste Advisory Council

- Continue scotch Broom and Ivy eradication at the airport
- Enforce no litter laws at construction sites

C. CREATING NEW BUSINESSES & JOBS

- Participate in the job fair to recruit students to City positions providing information in both English and Spanish (2)
- Encourage fiber internet on a city-wide basis (1)
- Survey downtown building owners on what their plans are regarding their facilities
- Develop bi-lingual educational materials to promote and encourage the construction of accessory home units

D. LEARNING, EXPLORING, & CREATING NEW HORIZONS

- Develop an “Art Newport” project similar to Toledo (1)
- Pursue an “arts” district for the PAC, VAC, and Nye Beach area (1)
- Increase the art budget to light up the bridge
- Place murals on City pump stations

E. IMPROVING COMMUNITY HEALTH & SAFETY

- **Restore a school officer (4)**
- Protect Big Creek watershed (3)
- Continue developing a community orchard (3)
- Hire another Community Services Officer (2)
- Develop plans for a permanent warming shelter (2)
- Fund additional Fire positions (1)
- Pursue a new Public Safety building
- Improve the intersection at Moore/Harney and US 20
- Pursue a fire boat for the Fire Department
- Implement red light cameras at US 101 and US 20

F. FOSTERING COLLABORATION & ENGAGEMENT

- **Establish a City of Newport youth council (4)**
- **Staff and fund support to develop neighborhood associations (4)**
- Hire a young and experienced webmaster to promote the use of social media
- Place an ‘I Love Newport’ sign at Nye Beach

G. OTHER ORGANIZATIONAL ISSUES

- **Create a grant writer position (6)**
- **Provide access to the Recreation and 60+ Centers for Council elected officials as is done for employees (4)**
- **Purchase or secure housing for use of new employees on a temporary basis (4)**
- Collaboratively develop culturally competent and inclusive communications (3)

- Dedicate funding for building maintenance (3)
- Provide computers for Planning Commission members (2)
- Create an Assistant HR position (2)
- Increase rates for commercial users of the airport (1)
- Develop education materials on land use processes for the community (1)
- Re-fund Police positions (1)
- Improve auditing for room tax
- Improve communications between Finance and citizens
- Establish minimum standards for supervision for department heads
- Review late payment policy to determine any adjustments
- Lobby Salem on room tax percentages
- Contract right-of-way cleaning and striping until Public Works can catch up with these tasks
- Privatize the airport
- Conduct an annual meeting for all City committees and City Council
- Continue efforts to improve addressing complaints regarding vacation homes relating to the number of people, cars, boats, and noise
- Develop a strategic recruitment plan for employees
- Develop materials to assist the citizens in understanding the City's financial status and the services provided by the City
- Designate parking spaces as compact only where appropriate
- Review various City employee benefits regarding medical, vacation, etc.
- Develop and execute innovative strategies to bring new and former community members and volunteers to the 60+ Activity Center
- Install a DEI action plan and ensure follow-through across departments and committees
- Develop a metric measure increases in cultural competency
- Develop a promotional video regarding living and working in the City of Newport
- Plan for accommodating climate and fire refugees who will be relocating to areas such as the Oregon Coast
- Plan street closures for no-car areas to hold public celebrations and festivities
- Improve the City on-line jobsite with the City mission statement, links to the Vision 2040, and other strategies to encourage people to work for the City of Newport
- Find a fixed base operator for the airport
- Expand City Hall campus
- Improve the City website to discuss various benefits and incentives such as the recreation pass for City employees
- Create intern programs for high school and community college students
- Provide bi-lingual and bi-cultural culture and staff support
- Provide pay differentials for bi-lingual employees

- Work on a satisfaction survey for City employees then use the information on retention improvements
- Participate in employee fairs, including an open house once a year
- Create a full-time staff hiring position
- Seek support with DEI training
- Develop a multimedia narrative describing operations and benefits to residents and benefits to tourists

60+ Advisory Committee

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--|-----------|-----------|------------------|--|
| 1 | Partnering with Samaritan Health Services and Department of Public Health to promote electronic health inquiry and provide information to patients about local evidenced based programs. | 2-5 Years | | E1 E4 323 | Identify other Parks and Recreation Departments to partner with in the State of Oregon to offer evidenced based programs. |
| 5 | Seek out opportunities to increase diversity, equity and inclusion for the 60+ community | Ongoing | | F5 328 327 329 | Create collateral material in both English and Spanish. Develop a strategy to identify bilingual/multicultural volunteers. Identify outreach strategies to underserved community members, including low income families, the homeless and indigenous tribes. |
| 25 | Form a workgroup to focus on 60+ Activity Center policies and procedures. | Ongoing | | 336 334 335 | Create a manual specifically for 60+ Activity Center policies and procedures. Review all current 60+ Activity Center policies and procedures. Update and replace current 60+ Activity Center policies and procedures as necessary. |
| 26 | Encourage all members of the 60+ Advisory Committee to become members of the Association | Ongoing | | 447 | On a quarterly basis, encourage members to join the association at the Committee meetings (January, April, July and October 2022).Committee members should try to report on their involvement. |
| 27 | Community Engagement | Ongoing | | 472 | Develop and execute innovative strategies to bring new and former community members and volunteers to the 60+ Activity Center |

Audit Committee

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---|-----------|-----------|------------------|---|
| 1 | Continue issuance of a Comprehensive Annual Financial Reports (CAFR) for the fiscal year audits | Ongoing | | 119 audits | Continue issuance of a Comprehensive Annual Financial Reports (CAFR) for the fiscal year |
| 2 | Develop and document internal controls with continuous review | Ongoing | | 286 | Review and approve internal controls - annually. |
| 3 | Develop a Purchasing System | Ongoing | | | |
| 4 | Room Tax Auditing Program | Ongoing | | 122 | Investigate and possibly engage via an Intergovernmental Agreement with State of Oregon to administer the Room Tax program, includes filing enforcement, collections, and auditing. |
| 5 | Develop a Popular Annual Financial Report (PAFR) | Ongoing | | 123 | Develop a Popular Annual Financial Report (PAFR) |

Bicycle and Pedestrian Advisory Committee

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---------------|-----------|--|--|--|
| 37 | Safety | Ongoing | Work to make Newports transportation modes safer | A1 A3 A10 A11 A12 A15 B4 E4 E6 E13 F1 F7 | 423 Report new safety hazards directly to Public Works 424 Work with City Council, Newport Police Department and ODOT to gather informative crash data involving active transportation. 425 Inform City Council on Vision Zero and other crash-reduction programs and policies that might work for Newport (if asked) |
| 38 | Funding | Ongoing | Help City Council identify active transportation funding sources | A1 A3 A5 A10 A11 A12 A13 A15 A16 A17 B3 B4 B9 E13 | 426 Maintain an "Active Transportation Grant Opportunities" spreadsheet with key deadlines |
| 39 | Community | Ongoing | Work with local groups, agencies and organizations, especially active transportation groups, to promote active transportation in Newport | A3 A10 A11 A12 A13 B2 B3 B4 C6 C8 C10 C13 D10 E13 F1 F4 F7 F11 | 427 Stock bike maps throughout town 428 Promote and participate in National Bike to Work Day (May) 429 Work with schools and other groups to promote National Bike/Walk to School Day (October) 430 Possibly begin actions toward a Bicycle-Friendly Business program in Newport 431 Promote a signage system that links bike and pedestrian routes to city trails, programs and/or events, especially the Ocean-to-Bay and Lighthouse-to-Lighthouse trails. 435 Be the catalyst for, promote and participate in a new citywide active-transportation event |
| 40 | Relationships | Ongoing | Maintain positive working relationships with the City Council, advisory committees and commissions, and City staff to implement BPAC active transportation goals | B2 B3 B4 B5 B9 E13 F1 F4 F7 | 432 Invite key staff members for Q-and-A sessions (as needed) 433 Hold joint meetings with other advisory committees on matters of mutual interest (as needed) 434 Continue to liaison one-on-one with select advisory committees and commissions (read their minutes, go to a meeting or meetings, report to BPAC possible joint endeavors) |

Library Board

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---------------------------------------|-----------|---------------------------------------|-------------------------|---|
| 6 | Library Policy Development and Review | Ongoing | Library Policy Development and Review | F1 F2 F3 F9 F10 F11 422 | Library Advisory Committee will review development of library policies and review existing library policies under an EDI lens. The board will continue to review 1-3 policies per meeting until all of the policies have been reviewed, and revised if necessary. |

Parks and Recreation Advisory

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--|-----------|---------------|--|---|
| 1 | Monitor and support implementation of the Parks Master Plan | Ongoing | B2 B3 B6 | 250 252 448 Improvements, North Newport Neighborhood Park up as necessary on FY 2020-2021 projects: Completion of the Ocean to Bay Trail 501 502 Determine 1-3 "focus projects" for which the committee will undertake advocacy and identify funding avenues Appropriate committee liaison(s) meet with city planner and parks director 1-2 times to review tracking spreadsheet to determine progress on PMP projects | Liaison(s) provide updates to committee and council once per year Work with city staff and parks foundation to identify funding sources for focus project(s) Follow up as necessary on FY 2021-2022 projects: South Beach Marina Non-motorized Boat Launch & Access 500 Follow up as necessary on FY 2020-2021 projects: Completion of the Ocean to Bay Trail Determine 1-3 "focus projects" for which the committee will undertake advocacy and identify funding avenues Appropriate committee liaison(s) meet with city planner and parks director 1-2 times to review tracking spreadsheet to determine progress on PMP projects |
| 3 | Work with City staff to revitalize the Parks and Recreation Foundation | Ongoing | B3 | 135 134 grant funds potential sources of funds, including charitable gifts, fundraising events, and grants | Work with City staff to identify processes for grant writing Work with the Foundation to identify priority projects that need grant funding and match those with potential sources of 503 Partner with the Foundation to identify potential sources of funds, including charitable gifts, fundraising events, and grants |
| 4 | Develop a diversity, equity and inclusion plan for the committee | Ongoing | F4 F5 | 248 504 505 committee, possibly including DEI training. agenda items of the full committee or an ad hoc subcommittee, explore additional steps the committee might take, including potential trainings and review and evaluation of departmental policies and procedures. | Provide feedback to City staff in development of the departmental DEI Plan Diversify committee membership as seats open up on the committee Explore coordination with the Lincoln County Coastal Equity and Inclusion Committee on furthering DEI goals for the committee, possibly including DEI training. 506 Either via agenda items of the full committee or an ad hoc subcommittee, explore additional steps the committee might take, including potential trainings and review and evaluation of departmental policies and procedures. |
| 7 | Coordinate with other committees on items of mutual interest | Ongoing | B3 F7 | 255 507 work via advocacy or other means. Possibilities include NEWTS, SOLV, CCSA, community garden advocates, the Lincoln County Coastal Equity and Inclusion Committee and others. 508 Develop two to four committee agendas inviting representatives of priority groups identified above to meet and discuss items of mutual interest. | Meet once a year with the advisory committee of the Bicycle and Pedestrian on issues of joint concern Determine if similar coordination should be taking place with other city committees and develop plans for supporting their work via advocacy or other means. Possibilities include NEWTS, SOLV, CCSA, community garden advocates, the Lincoln County Coastal Equity and Inclusion Committee and others. 508 Develop two to four committee agendas inviting representatives of priority groups identified above to meet and discuss items of mutual interest. |
| 8 | Upgrade the city's Tree City USA activities and ensure the committee is prepared in its role as the city's Tree Board. | Ongoing | B6 | 261 260 259 the time. 509 the city to undertake critical projects such as conducting a tree inventory for the city and developing an urban forestry plan. | Apply for growth award when renewing the TCUSA designation this year. Review TCUSA Growth Award requirements six months before the application renewal is due to the Arbor Day Foundation (July). If additional activities are needed for growth award, develop and implement a plan to accomplish them. Work with staff to hold an Arbor Day celebration and tree planting in the spring, within COVID guidelines and restrictions at the time. 509 Support efforts to gain urban forestry expertise in the city to undertake critical projects such as conducting a tree inventory for the city and developing an urban forestry plan. |
| 33 | Explore ways the committee and the department can better support the city's 60+ community. | Ongoing | B3 E4 E10 F10 | 510 511 their needs via a survey. | Invite 60+ Center coordinator to join Parks & Recreation Committee meetings at least quarterly in order to ensure the committee and the department are meeting the needs of this segment of the community. Working with the 60+ Center and board, solicit additional feedback from the 60+ community on how we can better serve their needs via a survey. |
| 34 | Review department's new business and plan and support its | Ongoing | B3 | 512 513 and city council, propose a plan for moving ahead. | Hold one meeting at which the committee is briefed on the new business plan Review recommendations in the plan related to reducing departmental reliance on the city's general fund and, with staff and city council, propose a plan for moving ahead. |

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|----------------|-----------|-----------|------------------|------------|
| | implementation | | | | |

Planning Commission

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---|------------|-----------|------------------|--|
| 3 | Lay the groundwork for a set of regulations and incentives to pair with the Transportation System Plan update that will facilitate revitalization of the US 101 / 20 corridors, including the City Center area. | Ongoing | | A3 A4 A5 A6 F4 | 473 Conduct business outreach and market analysis. 474 Recruit advisory committee. 475 Develop an adoption ready set of plan/code amendments and a framework for a business facade improvement program. |
| 5 | Initiate updates to Newport commercial / industrial buildable lands inventory. | Ongoing | | A1 A4 C3 | 104 Initiate updates to Newport commercial / industrial buildable lands inventory. |
| 6 | Update off-street parking requirements in line with Parking Study or related recommendations adopted by the City Council. | Ongoing | | A14 C1 C8 | 105 Update off-street parking requirements in line with Parking Study or related recommendations adopted by the City Council. |
| 9 | Implement recommendations from the Homelessness Taskforce that rely upon revisions to City land use regulations. | Ongoing | | A2 | 108 Implement recommendations from the Homelessness Taskforce that rely upon revisions to the City land use regulations. |
| 42 | Implement Recommendations from US 101 Corridor Refinement Plan | Ongoing | | A3 A14 | 266 Pursue annexation of unincorporated "island properties" to normalize the city limits, if found to be feasible. 265 Revise commercial and industrial zoning as recommended by the code audit. |
| 43 | Initiate any Needed Refinements to Historic Nye Beach Design Review Overlay | Ongoing | | A6 F4 | 353 Examine the feasibility of a neighborhood visioning process for Nye Beach as part of a review of any needed updates to the Design Review Overlay. 268 Initiate refinements to the Historic Nye Beach Design Review Overlay, as needed. |
| 44 | Initiate Newport Housing Needs and Buildable Lands Update | Ongoing | | A2 A7 A9 A14 F4 | 271 Develop an RFP, select consultants through a competitive selection process, and initiate work on the project. 476 Recruit advisory committee. 477 Complete the plan in line with agreed upon scope of work and adopt recommended ordinance changes. |
| 45 | Update the citys Erosion Control and Stormwater Management Standards for Private Development | Current FY | | B1 B5 | 478 Identify stormwater management options that include boilerplate systems for small scale development projects. 479 Develop standards that can reasonably be implemented at existing staffing levels. 480 Prepare an adoption ready set of revisions by the end of the fiscal year. |
| 46 | Support City Council Dark Sky Lighting Initiatives | 2-5 Years | | B6 | 481 Initiate project after City Council puts in place a plan for retrofitting street lights and lights at city facilities. 488 Develop outdoor lighting standards for new commercial and residential construction that conform to dark sky requirements. 489 Prepare informational materials to inform the public about the Citys requirements and where dark sky compliant fixtures can be purchased. |
| 47 | Update Commercial/Multi-Family Code to Include More Bike Racks and Covered Bike Storage | Current FY | | A11 A15 | 490 Identify best practices and provide Commission with options. 496 Coordinate changes with Parking Advisory Committee. 497 Prepare adoption ready set of amendments for Council consideration. |
| 48 | Identify Opportunities to Normalize City Limits | 2-5 | | | 499 Engage with ODOT to identify opportunities to annex US US 101 and US 20 rights-of-way in |

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|------------|-----------|-----------|------------------|--|
| | | Years | | | cases where the city limits border both sides of the road. |

Police Advisory

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | | | |
|-------|---|------------|-----------|--|---|--------|--|-----|
| 1 | Enhance Community Relations | Current FY | E6 | 449 | Complete, analyze, develop and recommend an action plan from the results of the 2021 Newport Community Police Survey. | | | |
| | | | | 450 | Hold a public meeting to solicit public input regarding police services, conduct and programs. | | | |
| | | | | 451 | Review the resident complaint process protocols, and provide recommendations to build trust, transparency and responsiveness. | | | |
| | | | | 452 | Staff a booth at community event such as County Fair and/or National Night Out. | | | |
| | | | | 453 | Create a Police Advisory Committee brochure. | | | |
| 2 | Committee Education | Current FY | E6 | 454 | Participate in training to learn about policing procedure. | | | 455 |
| | | | | Promote public awareness of the Citys police services and programs, including, but not limited to business and residential crime prevention programs, safety, training and domestic violence intervention. | | | | |
| | | | | the Police Officer Recruitment Process. | 456 | Review | | |
| 3 | Analyze police response to Lincoln County Schools | Current FY | E6 | yearly supplemental training. | | | | |
| | | | | 457 | Review Officer Orientation and | | | |
| | | | | 458 | Review police activity at LCSD schools. | | | 459 |
| 4 | Review Police response to mental health crisis | Current FY | E4 E6 | 459 | Review | | | |
| | | | | 460 | | | | |
| | | | | 461 | Review police response to mental health crises in schools and in the community. | | | |
| 4 | Review Police response to mental health crisis | Current FY | E4 E6 | 462 | Explore feasibility of re-establishing a collaborative response unit between Lincoln County Mental Health, Lincoln County Sheriffs Department, and local police agencies. | | | |
| | | | | | | | | |

Public Arts Advisory

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | | | |
|-------|---|-----------|-----------|------------------|--|--------------------------|---|--|
| 1 | Continue Efforts Toward Making Newport an Arts and Cultural Destination | Ongoing | | A1 D12 | 109 Work with the Destination Newport Committee to collaborate on promoting arts opportunities, in the City of Newport, through its marketing efforts. 463 Work with local companies to determine their interest in collaborating on arts opportunities in the City of Newport. 464 Work with the Greater Newport Chamber of Commerce to collaborate on promoting arts opportunities in the City of Newport. 465 Work with local artists and local art communities to engage them in this goal. | | | |
| 2 | Continue Expanding and Upgrading the Arts Footprint in Newport | Ongoing | | D12 | 466 Revise art brochures for the city. communitys art footprint for idea generation. Beach Urban Renewal District to create public art and wayfinding. Continue mural projects. and schedule for public art. exchange program with Newports Sister City, Mombetsu, Hokkaido, Japan. | 467 468 470 471 | Review other Work with the South 469 Develop a maintenance policy, program, Pursue an international mural | |

Retirement Trustees

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|------------------------------------|-----------|-----------|------------------|---|
| 7 | Annual funding for Retirement fund | Ongoing | F1 | 275 | Retirement trustee has recommended sufficient funding in order to have the fund fully funded within 10 years. For the 2021-22 Fiscal Year \$396,143 been recommended. |

Sister City Advisory

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|------------------------------------|-----------|-----------|--------------------------------|--|
| 1 | Work on 55th Anniversary Exchanges | Ongoing | | F7 F9 F10 308 307 306 | Create monthly meetings between Newport and Mombetsu staff. Create more regular meetings between the Sister City Committee and Mombetsu International Committee. Plan and prepare for adult and youth exchanges to celebrate the 55th anniversary of the Sister City relationship with Mombetsu. |

Vision 2040 Advisory Committee

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---|-----------|-----------|-------------------------|---|
| 1 | Analyze and adjust for long-term Vision Advisory Committee Sustainability | Ongoing | | F1 F2 F3 F4 F6 F7 | 310 Ensure all 6 Work Groups have a non-Program Coordinator Lead. 313 Explore alternative funding or stakeholder partnerships for continuing Vision 2040 Staff support. 311 Increase inclusive opportunities for feedback and participation of City Staff and current Vision Advisory Committee members in order to streamline current practices and identify unsustainable volunteer committee tasks. 445 Complete Vision Advisory Committee Bylaw Development & Adoption 446 Funding resources/staff in the Community whether public, private, nonprofit or a combination thereof to facilitate ongoing efforts of the Vision 2040 Advisory Committee |
| 2 | Collaboratively develop culturally competent & inclusive communication | Ongoing | | E8 F1 F2 F3 F4 F5 F6 F7 | 315 Research and model successful culturally competent stakeholder community engagement methods, such as those identified in the Juntos en Colaboracion Needs Assessment |
| 3 | Improve sustainability of Vision 2040 Committee Expectations and Projects | Ongoing | | F1 F2 F3 F4 F5 F6 F7 | 318 Create and approve an annual Vision Advisory Committee implementation plan, including all the identified volunteer sustainable annual committee tasks and the annual expectations of voting Committee members. 316 Work with The Ford Family Foundation network & Community Stakeholders to create & launch a standalone Vision 2040 Website. |

City Manager's Office

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | | | |
|-------|---|-----------|-----------|------------------|------------|--|--------------------------------------|---------------|
| 17 | Develop Inclusive Outreach Materials | Ongoing | | F4 F5 | 46 | Develop bilingual (English and Spanish) documents utilized regularly by the CRO, including special event permit applications, committee applications | | |
| 19 | Continue City-Wide Beautification | Ongoing | | A4 | 49 | Continue working with the citys Landscaping Technician and the Ad-Hoc Beautification Committee on identifying at least one major landscaping project annually. | | |
| | | | | | | 50 | Continue promoting the use | |
| | | | | | | | 528 | Addition of |
| | | | | | | 529 | Develop volunteer corps to assist in | |
| | | | | | | | | |
| 20 | Create a Plan to Assist in the Access to Healthy Food | Ongoing | | E12 | 51 | Work with appropriate city staff to determine the location(s) of official community garden(s) to assist citizens in urban farming and the provision of healthy food. | | |
| | | | | | | 534 | Work with appropriate staff | |
| | | | | | | | | |
| 21 | Refine Processes and Procedures | Ongoing | | F6 | 532 | Complete work on a citywide policy manual (excluding human resources and departmental policy manuals). | | |
| | | | | | 533 | Develop, in coordination with other staff, templates for commonly used documents, i.e., agreements, ordinances, resolutions, etc. | | |
| | | | | | | | | |
| 22 | Develop and Implement More Robust Electronic Outreach | Ongoing | | | 626 | Establish regular schedule for E-Blast use of social media to include twitter and other outlets. | | 627 |
| | | | | | | | | 628 |
| | | | | | | | | Expand Ensure |

Community Development

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--|-----------|-----------|------------------|--|
| 51 | Establish a set of land use regulations and incentives to complement the Transportation System Plan update and facilitate revitalization of the US 101 / 20 corridors, including the City Center area. | Ongoing | | A3 A4 A5 A6 F4 | 429 Coordinate with funding partners to get consultants under contract and initiate project. 644 Conduct business outreach and recruit advisory committee. 645 Develop draft updates to the City's codes to support downtown redevelopment. 646 Create framework for an urban renewal funded business facade improvement program. |
| 53 | Implement Parking Study recommendations adopted by the City Council. | Ongoing | | A14 C1 C8 | 261 Recruit and empanel a Parking Advisory Committee to provide recommendations to policymakers and staff regarding city parking policy and programs. 262 Initiate refinements to the Historic Nye Beach Design Review Overlay, as needed. 263 Prepare a Request for Proposals for installation of meters and related improvements (target spring 2021 for implementation). 264 Develop draft ordinance changes to lift Bayfront off-street parking standards that serve as an impediment to development/redevelopment (to be implemented concurrent with metering). 430 Initiate discussions with Nye Beach businesses on alternatives for managing parking in a sustainable manner. |
| 54 | Facilitate Provision of Additional Housing Opportunities within the City | Ongoing | | A2 A6 A7 | 265 Incorporate "skinny" public street options into subdivision and zoning ordinances to reduce costs that may be an impediment to development. 266 Adjust exaction requirements to ensure they are equitable, particularly for small scale residential projects. 267 Initiate refinements to the Historic Nye Beach Design Review Overlay, as needed. 269 Assist policy-makers in identifying a location and, in the permitting of, an overnight homeless shelter. |
| 57 | Partner with DOGAMI and DLCD on Tsunami Resiliency Initiatives | Ongoing | | A13 E5 F4 | 647 Pursue grant funding to implement beach access resiliency recommendations. |
| 58 | Initiate work on HB 2003 Mandated Housing Needs and Buildable Lands Update | Ongoing | | A2 A7 A9 A14 F4 | 448 Develop an RFP, select a consultant(s) through a competitive review process, and initiate work on the project. 648 Recruit project advisory committee. 649 Develop adoption ready housing capacity analysis and production strategy. |
| 59 | Support Development of STR Ordinance Implementation Work Group Recommendations | Ongoing | | A8 A9 F1 F4 | 449 Assist Work Group in understanding how City Administration implements ordinance implementation through the summer of 2021 via a series of quarterly meetings. 450 Provide the Work Group with requested information and options for addressing identified issues. 451 Develop ordinance amendments or potential administrative procedural changes at the request of the Work Group for presentation to the City Council. |
| 60 | Assist BLM and FHWA on Lighthouse Drive Transportation Study | Ongoing | | A10 A11 B2 F4 | 452 Assist BLM, FHWA, ODOT, and consulting team with development of study, including background data and recommendations from Newport TSP Update and public outreach. 453 Provide feedback to BLM/FHWA regarding community priorities for infrastructure investment and incorporate recommendations as an amendment to the Newport TSP. 650 Incorporate recommendations into City TSP. |

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--|-----------|-----------|--------------------|--|
| | | | | | 651 Coordinate with BLM/FHWA on project refinement of Lighthouse to Lighthouse trail connection if FLAP funds are awarded (2024/25 federal funding cycle). |
| 61 | Facilitate Acquisition of Additional Land in Big Creek Watershed | Ongoing | | A13 B1 B6 | 456 Contact ownership interests within the watershed to ascertain interest in participating in land sales and/or exchanges. 457 Consult with OCCFA and Sustainable Northwest and prepare application to secure USDA, OWEB or other grant funds to supplement city resources for land acquisition. 652 Initiate Big Creek Watershed Forest Assessment if OWEB grant application is approved (April 2022 award timeframe). |
| 62 | Yaquina Bay Estuary Management Plan Update | Ongoing | | B6 C1 C5 F4 F7 | 458 Participate on taskforce to update the plan, providing technical expertise and background data relevant to portions of the estuary within the city limits of Newport. 459 Conduct work sessions with City policy-making bodies to keep them informed of the proposed amendments, and assist DLCD with public outreach. 460 Initiate updates to the estuary management chapter of the Newport Comprehensive Plan and Corresponding chapter of the zoning ordinance. |
| 63 | Update Newport Unsafe Building Codes | Ongoing | | E5 | 461 Coordinate with Police Departments Code Enforcement staff and State Building Codes Division to develop draft amendments. 462 Conduct work sessions with policymakers to review amendments and update based upon feedback. 463 Initiate ordinance amendment process. |
| 64 | Identify Funding Partnerships for TSP Project Priorities | 2-5 Years | | A3 A10 A11 A15 A16 | 653 Coordinate with ODOT, private developers, and other potential partners to identify joint funding opportunities. |
| 65 | Implement Recommendations from US 101 Corridor Refinement Plan | Ongoing | | A1 A3 | 654 Update the Citys development codes in line with the recommendations from the code audit. 659 Advance priority urban renewal projects. 660 Initiate annexation of unincorporated islands in South Beach. |

Disaster Preparedness

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---|-----------|--|------------------|--|
| 16 | Move the City forward toward greater preparedness and resiliency. | Ongoing | | E5 | 635 Survey current staff training levels and develop training plan to comply with National Incident Management System requirements. Survey complete by June 2022 and training plan complete by September 2022. 636 Develop a work plan by July 1 2022 that address updating COOP plans for every City Department. 637 Implement After Action Recommendations from June Cascadia rising community exercise. |
| 17 | Update Emergency Operation Plan | Ongoing | Current plan was updated in 2016 and it is required to be updated every 5 years. | E5 | 629 Apply and obtain grant funding to update EOP by June 2022. 630 Have contractor selected and contracted by December 2022. 631 Updated and expand Pandemic Response, Mass Evacuations, and any other needed sections. |
| 18 | Implement Emergency Preparedness and Outreach Programs | Ongoing | These programs will be to the whole community and include minority populations. | E5 F5 | 632 Provide public education for hazard risk mitigation on an ongoing basis. 633 Provide outreach to the whole community including minority populations and restarting LISTOS by June 2022. 634 Develop awareness campaign to educate home and business owners on the benefits of seismic retrofit. |

Finance Department

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | |
|-------|---|-----------|-----------|------------------|------------|---|
| 14 | Create and implement GFOA Recommended Financial Polices | Ongoing | | F1 | 243 | Continue creating recommended polices, minimum of three |

Fire Department

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | |
|-------|--|-----------|---|------------------|--|--|
| 21 | Merge or Consolidate with Newport Rural Fire Protection District | Ongoing | | E6 F7 | 145 347 Complete a 190 IGA with the Fire District. | Review results and make a presentation to Council with options and recommendations. Complete feasibility study Objective 348 |
| 22 | Obtain new pumper | Ongoing | | E6 | 148 149 622 | Sign agreement with apparatus manufacturer Place new apparatus into service and surplus old unit Consider adopting a standard pumper spec consistent with neighboring agencies. |
| 25 | Bring newly hired Assistant Chief/Fire Marshal up to speed | Ongoing | Acclimating our newly hired Assistant Chief/Fire Marshal. | E6 | 623 624 625 months. | Complete Hiring process in a timely manner. Our goal is to have the position filled by August 1. Develop 60 day and 6 month work plan for new hire before their start date. Implement workplan on Day 1. Conduct weekly check-in meetings and formal monthly reviews for first 6 |

Human Resources

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | | | | | | | |
|-------|---|-----------|-----------|------------------|------------|---|----|----|-----|--------------------------------|--|-----------------|
| 15 | Implement a Revised Employee Handbook | Ongoing | | | 54 | Incorporate City Manager changes and complete formatting Forward to Department Heads, Union, and CIS for final review and feedback Review feedback - incorporate changes where appropriate handbook and formatting (management, employee, and volunteer) online | | | 55 | 56 | 57 | Finalize |
| | | | | | 60 | 61 | 62 | 63 | 517 | 63 | 62 | Obtain Calendar |
| | | | | | 61 | Load handbook on SafePersonnel for all employee distribution Communicate rollout and distribute handbook to employees signed acknowledgement forms from all employees meetings with City Manger for handbook review | | | | | | |
| 16 | Implement Cultural Competency Audit/Results/ Action Plan (Internal focus) | Ongoing | | F5 | 71 | Begin Phase II - External Focus external feedback | | | 72 | Develop survey to obtain | | |
| | | | | | 74 | Determine objectives based on survey results action plan(s) | | | 75 | Develop | | |
| | | | | | 77 | Develop rollout timeline | | | 78 | Develop rollout communications | | |
| | | | | | 79 | Implementation begins | | | | | | |
| 17 | Implement a Revised Citywide Performance Management Process | Ongoing | | | 84 | Phase II - Implementation new process and forms employees | | | 109 | 86 | Train management staff on Rollout communications to management and | |
| | | | | | | | | | 110 | Implement | | |
| 18 | Implement a Revised Safety Handbook | Ongoing | | | 111 | Calendar meetings with Safety Officer through August 2020 to complete review of the draft handbook sections | | | | | | |
| | | | | | 112 | Finalize handbook (management, employee, and volunteer) online | | | 113 | Develop rollout communications | | |
| | | | | | 115 | Load handbook on SafePersonnel for all employee distribution | | | 114 | Print hard copies and place | | |
| | | | | | 116 | Communicate rollout and distribute handbook to employees Obtain signed acknowledgement forms from all employees | | | | | | 117 |
| 20 | Implement a Revised Citywide Safety Program | Ongoing | | | 128 | Phase II - Implementation new process and forms | | | 129 | Train management staff on | | |

Information Technology

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | | | |
|-------|-----------------------|-----------|---|------------------|-------------------|---|-------------------|---|
| 22 | Customer Service | Ongoing | | F1 | 464 581 582 | Improve website accessibility level to AA standards Add two wide-range public Wi-Fi access points to city buildings. Provide three tech-talks throughout the year | | |
| 23 | Innovative Technology | Ongoing | Transform the City of Newport workplace by enabling end user capabilities through access to data and services anywhere and anytime. | | 7 | Optimize the end user experience with data, access, and services, providing cost efficiencies and workforce productivity. to facilitate internal and external processes. Advance the implementation of the City of Newport information sharing environment by developing highly-available, automated systems. delivery of mobile solutions that enhance enterprise-wide mobile computing capabilities for successful mission outcomes. | 89 90 91 | Implement workflow technologies Enable secure end-to-end |
| 24 | Connectivity | Ongoing | Deliver a strong, connected and resilient network. | | 92 530 583 | Develop Network modernization plans Cloud Smart assessment Provide fully-redundant internet connectivity Achieve greater than 95% uptime over the year | 101 | 97 Business Resilience |
| 25 | Cybersecurity | Ongoing | Protect City of Newport networks, systems, functions and data. Continuously mature the City of Newport cybersecurity posture. | | 105 | Implement cyber defense measures Assessment of data security security | 106 107 108 | 106 Mobile device Cybersecurity standards |

Library

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | | | | | | | | | | | | | | | | | | | | | | | | | | | | Objectives | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-------|---|-----------|-----------|------------------|-----|-----|-----|----|----|----|----|-----|-----|-----|----|----|----|----|----|-----|-----|-----|----|----|----|----|-----|----|----|----|----|------------|----|----|----|----|-----|-----|-----|---|-----|--|-----|--|-----|---|-----|---|-----|---|-----|--|-----|--|-----|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|----|
| 6 | Customize programs and services for our Latinx population | Ongoing | | A1 | A4 | A13 | A18 | B6 | C3 | C6 | C7 | C8 | C9 | C10 | D2 | D3 | D6 | D8 | D9 | D10 | D11 | D12 | E4 | E5 | E7 | E8 | E13 | F1 | F2 | F3 | F4 | F5 | F6 | F7 | F8 | F9 | F10 | F11 | 212 | Recruit, hire and appropriately deploy Spanish-speaking staff | 214 | Establish a staff liaison and library project team to collaborate with community and literacy agencies, English as a Second Language provides, the school district, and tutors to track collaborative efforts. | 221 | Increase Spanish-Language and bilingual collections for the Library by 5%. | 222 | Develop programming targeting our Latinx community. We will have 4 Latinx Programs this year. | 225 | Establish consistent bilingual signage throughout the library at the service points, on the library shelf ends, signage throughout the library. | 227 | Cultivate partnerships with schools, colleges, literacy agencies, and other relevant organizations to coordinate adult literacy tutoring and ESL classes. | 228 | Cultivate partnerships for adult literacy and ESL instruction, space sharing, and off-site programming and services. | 588 | Perform a EDI Collection Development and Diversity Audit | 589 | Create a Spanish-language version of the NPL website, translate press releases, library signage, marketing materials, and library policies. We are aiming to have 30% of our library publicity translated into Spanish in FY22-23. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | Increase access to Technology Resources to the | Ongoing | | A1 | A18 | C3 | C8 | C9 | D2 | D8 | D9 | D10 | D11 | E4 | E7 | F3 | F4 | F7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | </ |

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|------------|-----------|-----------|------------------|--|
| | Community | | | | <p>check out 346 Library will provide a pop-up outreach program in the community 6 times throughout the year for Wi-Fi access, access to library materials, and ask a librarian tech questions.</p> <p>661 Participate in the State Library of Oregons 2022 Edge Programs (digital inclusion and action cohort and data fluency cohort). This program is designed to build public libraries capacity and skill to collect, analyze and communicate data and demonstrate the vital role of public libraries in advancing digital equity in their communities. Participation is free for public libraries in Oregon.</p> |

Parks and Recreation

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--|-----------|---|------------------|---|
| 21 | Rebuild and expand department services, programs, classes, events, and activities. | Ongoing | E13 F4 F6 F8 F9 F10 | | 405 PARKS - Promote, utilize, and implement a community volunteer program to assist with beautification of the Park System. 417 ADMIN, REC CENTER, AQUATICS - Evaluate, improve, and implement upon the existing scholarship program and policy 600 ALL - Achieve staffing levels to meet programming, operational, and budgetary needs and constraints. 601 ALL - Evaluate current and past programs and activities through budget and community input to improve services 603 AQUATICS - Implement 3 new family-oriented special events and restructure the swim lesson program 604 SPORTS - Implement 3 new special events or programs for youth and adults 606 REC CENTER - Evaluate the feasibility of current and additional youth programming, i.e. childcare, teens, SAC, and SO. |
| 22 | Begin implementation of the Park Master Plan | Ongoing | A3 A4 A11 A12 B2 B3 B4 E13 F7 F8 F9 F10 F11 | | 274 ADMIN, PARKS - Identify partnerships and funding sources. 407 ADMIN - Develop a community garden policy. 607 ADMIN, PARKS - Educate department heads and city staff about the PMP. Engage with stakeholders about achievable projects within the PMP. 608 ADMIN, PARKS - Identify and implement achievable projects for FY22-23. 609 ADMIN, PARKS - Complete capital projects from FY21-22. |
| 23 | Reduce environmental impact through department facilities, operations, and programs and activities. | Ongoing | A1 B3 B5 B8 B9 C10 F7 F8 F9 F10 F11 | | 277 ALL - Evaluate each facility's current infrastructure and operations to identify where improvements can be made. 278 ALL - Implement 3 environmental action items within each Parks and Recreation facility related to operations. 279 AQUATICS - Explore the viability of an Aquatic Center UV system 280 ADMIN, PARKS, REC CENTER - Support the Bee City and Tree City Programs through obtaining a Growth Award in 2021. 281 ADMIN, REC CENTER, PARKS - Identify and partner with 3 organizations to provide community education programs through the Recreation Center and Parks Maintenance. |
| 24 | Improve safety, security, and operational function of all department facilities to enhance a livable region. | Ongoing | A1 B3 | | 408 REC CENTER - Complete installation of side and rear entry doors and locking system. 610 AQUATICS, REC CENTER, 60+ - Review, update, and implement the facility maintenance plan for all 3 facilities 611 ADMIN, PARKS - Complete the install of the new lighting system at Betty Wheeler Park. 612 PARKS - Complete and implement a park maintenance plan. 613 REC CENTER, 60+, AQUATICS - Complete the modification of the emergency action plan to include infectious disease guidelines. 614 ADMIN, REC CENTER, 60+, AQUATICS - Research and train staff on community disaster response. 615 ALL - Develop and/or update a Standard Operating Procedure Manual for all divisions 616 AQUATICS, REC CENTER - Complete major repairs to facilities that effect operational function, i.e. roof leaks, mechanical room failures, pool cracks, etc. |
| 25 | Develop a comprehensive | Ongoing | A1 A16 F5 F6 F7 F8 F9 F10 | | 287 ADMIN - Consult with stakeholders and organizations for assistance and community engagement. 288 ALL - Evaluate |

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|---|-----------|----------------------------------|------------------|---|
| | Equity, Diversity, and Inclusion Plan | | | | existing programs and activities to ensure inclusivity. 617 ADMIN - Complete management DEI training to develop and implement a DEI department action plan. 618 ALL - Expand the online registration process to make it more accessible for all community members |
| 26 | Evaluate the department to build a strong and cohesive organization | Ongoing | F1 F2 F3 F4 | | 291 ALL - Engage staff and volunteers in identifying priorities and future needs through regular training and teambuilding opportunities. 619 ALL - Create a teambuilding plan to encourage department staff to learn from and collaborate with each other. |
| 27 | Review and Implement the Recreation Business Plan | Ongoing | A1 B3 E8 E9 E10 E13 F4 F7 F8 F11 | | 620 ALL - Review and educate department management and stakeholders on recommendations outlined in the plan. 621 ALL - Identify action items and begin implementation, i.e. marketing plan, partnerships, program development, fee analysis and cost recovery, etc. |

Police Department

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives | | | |
|-------|---|------------|-----------|------------------|--|------------|--|-----|
| 32 | Improve Department diversity and community outreach | Current FY | | E6 | 518 Work with newly formed Police Advisory Committee to conduct two outreach events. 595 Meet all legislative police reform measures. Establish a tuition reimbursement program to further staff development through education. | | 597 | |
| 33 | Conduct 2-3 pedestrian/vehicle safety events | Current FY | | E6 | 137 Publish media event, detailing the pedestrian/vehicle safety operation 138 Utilize traffic safety grant to conduct 1 spring event and 1 summer event annually for pedestrian safety 139 Utilize traffic safety grant to conduct 2 high visibility DUII enforcement operations. 140 Utilize traffic safety grant to conduct 2 distracted driving enforcement operations. | | | |
| 35 | Maintain Police Certification Requirements | Ongoing | | E6 | 520 All officers receive 8 hours force response staff receive 3 hours ethics training annually advanced supervision training. hours de-escalation training. | 522 526 | 521 Supervisors receive 8 hours All officers receive 4 | All |
| 37 | Obtain 2022 Police Re-Accreditation | Current FY | | E6 | 593 Complete all Oregon Accreditation standards Successfully achieve Re-Accreditation through the Oregon Accreditation Alliance | | 594 | |

City of Newport, OR :: Goals

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--|-----------|-----------|------------------|---|
| 35 | Zero Sanitary Sewer Overflows Throughout City | Ongoing | | 541 | Replace broken sanitary sewer collections piping |
| | | | | | preventative maintenance standard operating procedure checklists for our collections crew |
| | | | | 546 | Improve the northside pump station |
| | | | | 578 | Identify and mitigate bacterial sources within City to below State standards at City storm drain outfalls. |
| | | | | 638 | Develop Sanitary Sewer Master Plan (both collection system and treatment facility) to guide short and long-term wastewater planning and project development. Update regularly (5-year cycle). |
| 36 | Provide Resilient Water Supply and Distribution to Residents | Ongoing | | 547 | Design and build a replacement Dam on Big Creek. |
| | | | | | Execute flushing of all City distribution piping |
| | | | | | transmission main through City as seismic proof backbone of the Citys water system |
| | | | | 550 | Install master meter for underbay crossing |
| | | | | | underbay crossing |
| | | | | 553 | Remodel SE 40th St pump station for generator enclosure |
| | | | | | Implement tank cleaning program where every City water storage tank gets cleaned and inspected annually. |
| | | | | 568 | Integration of all major distribution system appurtenances onto SCADA monitoring |
| 37 | Increase Public Works Operations Employment | Ongoing | | 554 | Develop an effective plan to attract future employees. |
| | | | | | Review divisions of public works for areas overburdened with high overtime hours and expand public work force due to the aging system needing more and more maintenance. |
| | | | | | workers to be able to assist other divisions when others are short staffed or in case of emergency. |
| | | | | 556 | Create crossover training program for utility |
| | | | | | |
| 38 | Improve Public Works - Shops Workplace Environment | Ongoing | | 556 | Create teambuilding plan for crews to learn to depend on each other and work together as a team. |
| | | | | 557 | Implement debriefing meetings with senior utility workers on a weekly basis to address in-progress incident status, review of work done, personnel deployment strategies, etc, and effectively manage incident response and maintenance quality and timeliness |
| | | | | 558 | Create new hire training process for specific in-house services and specific work that is required per each division. (e.g. equipment use, maintenance, cleaning, work place etiquette) |
| | | | | | resolution process where decisions can be made in a collaborative manner. |
| | | | | | Create safety and collaborative work incentive program |
| 41 | Engineering Department Efficiency | Ongoing | | | Wellness Incentive Program. This will increase heathy habits and improve employees personal and private lives. |
| | | | | 572 | Publish City of Newport Engineering Design and Construction Guidelines and Standards |
| | | | | 573 | Develop a program for recording and updating City GIS System with all City Improvements, whether they are by public works staff, private ROW permitted work, Capital projects, or developers. All work shall be documented recorded and archived with reference links to our GIS database |
| | | | | | Create digital interdepartmental document tracking system. |
| | | | | | We need to expedite processing documents through different departments without getting held up or lost in the process. |
| | | | | 575 | Centralize and digitalize all Public Works documents. We have archives at the WWTP, WTP, City Shops and Engineering Department. We have digitalized documents in the Engineering Department but need to compile all available resources. |
| | | | | 576 | Process easements for all City utilities crossing private property. |

| Goal# | Goal Title | Goal Type | Goal Text | V2040 Strategies | Objectives |
|-------|--------------------------|-----------|-----------|--|---|
| | | | | | Match staffing levels to workload. (Replace vacant positions and determine right size of department to provide City with needed Engineering/Project/Contract Management. 641 Define roles of Engineering and Public Works to maximize efficiency and coordination of tasks. 642 Define City responsibility and baseline levels of infrastructure and support education relating to best practices of public works infrastructure. |
| 43 | City Facility Resiliency | Ongoing | | 579 Seismic resiliency of all City buildings integration into the CMMS program master planning approach to infrastructure systems (water, storm sewer, sanitary sewer, roads) and maintain current (5-years or newer) plans to guide the Citys capital improvement processes. | 580 Facility services 643 Establish and maintain an overall |

In 2040, the Greater Newport Area is an enterprising, livable community that feels like home to residents and visitors alike. We have carefully planned for growth with well-maintained infrastructure, affordable housing for all income levels, robust public transportation, diverse shopping opportunities, and distinct, walkable districts and neighborhoods.

ENHANCING A LIVABLE REGION



KEY STRATEGIES - Indicates priority for ★ Latino Communities † Senior Communities

TIER I

A1. Infrastructure Investments.
Maintain and upgrade local infrastructure within available funding.

A2. Housing Supply.*†
Increase supplies of affordable and workforce housing, including rentals and for sale units at prices that are accessible to a broad range of the general public.

A3. Transportation Corridors.
Revitalize Highway 101 and Highway 20 in and around Newport to serve as attractive gateways to the community.

TIER II

A4. City-Wide Beautification.*
Promote city-wide beautification, generating a fresh yet familiar look for Newport through streetscaping, improvements to building façades, and ocean-friendly landscaping.

A5. City Center Revitalization.†
Develop a City Center improvement strategy that expands options for living, shopping, working, and dining in the area by promoting walkability, mixed-use development, and refurbishment of historic buildings.

A6. Mixed-Use Development.
Promote mixed-use neighborhoods in appropriate areas of the city, incorporating a blend of commercial uses, employment, and residential development that creates a distinct sense of place.

A7. Housing Development Incentives.*†
Implement incentives to lower development costs and encourage construction and renovation of an array of housing types to augment the supply of affordable, quality, energy-efficient units.

A8. Vacation Rentals.
Assess the growth and distribution of vacation rentals and take longer-term actions that may be required to address impacts on neighborhoods and the community.

A9. Understanding Impacts of Seasonal Housing.
Gain a better understanding of the impacts that seasonal housing, including second homes and vacation rentals, has on the availability and affordability of housing and the provision of public services within the community.

A10. Street, Highway and Bridge Improvements.
Engage the State of Oregon and community partners to identify bridge alternatives and future street and highway improvements that meet local needs while mitigating congestion and accommodating future growth and increased traffic.

A11. Bicycle and Pedestrian Safety and Amenities.*†
Work to improve the safety of bicyclists and pedestrians throughout Newport. Plan, fund, and develop improvements to bicycle and pedestrian amenities in strategic areas of the city, including sidewalks, crosswalks, overpasses, "traffic calming," bike racks, and planned bicycle and pedestrian routes.

A12. Multiuse Paths and Trails.
Maintain and expand the multiuse path and trail system.

A13. Strategic Investments and Partnerships.
Pursue strategic investments and partnerships to adequately meet the needs of the community as it grows and develops.

A14. Developable Land.
Ensure an adequate supply of buildable land by first encouraging redevelopment of underutilized and redevelopable properties. Extend infrastructure to undeveloped land that is zoned for development-related uses.

A15. Complete Streets.*†
Design neighborhoods around streets that are well integrated with local transit, are ADA accessible, and accommodate "active transportation" such as cycling, walking, and wheelchair moving.

A16. Public Transit Improvements and Expansion.*†
Develop targeted improvements to the local transit system, including better scheduling, signage, and plans for system expansion. Work with Lincoln County to upgrade bus service in Newport and surrounding areas, with improved routes and more frequent service.

A17. Transit Reliability and Promotion.*†
Develop and promote transit as a robust and reliable alternative to driving within the Greater Newport Area.

TIER III

A18. Telecommunication Technology.
Promote universal, high-speed internet access throughout the city. Expand community and business access to new telecommunication technologies.

ACKNOWLEDGEMENTS

The Greater Newport Area Vision 2040 was developed with the guidance and collaboration of The Greater Newport Area Vision 2040 Advisory Committee, the Newport City Council, and City of Newport staff, based on thousands of comments and suggestions received from Greater Newport Area community members and visitors. A special thank you to the entire community, but especially to all those who helped guide the process.

- GREATER NEWPORT AREA VISION 2040 ADVISORY COMMITTEE**

Wayne Belmont
Bob Berman
Beatriz Botello
Steve Boynton
Bill Branigan
Cathey Briggs
Lorna Davis
Lisa Ely
Wendy Engler
Matt Harner
Kaety Jacobson

Jessica Linnell
Patricia Patrick-Joling
Carla Perry
Bonnie Petersen
Robert Porch
Sandra Roumagoux
Laura Swanson
Gil Sylvia
Lucinda Taylor
Tom Webb
Jon Zagel
- CITY COUNCIL**

Sandra Roumagoux, Mayor
Wendy Engler, Council President
David Allen
Dietmar Goebel
Mark Saelens
Dean Sawyer
Laura Swanson
- CONSULTING TEAM**

HDR
Katney Bair
Cassie Davis
Lindsay McWilliams
Doug Zenn

Steven Ames Planning
Steven Ames
- CITY OF NEWPORT STAFF**

Rachel Cotton
Peggy Hawker
Sherri Marineau
Spencer Nebel
Derrick Tokos



LEARN MORE

www.newportoregon.gov/vision2040 541-574-0603



GREATER NEWPORT AREA VISION 2040
OUR COMMUNITY VISION

In 2040, Greater Newport is the heart of the Oregon Coast, an enterprising, livable community that feels like home to residents and visitors alike. We live in harmony with our coastal environment – the ocean, beaches and bay, natural areas, rivers, and forests that sustain and renew us with their exceptional beauty, bounty, and outdoor recreation. Our community collaborates to create economic opportunities and living-wage jobs that help keep the Greater Newport Area dynamic, diverse, and affordable. We take pride in our community’s education, innovation, and creativity, helping all our residents learn, grow, and thrive. Our community is safe and healthy, equitable and inclusive, resilient and always prepared. We volunteer, help our neighbors, support those in need, and work together as true partners in our shared future.

Look Inside to Explore Our Vision Focus Areas and Strategies to Achieve Our Vision

CREATING NEW BUSINESSES & JOBS

In 2040, the Greater Newport Area collaborates to create economic opportunities and living-wage jobs that help keep Newport dynamic, diverse, and affordable. Our economy is balanced and sustainable, producing living wage jobs in the trades and professions, while supporting new start-up companies and small businesses based on local talent, entrepreneurship, ideas, and resources.



KEY STRATEGIES

TIER I

- C1. Expanded Working Waterfront.***
Leverage our maritime industries and marine-related assets to expand and diversify the capacity of marine businesses, including full utilization of the International Terminal.
- C2. Science Economy Expansion.**
Expand Newport's science and marine economy, promoting it nationally and internationally as a hub for scientific research, ocean observation, education, and utilization and conservation activities.
- C3. Living Wage Jobs.***
Partner with new and existing businesses to retain, expand, and create jobs that pay living wages, providing at least a minimum income necessary so that workers can meet their basic needs.

TIER II

- C4. Airport Improvements.**
Maintain and enhance the Newport Municipal Airport as a viable community asset that can support business growth and development and improve access to and from the community.

- C5. Marine Economy and Economic Development.** Link OSU's Marine Studies Initiative and the area's marine economy into economic development planning.
- C6. Tourism Diversification.** Diversify Newport's tourist industry by promoting expansion of ecotourism as well as interpretive programs based on Newport's maritime industries.
- C7. Arts and Cultural Destination.** Promote the Greater Newport Area as a major arts and cultural destination.
- C8. Local Businesses Support.** Support and retain existing local businesses.
- C9. Small Business Development.** Expand training and education for small business development and entrepreneurial skills, including resources for artists, craftspeople, trades, and technology start-ups.
- C10. Green and Sustainable Business.** Promote and support businesses in the Greater Newport Area that use and market green and sustainable technologies, materials, and products.

- C11. Sustainable Fisheries.** Support innovation and new markets in sustainable fisheries by leveraging new technologies and partnering with the science community.
- C12. Diversified Agricultural Economy.** Promote the production, marketing, and direct sales of seafood, value added wood products, and local agricultural products.
- C13. "Shoulder Season" Attractions and Festivals.** Develop new attractions, festivals, and marketing to sustain tourism through the shoulder season.

TIER III

- C14. Viable and Sustainable Commercial Air Service.** Work with local, state, and federal partners to develop a model for sustainable commercial air service.
- C15. Permanent Farmers Market.*** Create a permanent home for a year-round farmers market with expanded hours and business acceleration opportunities for food, beverage, and agriculture related start-ups.



LEARNING, EXPLORING, & CREATING NEW HORIZONS

In 2040, the Greater Newport Area takes pride in our community's education, innovation, and creativity, helping all our residents learn, grow, and thrive. Our schools are appropriately funded through diverse means of support to meet the highest standards of educational achievement. Our college and university prepare students for rewarding lives and productive careers. The arts and opportunities for creative expression and learning are high quality, diverse, and available and accessible to everyone.



KEY STRATEGIES

TIER I

- D1. Funding for Schools.**
Develop creative, diverse, and alternative sources of funding for educational facilities, classes, programs, and extracurricular activities in the Greater Newport Area schools, including consideration for pre-K and early childhood education.
- D2. Vocational Technology and STEM Programs.**
Expand vocational tech and Science, Technology, Engineering and Mathematics (STEM) education, including K-12, OCCC, and OSU, and offer classes, training, and certification for marine sector and other jobs.

TIER II

- D3. Art in Public Spaces.**
Integrate the arts as a key element of the city's identity, including expanding the presence of public art throughout the community.

- D4. Expanded and Upgraded Arts Footprint.**
Invest in improvements to performing and visual arts venues, including the Performing Arts Center and Visual Arts Center, to increase their capacity to accommodate arts and cultural events.
- D5. Summer Arts Offerings.**
Expand outdoor summer arts events and offerings, such as music and theater.
- D6. Schools and Local Talent.**
Promote increased partnerships between schools and local talent, including scientists, artists, craftspeople, and tradespeople who share their knowledge with area classes and students.
- D7. Teacher and Administrator Diversity.***
Increase the diversity of teachers and administrators to be more representative of student demographics.

- D8. Bilingual and Cross-Cultural Education.***
Establish comprehensive bilingual and cross-cultural educational programs throughout the community, including English for Speakers of Other Languages (ESOL) instruction, to promote better integration and improved achievement of residents of all ages.
- D9. Expanded and Integrated Higher Education.†**
Support Oregon Coast Community College (OCCC) in gaining accreditation and expanding its offerings, including workforce education and the trades.
- D10. Education Partnerships.†**
Encourage K-12, community college, professional, and noncredit education partnerships that promote pathways to marine educational programs at Oregon State University (OSU)'s Newport campus.

- D11. School-to-Work Programs.***
Work with local schools, OCCC, OSU, and employers to develop a school-to-work program for students, training and certifying them to fill the needs of local employers and the job market.

TIER III

- D12. Access to the Arts.*†**
Increase the availability of, and access to, lower cost arts venues and performances while supporting new, innovative opportunities, including workshops, film, and student work.



PRESERVING & ENJOYING OUR ENVIRONMENT

In 2040, the Greater Newport Area lives in harmony with its coastal environment. Our ocean, beaches and bay, natural areas, rivers, and forests sustain and renew us with their exceptional beauty, bounty, and outdoor recreation. We retain our connection to nature, protecting our land, air, water, natural habitats, and biodiversity, and promoting more sustainable ways of living.

TIER I

- B1. Sewer and Stormwater Management.**
Maintain, upgrade, and modernize stormwater and sewer infrastructure to reduce overflows, keep our waterways and beaches clean, and minimize flooding in a manner that is both fiscally responsible and environmentally friendly.
- B2. Integrated Shared-Use Trail System.*†**
Develop an integrated trail system, accommodating multiple uses, that connects neighborhoods, visitor destinations, open spaces, and natural areas.

TIER II

- B3. Parks and Recreation Needs and Upgrades.***
Engage the community in identifying priorities and future needs related to open space, trail, and park and recreation assets. Make recommendations for future park upgrades, planning, and development, paying particular attention to funding maintenance.
- B4. Trail-Building Program.**
Establish a City trail-building program that provides opportunities for volunteer involvement.

- B5. Green Building and Development.**
Promote and incentivize environmentally responsible, resource-efficient building and development techniques, including onsite stormwater management, permeable pavement, energy-efficient buildings, ecological landscaping, and native plantings.
- B6. Environmental Conservation Partnerships.**
Prioritize conservation of significant open spaces and natural resource areas, including beaches and headlands, midcoast watersheds, the Yaquina Bay Estuary, rivers, streams, forests, and fish and wildlife habitat. Partner with local environmental organizations and agencies to expand and strengthen programs to protect and restore natural areas and resources and preserve environmental quality.
- B7. Comprehensive Recycling and Reduced Waste.** Target the Greater Newport Area to achieve the highest rate of recycling of any city in Oregon through source reduction, reuse, recycling, composting of food waste, and curbside glass recycling.

- B8. Renewable Energy.**
Increase the use of renewable energy to achieve energy independence in the Greater Newport Area, harnessing a combination of renewable energy sources and technologies.

TIER III

- B9. Climate Action Plan.**
Develop a comprehensive public-private climate action plan to lessen the Greater Newport Area's contribution to climate change, as well as to mitigate the impacts of climate change on the community itself.



KEY STRATEGIES



TIER I

- F1. Transparency and Communication.**
Encourage and support continued open communication, transparency, and accountability on the part of City leaders and staff.
- F2. Vision as Foundational Document.**
Ensure Greater Newport's 2040 Vision serves as the foundation for ongoing public processes, planning, and decision-making.

TIER II

- F3. Vision-Focused Council and Community.**
Promote key elements of Greater Newport's 2040 Vision through the Newport City Council, City staff, Greater Newport Area partners, and Vision advocates who engage with community partners.
- F4. Community Engagement.*†**
Develop new avenues for Greater Newport Area residents and businesses to engage and participate in the development of plans and policies, and to contribute to the decision-making process.

- F5. Culturally Competent and Inclusive Outreach.***
Develop new forms of culturally competent outreach, such as Spanish-language publications and public service announcements, to reach out to and involve the entire community.
- F6. Model Communities.**
Research the best practices of other communities that have been successful in implementing vision plans and strategic community objectives, and learn from their successes.
- F7. Collaboration and Partnerships.**
Sustain positive relationships and high levels of civic collaboration between public, private, faith-based, civic, neighborhood, and community-based organizations and the community at large.



- F8. Community Forums.***
Develop community forums that bring people of different backgrounds and cultures together to discuss issues and share solutions.
- F9. Youth Involvement.** Work through the schools, Oregon Coast Community College, and Oregon State University to increase involvement of younger generations in current affairs and community issues, local government, volunteerism, long-range planning, and decision-making.
- F10. Retiree Involvement.†**
Encourage area retirees to become more active in civic life, contributing their skills, time, energy, and resources to address community needs, mentor young people, and promote their own health and engagement.
- F11. Volunteerism.†**
Cultivate the community's spirit of collaboration and engagement to create meaningful opportunities for public involvement and volunteerism for all ages.

FOSTERING COLLABORATION & ENGAGEMENT

In 2040, the Greater Newport Area's local governments and public agencies, schools and higher educational institutions, businesses, local employers, nonprofits, community groups, faith based institutions, and residents work together as true partners in our shared future. Governments reach out to engage and listen to residents, involve them in important plans and decisions, and collaborate for a better community in a rapidly changing world.

IMPROVING COMMUNITY HEALTH & SAFETY

In 2040, the Greater Newport Area is safe and healthy, equitable and inclusive, resilient and always prepared. We volunteer, help our neighbors, and support those in need. Our community's physical, environmental, social, and economic assets allow all of our residents, including families and children, young people, and seniors, to live healthy lives and find the support and services they require, including excellent, affordable, and accessible healthcare and childcare.



KEY STRATEGIES

TIER I

- E1. Affordable and Accessible Healthcare.*†**
Work to improve access to and affordability of healthcare for all in the community through improved healthcare facilities, education, and preventive services.
- E2. Medical Professionals and Specialists.*†**
Recruit and retain more healthcare providers and medical professionals in the community, including medical specialists in pediatrics, geriatrics, mental health, chronic diseases, services for veterans, and the prevention and treatment of addiction.
- E3. Expanded Mental Healthcare.*†**
Expand mental health services in the area, including improved community education, prevention, and counseling services, as well as trauma-informed care that diagnoses and treats the mental health impacts of adverse life experiences.
- E4. Improved Service Coordination.**
Enhance coordination among social services, non-profits, and faith-based institutions to provide integrated, comprehensive support to residents of our community experiencing poverty, hunger, social isolation, homelessness, addiction, domestic violence, and related issues.

TIER II

- E5. Disaster Preparedness.**
Expand disaster preparedness and self-reliance programs and activities, focusing on neighborhood level organizing, and including multilingual information, training, and assistance.
- E6. Proactive Police and Fire Services.***
Support police and fire services in meeting and addressing growth and changing community needs. Support improved community policing practices that promote positive interactions between public safety officers and the public.
- E7. Homelessness Solutions.**
Implement proactive solutions to expand services and resources for people who are homeless, including homelessness prevention and other programs and partnerships to help the area's homeless population obtain stable housing.
- E8. Translation and Multilingual Services.***
Increase and support existing local capacity to provide translation and multilingual services, including assistance with employment, physical health, mental health, rehabilitation, education, nutrition, legal, immigration, and financial education needs.
- E9. Accessible and Affordable Childcare.**
Increase the number and capacity of quality accredited childcare facilities and staff in the region and make childcare more accessible and affordable for all families.
- E10. Accessible and Affordable Eldercare.†**
Work toward meeting the need for quality and affordable housing, independent living, and care facilities for elders in the Greater Newport Area.



- E11. Foster Care Improvements.**
Study and make recommendations to address the area's child foster care challenges, including causes, solutions, and prevention. Increase the number and quality of foster homes, while implementing preventive approaches that will help keep more children from entering the foster care system.
- E12. Access to Healthy Food.**
Improve community "food security" by addressing issues of availability, accessibility, and affordability of healthy food.

TIER III

- E13. All-Weather Facilities and Activities.***
Improve affordable access to recreational and community facilities, including indoor spaces for sports, family and cultural celebrations, classes, youth programs, and other recreational and social activities that are accessible during evenings and the rainy season.



Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



January 10, 2022 Regular Session

- Elect Chair and Vice Chair
- Identify Potential Candidates for HCA/HPS Stakeholder Interviews and Advisory Committee
- Review and Discuss Tentative Work Program

January 24, 2022 Work Session

- Review Schedule, Outreach, and Incentives Program for SB Island Annexation Concept
- Outline SOW for TGM Grant Funded City Center Revitalization Project (Grant Received)

January 24, 2022 Regular Session

- File No. 7-CUP-21, Lincoln County Animal Shelter at the Municipal Airport (Firm)
- Recommendation to City Council on SB Commercial Corridor Island Annexation Concept

February 14, 2022 Cancelled

February 14, 2022 Regular Session

- File 7-CUP-21, Final Order and Findings, Lincoln County Animal Shelter
- File No. 1-NB-22, Design Review Modification to The Whaler @ Nye Beach Hotel (Firm)

February 28, 2022 Work Session

- Outline of Housekeeping and 2021/22 Legislative Amendments
- Review Final City Council 22/23 Goals

February 28, 2022 Regular Session

- File No. 1-NB-22, Final Order and Findings, The Whaler @ Nye Beach Hotel
- File No. 2-MISC-21 for 5th Street Lofts Extension of Subdivision/Geologic Permit (Withdrawn)

March 7, 2022 Special Work Session (HCA/HPS Kick-off)

March 14, 2022 Work Session

- Receipt of Consolidated Transportation System Plan Update with PAC Recommendation
- Review of Housekeeping and 2021 Legislative Amendments
- Review Draft HCA / HPS Public Engagement Plan

March 14, 2022 Regular Session

- Initiate Public Hearings Process for Transportation System Plan Updates
- Initiate Public Hearings Process for Housekeeping and 2021 Legislative Amendments

March 28, 2022 Work Session

- File No. 1-CP-17, Review Draft TSP Related Ordinance Changes

March 28, 2022 Regular Session

- File 1-CUP-22 Conditional Use Permit for McWatkins Airport Industrial Village (Firm)
- File No. 1-UGB-20 Revised UGB Land Swap for Boston Timber Opportunities (Projected)

Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



April 11, 2022

Work Session

- Review Draft RFP for Repurposing URA 35th/US 101 Property in South Beach
- Initial Review of Draft SB Commercial/Industrial Code Revisions (from JET Planning Audit)

April 11, 2022

Regular Session *(First HCA/HPS Public Event in April)*

- Starfish Cove 20-lot Planned Development North Side of Yaquina Head (Projected)

April 25, 2022

Work Session

- Recommendation for Distribution of Affordable Housing CET Funds (from Work Group)
- Identify Candidates for City Center Revitalization Project Advisory Committee

April 25, 2022

Regular Session

- Initial Public Hearing File No. 1-CP-17 Newport TSP Amendments
- Public Hearing to Consider Housekeeping and 2021/22 Legislative Amendments

May 9, 2022

Work Session

- Review Preliminary Results of Housing Needs Analysis
- Review Final Draft of SB Commercial/Industrial Code Revisions (from JET Planning Audit)

May 9, 2022

Regular Session

- Initiate Public Hearings Process for SB Commercial/Industrial Code Revisions
- Second Public Hearing Public Hearing File No. 1-CP-17 Newport TSP Amendments

May 23, 2022

Work Session

- Preliminary Recommendation for Parking District Code Changes (from Advisory Committee)

May 23, 2022

Regular Session

- Conduct Public Hearing on Housekeeping and 2021 Legislative Amendments

June 13, 2022

Work Session *(Placeholder for Kick-off of CC Revitalization Project)*

- Review Results of HCA Buildable Lands Inventory
- Placeholder for Potential Revisions to Yaquina Bay Estuary Policies or Codes (DLCD project)

June 13, 2022

Regular Session

- TBD

June 27, 2022

CANCELLED

July 11, 2022

Work Session *(Second HCA/HPS Public Event in July)*

- Review Memo Outlining Policy Basis/Market Analysis for City Center Revitalization Project
- Review Options for Updating the City's Erosion Control and Stormwater Mgmt Standards

July 11, 2022

Regular Session

- Initial Public Hearing to Consider SB Commercial/Industrial Code Revisions