



PLANNING COMMISSION REGULAR SESSION AGENDA
Monday, April 12, 2021 - 7:00 PM
City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

This will be a hybrid meeting which means that it will be held electronically, via Zoom, with a limited number of people (up to 15) allowed to attend in-person. The meeting will be live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190.

Anyone interested in making public comment is allowed to attend in-person, subject to congregant limitations (up to 15).

Anyone wishing to provide virtual public comment should make a request by noon on the day of the meeting, at publiccomment@newportoregon.gov, and ask for the Zoom meeting information.

Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. The e-mail must be received by noon on the scheduled date of the meeting. Written comments received by noon on a Planning Commission meeting date, will be included in the agenda packet. These comments will be acknowledged, at the appropriate time, by the Chair. If a specific request is made to read written public comment into the record during a meeting, staff will be provided a maximum of three minutes to read the comment during the meeting.

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.

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES
 - 2.A Approval of the Planning Commission Work Session Meeting Minutes of March 22, 2021.
[Draft PC Work Session Minutes 03-22-2021](#)

 - 2.B Approval of the Planning Commission Regular Session Meeting Minutes of March 22, 2021.
[Draft PC Reg Session Minutes 03-22-2021](#)

3. CITIZENS/PUBLIC COMMENT

A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Planning Commission on any matter not on the agenda will be given the opportunity after signing the Roster. Each speaker should limit comments to three minutes. The normal disposition of these items will be at the next scheduled Planning Commission meeting.

4. ACTION ITEMS

5. PUBLIC HEARINGS

5.A File 4-Z-20: Amendments to Implement HB 2001 (2019) Related to Duplexes, Townhouses, and Cottage Cluster Development.

[Memorandum](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F](#)

[Attachment G](#)

[Attachment H](#)

[Attachment I](#)

[Attachment J](#)

[Attachment K](#)

[Attachment L](#)

[Attachment M](#)

[Additional Public Testimony -Shannon Nottestad](#)

[Additional Public Testimony -Linda Shubert](#)

[News Times Viewpoints - 4-9-2021.pdf](#)

6. NEW BUSINESS

6.A Citizen Involvement Advisory Committee.

[Citizen Involvement Advisory Committee Email](#)

7. UNFINISHED BUSINESS

7.A Updated Planning Commission Work Program.

[PC Work Program-4-12-21](#)

8. DIRECTOR COMMENTS

9. ADJOURNMENT

Draft MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
March 22, 2021
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, Braulio Escobar, Gary East, and Bill Branigan.

PC Citizens Advisory Committee Members Absent: Dustin Capri, and Greg Sutton.

City Staff Present by Video Conference: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

Public Members Present by Video Conference: Brodie Becksted and Heidi Rogers.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
 2. **Unfinished Business.** None were heard.
 3. **New Business.**
- A. **Citizen Proposal to Amend the W-2” Water-Related” Zone District to Allow Personal Service Retail Uses Subject to Conditional Use Approval.** Tokos reviewed the Water-Related and Water-Dependent Zoning map. He noted the Becksted was interested in establishing real estate office in the W-2 zone which would need a text amendment to the city's zoning code.

Brodie Becksted and Heidi Rogers addressed the Commission. Becksted gave the history of the property on the Bayfront, sharing how it started as a dwelling and how it was converted into a commercial property. There had been different businesses in it over the years and they currently wanted to do a real estate office at the location. Becksted thought this would be a good use because it would be owner occupied and not so seasonal. He asked for the Commission’s thoughts.

Berman noted there was a reason for the original zoning on the Bayfront so they would not not end up with a lot of businesses that weren't typically tourist in this area. This was the same in Nye Beach. Becksted reported that the majority of their business was based online and mobile. He thought they could do something different in this area because it wasn't in the thick of all the retail. Rogers added that they thought it would be a popular place and would attract other real estate agents to the area. She thought that real estate use would add energy to the Bayfront. Becksted agreed and gave an example of how Hawaii allowed real estate offices in popular tourist areas. He noted that they wanted to invest in Newport and thought this would fill a void in a vacant area.

Escobar asked where their staff would park. Becksted explained that this use would need less parking than retail. This had been one of their concerns and noted they were also concerned about parking metering being implemented on the Bayfront. Capri thought that the demand on parking from their office would be for one or two employees. Becksted reported they had 13 brokers in their office, and one or two were in the office each day. Everything was pretty mobile for them. Becksted thought the parking demand would be less than the previous tenant who had done a tasting room for a winery. He also noted that he owned Newport Brewing and thought it would be nice to do tastings at this site and comingle with the real estate office to promote both businesses. Capri thought this was a great idea. Becksted thought it would be a good spot to have tastings and get more exposure, but noted this would be a small amount of use. Branigan thought it was a good idea.

Tokos added that effectively what the Commission would be looking at was the conditional use process where personal service uses would be permissible anywhere in the W-2 zone, and wasn't site specific.

East asked if Becksted would be doing a small retail area for their brewery at this location. Becksted gave an overview of how they would operate offering drinks to go and taps at the location. He noted it would mainly be real estate services. Capri thought that this was a safer bet because W-1 and W-2 land was at a premium, and the risk of other professional service industries going in there was pretty low. Becksted noted that trying to find a tenant in a property like this was tough because of the cost of renting the property. He wanted to put energy in the area to try to promote it. Branigan agreed and didn't see an issue with this. Patrick noted the list of what they could do there wouldn't be viable at the price range. This property was at the dead end and he would be happy with anything that would work in this area.

East thought it was a good idea and there wasn't a whole lot on that end that would restrict what they wanted to do. Patrick reminded that this would be a conditional use process and happy with it being this way. Berman thought it was something to look at but noted they needed to look at the bigger consideration. He was into looking at a proposal. Berman asked if it became a conditional use, what criteria would they have to meet. Tokos noted they would look at consistency with the area as one of the criteria to meet. There was more wiggle room on this standard than the others. Becksted reported this location could be a marijuana store but didn't think this would be a good use for it.

Hardy asked what the vacancy rate was. Becksted reported that the west and east sides of the Bayfront were pretty vacant but the middle was great. The ends of the Bayfront needed something different.

Hanselman had a problem making decisions based on one property. He didn't like expanding conditional uses in any zone and thought it was a can of worms because they couldn't predict what would come of it. He would much rather have this be an overall change of the Bayfront rather than focusing on one property.

Tokos thought they should do is next steps and work on what the language would look like for the application. There would be a public hearing before the Planning Commission to take into consideration any testimony. They would provide a recommendation to the City Council, who have a public hearing and make a change by ordinance.

Capri thought they should be looking at Becksted's project as a side note. He explained that with every project on the Bayfront, the second floor was the biggest challenge. It was difficult to do a second floor as commercial. There were a lot more potential uses when there was commercial on the ground floor with administrative or professional services above.

B. Background and Initial Discussion of Options for Redrafting Food Cart Rules. Tokos acknowledged the public comment that Janet Webster submitted to the Commission. This discussion fell under a City Council goal to update the food trucks, which had received some attention in recent years. This would be broken up into two pieces. The first would pertain to uses for mobile units in public rights-of-way (ROW) in contained units. The City of Newport's current mobile vendor rules fit the mobile food trucks like ice-cream trucks where they were only allowed to stop for no more than 15 minutes. The second part would be for fixed based vendors/stands which were limited to locations where the Council determined it was appropriate to allow them. The location by the Nye Beach Turn around was one of these locations and the location next to the Hatfield Pump Station at Hatfield Drive and Bay Blvd. Tokos reported that there had been growing interest in having mobile food trucks in Newport. He reviewed the two ideas that were included in the packet. There were different ways this could happen and he was hoping to get the general sense on what issues the Commission wanted to see addressed.

Hanselman asked for a clarification on the rules that restricted food carts from being located within a half mile perimeter from a food establishment. Tokos explained that around 2010, Wilder put together a proposal and submitted an application to amend the city's code to allow food carts on private properties. They were sensitive to the potential conflict with brick and mortar restaurants who had fixed biased costs such as system development fees. They set up the proposed amendments such that food trucks were allowed as long as they

were a half mile from a brick and mortar restaurant. The city adopted this but Wilder was never able to attract anyone at their location. The issues with food pods and mobile vehicles was a little different and had a few different nuisances to them. This was why they were being addressed as a two different options. Berman asked if the half mile rules stemmed from one specific request, not in the insistence of restaurant owners. Tokos confirmed this was true. Because of this he didn't think they really needed engage or do outreach with the restaurant community because they would be so far away from them it really wouldn't be competition. Tokos noted there would be a public hearing notice process sent out to fixed based restaurant operators which would give them an opportunity to give testimony.

Branigan asked how long a mobile food truck could park at a given location and if there should be a time limit for them. Tokos thought there should be a around a five hour time limit. This would allow them to cover thing like shift workers on the Bayfront, and baseball tournaments in the field. Tokos noted this wasn't for food trucks that were permanent on private property because they would be connecting into the city services, have parking areas, and have some sort of enclosure for seating. This was something you would typically see in a pod configuration. Branigan asked if they would want to restrict how many food trucks could be at a specific location. Tokos would take a look at provisions like this, and how jurisdictions tackled it and why.

Capri didn't like allowing food trucks on public properties. He thought private properties made more sense because these businesses supported Newport every day through property taxes and all the fees they paid to operate their businesses. Tokos noted there were jurisdictions that don't allow trucks to park within public ROWs and required them to park on parking lots. He noted these may be public lots, though. Tokos would bring back examples of this. Escobar thought if they were at baseball fields they would already have permission beforehand. Tokos agreed and would be his expectation as well. He noted these were already accommodated by the city through special event permits.

Berman asked if someone could currently do a food truck at the Nye Beach turnaround. Tokos explained they couldn't because they were bigger than the size limitation. The hot dog cart that had been there previously was just a trailer and fit in the size limitations. Tokos thought they needed to be sensitive to the size of the spaces that they allowed food trucks to be located at as well. Hanselman thought big trucks were a problem and did take up a lot of space even if they were in a public ROW. He thought there could be private property owners who would be interested in these. Food courts in other cities seemed to do pretty well and were accepted by the community if they were located in an accessible locations. This came down to where were the tourist when they were in Newport. Hanselman reminded they were limited on where they could do food trucks in Newport and he wasn't opposed to introducing these to private properties. Branigan asked if they should limit where food trucks could park for five hours. Tokos noted that there was currently timed parking limits in the City Center, Nye Beach and the Bayfront.

Capri asked if pods were currently allowed on private properties in the city. Tokos explained that the half mile separation requirement pretty much put an end to that. This could and would be changed. You would find that to do pods with any kind of seating, necessitated having restrooms on site. If they weren't providing seating, they might not have to have a restroom onsite. East thought that an area like the old Undersea Gardens was an area to do this. He thought the area for trucks to park in town were limited.

Escobar noted that in Toledo there was a small hotdog stand. They were open from 11 a.m. to 3 p.m. and this seemed to work well. He thought five hours in a public space was excessive and he would be more supportive of a pod concept. Using a public street for five hours should have a lot of consideration and he thought there needed to be a tighter timeframe.

Berman thought it was important to separate out the semi fixed pods from the trucks. Tokos noted that with respect to pods some jurisdictions were using overhead power lines to accommodate them, which was a safety hazard. Because of this, some jurisdictions required power to be below ground and something to consider. Prohibition of outside generators, trash receptacles, the linkage with seating and onsite restrooms, and restrictions on blocking sidewalks were other things to think about.

Capri expressed concerns about how parking was going to be enforced. East noted that most of the traffic on the Bayfront was walking traffic, and it was easier to get quick and easy meals in this area. He didn't think anyone would be going there to specifically eat at these trucks and taking over parking. East didn't think parking would be an issue but thought it should be included. Capri thought it shouldn't be included because they couldn't enforce it. Tokos thought this should be different for pods and mobile food trucks.

Hanselman thought they should discuss the 15 minute limit for mobile food trucks. They needed a chance to make a living, and 15 minutes wasn't enough time to set them up. Tokos would bring options relative to how other jurisdictions were tackling the mobiles and how much time they were giving them. He noted that most jurisdictions didn't allow these in residential areas and asked for the Commission's thoughts. The Commission was in general agreement that they shouldn't be in residential. Branigan thought it would be nice to talk to a mobile food truck owner to understand what their business model was and get some insight on how to craft the rules and regulations. Tokos would look into inviting a mobile food truck owner to participate in another work session. He would be looking at the number of trucks at a specific location, parking on the ROW, general limitations other jurisdictions were doing for private properties, and options on the time limits for the mobile, and language on preserving residential areas.

- C. **Results of the Transportation System Plan Regulatory Review (Tech Memo #3)**. The discussion was deferred to the next work session meeting.
- D. **Updated Planning Commission Work Program**. No discussion was heard.
- 4. **Adjourn**. The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Sherri Marineau,
Executive Assistant

Draft MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers by Video Conference
March 22, 2021

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, Braulio Escobar, Gary East, and Bill Branigan.

City Staff Present by Video Conference: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:05 p.m. On roll call, Commissioners Hardy, Hanselman, Branigan, Berman, Escobar, East, and Patrick were present.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Work and Regular Session Meeting Minutes of March 8, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner East to approve the Planning Commission Work and Regular Session Meeting Minutes of March 8, 2021 with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Action Items.** None were heard.

5. **Public Hearings.** At 7:07 p.m. Chair Patrick opened the public hearing portion of the meeting.

Chair Patrick read the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. None were heard. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File 5-Z-20.**

Tokos reviewed the staff memorandum and reminded that these amendments applied to small wireless outside of public rights-of-ways and cell towers. He reported that a number of citizens presented concerns to the City Council and Planning Commission the year before on the matter. In June of 2020, the LOC released a Small Wireless Facilities Model Ordinance and Design Guidelines. The Commission held a work session on August 10, 2020 to consider the LOC Model Ordinance and recent Federal Communication Commission rulings and elected to prepare updates to the Newport Municipal Code in two parts, with the first component being focused on establishing a permitting process for small wireless facilities in public rights-of-way, and the second being amendments to land use regulations that apply to wireless infrastructure outside of rights-of-way. Following a favorable Planning Commission recommendation, the City Council approved Ordinance No. 2176 addressing the deployment of small wireless facilities within rights of-way. This was accompanied by a set of design guidelines that the City Council approved with Resolution No. 3909. The second component was before the Commission at this hearing.

Tokos reviewed the standards and draft amendments to NMC Chapters 10.10, 10.15, 14.01, 14.03, and 14.10. Berman asked if providers would have to document that they couldn't collocate on a tower within

2,000 feet. Tokos confirmed this was correct. Berman asked if there could be multiple towers. Tokos explained that they would have to show that every tower within 2,000 feet wasn't available for a collocate. Berman didn't think this was stated clearly in the draft and wanted it to say "tower by tower" or "facility by facility" for the documentation, rather than they write a statement that just said they couldn't use any of the towers. Tokos would add something to require them to document each of the facilities instead of giving just a blanket statement.

Hanselman asked if the changes concerning freestanding communication facilities exceeding the maximum building height meant that providers could purposefully build a taller tower to get better reception, as long as they put a six foot fence around it. Tokos explained they couldn't because they already had the exiting height limits for towers. This was more about figuring out how high they should be before they were mandated to have security fencing.

Hearing closed at 7:20 p.m.

MOTION was made by Commissioner Berman, seconded by Commissioner East to give a favorable recommendation to the City Council for File 5-Z-20 with Berman's addition to require providers document each of the communication facilities they could not collocate on, instead of providing a blanket statement. The motion carried unanimously in a voice vote.

6. **New Business.** None were heard.

7. **Unfinished Business.** None were heard.

8. **Director Comments.** Tokos noted the City Council street vacation hearing would be held on April 5th. The applicant was following through with the conditions the Commission required, and they had reached out to the County. Berman asked if the Commission's concerns had been presented to the City Attorney. Tokos hadn't done this yet, but would do so.

Berman asked who tracked the fees for the applications that needed to be reviewed annually. Tokos explained that this was reviewed every year by the Budget Committee and included with the fee schedule. The fee schedule received a CPI adjustment by his office and landed in the comprehensive fees schedule, which was adopted by Council resolution annually.

Tokos reminded that the joint Commission and City Council meeting would be held on Monday, May 3rd. Berman noted that he could only attend virtually.

9. **Adjournment.** Having no further business, the meeting adjourned at 7:26 p.m.

Respectfully submitted,

Sherri Marineau
Executive Assistant

PLANNING STAFF MEMORANDUM
FILE No. 4-Z-20

- I. **Applicant:** Initiated by motion of the Newport Planning Commission on February 8, 2021.
- II. **Request:** Proposal to amend Newport Municipal Code (NMC) Chapter 14 to implement mandatory, and certain optional provisions of HB 2001 (2019) that will allow duplexes (i.e. two-family dwellings) on all lots and parcels in residential zone districts where single-family detached dwellings are permitted. Cottage clusters are added as a new housing type in R-3 and R-4 zone districts, and design standards are included for both cottage cluster and townhouse developments. The revisions further address the interplay between duplexes, accessory dwelling units, and multi-family uses, and an on-street parking credit option for new residential development has been developed similar to what the City currently has in place for portions of Nye Beach.
- III. **Findings Required:** This is a legislative action whereby the City Council, after considering a recommendation by the Newport Planning Commission, must determine that the changes are necessary and further the general welfare of the community (NMC 14.36.010). Additionally, prior to adoption of the amendments, the City must demonstrate consideration of housing affordability measures including, but not limited to System Development Charge waivers/deferrals, the assessment of an Affordable Housing Construction Excise Tax, and property tax exemptions affordability within the limitations set forth in state law (OAR 660-046-0030(2)). Before any amendments are adopted by the City Council, staff will prepare an ordinance with findings demonstrating that the changes comply with applicable statewide planning goals, including Goal 10 (Housing).
- IV. **Planning Staff Memorandum Attachments:**
 - Attachment "A" – Mark-up of revisions to NMC Chapter 14, dated 4/12/21
 - Attachment "B" – Minutes from the 5/26/20, 9,14/20, 12/13/20, 1/11/21, and 2/8/21 Commission work sessions and minutes from the 2/8/21 regular session.
 - Attachment "C" – House Bill 2001 (2019)
 - Attachment "D" – OAR Chapter 660, Division 46, Middle Housing in Medium and Large Cities
 - Attachment "E" – DLCD House Bill 2001 Guidance - Affordability and Goal 10 Findings
 - Attachment "F" – DLCD Model Code for Medium Cities
 - Attachment "G" – DLCD Model Code for Large Cities
 - Attachment "H" – DLCD Parking and Middle Housing Memo, dated 3/30/20
 - Attachment "I" – DLCD House Bill 2001 and HB 2003 Implementation Timeline
 - Attachment "J" – DLCD Housing Bill 2001 Implementation Tracking Spreadsheet dated 3/24/21
 - Attachment "K" – Public comments received between 3/4/21 and 4/8/21
 - Attachment "L" – Newport News-Times editorial articles dated 4/2/21 and 4/7/21
 - Attachment "M" – Notice of public hearing

- V. **Notification:** The Department of Land Conservation & Development (DLCD) was provided notice of the proposed legislative amendment on 2/9/21. Notice of the public hearing was mailed to 1,866 individuals owning property within R-1/“Low Density Single-Family Residential” and R-2/“Medium Density Single-Family Residential” zone districts, the areas most impacted by the proposed amendments. Notice of the hearing was further provided in the Newport News-Times on 4/2/21 (Attachment "M").
- VI. **Comments:** Comments received in response to the proposed amendments are included with Attachments "K" and "L," and are summarized as follows:
- Email from Lisa Phipps, DLCD North Coast Regional Representative, with a couple of questions about the proposed amendments and guidance regarding findings required prior to final adoption. The email was received on 3/4/21.
 - Email from Julie Gearin, supporting the additional allowance for duplexes and cottages, expressing frustration with short-term rentals, and asking that the Commission ensure that there is adequate parking for new housing types. The email was received on 3/24/21.
 - Letter from James McRae, thanking the Commission for its work, expressing support for additional housing options if it drives down prices, and expressing concerns about state and federal mandates. The letter is dated 3/29/21.
 - Email from Carla Perry, thanking the Commission and staff for its work, expressing a desire that accessory dwelling units only be allowed on lots with one single family home, opposing cottage clusters in R-2 zones, asserting that Newport’s aging infrastructure is not capable of handling significantly greater housing density in R-1 and R-2 zones, supporting a requirement of one off-street parking space per duplex unit, and supporting an owner-occupancy requirement in a primary residence if a second dwelling is constructed on an R-1 or R-2 lot. Ms. Perry also had some document specific suggestions. The email was received on 3/29/21.
 - News-Times editorial by Carla Perry, published 4/2/21, addressing many of the same points in the above email and frustration in locating draft amendments on the City’s website.
 - Email from William Wilst, thanking Ms. Perry for bringing the amendments to his attention, opposing accessory dwelling units, requesting that definitions of terms for dwellings be consistent, and asking that accessory dwelling units be required to provide parking. He further requests that height limits for duplexes and townhomes be reduced and that off-street parking requirements be increased. Mr. Wilst had some specific suggestions as well, including a preference that accessory dwelling units not be allowed in conjunction with townhouses or two-family dwellings. His email was received 4/5/21.
 - News-Times editorial by Rachael Cotton in support of the proposed amendments as a step toward addressing the lack of affordable housing in the City. She further explains how the changes further the Greater Newport Area’s 2040 Vision and responds to a number of the points in Ms. Perry’s editorial.
 - Email from Rose Jade opposing the policy alternative that would allow an Accessory Dwelling Unit (ADU) with a duplex on an R-1 zoned lot and the idea of on-street parking credits. The email chain includes Ms. Jade’s inquiry as to why an Infrastructure Based Time Extension request was not submitted by the City and staff’s response. The email was received on 4/7/21.
 - Email from Laura Ehret expressing concern that allowing duplexes or ADUs on single family dwelling lots will overtax aging infrastructure and congest streets in Agate Beach.

VII. Discussion of Request: This draft set of amendments to the Newport Zoning Ordinance, codified in NMC Chapter 14, implement HB 2001 (2019) which, at a minimum, requires medium sized cities with a population between 10,000 and 25,000 to allow duplexes (i.e. two-family dwellings) on all lots or parcels in residentially zoned areas that allow single-family detached dwellings. The changes also put in place optional design standards for townhouse and cottage cluster projects, that are mandatory for large cities with a population in excess of 25,000.

To implement the changes, it is necessary to make a number of housekeeping amendments including updated definitions for different housing types. Additionally, there are a couple of policy alternatives that the Commission is considering related to whether or not ADUs should continue to be permitted in conjunction with duplexes and townhomes, and if the City should offer on-street parking credits for new residential development, in lieu of requiring off-street parking, as a housing incentive in areas where City streets are fully developed. A current draft of the amendments with an explanation for why each change is being made is enclosed as Attachment "A."

Following the passage of HB 2001 (2019), DLCD initiated rulemaking to implement the new law. That effort led to the adoption of Oregon Administrative Rule (OAR) Chapter 660, Division 46, enclosed as Attachment "D" and model middle housing codes for medium sized cities and large cities (Attachments "F" and "G"). Medium sized cities such as Newport must adopt required elements of OAR 660, Division 46 no later than 6/30/21. If an implementing ordinance is not adopted by that date, then the City will be required to apply the model middle housing code for medium sized cities to new development applications until such time as a compliant ordinance is adopted and effective (OAR 660-046-0040(3)). DLCD has prepared a graphic timeline of the implementation process (Attachment "I") and a spreadsheet identifying how medium and large cities in the state are progressing in their efforts to implement HB 2001 (Attachment "J").

HB 2001 requires that cities treat duplexes (i.e. two-family dwellings) and single-family dwellings as one and the same. This is with respect to where they are allowed and standards that apply to new development. The proposed amendments now being considered by the Planning Commission borrow heavily from DLCD's model codes for medium and large cities that were developed to implement the house bill. On 5/26/20 and 9/14/20, the Commission held work sessions to review the model codes. While the Model Code for Medium Cities includes design standards for duplexes, such standards may only be adopted if they would apply to single-family detached dwellings as well (OAR 660-046-0125(1)). The Commission determined that it is not necessary to adopt design standards for single-family dwellings and duplexes at this time, outside of provisions already in place in the Historic Nye Beach Design Review District. The Model Code for Large Cities with populations over 25,000 includes approval criteria and design standards for duplexes, triplexes, quadplexes, cottage clusters and townhomes, all of which are to be permitted housing types on lots that allow single-family detached homes. These requirements are optional for medium sized cities, and the Commission considered but ultimately elected not to develop rules to allow these housing types in the City's lower density, R-1 and R-2 zones. The only exception is townhouses, which will continue to be allowed in the City's R-2 zones. There are; however, elements of the Model Code for Large Cities that the Commission felt were appropriate to move ahead with at this time. They include an allowance for cottage clusters as a new housing type in the City's R-3 and R-4 zones, and new design standards that will apply to cottage clusters and townhomes. The Commission met in work sessions on 12/13/20, 1/11/21 and 2/8/21 to consider draft amendments to NMC Chapter 14 and initiated the legislative adoption process at its regular meeting on 2/8/21. Copies of the Commission work session and regular meeting minutes are enclosed as Attachment "B."

The only change staff has made to the 2/8/21 version of the proposed amendments is to the definitions of “ Dwelling, Two-Family” and “ Dwelling, Multi-Family” adding language to clarify that the definitions are referring to the number of units in a particular building. Similar language was in existing definitions that are proposed to be deleted. This clarification addresses a question in DLCD’s 3/4/21 email where they were confused as to how the definitions applied to multiple building developments on a single lot or parcel.

Staff analysis included with Attachment "A" explain the reason(s) why each amendment is being made, so the balance of this report will largely focus on public feedback received to date. A few of the comments suggest that additional residential density allowed by these amendments will materially change the character and livability of the City’s R-1 and R-2 zoned, low-density residential neighborhoods. These concerns are understandable; however, it is important to note that the density change attributed to these amendments is very modest, and given the City’s historic growth rate the pace of change would be incremental over a long period of time. HB 2001 mandates that the City allow duplexes in R-1 zones, where they are currently prohibited, and in R-2 zones where they are currently limited to certain sized lots. Newport’s 20-year population forecast and housing needs assessment identifies a need for 846 dwelling units between the years 2011 and 2031, with 60% being single-family construction and 40% being two-family and multi-family. This translates to about 42 new units per year. Actual new construction has been about half of the identified need coming out of the great recession, with figures improving substantially over the last two years (50 units and 127 units, respectively). Much of the recent construction has been multi-family. With regard to duplex and accessory dwelling unit construction, the City is realizing anywhere from zero to as many as five (5) units in each category per year, principally as infill development within existing residential neighborhoods. Such development is not limited to R-1 and R-2 zones, rather it is dispersed across all four of the City’s residential zone districts and its commercial zones that allow mixed use development. Given the above, the City might experience a small uptick in two-family dwelling unit construction, be it in the form of duplexes or single-family homes with attached or detached ADUs as a result of these amendments. This will help to increase the supply of housing, but it is unlikely that such development will occur rapidly in a manner that significantly impacts public services or quality of life issues in existing residential neighborhoods.

Cities are required to allow an ADU for each detached single-family dwelling on a lot or parcel (ORS 197.312(5)). That statutory requirement has been in place for a number of years, including for R-1 and R-2 zoned areas. The City’s present land use regulations comply with this requirement, and there is an additional allowance for an ADU on a lot or parcel with one or more single-family attached dwellings. The HB 2001 amendments provide an opportunity for the Commission to rethink how it has structured its ADU allowances, and two policy options have been developed. Option one could result in up to three dwellings being built on a residentially zoned lot or parcel through a combination of a duplex and a detached ADU. Option two would allow an ADU for each detached single-family dwelling on a lot or parcel, which is the minimum required to comply with state law. Option two could be expanded to allow a duplex for each townhome on a lot or parcel. Either option can be justified and, after considering the testimony, the Commission should determine which is the most appropriate to recommend to the City Council.

The Commission received testimony asking that it ensure there is adequate parking to support the additional residential density allowances. Some support providing an on-street parking credit with the constraints outlined in Attachment "A." Others oppose providing an on-street parking credit. It is relevant to note that examples cited with opposition testimony are narrow streets that would not

comply with the parameters outlined in the draft amendments for granting on-street parking credits. DLCD's Model Code for Medium Cities encourages local jurisdictions to provide on-street parking credits, and the option contained in the draft amendments is a reasonable approach that would apply to areas where there is ample on-street parking. The Planning Commission needs to determine whether or not it wants to recommend the proposed on-street parking credit be adopted. As for the number of required off-street parking spaces, the standards included in the draft amendments for all housing types align with existing requirements. The Commission should retain these standards unless evidence is submitted into the record showing that they are inadequate. With respect to duplexes, the Commission may not require more than one off-street space per duplex unit, which equates to two per building (OAR 660-046-0120(5)(a)). This is the City's current standard.

A suggestion was made that the city impose an owner-occupancy requirement for principal dwellings, if more than one dwelling is located on a lot or parcel. This appears to be related to concerns about short-term rentals, which are not the subject of the proposed amendments. Newport's land use regulations limit short-term rentals with an overlay establishing where they are allowed coupled with a license cap. With that in mind, establishing an owner occupancy requirement would have the effect of disadvantaging month-to-month renters. The City's Housing Needs and Buildable Land Inventory identifies a need for both owner-occupied and month-month rental units, and it would be difficult for the Commission to identify a policy justification for favoring one over the other.

As noted earlier in the report, before the amendments can be adopted the City must demonstrate that it has considered housing affordability measures including, but not limited to, System Development Charge (SDC) waivers/deferrals, the assessment of an Affordable Housing Construction Excise Tax, and property tax exemptions to promote affordable housing within the limitations set forth in state law (OAR 660-046-0030(2)).

In September of 2017, Newport implemented a package of financial incentives to promote affordable housing. That package included two property tax exemption programs, one that is targeted to non-profit corporations engaged in providing low-income housing as provided in ORS 307.540 to 307.548, and the other being a program that provides a property tax exemption for multi-family rental projects consistent with ORS 307.600 to 307.637. Implementation of a third program, relating to vertical housing development zones (i.e. residential over retail), was put on hold as a result of a change in state law that delegated implementation to cities. Newport has not reconsidered implementation of that program because of the staff resources required to manage it. The adopted property tax exemptions have proven helpful in generating affordable housing, an example being a \$1.6 million, 10-year exemption that was granted to a 110-unit apartment project known as Surfview Village. Those rental units, priced at 60% median area income, were completed in 2020.

The 2017 housing incentive package further included an updated SDC Methodology that incorporated a per square foot fee for single-family detached and attached housing. That change, coupled with a streamlined capital project list, has resulted in significantly lower charges for smaller dwelling units. For example, the fee for a new home with 1,250 square feet of living space dropped from \$10,994 to \$5,189. The City has seen a modest increase in the construction of ADUs as a result of this change. Additionally, the City amended its regulations to allow a developer that possesses SDC credits associated with the construction of a qualified public improvement to transfer them to other planned housing projects in the City. Such transfers are allowed to off-set up to 50% of the SDC fees that would otherwise be due. This option has been used twice, significantly reducing SDC charges for the above referenced Surfview Village apartment project and a 66-unit, market rate apartment project known as Wyndhaven Ridge that is presently under construction.

The last major component of the 2017 housing incentives package was the adoption of a Construction Excise Tax for Affordable Housing: The tax imposed is 1% of the permit value of new development, or redevelopment that results in additional square footage being added to a structure. It applies to both commercial and residential projects. Since its inception roughly 2 ½ years ago, the tax has generated \$275,000 in funding. Per state law, 50% of the funds collected from residential projects must be used to reduce housing development fees, 35% can be used for “other affordable housing programs,” and the remaining 15% must be remitted to the Oregon Housing and Community Services Department for its home ownership down payment assistance program. On 1/4/21, the City Council established an advisory committee to recommend how the funds should be distributed. That group met for the first time on 3/25/21.

The Planning Commission was instrumental in the development of these housing incentive programs and has been actively engaged in their implementation. This effort preceded the adoption of HB 2001 and has been ongoing throughout the course of the development of land use regulations to implement the house bill. This hearing is an opportunity for the Commission to confirm that housing incentive options have been duly considered, and the programs the City is implementing are adequate at this time.

- VIII. **Conclusion and Recommendation:** The Planning Commission should review the proposed amendments and make a recommendation to the City Council as to whether or not they are necessary and further the general welfare of the community. This would be done by motion and vote of the Commission members present. The Commission recommendation can include suggested changes to the proposed amendments. The draft changes include policy alternatives related to ADUs and on-street parking credits for new residential development. The Commission should provide specific direction regarding these issues. A second motion by the Commission is needed to confirm that it has considered housing incentives, and those adopted by the City in 2017 are sufficient at this time.

If the Commission is not prepared to make a recommendation, or desires additional information before it does so, then it may continue the hearing to a date certain. The Commission’s next regular meeting agenda is full, so the next available hearing date/time would be May 10, 2021 at 7pm.



Derrick I. Tokos, AICP
Community Development Director
City of Newport

April 9, 2021

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Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strikethrough~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

The following changes are proposed to NMC 14.01.020, Definitions:

~~**Court Apartments.** Multiple dwellings arranged around two or three sides of a court opening upon a street.~~

Staff: This concept is addressed in Section 14.11 (below). It is being deleted because the related language in Section 14.11 will now apply to all dwellings. As drafted, a duplex or cluster of duplexes meet this definition. That is problematic under Section 14.11 because it invokes setback requirements that do not presently apply to single family detached dwellings. OAR 660-046-120 prohibits cities from applying setbacks to duplex units that do not apply to single-family dwellings.

~~**Dwelling, Duplex; or Dwelling, Two-Family.** A detached building containing two dwelling units. A building containing two attached dwelling units on one lot or parcel. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an Accessory Dwelling Unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.~~

Staff: This definition has been amended to align more closely with the definition of "Duplex" in Section B of the model code. It also conforms to the definition for "Duplex" now listed in OAR 660-046-0020(4). Note the interplay with the definition of an ADU. ORS 197.312(5) requires cities to allow at least one ADU for every single family detached dwelling in residential zones where single family detached dwellings are allowed. That includes all four of the City's residential zones and some C-2 zoned areas in Nye Beach. The City has gone further and allows one ADU on a lot or parcel developed with single-family attached housing (NMC 14.16.050(B)). This means that all parcels or lots zoned for residential use will be eligible for up to three (3) units, assuming other clear and objective development standards can be met (i.e. a duplex plus one detached ADU). ORS 197.312(5) prohibits off-street parking requirements for new ADUs. Definition was revised in response to 3/54/21 comments from Lisa Phipps, DLCD to clarify that a duplex is a building containing two attached units on a lot or parcel. More than one duplex can be constructed on a lot or parcel if the property is sufficiently large enough per the density limits listed in Table A, footnote 2. Construction of more than one duplex on a lot will not make them a multi-family development. This is in line with the previous definitions and is consistent with how building codes would apply to such developments.

~~**Dwelling, Triplex; or Dwelling, Three-Family.** A detached building containing three dwelling units.~~

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~~**Dwelling, Fourplex; or Dwelling, Four-Family.** A detached building containing four dwelling units.~~

~~**Dwelling, Multi-Family.** A building containing five or more dwelling units. A building containing three or more attached dwelling units on one lot or parcel.~~

Staff: Definitions for triplex and fourplex units are being deleted in favor of a single multi-family definition that applies to three or more dwelling units on a single lot or parcel. The list of allowed residential uses in NMC 14.03.050 does not include these terms. Rather it jumps from two-family to multi-family. This change also aligns with how building codes are applied, with single family detached and duplex construction being subject to the Oregon Residential Specialty Code and the construction of three or more attached units being subject to the Oregon Structural Specialty Code. The terms "triplexes" and "fourplexes" are used elsewhere in Chapter 14 in a few isolated locations, which I have addressed below. Definition was revised to include lead language that reads "A building containing..." in response to comments dated 3/4/21 from Lisa Phipps, DLCD, to clarify that a multi-family dwelling is three or more dwelling units contained within a building (as opposed to two or more duplexes on the same lot or parcel).

~~**Lot.** A parcel or tract of land which is occupied or may be occupied by a structure or a use, together with yards and other open space. A lawfully established unit of land.~~

~~**Parcel.** Same as definition of "lot."~~

~~**Tract.** Two or more contiguous lots or parcels under common ownership.~~

Staff: These changes break up the City's existing definition that comingles the terms. Definitions for the terms "lot" and "parcel" conform to the definition listed in OAR 660-046-0020(5). The new definition for "tract" maintains the allowance in the City's existing definition of "lot" that allows someone that owns parcels to develop them as if they were a single unit of land (i.e. a home being built over a common lot line).

~~**Dwelling, Cottage.** means an individual dwelling unit that is part of a cottage cluster.~~

~~**Cottage cluster.** means a grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet, located on a single lot or parcel that includes a common courtyard. Cottage cluster may also be known as "cluster housing," "cottage housing," "bungalow court," "cottage court," or "pocket neighborhood."~~

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Cottage cluster project. means a tract with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

Staff: These three definitions are being added because the Commission expressed an openness to allowing cottage clusters as a housing option. There are two examples in the City, one that was constructed in the Wilder Planned Development and the other is under construction under conventional code provisions along the east side of NW Coast Street north of 6th Street. The definitions substantially align with the definitions contained in DLCD's draft Model Code for Large Cities. The one deviation is in the definition for cottage cluster project where I have replaced the term "development site" with "tract." The terms appear to be describing the same thing; however, the City code will have a definition for "tract."

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

Townhouse project. means one or more townhouse structures constructed, or proposed to be constructed, together with the lot, parcel, or tract where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and the commonly owned property, if any.

Staff: A definition for "townhouse" is presently contained in NMC Chapter 14.31. It will be moved to the chapter that contains all other definitions and has been revised to align with the definition contained in DLCD's draft Model Code for Large Cities. The definition for "townhouse project" is new and substantially conforms with language in the same model code. It is necessary to make some adjustments to the townhouse provisions in order to distinguish them from duplexes.

The following changes are proposed to NMC 14.03.050, Definitions:

14.03.050 Residential Uses.
The following list sets forth the uses allowed within the residential land use classification. Uses not identified herein are not allowed. Short-term rentals are permitted uses in the City of Newport's R-1, R-2, R-3 and R-4 zone districts subject to requirements of Chapter 14.25 Section 14.25.

"P" = Permitted uses.

"C" = Conditional uses; permitted subject to the approval of a conditional use permit.

"X" = Not allowed.

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	R-1	R-2	R-3	R-4
A. Residential				
1. Single-Family	P	P	P	P
2. Two-Family	XP	P	P	P
3. Townhouse	X	P	P	P
4. Cottage Cluster	X	X	P	P
5. Multi-Family	X	X	P	P
6. Manufactured Homes ^{*1}	P	P	P	P
7. Mobile Home Manufactured Dwelling Park	X	P	P	P
B. Accessory Dwelling Units	P	P	P	P
(B. was added on the adoption of Ordinance No 2055 on June 17, 2013; and subsequent sections relettered accordingly. Effective July 17, 2013.)				
C. Accessory Uses	P	P	P	P
D. Home Occupations	P	P	P	P
E. Community Services				
1. Parks	P	P	P	P
2. Publicly Owned Recreation Facilities	C	C	C	C
3. Libraries	C	C	C	C
4. Utility Substations	C	C	C	C
5. Public or Private Schools	C	C	C	P
6. Child Care Facilities	P	P	P	P
7. Day Care Facilities	C	C	C	C
8. Religious Institutions/Places of Worship	C	C	C	C
F. Residential Care Homes	P	P	P	P
G. Nursing Homes	X	X	C	P
H. Bed and Breakfast Inns	X	X	C	C
I. Motels and Hotels	X	X	X	C
J. Professional Offices	X	X	X	C
K. Rooming and Boarding Houses	X	X	C	P
L. Beauty and Barber Shops	X	X	X	C
M. Colleges and Universities	C	C	C	C
N. Hospitals	X	X	X	P
O. Membership Organizations	X	X	X	P
P. Museums	X	X	X	P
Q. Condominiums ²	XP	P	P	P
R. Hostels	X	X	X	C
S. Golf Courses	C	C	C	X
T. Recreational Vehicle Parks	X	X	X	C
U. Necessary Public Utilities and Public Service Uses or Structures	C	C	C	C
V. Residential Facility*	X	X	P	P
W. Movies Theaters**	X	X	X	C
X. Assisted Living Facilities***	X	C	P	P
Y. Bicycle Shop****	X	X	X	C
Z. Short-Term Rentals (subject to requirements of Chapter 14.25)	P	P	P	P

1. Manufactured homes may be located on lots, parcels or tracts outside of a manufactured dwelling park subject to the provisions listed in NMC 14.06.020.

2. Condominiums are a form of ownership allowed in all zones within dwelling types otherwise permitted pursuant to subsection (A).

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Staff: Two-family dwellings will now be allowed in R-1 zones. It is required to comply with HB 2001 (2019) since single-family dwellings are allowed on lots and parcels in this zone. Townhouse and cottage cluster development options have been added. The Commission may want to consider whether or not "cottage clusters" should be allowed in the R-2 as well. The townhouse allowance in the R-2, R-3, and R-4 zone districts is consistent with what the City presently allows pursuant to NMC 14.31.030. Mobile homes, by definition, are manufactured units constructed between 1962 and 1976. No new parks for these units are being built, so the provision for mobile home parks is being removed and replaced with "Manufactured Dwelling Parks." as a cleanup item. Existing mobile home parks are non-conforming. Manufactured Dwelling Parks are currently allowed in R-2, R-3, and R-4 zones per NMC 14.06.030.

A duplex can be a manufactured home, in which case it would be subject to the same siting and design standards as manufactured homes that are a single dwelling. Condominiums are a form of ownership that exists where there are two or more units on a property. Now that duplex units are allowed in R-1 zones it is necessary to also allow condominiums, as there are a handful of examples in the City where there are two-unit condominium projects. Amended footnote 2 to note that condominiums are a form of ownership allowed in all dwelling types. Reference to Bed and Breakfast Inns is being deleted as outdated legacy term. It was replaced with the term "Bed and Breakfast Facility" with Ordinance No. 2032, 7/1/12, and was allowed in all residential zones. The term "Bed and Breakfast facility was later folded under the definition of "Short-Term Rental."

The following changes are proposed to NMC Chapter 14.11, Required Yard and Setbacks:

14.11.010 Required Yards

A building, or portion thereof, hereafter erected shall not intrude into the required yard listed in Table A of NMC 14.13.020 for the zone indicated.

Staff: This change is being made to clarify where Table A is located in the Municipal Code.

14.11.020 Required Recreation Areas

All ~~multiple-family~~multi-family dwellings, ~~condominiums~~, hotels, motels, ~~mobile home parks, trailer parks~~manufactured dwelling parks, and recreational vehicle parks shall provide for each unit a minimum of 50 square feet of enclosed outdoor area landscaped or improved for recreation purposes exclusive of required yards such as a patio, deck, or terrace.

Staff: The term multiple-family is used only in two other locations. It should be multi-family. The outdated terms "mobile home park" and "trailer park" have also been deleted and replaced with manufactured dwelling parks. Deleted condominiums per feedback from Commission at 12/14/20 work session.

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14.11.030 Garage Setback

The entrance to a garage or carport shall be set back at least 20 feet from the access street for all residential structures.

14.11.040 Yards for Group Buildings

A. In case of group buildings on one lot, parcel, or tract including institutions and dwellings, the yards on the boundary of the lots, parcel, or tract shall not be less than required for one building on one lot or parcel in the district in which the property is located.

Staff: This change is needed to account for the fact that the terms lot, parcel, and tract are no longer comingled in the City's definitions.

B. The distance between group buildings and on one lot property lines interior to a tract shall ~~be twice the width of the required side, front, or rear yards~~ satisfy yard requirements that apply to a lot or parcel in the district in which the property is located, except as provided in NMC 14.11.050(D). ~~in the case of yard combinations that no yard be required to exceed 25 feet.~~

Staff: This section was drafted to ensure that buildings constructed on contiguous properties met internal lot lines unless the yards were combined. It is a bit convoluted. The change clarifies that yards from interior lines must be met except as provided in a new NMC 14.11.050(D).

C. In the case of ~~court apartments dwelling units~~ dwelling units rearing on side yards, the required side yards shall be increased two feet in width for each dwelling unit rearing thereon.

Staff: The term court apartments is eliminated in favor of dwellings in a general sense. The definition of court apartments, which is being deleted, could apply to duplex units which is problematic under OAR 660-046-120. Multi-family is the most common project that can orient to a side yard in this manner.

D. No ~~court serving a group of dwelling units court~~ shall be less than 25 feet in width.

Staff: Court is a defined term, which reads "An open, unoccupied space on the same lot with the building or buildings and which is bounded on two or more sides by such building or buildings. An open, unoccupied space bounded by one "L" shaped building, which is not a court but a yard."

E. In the R-3 and R-4 zones where ~~three or more commercial or residential multi-family~~ multi-family dwelling units are in a continuous row on an interior lots, parcel, or tract rearing on one side yard and fronting upon another side yard, the side yard on which the multi-family dwelling rears shall not be less than eight feet. The side yard on which the multi-family dwellings fronts shall not be less than 18 feet in width.

Staff: Buildings with three or more dwelling units are multi-family. This change indicates as much.

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14.11.050 General Exceptions to Required Yard

A. Front Yards.* In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of what has been established for the adjoining front yards.

B. Projections Into Yards. Every part of a required yard shall be open from the ground to the sky, unobstructed except for the following:

1. Accessory building in the rear yard as provided in Section 14.16.*

*(*Sentence amended by Ordinance No. 2011 (2-18-11).)*

2. Ordinary building projections such as cornices, eaves, belt courses, sills, or similar architectural features may project into side yards not more than 12 inches or into front and rear yards not more than 24 inches.

3. Chimneys may project into any required yard not more than 16 inches.

4. Uncovered balconies or fire escapes may project into any required yard not more than one foot.

5. Uncovered terraces may project or extend into a required front yard not more than five feet or into a required side yard not more than one foot or into a required court not more than six feet. The regulations contained in this paragraph shall not apply to paved parking or driveway areas at ground level.

C. Dwelling Units Above Stores. Yards are not required for dwellings above businesses unless the dwelling area exceeds 50% of the floor area of the business dwelling.

D. Buildings on a Tract. Required yards shall apply to the boundary of the tract. In cases where a single building or group of buildings do not meet the yard requirements that would apply to property lines interior to the tract were they to be developed as single lots or parcels, a deed restriction, in a form approved by the City, shall be recorded stating that the property upon which the building or buildings is located cannot be sold or otherwise transferred. This restriction shall remain in effect until the interior property lines are eliminated or yard requirements that would apply to the property as a single lot or parcel are met.

Staff: These address situations where an individual is developing a tract and desires to build over interior lot lines or does not wish to address setbacks that would typically apply to interior lot lines because they do not intend to sell the lots individually. It is allowable now given the city's definition of lot. The deed restriction component is not currently addressed in the zoning code. We have picked it up as an alternative method under the building code to avoid having to require a firewall at the property boundary.

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The following changes are proposed to NMC 14.12.020, General Exceptions to Lot Size Requirements:

14.12.020 General Exceptions to Lot Size Requirements

A residentially zoned lot having less width or less area than required under the terms of this ordinance that was of record prior to December 5, 1966, may be occupied by a ~~one-family dwelling units~~ single-family dwelling or two-family dwelling, provided all yard requirements (setbacks) are complied with. Substandard lots in R-3 and R-4 zones may be occupied by multi-family dwellings not exceeding the density limitations for that zone provided in Table A, as provided in Section 14.13 herein below, but only upon allowance of a conditional use in accordance with the provisions of Section 14.33, Conditional Uses, and Section 14.52, Procedural Requirements.*

Staff: OAR 660-046-105(1) requires that cities allow a duplex/two-family dwelling on every lot or parcel that allows a single-family detached dwelling. This change is required to comply with the rule.

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The following changes will replace the existing Table A in NMC 14.13.020. A copy of the existing Table A is attached for reference.

Table "A"

Zone District	Min. Lot Area (sf)	Min. Width	Required Setbacks ^{3,7}			Lot Coverage (%)	Max. Building Height	Density (Land Area Required Per Unit (sf))
			Front/2 nd Front ¹	Side	Rear			
R-1	7,500 sf	65-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft & 8-ft	15-ft	54 %	30-ft	SFD - 7,500 sf ² Duplex - 3,750 sf ²
R-2	5,000 sf ³	50-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft	10-ft	57%	30-ft	SFD - 5,000 sf ² Duplex - 2,500 sf ² Townhouse - 2,500 sf ³
R-3	5,000 sf ³	50-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft	10-ft	80%	35-ft	1,250 sf ³
R-4 ⁴	5,000 sf ³	50-ft	15-ft / 15-ft or 20-ft / 10-ft	5-ft	10-ft	64%	35-ft	1,250 sf ^{3,5}
C-1	5,000 sf	0	0	0	0	85-90% ⁶	50-ft ⁶	n/a
C-2 ⁴	5,000 sf	0	0	0	0	85-90% ⁶	50-ft ⁶	n/a
C-3	5,000 sf	0	0	0	0	85-90% ⁶	50-ft ⁶	n/a
I-1	5,000 sf	0	50-ft from US 101	0	0	85-90% ⁶	50-ft ⁶	n/a
I-2	20,000 sf	0	50-ft from US 101	0	0	85-90% ⁶	50-ft ⁶	n/a
I-3	5 acres	0	50-ft from US 101	0	0	85-90% ⁶	50-ft ⁶	n/a
W-1	0	0	0	0	0	85-90% ⁶	40-ft ⁶	n/a
W-2	0	0	0	0	0	85-90% ⁶	35-ft ⁶	n/a
MU-1 to MU-10 Mgmt. Units	0	0	0	0	0	100%	40-ft ⁶	n/a
P-1	0	0	0	0	0	100%	50-ft	n/a
P-2	0	0	0	0	0	100%	35-ft	n/a
P-3	0	0	0	0	0	100%	30-ft	n/a

¹ Front and second front yards shall equal a combined total of 30-feet. Garages and carports shall be setback at least 20-feet from the access street for all residential structures.

² Density limitations apply where there is construction of more than one single-family dwelling (SFD) or duplex on a lot or parcel.

³ Density limitations for townhouses and cottage clusters is the minimum area required per townhouse or cottage cluster unit; whereas, minimum lot area, minimum lot width, and setbacks, apply to the perimeter of the lot, parcel, or tract dedicated to the townhouse or cottage cluster project.

⁴ Special Zoning Standards apply to R-4 and C-2 zoned property within the Historic Nye Beach design Review District as outlined in NMC 14.30.100.

⁵ Density of hotels, motels, and non-residential units shall be one unit for every 750 sf of land area.

⁶ Height limitations, setbacks, and lot coverage requirements for property adjacent to residential zones are subject to the height and yard buffer requirements of NMC Section 14.18.

⁷ Front and 2nd front setbacks for a townhouse project or cottage cluster project shall be 10-feet except that garages and carports shall be setback a distance of 20-feet.

Staff: Residential dimensional standards have been revised to allow duplex units in all zones and to account for townhouse and cottage cluster projects.

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The following changes are proposed to NMC 14.14.030, Number of Parking Spaces Required:

14.14.030 Number of Parking Spaces Required

A. Off-street parking shall be provided and maintained as set forth in this section. Such off-street parking spaces shall be provided prior to issuance of a final building inspection, certificate of occupancy for a building, or occupancy, whichever occurs first. For any expansion, reconstruction, or change of use, the entire development shall satisfy the requirements of [Section 14.14.050](#), Accessible Parking. Otherwise, for building expansions the additional required parking and access improvements shall be based on the expansion only and for reconstruction or change of type of use, credit shall be given to the old use so that the required parking shall be based on the increase of the new use. Any use requiring any fraction of a space shall provide the entire space. In the case of mixed uses such as a restaurant or gift shop in a hotel, the total requirement shall be the sum of the requirements for the uses computed separately. Required parking shall be available for the parking of operable automobiles of residents, customers, or employees, and shall not be used for the storage of vehicles or materials or for the sale of merchandise. A site plan, drawn to scale, shall accompany a request for a land use or building permit. Such plan shall demonstrate how the parking requirements required by this section are met.

Parking shall be required at the following rate. All calculations shall be based on gross floor area unless otherwise stated.

1.	General Office	1 space/600 sf
2.	Post Office	1 space/250 sf
3.	General Retail (e.g. shopping centers, apparel stores, discount stores, grocery stores, video arcade, etc.)	1 space/300 sf
4.	Bulk Retail (e.g. hardware, garden center, car sales, tire stores, wholesale market, furniture stores, etc.)	1 space/600 sf
5.	Building Materials and Lumber Store	1 space/1,000 sf
6.	Nursery – Wholesale Building	1 space/2,000 sf 1 space/1,000 sf
7.	Eating and Drinking Establishments	1 space/150 sf
8.	Service Station	1 space/pump

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9.	Service Station with Convenience Store	1 space/pump + 1 space/ 200 sf of store space
10.	Car Wash	1 space/washing module + 2 spaces
11.	Bank	1 space/300 sf
12.	Waterport/Marine Terminal	20 spaces/berth
13.	General Aviation Airport	1 space/hangar + 1 space/300 sf of terminal
14.	Truck Terminal	1 space/berth
15.	Industrial	1.5 spaces
16.	Industrial Park	1.5 spaces/5,000 sf
17.	Warehouse	1 space/2,000 sf
18.	Mini-Warehouse	1 space/10 storage units
19.	Single-Family Detached Residence (one space may be the driveway between garage and front property line)	2 spaces/dwelling
20.	Duplex	1 space/dwelling
21.	Apartment	1 space/unit for first four units + 1.5 spaces/unit for each Additional unit
22.	Condominium (Residential)	1.5 spaces/unit
23.	Townhouse	1.5 spaces/unit
24.	Cottage Cluster	1 space/unit
2325.	Elderly Housing Project	0.8 space/unit if over 16 dwelling units
2426.	Congregate Care/Nursing Home	1 space/1,000 sq. ft.
2527.	Hotel/Motel	1 space/room + 1 space for the manager (if the hotel/motel contains other uses, the other uses Shall be calculated separately)
2628.	Park	2 spaces/acre
2728.	Athletic Field	20 spaces/acre
2830.	Recreational Vehicle Park	1 space/RV space + 1 space/10 RV spaces
2931.	Marina	1 space/5 slips or berths
3032.	Golf Course	4 spaces/hole
3133.	Theater	1 space/4 seats
3234.	Bowling alley	4 spaces/alley
3335.	Elementary/Middle School	1.6 spaces/classroom
3436.	High School	4.5 spaces/classroom
3537.	Community College	10 spaces/classroom
3638.	Religious/Fraternal Organization	1 space/4 seats in the main auditorium
3739.	Day Care Facility	1 space/4 persons of license occupancy
3840.	Hospital	1 space/bed
3941.	Assembly Occupancy	1 space/8 occupants (based on 1 occupant/15 sf of exposition/meeting/assembly room conference use not elsewhere specified)

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B. On-Street Credit. A dwelling unit on property zoned for residential use, located outside of special parking areas as defined in NMC 14.14.100, shall be allowed an on-street parking credit that reduces the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property subject to the following limitations:

1. On-street parking is available on both sides of the street adjacent to the property; and
2. The dwelling unit is not a short-term rental; and
3. Each on-street parking space is 22-ft long by 8-ft wide unless an alternate configuration has been approved and marked by the City of Newport; and
4. Each on-street parking space to be credited must be completely abutting, and on the same side of the street, as the subject property. Only whole spaces qualify for the on-street parking credit; and
5. On-street parking spaces will not obstruct a clear vision area required pursuant to Section 14.17; and
6. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are allowed except as authorized by the City of Newport.

Staff: Parking ratios for townhouses and cottage clusters have been added. The townhouse ratio is what is presently required in Section 14.31. The cottage cluster ratio is what DLCD's Model Code recommends for units over 1,000 sf in size. It recommends no parking requirements below that size. The ratio for single family dwellings has been amended to allow both off-street spaces to be situated on a driveway. OAR 660-046-0120(5) sets out parking limitations for medium sized cities. It prohibits cities from requiring more than 2 off-street spaces. Newport's current requirement of one off-street space per dwelling unit is compliant. DLCD's Model Code for Medium size cities recommends that off-street parking not be required for duplexes. DLCD encourages cities to provide on-street parking credits and language is included with the cottage cluster provisions in the Model Code for Large Cities. Newport currently offers on-street credits in the Historic Nye Beach Design review District. The above language would extend the concept to residentially zoned areas elsewhere in the city. Added a new (B)(1) based upon discussion with the Commission at a 12/14/20 work session, advising that the on-street credit is only available where on-street parking is available on both sides of a street. Clarified (B)(4) to indicate that credited parking must be on the same side of the street as the dwelling, which is what "abutting" was intended to mean.

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The following changes are proposed to NMC 14.16.050(B), Development Standards for Accessory Dwelling Units:

POLICY ALTERNATIVES

Option No. 1:

- B. A maximum of one Accessory Dwelling Unit is allowed for each detached single-family dwelling or townhouse on a lot or parcel. In cases where a property lot or parcel is developed with ~~one or more single family attached a two-family~~ dwellings, a maximum of one, detached Accessory Dwelling Unit is allowed per lot or parcel.

Staff: This change amends existing language to clarify that ADUs are an option on parcels/lots developed with townhomes. It also clarifies that an ADU associated with a duplex must be detached to avoid it being a multi-family development (i.e. three or more units). This option is more permissive than what is required of local governments under ORS 197.312(5).

Option No. 2:

- B. A maximum of one Accessory Dwelling Unit is allowed for each detached single-family dwelling on a lot or parcel. ~~In cases where a property is developed with one or more single family attached dwellings, a maximum of one Accessory Dwelling Unit is allowed per lot or parcel.~~

Staff: This language lines up exactly with ORS 197.312(5) and is the minimum accommodation the City must make for ADUs. The language could be adjusted to allow ADUs with townhouses, if the Commission desires. Although the City currently allows an ADU when associated single-family attached dwelling, it wouldn't be unreasonable for the Commission to dial the allowance back given that HB 2001 is now expanding where duplex units are permitted and the potential compounding effect of ADUs associated with single-family attached units in areas where infrastructure is scaled for low-density residential development.

The following changes are proposed to NMC 14.19, Landscaping:

14.19.030 Applicability

The provisions of this ordinance shall apply to all new commercial, industrial, public/institutional, and multi-family development, including additions to existing development or remodels, ~~other than single family and two-family dwelling units.~~

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14.19.040 General Requirements

The objective of this section is to encourage the planting and retention of existing trees and other vegetation to improve the appearance of off-street parking areas, yard areas and other vehicular use areas; to protect and preserve the appearance, character, and value of surrounding properties, and thereby promote the general welfare, safety and aesthetic quality of the City of Newport; to establish buffer strips between properties of different land uses in order to reduce the effects of sight and sound and other incompatibilities between abutting land uses; to insure that noise, glare and other distractions within one area does not adversely affect activity within the other area. Prior to the issuance of a building permit, landscaping plans showing compliance with this section are required.

- A. No landscape plan submitted pursuant to this section shall be approved unless it conforms to the requirements of this ordinance.
- B. Landscape plans shall be submitted for all development ~~other than one and two-family residential~~. Said plans shall include dimensions and distances and clearly delineate the existing and proposed building, parking space, vehicular access and the location, size and description of all landscape areas and materials.

Staff: Section 14.19.030 (above) and 14.19.040 have been amended to note that landscape plans are only required for multi-family residential and non-residential development. Townhomes and cottage cluster projects will not be subject to the provisions of this chapter. Separate design standards are provided for these uses.

The following changes are proposed to NMC 14.28.060, Iron Mountain Impact Area, Uses Permitted in an R-4 Zoning District:

14.28.060 Uses Permitted in an R-4/"High Density Multi-Family Residential" Zoning District****

The following uses are allowed subject to the criteria and standards of the underlying zone and the criteria and standards contained in [Section 14.28.140](#) of this Code:

- A. ~~Dwellings~~Single-Family Dwellings, Including Accessory Buildings Such As Meeting Rooms and Recreational Areas.
- B. Manufactured Homes.
- C. Two-Family Dwellings.
- D. Townhomes.

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E. Cottage Clusters.

FB. ~~Condominiums~~ Multi-Family.

GG. ~~Mobile Home~~ Manufactured Dwelling Parks.

DH. Child Care Facilities.

EJ. Uses Related to Federal or State Subsidized Low Income Housing Projects, Including, but not limited to, Head Start, Tenants Associations, and the like.

J. Accessory Uses and Structures pursuant to Section 14.16.

Staff: At a minimum this section must be amended to allow two-family dwellings to comply with OAR 660-046-115, which stipulates that cities must allow two-family dwellings where single-family dwellings are allowed. Other residential uses added are within the range of residential densities presently allowed within the overlay.

The following changes are proposed to NMC 14.30, Design Review Standards :

14.30.070 Application Submittal Requirements

- B. For requests that are subject to Planning Commission review for compliance with design guidelines, an application for Design Review shall consist of the following:
1. Submittal requirements for land use actions listed in Section 14.52.050.
 2. Exterior elevations of all buildings on the site as they will appear after development. Such plans shall indicate the material, texture, shape, and other design features of the building(s), including all mechanical devices.
 3. A parking and circulation plan illustrating all parking areas, drive isles, stalls, and points of ingress/egress to the site.
 4. A landscape plan showing the location, type and variety, size and any other pertinent features of the proposed landscaping and plantings for projects that involve ~~multiple-family (more than 2 units)~~ multi-family, commercial, and public/institutional development.

Staff: This is the only other area in the code where the term multiple-family was used. It is being changed to multi-family for consistency. This revision is not substantive as the term multi-family is defined as three or more dwelling units.

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14.30.080 Permitted Uses

In addition to uses permitted outright or conditionally in the underlying zoning district, the following uses are permitted within areas subject to design review.

A. Historic Nye Beach Design Review District.

1. Tourist Commercial (C-2) zoned property.

- a. Up to five (5) multi-family dwelling units per lot or parcel are permitted outright provided they are located on a floor other than a floor at street grade.
- b. A single-family residence is permitted outright if located on a floor other than a floor at street grade.
- c. A single-family residence is permitted outright, including the street grade floor, within a dwelling constructed prior to January 1, 2004. Residential use at the street grade is limited to the footprint of the structure as it existed on this date.
- d. Single family, duplex, ~~townhouses, cottage clusters triplex, fourplex~~ and multi-family dwelling units, including at the street grade, are permitted outright on property located south of NW 2nd Court and north of NW 6th Street, except for properties situated along the west side of NW Cliff Street.

Staff: This is one of two areas in the Municipal Code where the terms "triplex" and "fourplex" are used. The terms are being deleted in favor of multi-family. This is not a substantive change since the definition of multi-family encompasses these forms of development. Adding the terms townhomes and cottage clusters is for clarity as these types of uses were permitted as an individual or group of single-family or duplex units, they just weren't called out.

The following changes will replace the existing Section 14.31, Townhouses. A copy of the existing Section is attached for reference.

CHAPTER 14.31 TOWNHOUSES AND COTTAGE CLUSTERS

14.31.010 Purpose

The purpose of this section is to establish specific development criteria and design parameters for townhouse and cottage cluster developments to provide middle housing options and provide design guidance, to protect the public health, safety, and welfare.

14.31.020 Development Standards

- A. Perimeter Requirements. Minimum lot area, lot width, setbacks, lot coverage and building height requirements for a townhouse project or cottage cluster project shall be as specified in NMC 14.13.020, Table A. Such standards apply to the perimeter of

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the lot, parcel, or tract upon which the townhouse project or cottage cluster project is to be constructed. Front and 2nd front setbacks for a townhouse project or cottage cluster project shall be 10-feet, except that garages and carports shall be setback a distance of 20-feet consistent with NMC 14.11.030.

B. Maximum Density.

1. **Townhouse.** One dwelling unit for every 3,750 sf of land in the R-1 zone district, one unit for every 2,500 sf of land in the R-2 zone district, and one unit for every 1,250 sf of land in R-3 and R-4 zone districts.

2. **Cottage Clusters.** One dwelling unit for every 1,250 sf in R-3 and R-4 zone districts.

C. Minimum Lot Size. None.

D. Off-Street parking Requirements. As specified in Section 14.14.

E. Unit Size. The maximum average floor area for a cottage cluster shall not exceed 1,400 sf per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

F. Minimum Outdoor Open Space/Patio Area. 150 sf per townhouse unit.

G. Utilities. Each dwelling unit shall be served by separate utilities.

Staff: These provisions are generally consistent with what the City presently allows. Cottage cluster and townhouse projects are treated similarly with many of the development standards applying to the perimeter of the lot, parcel, or tract that is being developed.

14.31.030 Number of Units in Building

No building in a townhouse project may exceed six townhouse dwelling units.

Staff: This is an existing limitation in Section 14.31 and would prohibit large rowhouse development.

14.31.040 Townhouse Design Standards

A. New townhouses shall meet the following design standards:

1. **Entry Orientation.** The main entrance of each townhouse must:

a. Be within 8 feet of the longest street-facing wall of the dwelling unit; and

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b. Either:

- i. Face the street (see Figure 14);
- ii. Be at an angle of up to 45 degrees from the street (see Figure 15);

Figure 14. Main Entrance Facing the Street

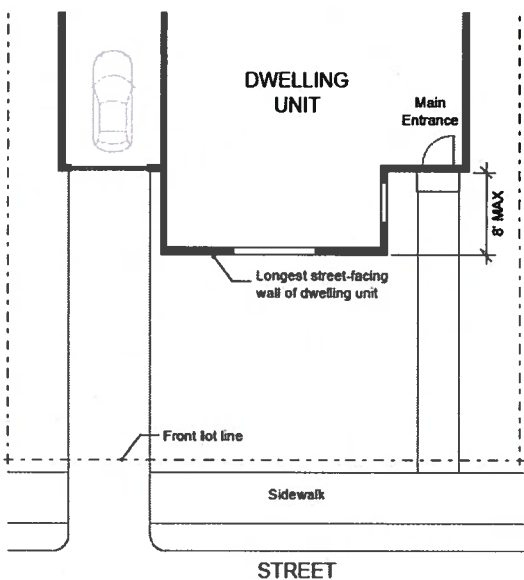
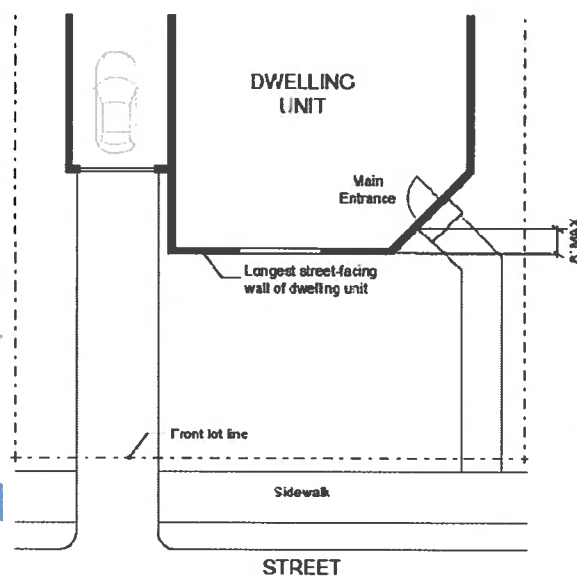


Figure 15. Main Entrance at 45° Angle from the Street



iii. Face a common open space or private access or driveway; or

iv. Open onto a porch (see Figure 17).
The porch must:

- (A) Be at least 25 square feet in area;
- and (B) Have at least one entrance facing the street or have a roof.

2. **Unit Definition.** Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 23):

- a. A roof dormer a minimum of 4 feet in width, or
- b. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
- c. A bay window that extends from the facade a minimum of 2 feet, or

Figure 17. Main Entrance Opening onto a Porch

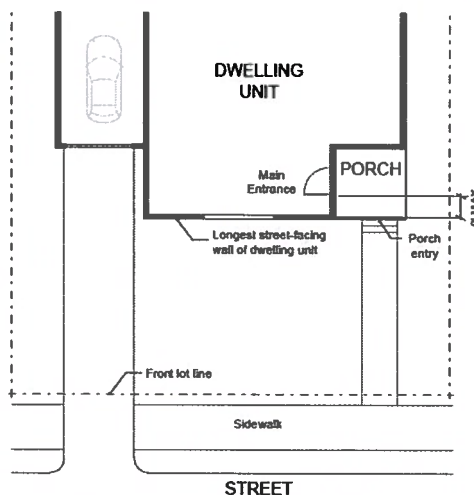
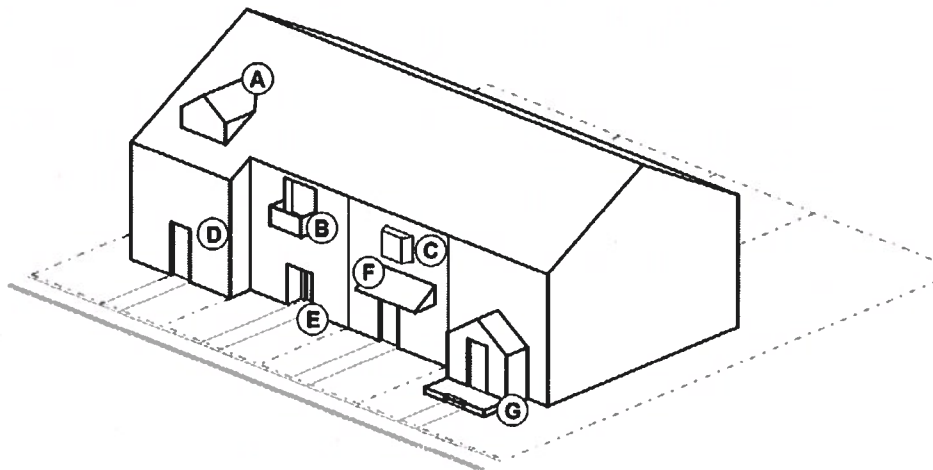


Figure 23. Townhouse Unit Definition



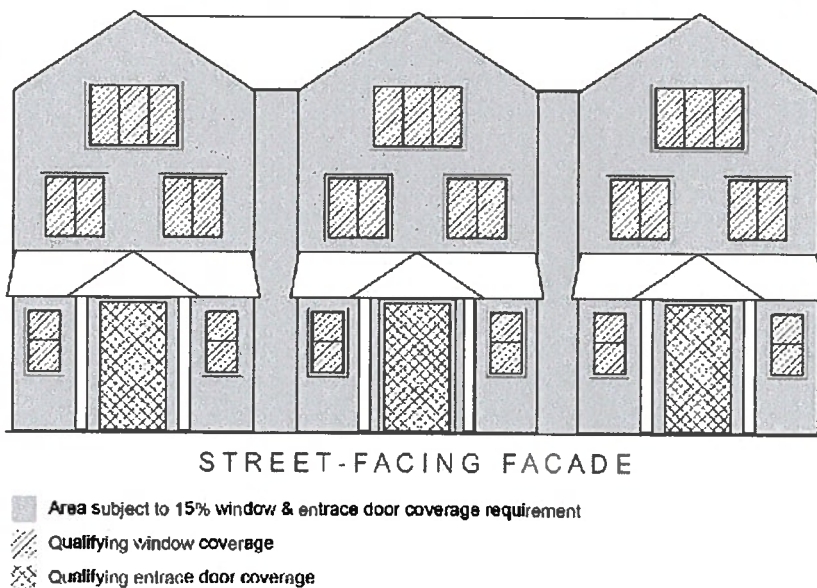
- (A) Roof dormer, minimum of 4 feet wide
- (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C) Bay window extending minimum of 2 feet from facade
- (D) Facade offset, minimum of 2 feet deep
- (E) Recessed entryway, minimum 3 feet deep
- (F) Covered entryway, minimum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

- d. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the facade of a single townhouse, or
- e. An entryway that is recessed a minimum of 3 feet, or
- f. A covered entryway with a minimum depth of 4 feet, or
- g. A porch meeting the standards of subsection (1)(b)(iv) of this section.

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3. **Windows.** A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 18.

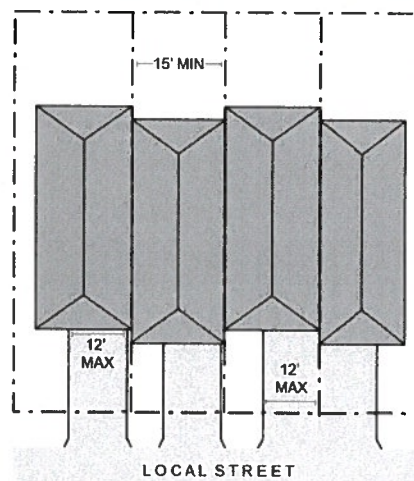
Figure 18. Window Coverage



4. **Driveway Access and Parking.** Townhouses with frontage on a public street shall meet the following standards:

Figure 24. Townhouses with Parking in Front Yard

- a. Garages on the front facade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are prohibited unless the following standards are met (see Figure 24). For the purposes of this section, "driveway approach" means the edge of a driveway where it abuts a public right-of-way.



- i. Each townhouse lot has a street frontage of at least 15 feet on a local street; and
- ii. A maximum of one (1) driveway approach is allowed for every townhouse. Driveways may be shared; and
- iii. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot; and

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- iv. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.
- b. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (a).
 - i. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse; and

Figure 25. Townhouses on Corner Lot with Shared Access

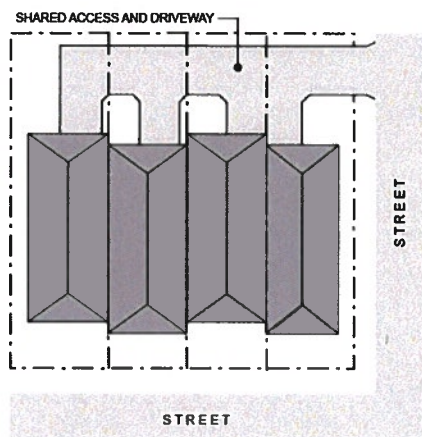
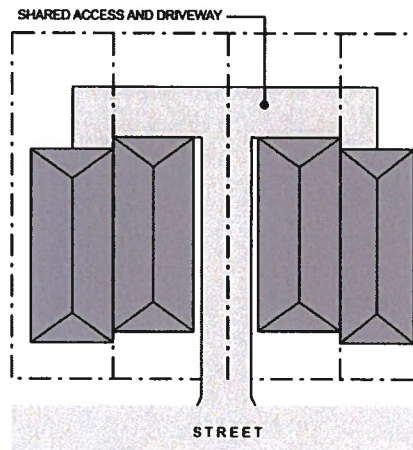


Figure 26. Townhouses with Consolidated Access



- ii. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 25; and
 - iii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 26; and
 - iv. A townhouse project that includes consolidated access or shared driveways shall grant appropriate access easements to allow normal vehicular access and emergency access.
- c. Townhouse projects served by an alley providing access to the rear yards of all units are exempt from compliance with subsection (b).

Staff: The design standards listed above have been taken from DLCD's draft Model Code for Large Cities. I did not have time to convert the graphics; however, I left the figure numbers so that you can cross-reference to the model code that includes the graphics. A copy of the model code is enclosed. Adopting design standards is optional.

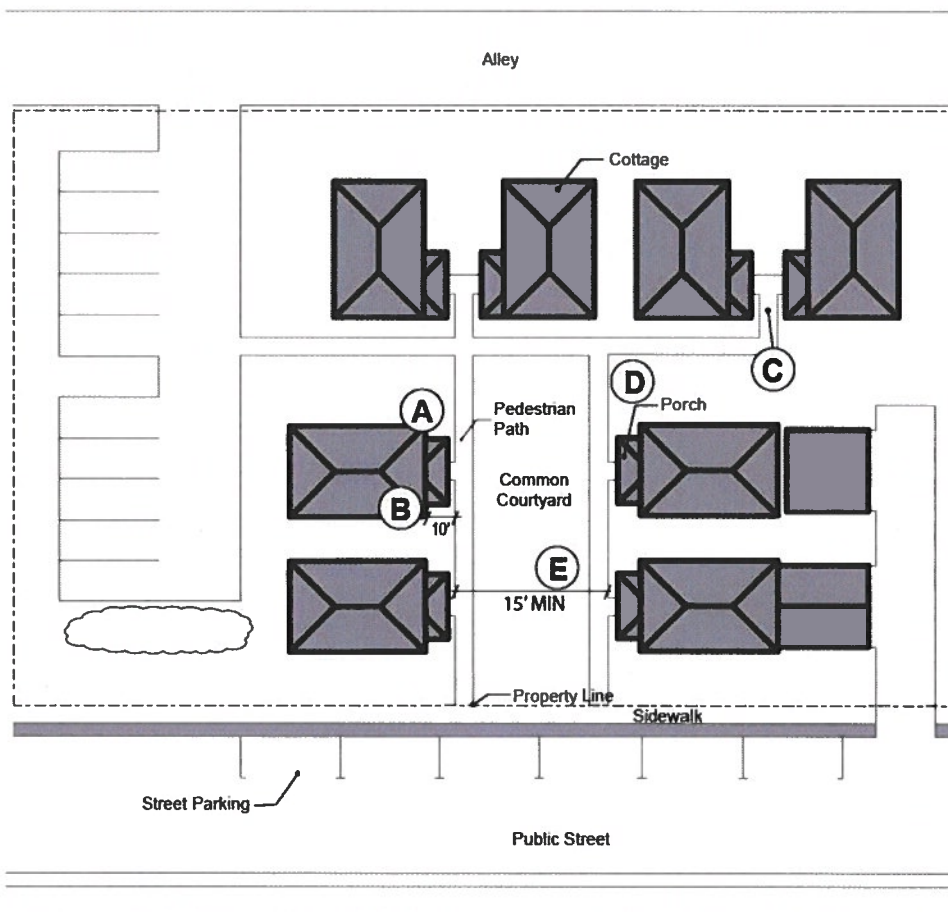
14.31.050 Cottage Cluster Design Standards

A. Cottage clusters shall meet the following design standards:

1. **Cottage Orientation.** Cottages must be clustered around a common courtyard and must meet the following standards (see Figure 27):

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Figure 27. Cottage Cluster Orientation and Common Courtyard Standards



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

- a. A minimum of fifty (50) percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard; and
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest delineation of the common courtyard; and

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- iii. Be connected to the common courtyard by a pedestrian path.
 - b. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - c. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 27):
- a. The common courtyard must be a single, contiguous, useable piece; and
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard; and
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster; and
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension; and
 - e. The common courtyard shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, and/or paved courtyard area. Impervious elements of the common courtyard shall not exceed ~~75~~50 percent of the total common courtyard area; and
 - f. Pedestrian paths qualify as part of a common courtyard. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Staff: A request was made at the 1/11/21 work session to reduce the hardscape maximum area limitation. The 25% threshold discussed would be hard to meet given the paths and courtyard areas have to be interconnected. A 50% limit is more workable.

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
- a. Each cottage cluster is permitted one community building, which shall be included in the calculation of average floor area, pursuant to subsection (B)(5); and

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- b. ~~If a A community building that meets the development code's definition of includes a dwelling unit, then the dwelling unit portion of the building must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.~~

Staff: Alternate language for this provision that builds upon the Commission's 1/11/21 work session discussion.

4. Pedestrian Access.

- a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
- i. The common courtyard; and
 - ii. Shared parking areas; and
 - iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site or roadways if there are no sidewalks.
- b. The pedestrian path must be hard-surfaced and a minimum of five (5) feet wide.

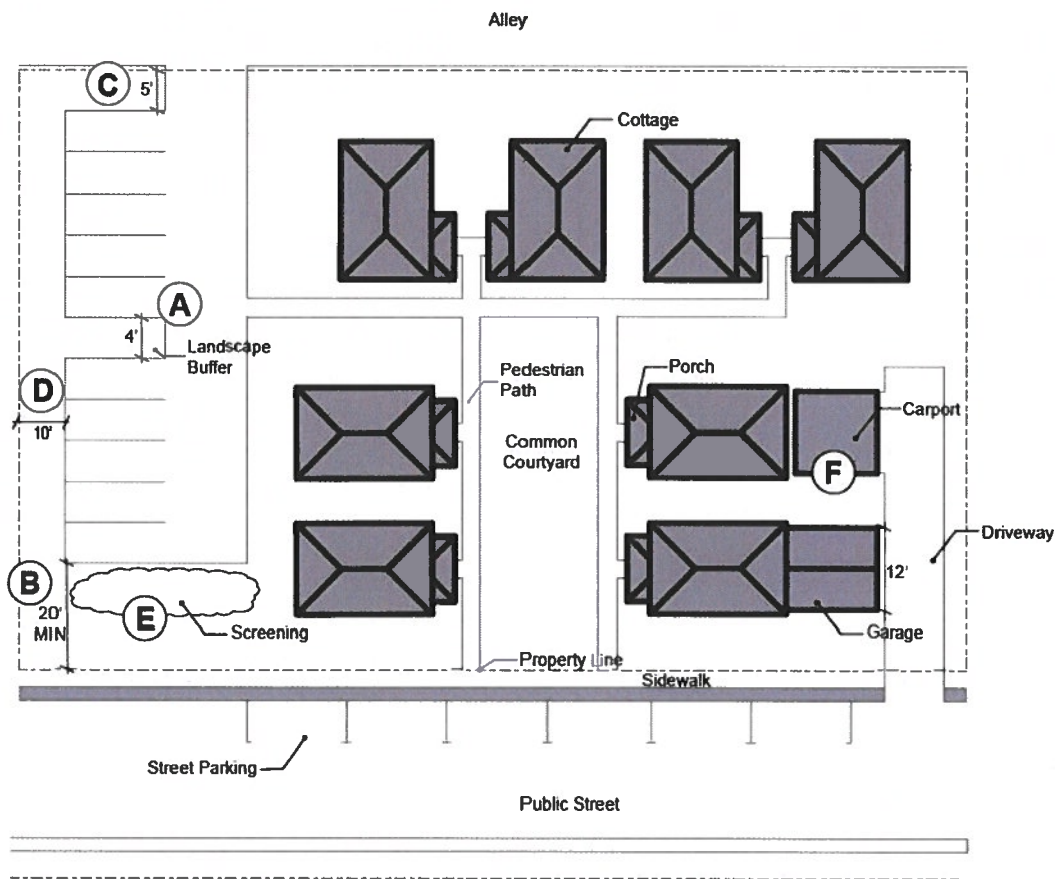
5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.

6. Parking Design (see Figure 28).

- a. Off-street parking may be arranged in clusters of not more than five (5) contiguous spaces separated by at least four (4) feet of landscaping. Clustered parking areas may be covered; and
- b. Off-street parking spaces shall not be located within 10 feet of any other property line. Driveways and drive aisles are permitted within 10 feet of other property lines; and
- c. Landscaping or architectural screening at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets; and
- d. Garages and carports (whether shared or individual) must not abut common courtyards. Garage doors for individual garages must not exceed 12 feet in width.

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Figure 28. Cottage Cluster Parking Design Standards



- A** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- B** No parking or vehicle area within 20 feet from street property line (except alley).
- C** No parking or vehicle area within 5 feet of alley property line.
- D** No parking within 10 feet from other property lines. Driveways and drive aisles permitted within 10 feet.
- E** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- F** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 12 feet in width.

7. **Existing Structures.** On a lot or parcel to be used for a cottage cluster project, a pre-existing single-family dwelling may remain within the cottage cluster project area under the following conditions:

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- a. The existing dwelling may be nonconforming with respect to the requirements of this code; and
- b. Existing dwellings may be expanded up to the maximum height or footprint required by this code; however, existing dwellings that exceed the maximum height, footprint, and/or unit size of this code may not be expanded; and
- c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.

Staff: The design standards listed above have been taken from DLCD's draft Model Code for Large Cities. I did not have time to convert the graphics; however, I left the figure numbers so that you can cross-reference to the model code that includes the graphics. A copy of the model code is enclosed. There is one parking provision that I did not include, which requires parking be 20-feet from a street. Such a requirement would be difficult to meet given Newport's terrain and smaller lot and parcel sizes. Allowing cottage clusters and adopting design standards for this type of residential use is optional.

14.31.060 Access

The parent lot shall have a minimum of 25 feet of frontage onto a street. For purposes of this section, a street can be either a public or private way dedicated for street purposes. Townhouse or cottage cluster lots are not required to have frontage on a street, but in no case may a townhouse or cottage cluster lot be further than 100 feet from a street. For townhouse and cottage cluster projects where street frontage for individual lots is not provided, an adequate turnaround is required, as determined by the Fire Marshal. In addition, townhouse or cottage cluster lots with no frontage shall have a perpetual easement across any and all lots that have frontage and any intervening lot.

Staff: This is existing language in NMC Section 14.31 that has been expanded to include cottage cluster projects.

14.31.080 Deed Covenant and Maintenance Agreements

The developer of a townhouse or cottage cluster project shall provide the City with copies of any deed restrictions, covenants and conditions, and any maintenance agreements to the Community Development Director prior to final plat approval. Such documents shall be approved by the City Attorney and Community Development Director to assure that adequate provisions are contained in those documents for maintenance of buildings, utilities, landscaping, parking areas, common areas, private streets or drives, and other items held in common.

Staff: This is existing language in NMC Section 14.31 that has been expanded to include cottage cluster projects.

April 12, 2021 Draft Revisions to Implement HB 2001 (2019)

14.31.090 Subdivision Required

Townhouse and cottage cluster projects will require a segregation of lots, a partition or subdivision, as applicable, will be required with its appurtenant requirements as per the City of Newport Subdivision Ordinance (No. 1285, as amended).

Staff: This is existing language in NMC Section 14.31 that has been expanded to include cottage cluster projects.

The following changes are proposed to NMC 14.40.030(C), Planned Destination Resort, Uses Permitted Outright, Residential Dwellings:

14.40.030 Uses Permitted Outright

The following uses shall be permitted outright provided they are part of, and are intended to serve persons at, a destination resort pursuant to this section, and are approved in a final development plan.

C. Residential dwellings:

1. Single-family dwellings;
2. ~~Duplexes~~ Two-family, triplexes, fourplexes, cottage clusters, and multi-family dwellings;
- ~~3. Condominiums;~~
- ~~4.~~ 3. Town-houses;
- ~~5.~~ 4. Time-share projects; and
- ~~6.~~ 5. Other residential dwellings compatible with the purposes of this section.

Staff: This is the other location where the terms "triplexes" and "fourplexes" is used. They are being deleted as redundant since the type of use is "multi-family." Cottage cluster is added as a use type, since it is consistent with the range of uses listed. Not necessary to list condominiums as it is a form of ownership, not a use.

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video
May 26, 2020
6:00 p.m.

Planning Commissioners Present by Video: Jim Patrick, Lee Hardy, Bob Berman, Gary East, Jim Hanselman, and Mike Franklin.

Planning Commissioners Absent: Bill Branigan (*excused*).

PC Citizens Advisory Committee Members Present by Phone: Dustin Capri , Braulio Escobar, and Greg Sutton.

City Staff Present: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** None were heard.
- A. **Tentative Planning Commission Work Program.** Tokos reviewed the updated work program with the Commission and no questions were asked.
- B. **Nye Beach Core Zone Proposal or Other Potential Changes to the Nye Beach Design Review Overlay.** Tokos noted the email from Berman that he submitted. Tokos reviewed his response letter with the Commission and reviewed Bob's revisions.

Berman noted that the original letter was more general to say the City Council may want to look at the changes. He thought Nye Beach was the only defined neighborhood that had an overlay and had a potential for a different vision. Berman rewrote the letter to include visioning. He agreed with Tokos' notes and Berman wanted the Commission to address Engler's additional comments. He noted here was typo and thought the word "to" should not be redlined after the words "we encourage".

Hanselman was glad to see the inclusion. Even though they looked at the 2015 Ad Hoc Committee work, they might have missed out on concepts the City Council wanted the Commission to pursue. He wanted to see the work expanded and to have the 2040 Vision group as a productive way to move.

Berman noted that Engler's letter brought up a point on requiring a conditional use permit for compatible enterprises. He asked if the Commission could look at it on their own or how that would proceed. Tokos said they could look on their own. The reason it was structured this was because a call was made when doing a full restructuring of the commercial and industrial codes to not try to specify every personal use that would be potentially permissible and made it a staff level review. It could be revisited but didn't think it was an impediments but something they could look at. Berman asked if there was a fee for this. Tokos yes. Berman questioned if the fees would be a slight impediment. Franklin asked how much the fees were. Tokos reported that the fee were around \$600-700 dollars. Berman thought it was substantial and he didn't know how to get around it without opening up the code and listing permissible uses. Tokos said this was a challenge because you would need to go through all the potential perspective uses, but it could be done. He thought it could be put on a work session meeting to look at.

Berman asked for an example of what was inappropriate use. Tokos gave an example of a real estate company that made the argument that they were tailored to tourists and why they wanted to be in Nye Beach. The question is if this was the best used in this area or if it should be more general. Berman wanted to see this on the list of potential work session topics in the future. East asked about the timeline for City Council. Berman

noted this was a different topic. Patrick was okay with looking into it and wanted to look at adjusting the fees. He didn't like the list of what approved uses compared to what wasn't if it was a staff level decision.

Tokos asked if there was a general consensus, the typo would be fixed and he would bring it forward to the June 8th Planning Commission meeting for adoption and forward it to the City Council. He noted that personal services could be placed on a Work Session meeting. The Commission was in general consensus to move forward with the letter. Tokos confirmed that the final form would be shown to the Commission on June 8th.

3. New Business.

- A. **HB 2001 Medium City Model Code and Rule Making Process Update.** Tokos reviewed the PowerPoint presentation with the Commission and explained the rule making decision on the administrative rules. Hanselman asked if any of the previous programs for tax abatement played into the communities efforts for housing. He thought that HB 2001 seemed to be a one size fits all. Tokos reported that the City adopted tax incentives for multi-family housing. There was one program for lower density housing that hasn't been adopted. He didn't know how it played into it. He noted they needed to adopt the changes by the end of the fiscal year. If they were to submit it for an extension it would need to be done by the end of the year, but didn't think that was necessary.

Tokos reviewed the six major rulemaking decisions. He walked through the model code and unreasonable cost and delay information. Tokos thought they would be hard pressed to come up with something different for duplexes. He reviewed the definition of duplexes and explained that the changed boiled down to if they wanted to allow three dwelling units on a lot. Patrick asked if this needed to be done when adopting the rules. Tokos said the code needed to be adopted by June 30, 2021, otherwise they would have to adopt the State's code.

East thought there should be a few more work sessions on this issue. Tokos said there would be more opportunities when this was put in the code. He thought there would be some policy choices relative to how they dealt with accessory dwelling units (ADUs) and policy choices on parking. Patrick was of the opinion that there shouldn't be three dwellings per lot. Berman and Escobar agreed. Hanselman thought there were streets that made it more difficult to traverse and it would be hard to get emergency vehicles get through them due to more parking on streets.

Tokos reviewed off-street parking. Berman asked how the code would apply for short-term rentals when they couldn't require more than two parking spaces. Tokos would look at it and explained that the language was more for a commercial activity and not subject to this legislative. He noted that there was flexibility to adopt off-street parking but they had to make sure they adopted a code before June of 2021 that was compliant with the administrative rule. East asked if duplexes could be required to have garages. Tokos thought garages and driveways were off-street and didn't think they needed to get into the issues of requiring garages with these unit. Berman wanted more discussion on this topic. Patrick said he was looking for objections on this legislature for the code or if they needed to have something . Tokos noted the Rules Advisory Committee was metrocentric with people from larger communities that don't represent Newport. He explained how the rules gave flexibility to require off-street parking. Berman's explained that his main concern was with short-term rentals.

Tokos reviewed the next steps and adoption schedule. He would get back to the Commission on the short-term rentals on June 8th and could get back to the City Council at that time. Berman asked if comments were required from specific communities. Tokos said all comments were accepted.

- B. **COVID-19 Small Business Assistance Grant Program Update.** Tokos gave an update on the grant program. He reported that one million dollars would be used from the earnings of the South Beach Urban Renewal District funds for grants. Applications were due by 5pm on Friday, May 29th and the City had received around 130 applications so far. Patrick asked how this was advertised. Tokos noted this was done through the Chamber, the Rotary, and business organizations. The Small Business Center at OCCU was advertising and there was also a press release.

Berman asked why the grant was open to any business in the Urban Grown Boundary and not just the city limits. Tokos explained that it was because they were pulling the money from the South Beach URD and felt the area should be included. A good portion of the unincorporated areas outside of city limits is in South Beach. Berman didn't agree with this.

Tokos reviewed the eligibility for the businesses by reviewing the overview of the grant program with the Commission. This was about helping business going again. Tokos hoped to get awards out by the first week of June. Patrick asked for a report back on grant awards. Franklin asked if golf course in city limits. Tokos explained it fell in the UBG so eligible. Capri asked about the limit of 30 employees for restaurants. Tokos explained this was the equivalent of 30 fulltime employees

Escobar asked if there was a timeline on when the app knew when they got the grant awards. Tokos said this would be in the middle of June. Greg asked who made the decision. Tokos said City manager after committee scored applications. They may make a recommendation on if applications should get prorated amounts to so more businesses received awards.

- C. **Furlough and Proposed Fiscal Year 20/21 Staffing Reductions.** Tokos explained that current events impacted revenue in local government and therefore we had to make changes. The City was in a position to have to deal with a structural deficit already and the compounding short term impacts of COVID 19 affected room tax and other things. All employees that are full time would take 12 furlough days. City Hall would be closed on Fridays from June 5th through August 28th. There would be no inspections on Fridays during this time. Tokos noted that the City would not be filling the permit tech position and the department would be operating at a minus. This position gave administrative support and things would be tight without the position being filled. The City was committing to what was in the hopper and nothing new. The Transportation System Plan was being reworked because we couldn't do outreach because of the COVID-19.

Patrick wanted to commend the City on how they were taking a hit and handling things. Tokos said to expect the furloughs across the board in governments and agencies.

4. **Adjourn.** The meeting adjourned at 6:58 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
September 14, 2020
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, and Bill Branigan.

Planning Commissioners Absent: Mike Franklin, and Gary East (*all excused*).

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri, and Braulio Escobar.

PC Citizens Advisory Committee Members Absent: Greg Sutton.

City Staff Present: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:03 p.m.

2. **Unfinished Business.**

A. **Draft OARs Implementing HB 2001 (Large City Model Code) and HB 2003 (Housing Production Strategies).** Tokos reviewed his staff memo. He noted the city had until the end of June next year to complete this and suggested that they package things together as a single amendment.

Tokos reviewed Chapter 3, Triplexes and Quadplexes section of the model code. Patrick asked how the maximum floor area ratio was determined. Tokos explained that you're allowed 1.4 feet of floor area for every foot of lot there is. This was defined in the document as well.

Tokos reviewed how the minimum lot size for detached single family dwellings and maximum floor area ratio (FAR) worked, and what the building setbacks and maximum building heights were. Berman asked if what they were saying was that they couldn't set the maximum height to 35 feet. Tokos confirmed this was correct. Hanselman asked if someone would only need one off-street parking if they put a duplex on a lot that was less than 4,000 feet. Tokos confirmed this was correct. The model code was looking to minimize any kind of parking requirements because they viewed off-street parking requirements as a deterrent to density needs, and to get people to walk, bike and use alternate modes of travel. Tokos reminded that this was a model code for cities bigger than Newport with more robust transit. Berman asked what the difference was between the requirements for off-street parking for duplexes and triplexes, and asked if they could require off-street parking for duplexes. Tokos explained that this was just a model code, but the city had the ability under administrative rule to have off-street parking requirements. He thought the maximum number of spaces for duplexes was two. Tokos reminded the city was under no obligation to incorporate any provision out of the model code. The Commission could decide what options they wanted to adopt. Hanselman was discourage this was making as much imperviable surfaces on a lot as possible. He thought this was a step backwards for the community environmentally. Hardy agreed.

Tokos reviewed the entry orientation, widows, garage and off-street parking sections next. He noted that at this point the city didn't regulate standards for these areas much. Tokos reviewed the driveway approaches, improved alley access and unit definitions next. Escobar asked if Newport had to adopt rules for duplexes and if the higher density standards were optional. He didn't see a lot of the standards that would work well in Newport and thought it would be wise to focus on duplexes and come back to other issues on higher density after the review.

Berman asked if Newport, as a medium city, was not required to allow these things in R-1 and R-2 zones but some of the standards or the code could be added where they were already allowed in the city to try and clean up eye sores. Tokos agreed this was correct, and noted they currently allowed townhouses in R-2, R-3 and R-4 zones but they weren't subject to design standards. He explained that the question was if they wanted to potentially incorporate some design standards. If so, he could work this into the same package as the duplexes. This was because he would have to do a lot of work on the code, he could pull some of this in as well.

Capri thought keeping design standards a bit lenient was helpful. He liked having a list of standards to choose from such as the Nye Beach Standards instead of having to meet a whole list of standards. Capri thought that encouraging developers to do some of the standards, not all, would be good. Tokos pointed out that the Commission had the option to mix and match with this. Berman asked if it was necessary for the timeframe to mix in the design standards with the duplex standards. Tokos said it wasn't. He just wanted to package them together for time efficiency.

Tokos reviewed the Cottage Clusters section and noted this was an area where they could do work and provide some clarity. He explained there were ways to do this in the existing standards but these updates would provide clarity on when people wanted to do this type of common courtyard housing. Berman thought tiny homes could fit into the same pattern as these. Tokos confirmed they could and noted a project in Nye Beach where they were doing multiple homes with accessory dwelling units that weren't required to have off-street parking.

Tokos asked if the Commission had interest in allowing higher density in R-1 and R-2 zones. If not, he asked if there was interest in potentially pulling some of the design standards to apply in the higher density areas where they allowed the use but didn't have any design standards for the use. Berman thought that having design standards would be good but they needed to be flexible and give an "either/or" choice. Capri didn't want to rush this and make it difficult to design to the standard. He thought there were a lot of examples where this was done well but they could go overboard. Patrick didn't see putting anything in the duplex code except driveway standards. He thought it was interesting to look at the cottage standards. He felt the townhouse and the rest of the standards were for places other than Newport. There were some parts on the setbacks that would work and thought it would allow people to build instead of requiring them to get a nonconforming use approval. Hardy thought the driveway access suggestions were poor. She didn't see any benefit for limiting the length of a driveway. There was nothing that interested her in terms of configurations. She indicated that the State of Oregon over densified populations since it exacerbated the spread of disease. The streets were under parked, and there were substandard streets in Newport that couldn't handle a lot of on-street parking. Branigan didn't see much in the standards that applied to Newport. If you tried to mandate design changes it would take away from the feel of Newport. Branigan didn't see an advantage to them. Exacerbates disease

Hanselman questioned what problems Newport had that this program addressed. He didn't think it would solve problems This felt like they were shoehorning additional density wherever they could. Hardy agreed. Berman noted the issue was if they wanted to adopt design standards and if the city wanted any say in the configuration and how things looked. Capri noted there already were requirements in the Oregon Specialty Code and City requirements that dictated how a structure would end up looking like. Adding designs standards ran the risk of adding things that would start to create one typology in a community. Hanselman asked if Capri saw anything that was onerous if this was adopted. Capri didn't, but thought the hard part was when it became a city requirement. When reading the code it was straight forward but when someone had a certain budget, site, constraints and needs for a particular piece of land, this was when some of the standards became problematic. Berman noted when considering typography of a lot it forced some choices that might or might not be in conflict with the design standard. Capri agreed and noted a duplex project he designed. At first the lot looked flat but when they looked at the typography onsite the duplexes had to be built with offset heights from each other. Patrick noted that what he was hearing was that none of the Commissioners like the townhouse and triplex standards at all, there wasn't a lot of support for driveway standards, there was a little bit of support for cottage standards, and limited support for design standards. The Commission was in general agreement with this.

Tokos would move ahead with the duplex work, and put together some thoughts on what they could do with cottage clusters. He would review if there were some target standards they felt strongly about as staff for design standards for some of the existing uses like townhouses, triplexes, or four-plexes. He would bring it forward with the rationale for review. Capri asked if the design standards could be a separate discussion or if they should

be a part of this discussion. Tokos thought it should be bundled together to handle it as efficiently as possible because they would have to do design standards for duplexes. He explained that this would be a refining exercise for the Commission as they moved forward.

Escobar asked if the standards would override CC&Rs in some neighborhoods. Tokos explained that there were some specific provisions that if the CC&Rs were in effect prior to the adoption of the law, the CC&Rs would still be enforceable. Prospectively, new CC&Rs would be a problem.

Branigan asked if duplexes could span over contiguous lots or would they be restricted to just one lot. Tokos explained that it depended on what they were trying to do, and if it was in an area where a triplex could span multiple lots. These could be done if they were willing to deed restrict the properties and manage them singularly. Tokos gave an example of a currently built apartment complex that straddled lot lines where they had to do a covenant to maintain it as a single large unit of land. If the object of the property was to sell individually, they would have to get their lot lines adjusted. Branigan asked if the Fisherman's Wharf Estates project could build across lots. Tokos explained these lots were R-2 zoned and town houses could be built but it wasn't what they were approved for in their subdivision. They were approved for a 10 lot residential division and noted the developer submitted and extension on their subdivision approval.

Tokos explained that the HB 2003 applied to the City and changed rules relative to planning for housing. Traditionally this was done with a land use assessment and looked at different tools we had to encourage housing. The House Bill increased the frequency the City would have to do that type of assessment. Previously there really wasn't any deadlines and most jurisdictions did this every 10 years. Now it would be every eight years for Newport and we would have to comply with annual requirements and midcycle check ins. This encouraged the city to be aggressive to promote and adopt rules that incentivized housing. This would now require things like providing supportive services to get homeless into stable housing. Tokos explained that this was starting to go beyond the city's traditional role and created a regulatory framework for construction of housing to a more proactive role. This administrative rule along with the one they were looking at for HB 2001 would have an initial public hearing on September 25th, and the hearing for adoption would be in early November. The city would have to comply with HB 2023 by the end of the 2022 calendar year and they would be starting the process at the beginning of the next budget cycle. 2014 was the last time the city updated the housing needs and buildable lands work when they did the OSU housing supplement.

- B. Revised TSP Update Schedule & Summary of Public Outreach Virtual Event No. 1.** Tokos noted the documents for the TSP public outreach and events would be shared online. There would be two virtual online events. One would be where people could work their own way through it and fill out surveys. The other event would be more interactive. The Policy Advisory Committee provided input on the work that needed to be done. The outreach would be online because of the pandemic and it would allow the public to participate and hopefully give input. Berman noted that there needed to be a good way to get ideas from all the public, especially ones who weren't technically inclined.
3. **New Business.** None were heard.
4. **Adjourn.** The meeting adjourned at 6:57 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
December 14, 2020
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, Bill Branigan, Mike Franklin, and Gary East.

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri, and Greg Sutton.

PC Citizens Advisory Committee Members Absent: Braulio Escobar.

City Staff Present: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** No discussion was heard.
3. **New Business.**
 - A. **Initial Review of Land Use Code Amendments to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards.** Tokos noted the public comments that were received from Cheryl Connell and Carla Perry that were emailed to the Commission for their review. He explained that the provisions in the statute that Connell and Perry were both referencing was in Section 7 of House Bill 701 that the city had to implement previously because there was a separate deadline on it. This provision said that you couldn't require owner occupancy or off-street parking requirements in order for someone to get an accessory dwelling unit (ADU). We couldn't require this of the primary dwelling or ADU. They did add a provision that said you could require owner occupancy and parking requirements of an ADU if the ADU was used as vacation occupancy. NMC Chapter 14.25 vacation rental code already required off-street parking for any dwelling unit, including ADUs, used for vacation occupancy. It doesn't have a requirement of owner occupancy if an ADU is used for vacation occupancy. Tokos explained that there was owner occupancy rules for Home Shares as well. He noted he would be hard pressed as to why we would want to require owner occupancy in an ADU that was used for vacation occupancy because they were so small. These were typically one bedroom units and 600-800 square feet in size. If the city wanted to require this, the appropriate forum for this discussion was the Short-Term Rental Implementation Work Group, not the Planning Commission. The changes the Commission was currently looking at were not changes to the short-term rental code. They were simply authorizing duplexes in all of our zones, and cleaning up some confusion on language making sure that it synced to other provisions of our code. There was also some design standards for townhouses and cottage clusters.

Berman asked if it was fair to say Perry's problem was related to the one vacation rental with an ADU that had been in dispute for some time. Tokos explained that this particular property was outside of the permitted boundary for short-term rental (STR) licenses in 2019, and had the principal dwelling and an ADU that was recently constructed. The ADU wasn't a STR. Perry raised concerns it was being used as a STR and there was a back and forth between the Police Department and that owner on this. The ADU wasn't a licensed STR, but could be used as a long-term rental. This circumstance wasn't the norm out there, more the exception. Hanselman asked if this meant that real enforcement of the outliers might be the resolution. Tokos reported that enforcement in this particular case was being done and was a way to a resolution. If enforcement wasn't adequate or was ineffective this was more appropriate for the Work Group to discuss. Berman asked if this would be brought up at the next Work Group meeting. Tokos confirmed they could make that correspondence available as part of that packet. Hanselman thought a discussion on the specific property and the problems

around it should be discussed with the Work Group so they had a background on why adjacent owners were having issues with the current ordinance. Tokos thought this was a fair point and explained that this particular property had been brought up in the past and it would be appropriate to bring it up again and update the Work Group.

Tokos reviewed the draft revisions to implement HB 2001. He explained the concept to remove court apartments and why this was removed. He noted duplexes and two-family dwellings were the same thing. Tokos also explained the multi-family definition, and how triplex and fourplexes were deleted in favor of a multifamily definition. Hanselman asked if there could be three units on a parcel. Tokos confirmed there could be and explained how through this process there could be scenarios with a total of three dwellings by having a duplex and detached ADU. Hanselman wasn't happy with three units on one parcel and how it would increase the density. He asked if there was a way around this. Tokos confirmed there was through the ADU provisions. He explained the Commission previously said one ADU per property developed with a duplex. They didn't have to allow an ADU on a property that was developed with a duplex. State law did require them to allow an ADU on a property that had a single family detached. Tokos noted that the Commission could say they couldn't have an ADU if there was a duplex. Branigan asked if they could require larger lots for someone who was doing a duplex and ADU. Tokos reported that they couldn't require different development standards than they did for a single family detached. This was part of the law. Hanselman asked what they could do with lot coverage. Tokos explained this had to be the same and they couldn't require more for duplexes. They could adjust the coverages, but if they did this for duplexes it had to be the same for single family detached.

Tokos reviewed the changes to the lot, parcel, and tract definitions. He covered the changes to the dwelling, cottage dwelling, cottage cluster, cottage cluster projects, townhouse dwelling, and townhouse project next. Berman asked why "per acre" was in the Cottage Cluster definition. Tokos explained this was a minimum density requirement. They didn't want them dispersed on large properties, and they wanted them in small groupings. Patrick asked if townhomes could have ADUs. Tokos confirmed this was correct because they were individual single family attached at that point, and each attached unit was on its own lot.

Tokos reviewed the updated residential uses allowances. He noted the cottage clusters were new and allowed in the R-3 and R-4. The Commission could consider allowing them in the R-2 zone. Berman asked if this would be a conditional use. Tokos would look into this and was concerned that the State would say this was needed housing and they would have to provide a clear and objective path for approval. They could provide a conditional use alternative for something, but they had to first provide a clear and objective path for approval. Berman requested they come back to this when they got back into the details.

Tokos continued his review of the updates to residential uses allowances table. He noted there were changes to bed and breakfast inns because they now fell under the new STR code. He reviewed the changes to allow condominiums in the R-1 zone. Duplexes were allowed in this zone and once they were two dwellings you would start to see people converting properties to condos. Tokos reminded that condominiums were not a dwelling type, they were an ownership type. Patrick asked if an ADU could be a condominium. Tokos confirmed they could. Patrick was concerned that this meant that someone could split up ownership of an ADU. Tokos suggested that they make them convert a single family dwelling with an attached ADU to a duplex at that point. Patrick thought this might make more sense. Berman noted that if it was converted to a duplex they would have to allow another ADU. Tokos noted that this was true unless the Commission didn't allow an ADU with a duplex. Capri asked if this would ever be a realistic issue. Tokos explained there were a number of properties where they could have a duplex and an ADU and others that could have more than one duplex. Capri asked if there were any properties where they could have two duplexes and two ADUs. Tokos reported that there was a current project like this under construction for 10 dwellings that would be considered a cottage cluster in a commercial zone. Capri asked if there were a lot of R-1 properties that had opportunities to have duplexes. Tokos noted as it was now there could be two duplexes and one ADU in R-1. Franklin asked what the off-street parking requirements were for the cottage cluster project. Tokos explained this cluster project was required to have one parking space because it was in the Nye Beach Parking District. All of their other parking requirements were being met by on-street parking that abutted their property. Also, State law required that the city couldn't require parking for ADUs. This was why the project had three ADUs. Tokos also explained that

this area was C-2 and they were only required to have one parking for each unit. In this case they had a total of 10 units, three of which were ADUs where you couldn't require parking, and six of the remaining seven units were covered by on-street parking units per the Nye Beach rules, which required them to only provide one parking space. Berman thought this would be a disaster because there was no on-street parking in this area. He didn't think this was right and anticipated there being complaints because of it. Tokos noted this was just an example of how they could get a cluster. The Nye Beach parking management needed to be revisited and worked on, and the Nye Beach District might need to be expanded. Tokos reminded the dynamics were different when you had a mix of commercial and residential, as opposed to purely residential.

Tokos reviewed the required yards and the required recreation areas next. Berman asked for clarification on what the 50 feet of enclosed outdoor areas was. Tokos explained that this wasn't a new requirement. It could be removed or changed to say enclosed with vegetation. Patrick asked if this meant a duplex with two detached ADUs would have to have 200 square feet of outdoor enclosed areas. Tokos explained this was for multifamily, not duplexes. Berman noted it also said condominiums. Tokos would clean this up.

Tokos reviewed the distance between group buildings next. Berman asked what "rearing" meant. Tokos explained it meant if you oriented the unit as such that the rear of the unit faced a typical side yard setback, you had to provide a deeper side yard setback.

Tokos continued his review on the buildings on a tract requirements, the standards on substandard lots, and the updates to Table "A". He then reviewed the number of parking spaces required table, and the on-street credit for parking where the ratios for townhouses and cottage clusters had been added. Berman asked how they would know if there was on-street parking. Tokos explained the width of the street determined this. Berman asked if this was actual ready to park in spaces or the right-of-way. Tokos explained this was ready to park in and they could specify this. Hanselman asked if there was an actual measurement dependent on the street width. Tokos reported that there was, and they would go out and measure it. Berman asked if the first property to build on a lot across from another would get the parking credit. Tokos explained they wouldn't necessarily. The way this was set up was the parking spaces had to abut the property. When you had areas where one side had parking and the other didn't, the property on the side of the on-street parking would get the credit and the one on the side without wouldn't. They could also say that the on-street credit only applied to streets that had on-street on both side. A discussion ensued regarding how to measure spaces, streets and how it applied to streets with gutters, curbs and sidewalks.

Berman wasn't comfortable with the parking requirements at this time because he felt it was a developer loophole. Tokos noted off-street parking requirements can be an impediment to development. A lot of the State legislation was being done because they weren't getting enough housing and this was why they were pushing for it. Berman understood this but thought there were other areas where it wasn't necessary and this could end up taking up parking on the streets.

Tokos reviewed the landscaping requirements and noted that they applied to commercial, industrial, institutional and multi-family, but didn't apply to single family, duplexes, townhouses and cottage clusters. Tokos then reviewed the Iron Mountain overlay and noted it only applied to the quarry on the side of Highway 101. The overlay was structured to allow construction subject to a deed restriction. It called out single family dwellings and the revisions added the other types of dwellings.

Tokos thought that the remainder of the discussion could be picked back up on the design standards the Commission would review at the next work session meeting. Patrick thought there needed to be more thought on duplexes and ADUs, and on-street parking. Tokos would review the minutes and flag them for the next meeting. He asked the Commission to think about whether they wanted to allow ADUs on a property with a duplex or not. Hardy asked who said that Newport had a shortage of housing that required this over intensification of population. Tokos explained that they were short units based on the housing needs analysis but a lot of the push on this, and the reason there was legislation, was because of a statewide shortage of housing. Hardy stated that as a property manager she didn't see this.

B. Potential Cancellation of the December 28, 2020 Planning Commission Meetings. No discussion was heard.

4. **Adjourn.** The meeting adjourned at 6:59 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sherri Marineau". The signature is written in black ink and is positioned above the printed name.

Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
January 11, 2021
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, Bill Branigan, and Gary East.

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri, Braulio Escobar, and Greg Sutton.

City Staff Present by Video Conference: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** No discussion was heard.
- A. **Initial Review of Land Use Code Amendments to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards.** Tokos continued the review of the draft code from the last Commission meeting. Berman asked if there were any added changes based on the last meeting. Tokos confirmed there weren't any changes. He then reviewed the chapter 14.31 for townhouse and cottage clusters next.

Berman asked if a 4,000 square foot lot in the in R-1 zone could only have a house placed on it, not a duplex. Tokos explained that a 4,000 square foot lot was substandard but this did happen. They would be able to have a duplex and this would be dealt with under the provisions for sub-standard lots. Tokos explained that this was reviewed by the Commission on the December 14th work session. A duplex could be done in this scenario but not a townhouse. A discussion ensued regarding building code requirements for firewalls between townhouse common walls.

Tokos continued his review of the updates to minimum lot sizes, off-street parking, and unit size for townhomes and cottage clusters. He noted the 1,400 square footage maximum unit size was a recommendation in the model code for cottage clusters. Berman asked Capri if he thought this was a reasonable number for a maximum unit size. Capri thought it was reasonable but didn't know the exact logic behind the number.

Escobar asked what a community building was. Tokos explained it was a common building for a cottage cluster that was a common place to gather or a storage area. Hanselman asked if the community building size have any bearing on the open space courtyard requirements for cottage clusters, or was it just a community building and not an open space at all. Tokos explained it wasn't an open space at all. The reason they were included in the average floor area calculation was because they didn't want them to be too large. Branigan asked if the community building was required to have running water and bathroom facilities. Tokos didn't know if there were any requirements for what the components of the community building must have but guessed a storage building could be considered a community building. Capri didn't think the uses would match and thought the building code would require this. Berman asked if they were saying a maximum average lower area for a cottage cluster could mean that there could be units that were larger than 1,400 square feet as long as there were units smaller than that. Tokos confirmed this was correct and reminded that this would be an allowance. Nobody would have to proceed with a development of this nature. They could if they met the parameters.

Tokos reviewed the townhouse design standards next. Berman asked if Section A.1, 2, 3 and 4 were "and" or "or" requirements. Tokos explained that all of these standards needed to be met.

Tokos reviewed the diagrams that were referenced in the code. He then reviewed the requirements for the main orientation to units, the main entrance facing common open spaces, the main entrance opening onto a porches, and the windows. Tokos noted that these were done so there was a clear and objective path for approval. Berman asked if the design requirements were new for the city. Tokos confirmed they were new. He thought they should also consider guidelines for multifamily because they were only looking at middle housing currently. Berman thought it would be quite an undertaking to do multifamily. Tokos noted this would mean larger buildings that had more mass you would have more of an argument that some of these architectural features should be built into the development. He explained that what they were looking at currently was for the middle housing model code from HB 2001, and was specific to townhouses and cottage clusters. Berman asked if the design standards were required. Tokos confirmed they weren't and noted the Commission expressed a desire to see the language at a prior meeting and was why it was presented here. They didn't have to adopt or pursue it. Berman thought it might be better to defer this until they could do a comprehensive discussion of design standards for anything above a duplex. Tokos thought another approach they could take was if they liked the concepts they could go ahead with this because it dealt with townhouses in a comprehensive way, and then double back and tackle multifamily because there would be different issues with them. Hanselman asked if these design standards would be citywide. Tokos confirmed they would. Capri noted that he didn't like the design standards for Nye Beach as an architect. The standards did help as a developer to make sure it wasn't one big blank three story wall with a door on it and a shed protecting the entry. What Capri did like about the Nye Beach standards was they could hit a couple of things to satisfy the requirement and still have enough flexibility with the design. Capri felt these standards felt pretty reasonable in that way. He noted he didn't like standards saying exactly where they had to put an entry and how big a porch needed to be. Tokos didn't think the window requirement of 15 percent coverage was burdensome threshold, and it did eliminate the chance of having a massive wall facing a street.

Tokos reviewed the driveway access and parking design requirements next. Berman asked what happened to the 20 foot garage setback in these requirements. Tokos explained the 20 foot setback would apply to this but what they were talking about here was the garage width being 12 feet wide, not the garage setbacks. Hardy thought a 12 foot garage width was small and didn't make sense. Tokos didn't think 12 foot wide was small for a single bay garage. Hardy thought it was when you considered what went into garages such as storage. Tokos explained that in a typical townhouse, such as Neola Point, you would see a deeper single bay garage. Hardy noted that the garages at Neola Point were so small you couldn't get out of your car. She worked with Neola Point and this was why they had so many parking issues. Hanselman asked if a window in the garage door would be calculated toward the 15 percent. Tokos noted it was listed in the code that a window in a door or garage could count toward it. Patrick noted the code said the garage couldn't be more than 12 feet wide, not the garage door. Tokos confirmed this. Berman reminded that this standard was for when the garage was on the front.

Tokos reviewed the diagram on the cottage cluster design standards next. Branigan asked if there was a minimum size for a common building in a cottage cluster. Tokos didn't think this was in the code but was more of a provision of the Building Code requirements. He explained that right now, under the draft code, they had cottage clusters programed in to the R-3 and R-4 zones, not in R-1 and R-2. As long as they were full dwelling units, they could have a number of tiny homes as cottages and put them around a common courtyard or commons building that had some amenities.

Tokos reviewed the common courtyard design standards next. Berman asked if they could reduce the 75 percent impervious requirement number. Tokos confirmed they could. Berman wanted to see this as 25 percent or the minimum required to have the concrete pad. Hanselman wanted to see this reduced dramatically as well. Tokos would look closer at the OSU student housing project as an example to see what options there were. Capri asked if the logic was to not see someone just put down grass seed and calling it good. Tokos explained that common courtyards could just be a landscape area but they would have to have pedestrian pads. He would look at other approaches. Capri asked if this had to be the measure on how to judge the quality of the courtyard space. He suggested it could say they had to provide outdoor space that is functional for people to gather. Tokos thought this was too discretionary and they needed clear and objective standards. Capri suggested requiring one

seating area per unit. Tokos didn't think they would want to ratchet it down so low that they couldn't create hardscape or a patio seating area. He thought maybe 50 percent made sense and he would take a look at what was out there. Branigan asked if there were any requirements for accessibility. Tokos reported that this fell under the Building Code for ADA standards. Sutton reported that pavers could be pervious and there were different options.

Tokos reviewed the community building design standards next. Patrick asked where the maximum 900 square foot limitation came from. Tokos would take a look at this and report back. He reviewed the requirements for pedestrian access for cottage clusters, and windows next. Tokos noted he would be fixing this. He then looked at parking designs for cottage clusters and noted they were trying to avoid large parking mass.

Hanselman noted that the standards said that cottage clusters needed to be less than 900 square feet. Patrick noted this was just the footprint. The cottages could be two stories and larger than 900 square feet. Tokos covered the access and deed covenants for cottage clusters, and the subdivision process and planned destination resorts language.

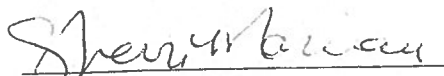
Tokos asked if the Commissioners had any thoughts relative to Accessory Dwelling Units (ADUs). Legally they were required to allow one ADU for each single family detached on a lot. It was set up to allow one ADU to a single family attached. Tokos noted that what he was hearing was that some Commissioners liked this but others would prefer to not allow more than what was required by law. He asked the Commission where they wanted to go with this. Hanselman thought one ADU per lot was a sticking point for him. He thought they were working on this a year ago and what they were talking about was for long term housing, not short-term rentals (STRs). They were also talking about owner occupancy of the primary residence on the property. Hanselman thought they were always dealing with the concept of owner occupied or owner on the property. He noted that at the last STR Work Group meeting, there were people upset with a house on Spring Street and they thought the ADU wasn't attached to the primary residence. Tokos reported that this ADU was attached to the primary dwelling unit. He clarified that the Oregon legislature mandated that all municipalities had to allow ADUs on each lot that had single family dwellings. The legislature didn't get into if ADUs could be used for rental occupancy. Tokos reported that with HB 2001 they had to implement an early provision for this which said that cities that were requiring off-street parking for owner occupancy in an ADU or principal dwelling as a standard for getting an ADU unit couldn't be done anymore. The only exception to the law was if the ADU was being used for vacation occupancy you could require the ADU to be owner occupied and to have off-street parking. The issue here was that the ADU was 800 square feet or smaller. The city's STR code covered parking space requirements. Tokos noted that if a dwelling was owner occupied it was a homeshare. He didn't expect the STR Work Group would make a recommendation to do any work with this because there wasn't really a need to do anything. The issues with the Spring Street property were outside of this and was more about things such as lack of licensing and the relationship of neighbors. Branigan noted most of the complaints about this property was by the same few people. He felt this was a neighbor spat that was happening.

Berman noted that what they were talking about here was how the Commission felt about allowing ADUs for townhomes or duplexes. Tokos noted the HB 2001 was clear that they had to allow ADUs for properties developed with a single family detached. They didn't have to allow them for duplexes. Hanselman wanted to keep it so that only single family detached dwellings could have ADUs. Capri thought the question was more about if they wanted new housing. Hanselman wanted housing if it was long-term and thought ADUs were a way to provide more worker based housing. Capri disagreed and noted that he worked with Northwest Coastal Housing and the Housing Authority of Lincoln County. Their thoughts were adding doors alleviated the pressure to housing needs, regardless of the type of door. Capri thought the question for the Commission was if they wanted more housing, period. He agreed that there was a housing problem but there was a limit of the number of people who came to the Oregon coast and got into a vacation rental. There wouldn't be more STRs, because there was a cap on the number of licenses. The question was if they wanted more doors for housing. Tokos noted there were caps on STR licenses. Hanselman thought if there were caps on STRs we fulfilled the need by keeping them full. Then, any new ADUs would be long-term rentals because STRs had caps on the licenses. Hanselman thought this meant that ADUs should be reserved for long-term rentals. Berman noted they couldn't control the uses for ADUs, but could control if they were legal or not. He thought R-1 properties

were contrary to the whole intent because they would end up with three families living on one lot. This is what would happen if they allowed ADUs with duplexes. Patrick thought that if they allow an attached ADU to a duplex it would become a triplex and a lot of rules would kick in. He thought the only thing they could allow an ADU on would be detached on a duplex or detached on an apartment building. A discussion ensued regarding the need for ADUs. Capri wanted to see more doors for housing. Braulio thought they should limit the ADUs to the R-1 and not allow them in R-2 or duplexes. Tokos asked if what he was saying was to limit them to properties developed with a single family detached dwelling, which was what they were mandated to allow. Escobar confirmed this was what he was saying. Hanselman preferred it stayed this way. Branigan wanted to see what other municipalities, such as Lincoln City and Florence, were doing to keep rules consistent. Escobar noted they were making something new here and didn't think many municipalities would have any standards yet. Tokos would look into this and bring back an option A and B to the Commission to consider. Patrick didn't have a problem doing just single family. Most of his problem had to do with there being so many constraints having to do with multifamily, triplexes or anything bigger not having the room to do this in first place. Tokos would bring an updated document as a second review on February 8th. This would also be an opportunity to initiate the legislative process.

- B. **Updated Planning Commission Work Program.** No discussion was heard.
3. **New Business.** No discussion was heard.
4. **Adjourn.** The meeting adjourned at 6:59 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
February 8, 2021
6:00 p.m.

Planning Commissioners Present by Video Conference: Lee Hardy, Bob Berman, Jim Hanselman, and Bill Branigan.

Planning Commissioners Absent: Jim Patrick (*excused*), and Gary East.

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri, Braulio Escobar, and Greg Sutton.

City Staff Present by Video Conference: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Vice Chair Branigan called the Planning Commission work session to order at 6:02 p.m.
2. **Unfinished Business.**
- A. **Summary of Fall/Winter Transportations System Plan Outreach and Upcoming Schedule.** Tokos reviewed the summary of the outreach and noted the summary would be presented to the project advisory committee when they met on February 25. It would be refined and brought back to the public in May. The adoption would be happen in late summer, early fall.

Tokos reviewed the summary tables that showed the results of the outreach. Berman suggested putting boxes around the tables to indicate they weren't a part of the page's text. Branigan asked how many people participated in the open houses. Tokos reported they had just shy of 300 visitors, and they had over 30 people in the virtual workshop. The written survey was sent out to persons 60 years or older. They sent out over 1,800 surveys and got 306 back. Berman asked why this wasn't done as a universal mailing. He didn't get a survey mailed to him and thought they should be getting a broader representation of the community instead of the targeted group. Tokos explained that the intention was to get a representative sample of the population. He felt it accomplished this in the population range that was 60 and over. Berman thought the advisory committee approved it to be a universal mailing. He hoped that when they narrowed down the options and did more outreach, they would do this in a broader range. Tokos explained that they couldn't do the outreach events in person because of the pandemic, and noted that the people who chose to volunteer and were already engaged in city civic issues tended to be the ones who showed up. He noted that they did a Spanish language outreach as well. This was in addition to stakeholder interviews. Hanselman asked if there were numbers for these participants. He noted that there had been concerns about when participants would get to talk to the planners and people from the State. Hanselman asked if this was part of the plan or would the data collection be restricted to online and brief surveys. Tokos explained at this time they didn't have any in person workshops planned, and the ones that were originally planned for the spring were scrapped. The virtual workshop was intended to offer the opportunity to interact with the project team. They also offered the online open house and the targeted surveys as well. Hanselman asked if in the future participants could talk to planners. Tokos confirmed there would be another opportunity for this in the next round where there would be a virtual workshop and they would do outreach for it. There would be another online open house with the design team so the public could engage and participate. This would be advertised broadly and there would be a planner from the State (James Feldman) and the project team involved.

Berman asked if there would be any public hearings. Tokos confirmed there would be. Berman noted this would also be a time for people to give input. Tokos reminded that there would be some additional outreach done in

May and there were three more TSP Advisory Committee meetings where the public could participate. The public could also submit additional comments on the website as well. Tokos noted that the stakeholder meeting information was already posted on the website.

Tokos reviewed the feedback summaries next. He noted that they would be looking at the in-depth comments and work on aligning them with the concept moving forward. Berman thought the age distribution showed the groups that had been reached out to were the ones who responded. He thought the next phase needed broader outreach and they should try to get feedback from the younger community. Tokos reported that the school district sent the information out multiple times to their community to get participation. He reminded that people engaged only if they wanted to. Berman thought this outreach needed to be noted in the methods so it included other types of outreach such as the school district. Hanselman suggested working with the Hatfield population in future surveys or data collection to pick up the younger population. Capri thought a leadership program should be utilized as well. Tokos would talk to the consultant to add the citywide postcard and utility bill notices that were also sent out in the summary.

Berman noted that on Page 9 of the outreach summary they should change “Bayfront Beach” to “Bayfront and Nye Beach.” The first bullet line should also be changed from “site” to “sight.”

- B. Second Review of Draft Revisions to Implement HB 2001 (2019) Related to Duplexes, Townhouses, and Cottage Cluster Development.** Tokos reviewed the draft revisions and discussed the Accessory Dwelling Unit (ADU) policy alternatives. He reviewed each option and asked for feedback. Tokos noted they could go with either option or float them both and get feedback at public hearings. Hanselman preferred Option 2 and was opposed to seeing lots with three dwelling units. They shouldn’t exacerbate the issue when they were already allowing a duplex on a lot. He didn’t see the need to increase the density from two to three in a R-1 zone. Hanselman thought ADUs would be problems for the city because some of them could be used illegally as short-term rentals. Capri thought the revisions were the minimum they could do. He didn’t think the problem they had for housing in Newport was a minimum problem, it was a major problem. Capri reminded that there was a limit to the number of short-term rentals in the area. Adding more doors in the area meant more housing for people. Berman thought it should be open for discussion and thought they should leave both options on the table and see if the public gave testimony on this at the public hearings. He wanted to see both included but was inclined to go with Option 2. Capri wanted the Commission to look at this as a bigger picture for housing.

Hardy thought they should consider the impact on the infrastructure and the recent construction, and the ongoing construction of multi-family dwellings. The real estate market itself had diminished the amount of excess housing which had traditionally become rental housing. There was also the fact that when people were looking for a place to live they could be picky and didn’t always accept what was available. Hardy reported that she had worked in property management for 38 years and didn’t see a shortage of housing. She saw a shortage of qualified tenants, and a poor income level to support housing. If they were looking at the cost of construction today and trying to build affordable housing, they would run into a roadblock in terms of finances. Hanselman agreed with a lot of what Hardy said but didn’t see how density for ADUs got them out of the housing problems. They would be better served by trying to motivate and change tax law to assist developers in housing development.

Escobar noted that former City Engineer, Tim Gross noted at another meeting that the ability of the sewer system and existing infrastructure to handle greater densities on some of the existing lots was a concern. Escobar explained that this was why he was in favor of Option 2. Capri noted that ADUs weren’t economical and he didn’t see there being a huge influx of these being built. Sutton agreed with Hardy and didn’t want to see all of the high density housing being pushed into one area and thought it should be distributed around town.

Tokos noted that what he was hearing was it was reasonable to float the two options as part of the package, take testimony, and they would decide where they want to land after a public hearing. Berman asked if what they were talking about was just the R-1 zone or others. Tokos reported this would apply to ADUs in all circumstances and there wouldn’t be a separate allowance for R-2, R-3 & R-4 zones. He noted that this didn’t

matter so much in the R-3 and R-4 zones because the density provisions were such that they could get to that same place with a three plex, four plex or five plex. This would apply more to the R-1 and R-2 zones.

Tokos reviewed the on-street parking credit revisions and noted that this wasn't mandated but was encouraged. What he had heard from prior discussion with the Commission was that there was clear discomfort in doing this in areas where on-street parking wasn't provided on both sides of the street. Tokos noted that he added clarifying language that the space to be credited should be completely abutting on the same side of the street as the subject property. He encouraged the Commission to take testimony on this because parking was a challenge in the city. They needed to carefully consider where it made sense to allow an on-street credit.

Hanselman asked if the 22 feet abutting the property included the distance used for the curb cut for the driveway. Tokos explained it did, unless it was a corner lot. There wouldn't be a tremendous number of spaces and it would be two to three at most. Hanselman thought it would make a difference by allowing for the fact that not both sides of the street might not be standard. This was why he liked parking to be required off-street. Hanselman wanted to raise the issue on why a single family needed two off-street parking spaces and each unit of the duplex was only required to have one. He didn't think duplexes should be treated differently in their parking requirements because they put more pressure on street parking. Hanselman thought duplexes should be treated the same as a single family dwelling and felt this would stay more in line with what the State was saying to keep duplexes the same as single family. Berman wanted to see this left in so they could see what people thought about it. He thought one space per duplex wasn't consistent, and should be one and half or two spaces. Berman thought it should be opened up for a discussion or pointed out that there were two options. He was okay with leaving the language in for public hearings.

Capri asked if there were different parking requirements for different areas. Tokos explained that the parking districts had their own set of rules and those rules could be revisited and discussed in their own context. This discussion was not about the special parking districts but outside of these areas. Tokos noted that they added language to address substandard streets to say they had to have on-street parking available on both sides of the street in the area. Carpi asked if there were any areas in the city outside of the parking districts that had parking issues. Tokos noted the street Hanselman lived on was substandard and had issues. The provisions were drafted for areas with fully developed streets. Hanselman wouldn't have a problem if they established a standard width for streets. Capri noted these profiles were in the transportation section. Hanselman thought they needed to think about safety and have the streets wide enough to be travelled on without impeding traffic.

Berman asked on page 13 of 26 if "B" meant they had to submit a landscape plan. Tokos would look at how this synced up and reported the intent was to not subject one and two family to landscaping requirements.

Tokos noted what he was hearing was for him and go ahead to notice so there was a public hearing. This way there would be enough time for hearings and not be rushed.

C. **Updated Planning Commission Work Program.** No discussion was heard.

3. **New Business.**

A. **Goal Setting Discussion for FY 2021-22.** Tokos reviewed the goals for the Commission for the FY 2021-2022. Berman thought the Nye Beach discussion needed to be carried forward as a goal. Hanselman thought this was appropriate.

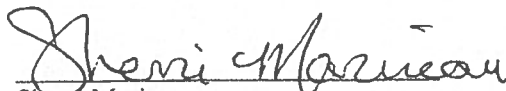
Tokos reviewed the department goals next. Berman suggested normalizing city limits especially in South Beach because the city limits were an obstacle for planning. He asked if there could be an updated city limits map so they could see where the lines were on a more detailed level. Tokos thought this was a logical next step coming out of the core study to put in place the land use regulation changes relative to commercial and industrial zone lands. Then they could segue into getting more aggressive into annexation being done in a compulsory manner, which would be an island annexation, otherwise they would need property owner consent. If there was a

property that was surrounded they could go ahead with an island annexation provision. Berman wanted access to a high resolution map of with city limits and the UGB.

Tokos noted that what he was hearing was to carry forward the targeted changes to Nye Beach, which was on the prior list, and add in an island annexation piece as well. There was general consensus with this. Tokos would take this back to the City Council. He would double back with the Commission when he saw where the Council landed and where their priorities were.

4. **Adjourn.** The meeting adjourned at 6:14 p.m.

Respectfully submitted,



Sherr Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers by Video Conference
February 8, 2021

Planning Commissioners Present by Video Conference: Lee Hardy, Jim Hanselman, Bill Branigan, and Bob Berman.

Planning Commissioners Absent: Jim Patrick (*excused*), and Gary East.

City Staff Present by Video Conference: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Vice Chair Branigan called the meeting to order in the City Hall Council Chambers at 7:20 p.m. On roll call, Commissioners Hardy, Hanselman, Branigan, and Berman were present.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Work and Regular Session Meeting Minutes of January 25, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner Hardy to approve the Planning Commission Work and Regular Session Meeting Minutes of January 25, 2021 with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Action Items.**

A. **Initiate Legislative Process to Amend Land Use Regulations to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards.**

MOTION was made by Commissioner Berman, seconded by Commissioner Hanselman to initiate the legislative process to amend land use regulations to implement HB 2001 duplex, townhouse, and cottage cluster standards. The motion carried unanimously in a voice vote.

5. **Public Hearings.** None were heard.

6. **New Business.** None were heard.

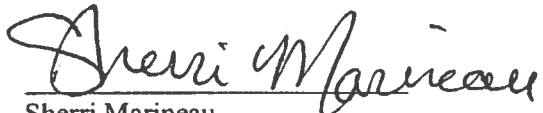
7. **Unfinished Business.** None were heard.

8. **Director Comments.** Hanselman noted that because of the COVID pandemic, they were learning that many of the younger students in Newport had trouble gaining access to the internet. He asked if there was a way for the city to get Wi-Fi coverage everywhere in the city with the 5G operators, because there were families finding it difficult to afford internet connection. Berman liked the idea and thought it could be negotiated as part of the franchise agreements. He noted 5G wouldn't be in the city anytime soon but he thought it was a good idea. Tokos noted what they often saw was communities going after State and Federal funding to build up rural wireless capabilities. Funding was the carrot to make it cost effective for the providers. Rural communities weren't as attractive to serve as the urban area and the question was how they

made them attractive to serve. Tokos explained there may be opportunities relative to franchise agreements, but it probably wasn't something they had the capacity to put into the permitting process.

9. **Adjournment.** Having no further business, the meeting adjourned at 7:29 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sherri Marineau". The signature is written in black ink and is positioned above the printed name and title.

Sherri Marineau
Executive Assistant

Enrolled
House Bill 2001

Sponsored by Representative KOTEK; Representatives FAHEY, HERNANDEZ, MARSH,
MITCHELL, POWER, STARK, WILLIAMS, ZIKA (Presession filed.)

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.

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

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section:

(a) "Cottage clusters" means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

(b) "Middle housing" means:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes;

(D) Cottage clusters; and

(E) Townhouses.

(c) "Townhouses" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

(3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.

(4) This section does not apply to:

(a) Cities with a population of 1,000 or fewer;

(b) Lands not within an urban growth boundary;

(c) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065;

(d) Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or

(e) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

(6) This section does not prohibit local governments from permitting:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle housing in areas not required under this section.

SECTION 3. (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement section 2 of this 2019 Act no later than:

(a) June 30, 2021, for each city subject to section 2 (3) of this 2019 Act; or

(b) June 30, 2022, for each local government subject to section 2 (2) of this 2019 Act.

(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Division of the Department of Consumer and Business Services, shall develop a model middle housing ordinance no later than December 31, 2020.

(3) A local government that has not acted within the time provided under subsection (1) of this section shall directly apply the model ordinance developed by the commission under subsection (2) of this section under ORS 197.646 (3) until the local government acts as described in subsection (1) of this section.

(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to:

(a) Waiving or deferring system development charges;

(b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to 307.523, 307.540 to 307.548 or 307.651 to 307.687 or property tax freezes under ORS 308.450 to 308.481; and

(c) Assessing a construction tax under ORS 320.192 and 320.195.

(5) When a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

SECTION 4. (1) Notwithstanding section 3 (1) or (3) of this 2019 Act, the Department of Land Conservation and Development may grant to a local government that is subject to section 2 of this 2019 Act an extension of the time allowed to adopt land use regulations or amend its comprehensive plan under section 3 of this 2019 Act.

(2) An extension under this section may be applied only to specific areas where the local government has identified water, sewer, storm drainage or transportation services that are either significantly deficient or are expected to be significantly deficient before December 31, 2023, and for which the local government has established a plan of actions that will remedy the deficiency in those services that is approved by the department. The extension may not extend beyond the date that the local government intends to correct the deficiency under the plan.

(3) In areas where the extension under this section does not apply, the local government shall apply its own land use regulations consistent with section 3 (1) of this 2019 Act or the model ordinance developed under section 3 (2) of this 2019 Act.

(4) A request for an extension by a local government must be filed with the department no later than:

(a) **December 31, 2020, for a city subject to section 2 (3) of this 2019 Act.**

(b) **June 30, 2021, for a local government subject to section 2 (2) of this 2019 Act.**

(5) **The department shall grant or deny a request for an extension under this section:**

(a) **Within 90 days of receipt of a complete request from a city subject to section 2 (3) of this 2019 Act.**

(b) **Within 120 days of receipt of a complete request from a local government subject to section 2 (2) of this 2019 Act.**

(6) **The department shall adopt rules regarding the form and substance of a local government's application for an extension under this section. The department may include rules regarding:**

(a) **Defining the affected areas;**

(b) **Calculating deficiencies of water, sewer, storm drainage or transportation services;**

(c) **Service deficiency levels required to qualify for the extension;**

(d) **The components and timing of a remediation plan necessary to qualify for an extension;**

(e) **Standards for evaluating applications; and**

(f) **Establishing deadlines and components for the approval of a plan of action.**

SECTION 5. ORS 197.296 is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of **existing and projected** housing need by type and density range, in accordance with **all factors under** ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

(A) Vacant lands planned or zoned for residential use;

(B) Partially vacant lands planned or zoned for residential use;

(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and

(D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity *[and need]* pursuant to subsection [(3)] (3)(a) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last *[periodic]* review or *[five]* six years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) **Market factors that may substantially impact future urban residential development;**
and

[(C) Demographic and population trends;]

[(D) Economic trends and cycles; and]

[(E)] (D) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity *[and need]*. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period *[for economic cycles and trends]* longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or *[more]* **both** of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary[;].

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall *[monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or]* **adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable vali-**

ation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the metropolitan service district.

[(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.]

(c) As used in this subsection, "authorized density level" has the meaning given that term in ORS 227.175.

(7) Using the **housing need** analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) *[The]* A local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved **following the adoption of these actions**. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, *[and]* is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section **and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period**. Actions or measures, or both, may include but are not limited to:

- (a) Increases in the permitted density on existing residential land;
- (b) Financial incentives for higher density housing;
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- (d) Removal or easing of approval standards or procedures;
- (e) Minimum density ranges;
- (f) Redevelopment and infill strategies;
- (g) Authorization of housing types not previously allowed by the plan or regulations;
- (h) Adoption of an average residential density standard; and
- (i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use, a city shall, according to rules of the commission:

- (A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
- (B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
- (C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

(c) For the purpose of the inventory described in this subsection, "buildable lands" includes those lands described in subsection (4)(a) of this section.

SECTION 6. ORS 197.303 is amended to read:

197.303. (1) As used in ORS [197.307] **197.295 to 197.314**, "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and
- (e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last periodic or legislative review or six years, whichever is greater, and the projected future changes in these factors over a 20-year planning period:

- (a) Household sizes;
- (b) Household demographics in terms of age, gender, race or other established demographic category;
- (c) Household incomes;
- (d) Vacancy rates; and
- (e) Housing costs.

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last periodic or legislative review or six years, whichever is greater, if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

[2] (5) Subsection (1)(a) and (d) of this section does not apply to:

- (a) A city with a population of less than 2,500.
- (b) A county with a population of less than 15,000.

[3] (6) A local government may take an exception under ORS 197.732 to the definition of "needed housing" in subsection (1) of this section in the same manner that an exception may be taken under the goals.

SECTION 7. ORS 197.312, as amended by section 7, chapter 15, Oregon Laws 2018, is amended to read:

197.312. (1) A city or county 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. 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-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection[.]:

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

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

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

SECTION 8. Section 1, chapter 47, Oregon Laws 2018, is amended to read:

Sec. 1. (1) For purposes of this section:

(a) A household is severely rent burdened if the household spends more than 50 percent of the income of the household on gross rent for housing.

(b) A regulated affordable unit is a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period of time.

[(c) A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.]

(2)(a) The Housing and Community Services Department shall annually provide to the governing body of each city in this state with a population greater than 10,000 the most current data available from the United States Census Bureau, or any other source the department considers at least as reliable, showing the percentage of renter households in the city that are severely rent burdened.

(b) The Housing and Community Services Department, in collaboration with the Department of Land Conservation and Development, shall develop a survey form on which the governing body of

a city may provide specific information related to the affordability of housing within the city, including, but not limited to:

(A) The actions relating to land use and other related matters that the governing body has taken to increase the affordability of housing and reduce rent burdens for severely rent burdened households; and

(B) The additional actions the governing body intends to take to reduce rent burdens for severely rent burdened households.

(c) If the Housing and Community Services Department determines that at least 25 percent of the renter households in a city are severely rent burdened, the department shall provide the governing body of the city with the survey form developed pursuant to paragraph (b) of this subsection.

(d) The governing body of the city shall return the completed survey form to the Housing and Community Services Department and the Department of Land Conservation and Development within 60 days of receipt.

(3)(a) In any year in which the governing body of a city is informed under this section that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting to discuss the causes and consequences of severe rent burdens within the city, the barriers to reducing rent burdens and possible solutions.

(b) The Housing and Community Services Department may adopt rules governing the conduct of the public meeting required under this subsection.

(4) No later than February 1 of each year, the governing body of each city in this state with a population greater than 10,000 shall submit to the Department of Land Conservation and Development a report for the immediately preceding calendar year setting forth separately for each of the following categories the total number of units that were permitted and the total number that were produced:

(a) Residential units.

(b) Regulated affordable residential units.

(c) Multifamily residential units.

(d) Regulated affordable multifamily residential units.

(e) Single-family *[units]* homes.

(f) Regulated affordable single-family *[units]* homes.

(g) Accessory dwelling units.

(h) Regulated affordable accessory dwelling units.

(i) Units of middle housing, as defined in section 2 of this 2019 Act.

(j) Regulated affordable units of middle housing.

SECTION 9. ORS 455.610 is amended to read:

455.610. (1) The Director of the Department of Consumer and Business Services shall adopt, and amend as necessary, a Low-Rise Residential Dwelling Code that contains all requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade. The code provisions for plumbing and electrical requirements must be compatible with other specialty codes adopted by the director. The Electrical and Elevator Board, the Mechanical Board and the State Plumbing Board shall review, respectively, amendments to the electrical, mechanical or plumbing provisions of the code.

(2) Changes or amendments to the code adopted under subsection (1) of this section may be made when:

(a) Required by geographic or climatic conditions unique to Oregon;

(b) Necessary to be compatible with other statutory provisions;

(c) Changes to the national codes are adopted in Oregon; or

(d) Necessary to authorize the use of building materials and techniques that are consistent with nationally recognized standards and building practices.

(3) Notwithstanding ORS 455.030, 455.035, 455.110 and 455.112, the director may, at any time following appropriate consultation with the Mechanical Board or Building Codes Structures Board,

amend the mechanical specialty code or structural specialty code to ensure compatibility with the Low-Rise Residential Dwelling Code.

(4) The water conservation provisions for toilets, urinals, shower heads and interior faucets adopted in the Low-Rise Residential Dwelling Code shall be the same as those adopted under ORS 447.020 to meet the requirements of ORS 447.145.

(5) The Low-Rise Residential Dwelling Code shall be adopted and amended as provided by ORS 455.030 and 455.110.

(6) The director, by rule, shall establish uniform standards for a municipality to allow an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code in areas where the local jurisdiction determines that the fire apparatus means of approach to a property or water supply serving a property does not meet applicable fire code or state building code requirements. The alternate method of construction, which may include but is not limited to the installation of automatic fire sprinkler systems, must be approved in conjunction with the approval of an application under ORS 197.522.

(7) For lots of record existing before July 2, 2001, or property that receives any approval for partition, subdivision or construction under ORS 197.522 before July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code may apply the uniform standards established by the director pursuant to subsection (6) of this section. For property that receives all approvals for partition, subdivision or construction under ORS 197.522 on or after July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code must apply the uniform standards established by the director pursuant to subsection (6) of this section.

(8) The director, by rule, shall establish uniform standards for a municipality to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units built to the Low-Rise Residential Dwelling Code that received occupancy approval prior to January 1, 2020. The standards established under this subsection must include standards describing the information that must be submitted before an application for alternate approval will be deemed complete.

(9)(a) A building official described in ORS 455.148 or 455.150 must approve or deny an application for alternate approval under subsection (8) of this section no later than 15 business days after receiving a complete application.

(b) A building official who denies an application for alternate approval under this subsection shall provide to the applicant:

(A) A written explanation of the basis for the denial; and

(B) A statement that describes the applicant's appeal rights under subsection (10) of this section.

(10)(a) An appeal from a denial under subsection (9) of this section must be made through a municipal administrative process. A municipality shall provide an administrative process that:

(A) Is other than a judicial proceeding in a court of law; and

(B) Affords the party an opportunity to appeal the denial before an individual, department or body that is other than a plan reviewer, inspector or building official for the municipality.

(b) A decision in an administrative process under this subsection must be completed no later than 30 business days after the building official receives notice of the appeal.

(c) Notwithstanding ORS 455.690, a municipal administrative process required under this subsection is the exclusive means for appealing a denial under subsection (9) of this section.

(11) The costs incurred by a municipality under subsections (9) and (10) of this section are building inspection program administration and enforcement costs for the purpose of fee adoption under ORS 455.210.

SECTION 10. (1) It is the policy of the State of Oregon to reduce to the extent practicable administrative and permitting costs and barriers to the construction of middle housing, as defined in section 2 of this 2019 Act, while maintaining safety, public health and the general welfare with respect to construction and occupancy.

(2) The Department of Consumer and Business Services shall submit a report describing rules and standards relating to low-rise residential dwellings proposed under ORS 455.610, as amended by section 9 of this 2019 Act, in the manner provided in ORS 192.245, to an interim committee of the Legislative Assembly related to housing no later than January 1, 2020.

SECTION 11. Section 12 of this 2019 Act is added to and made a part of ORS 94.550 to 94.783.

SECTION 12. A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13. A provision in a recorded instrument affecting real property is not enforceable if:

(1) The provision would allow the development of a single-family dwelling on the real property but would prohibit the development of:

- (a) Middle housing, as defined in section 2 of this 2019 Act; or
- (b) An accessory dwelling unit allowed under ORS 197.312 (5); and

(2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14. (1) Sections 2, 12 and 13 of this 2019 Act and the amendments to ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018, by sections 5 to 9 of this 2019 Act become operative on January 1, 2020.

(2) The Land Conservation and Development Commission, the Department of Consumer and Business Services and the Residential and Manufactured Structures Board may take any actions before the operative date specified in subsection (1) of this section necessary to enable the commission, department or board to exercise, on or after the operative date specified in subsection (1) of this section, the duties required under sections 2, 3 and 10 of this 2019 Act and the amendments to ORS 455.610 by section 9 of this 2019 Act.

SECTION 15. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$3,500,000 for the purpose of providing technical assistance to local governments in implementing section 3 (1) of this 2019 Act and to develop plans to improve water, sewer, storm drainage and transportation services as described in section 4 (2) of this 2019 Act. The department shall prioritize technical assistance to cities or counties with limited planning staff or that commit to implementation earlier than the date required under section 3 (1) of this 2019 Act.

SECTION 16. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House June 20, 2019

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

.....
Tina Kotek, Speaker of House

Passed by Senate June 30, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

.....
Bev Clarno, Secretary of State

Enrolled
House Bill 2001

Sponsored by Representative KOTEK; Representatives FAHEY, HERNANDEZ, MARSH,
MITCHELL, POWER, STARK, WILLIAMS, ZIKA (Presession filed.)

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.

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

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section:

(a) "Cottage clusters" means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

(b) "Middle housing" means:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes;

(D) Cottage clusters; and

(E) Townhouses.

(c) "Townhouses" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

(3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.

(4) This section does not apply to:

(a) Cities with a population of 1,000 or fewer;

(b) Lands not within an urban growth boundary;

(c) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065;

(d) Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or

(e) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

(6) This section does not prohibit local governments from permitting:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle housing in areas not required under this section.

SECTION 3. (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement section 2 of this 2019 Act no later than:

(a) June 30, 2021, for each city subject to section 2 (3) of this 2019 Act; or

(b) June 30, 2022, for each local government subject to section 2 (2) of this 2019 Act.

(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Division of the Department of Consumer and Business Services, shall develop a model middle housing ordinance no later than December 31, 2020.

(3) A local government that has not acted within the time provided under subsection (1) of this section shall directly apply the model ordinance developed by the commission under subsection (2) of this section under ORS 197.646 (3) until the local government acts as described in subsection (1) of this section.

(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to:

(a) Waiving or deferring system development charges;

(b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to 307.523, 307.540 to 307.548 or 307.651 to 307.687 or property tax freezes under ORS 308.450 to 308.481; and

(c) Assessing a construction tax under ORS 320.192 and 320.195.

(5) When a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

SECTION 4. (1) Notwithstanding section 3 (1) or (3) of this 2019 Act, the Department of Land Conservation and Development may grant to a local government that is subject to section 2 of this 2019 Act an extension of the time allowed to adopt land use regulations or amend its comprehensive plan under section 3 of this 2019 Act.

(2) An extension under this section may be applied only to specific areas where the local government has identified water, sewer, storm drainage or transportation services that are either significantly deficient or are expected to be significantly deficient before December 31, 2023, and for which the local government has established a plan of actions that will remedy the deficiency in those services that is approved by the department. The extension may not extend beyond the date that the local government intends to correct the deficiency under the plan.

(3) In areas where the extension under this section does not apply, the local government shall apply its own land use regulations consistent with section 3 (1) of this 2019 Act or the model ordinance developed under section 3 (2) of this 2019 Act.

(4) A request for an extension by a local government must be filed with the department no later than:

(a) December 31, 2020, for a city subject to section 2 (3) of this 2019 Act.

(b) June 30, 2021, for a local government subject to section 2 (2) of this 2019 Act.

(5) The department shall grant or deny a request for an extension under this section:

(a) Within 90 days of receipt of a complete request from a city subject to section 2 (3) of this 2019 Act.

(b) Within 120 days of receipt of a complete request from a local government subject to section 2 (2) of this 2019 Act.

(6) The department shall adopt rules regarding the form and substance of a local government's application for an extension under this section. The department may include rules regarding:

(a) Defining the affected areas;

(b) Calculating deficiencies of water, sewer, storm drainage or transportation services;

(c) Service deficiency levels required to qualify for the extension;

(d) The components and timing of a remediation plan necessary to qualify for an extension;

(e) Standards for evaluating applications; and

(f) Establishing deadlines and components for the approval of a plan of action.

SECTION 5. ORS 197.296 is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of **existing and projected** housing need by type and density range, in accordance with **all factors under** ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

(A) Vacant lands planned or zoned for residential use;

(B) Partially vacant lands planned or zoned for residential use;

(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and

(D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity *[and need]* pursuant to subsection [(3)] **(3)(a)** of this section must be based on data relating to land within the urban growth boundary that has been collected since the last *[periodic]* review or *[five]* **six** years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) **Market factors that may substantially impact future urban residential development;**
and

[(C) Demographic and population trends;]

[(D) Economic trends and cycles; and]

[(E)] **(D)** The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity *[and need]*. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period *[for economic cycles and trends]* longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or *[more]* **both** of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary[;].

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall *[monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or]* **adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable vali-**

dition must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the metropolitan service district.

[(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.]

(c) As used in this subsection, "authorized density level" has the meaning given that term in ORS 227.175.

(7) Using the **housing need** analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) *[The]* A local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved **following the adoption of these actions**. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, *[and]* is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section **and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period**. Actions or measures, or both, may include but are not limited to:

- (a) Increases in the permitted density on existing residential land;
- (b) Financial incentives for higher density housing;
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- (d) Removal or easing of approval standards or procedures;
- (e) Minimum density ranges;
- (f) Redevelopment and infill strategies;
- (g) Authorization of housing types not previously allowed by the plan or regulations;
- (h) Adoption of an average residential density standard; and
- (i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use, a city shall, according to rules of the commission:

- (A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
- (B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
- (C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

(c) For the purpose of the inventory described in this subsection, "buildable lands" includes those lands described in subsection (4)(a) of this section.

SECTION 6. ORS 197.303 is amended to read:

197.303. (1) As used in ORS [197.307] **197.295 to 197.314**, "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and
- (e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last periodic or legislative review or six years, whichever is greater, and the projected future changes in these factors over a 20-year planning period:

- (a) Household sizes;
- (b) Household demographics in terms of age, gender, race or other established demographic category;
- (c) Household incomes;
- (d) Vacancy rates; and
- (e) Housing costs.

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last periodic or legislative review or six years, whichever is greater, if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

[2] (5) Subsection (1)(a) and (d) of this section does not apply to:

- (a) A city with a population of less than 2,500.
- (b) A county with a population of less than 15,000.

[3] (6) A local government may take an exception under ORS 197.732 to the definition of "needed housing" in subsection (1) of this section in the same manner that an exception may be taken under the goals.

SECTION 7. ORS 197.312, as amended by section 7, chapter 15, Oregon Laws 2018, is amended to read:

197.312. (1) A city or county 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. 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-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection[.]:

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

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

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

SECTION 8. Section 1, chapter 47, Oregon Laws 2018, is amended to read:

Sec. 1. (1) For purposes of this section:

(a) A household is severely rent burdened if the household spends more than 50 percent of the income of the household on gross rent for housing.

(b) A regulated affordable unit is a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period of time.

[(c) A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.]

(2)(a) The Housing and Community Services Department shall annually provide to the governing body of each city in this state with a population greater than 10,000 the most current data available from the United States Census Bureau, or any other source the department considers at least as reliable, showing the percentage of renter households in the city that are severely rent burdened.

(b) The Housing and Community Services Department, in collaboration with the Department of Land Conservation and Development, shall develop a survey form on which the governing body of

a city may provide specific information related to the affordability of housing within the city, including, but not limited to:

(A) The actions relating to land use and other related matters that the governing body has taken to increase the affordability of housing and reduce rent burdens for severely rent burdened households; and

(B) The additional actions the governing body intends to take to reduce rent burdens for severely rent burdened households.

(c) If the Housing and Community Services Department determines that at least 25 percent of the renter households in a city are severely rent burdened, the department shall provide the governing body of the city with the survey form developed pursuant to paragraph (b) of this subsection.

(d) The governing body of the city shall return the completed survey form to the Housing and Community Services Department and the Department of Land Conservation and Development within 60 days of receipt.

(3)(a) In any year in which the governing body of a city is informed under this section that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting to discuss the causes and consequences of severe rent burdens within the city, the barriers to reducing rent burdens and possible solutions.

(b) The Housing and Community Services Department may adopt rules governing the conduct of the public meeting required under this subsection.

(4) No later than February 1 of each year, the governing body of each city in this state with a population greater than 10,000 shall submit to the Department of Land Conservation and Development a report for the immediately preceding calendar year setting forth separately for each of the following categories the total number of units that were permitted and the total number that were produced:

- (a) Residential units.
- (b) Regulated affordable residential units.
- (c) Multifamily residential units.
- (d) Regulated affordable multifamily residential units.
- (e) Single-family [units] homes.
- (f) Regulated affordable single-family [units] homes.
- (g) Accessory dwelling units.
- (h) Regulated affordable accessory dwelling units.
- (i) Units of middle housing, as defined in section 2 of this 2019 Act.
- (j) Regulated affordable units of middle housing.

SECTION 9. ORS 455.610 is amended to read:

455.610. (1) The Director of the Department of Consumer and Business Services shall adopt, and amend as necessary, a Low-Rise Residential Dwelling Code that contains all requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade. The code provisions for plumbing and electrical requirements must be compatible with other specialty codes adopted by the director. The Electrical and Elevator Board, the Mechanical Board and the State Plumbing Board shall review, respectively, amendments to the electrical, mechanical or plumbing provisions of the code.

(2) Changes or amendments to the code adopted under subsection (1) of this section may be made when:

- (a) Required by geographic or climatic conditions unique to Oregon;
- (b) Necessary to be compatible with other statutory provisions;
- (c) Changes to the national codes are adopted in Oregon; or
- (d) Necessary to authorize the use of building materials and techniques that are consistent with nationally recognized standards and building practices.

(3) Notwithstanding ORS 455.030, 455.035, 455.110 and 455.112, the director may, at any time following appropriate consultation with the Mechanical Board or Building Codes Structures Board,

amend the mechanical specialty code or structural specialty code to ensure compatibility with the Low-Rise Residential Dwelling Code.

(4) The water conservation provisions for toilets, urinals, shower heads and interior faucets adopted in the Low-Rise Residential Dwelling Code shall be the same as those adopted under ORS 447.020 to meet the requirements of ORS 447.145.

(5) The Low-Rise Residential Dwelling Code shall be adopted and amended as provided by ORS 455.030 and 455.110.

(6) The director, by rule, shall establish uniform standards for a municipality to allow an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code in areas where the local jurisdiction determines that the fire apparatus means of approach to a property or water supply serving a property does not meet applicable fire code or state building code requirements. The alternate method of construction, which may include but is not limited to the installation of automatic fire sprinkler systems, must be approved in conjunction with the approval of an application under ORS 197.522.

(7) For lots of record existing before July 2, 2001, or property that receives any approval for partition, subdivision or construction under ORS 197.522 before July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code may apply the uniform standards established by the director pursuant to subsection (6) of this section. For property that receives all approvals for partition, subdivision or construction under ORS 197.522 on or after July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code must apply the uniform standards established by the director pursuant to subsection (6) of this section.

(8) The director, by rule, shall establish uniform standards for a municipality to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units built to the Low-Rise Residential Dwelling Code that received occupancy approval prior to January 1, 2020. The standards established under this subsection must include standards describing the information that must be submitted before an application for alternate approval will be deemed complete.

(9)(a) A building official described in ORS 455.148 or 455.150 must approve or deny an application for alternate approval under subsection (8) of this section no later than 15 business days after receiving a complete application.

(b) A building official who denies an application for alternate approval under this subsection shall provide to the applicant:

(A) A written explanation of the basis for the denial; and

(B) A statement that describes the applicant's appeal rights under subsection (10) of this section.

(10)(a) An appeal from a denial under subsection (9) of this section must be made through a municipal administrative process. A municipality shall provide an administrative process that:

(A) Is other than a judicial proceeding in a court of law; and

(B) Affords the party an opportunity to appeal the denial before an individual, department or body that is other than a plan reviewer, inspector or building official for the municipality.

(b) A decision in an administrative process under this subsection must be completed no later than 30 business days after the building official receives notice of the appeal.

(c) Notwithstanding ORS 455.690, a municipal administrative process required under this subsection is the exclusive means for appealing a denial under subsection (9) of this section.

(11) The costs incurred by a municipality under subsections (9) and (10) of this section are building inspection program administration and enforcement costs for the purpose of fee adoption under ORS 455.210.

SECTION 10. (1) It is the policy of the State of Oregon to reduce to the extent practicable administrative and permitting costs and barriers to the construction of middle housing, as defined in section 2 of this 2019 Act, while maintaining safety, public health and the general welfare with respect to construction and occupancy.

(2) The Department of Consumer and Business Services shall submit a report describing rules and standards relating to low-rise residential dwellings proposed under ORS 455.610, as amended by section 9 of this 2019 Act, in the manner provided in ORS 192.245, to an interim committee of the Legislative Assembly related to housing no later than January 1, 2020.

SECTION 11. Section 12 of this 2019 Act is added to and made a part of ORS 94.550 to 94.783.

SECTION 12. A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13. A provision in a recorded instrument affecting real property is not enforceable if:

(1) The provision would allow the development of a single-family dwelling on the real property but would prohibit the development of:

- (a) Middle housing, as defined in section 2 of this 2019 Act; or
- (b) An accessory dwelling unit allowed under ORS 197.312 (5); and

(2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14. (1) Sections 2, 12 and 13 of this 2019 Act and the amendments to ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018, by sections 5 to 9 of this 2019 Act become operative on January 1, 2020.

(2) The Land Conservation and Development Commission, the Department of Consumer and Business Services and the Residential and Manufactured Structures Board may take any actions before the operative date specified in subsection (1) of this section necessary to enable the commission, department or board to exercise, on or after the operative date specified in subsection (1) of this section, the duties required under sections 2, 3 and 10 of this 2019 Act and the amendments to ORS 455.610 by section 9 of this 2019 Act.

SECTION 15. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$3,500,000 for the purpose of providing technical assistance to local governments in implementing section 3 (1) of this 2019 Act and to develop plans to improve water, sewer, storm drainage and transportation services as described in section 4 (2) of this 2019 Act. The department shall prioritize technical assistance to cities or counties with limited planning staff or that commit to implementation earlier than the date required under section 3 (1) of this 2019 Act.

SECTION 16. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House June 20, 2019

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

.....
Tina Kotek, Speaker of House

Passed by Senate June 30, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

.....
Bev Clarno, Secretary of State

Chapter 660

Attachment "D"

4-Z-20

Division 46

Middle Housing in Medium and Large Cities

660-046-0000

Purpose

The purpose of this division is to prescribe standards guiding the development of Middle Housing types as provided in Oregon Laws 2019, chapter 639. OAR 660-046-0010 to OAR 660-046-0130 establish standards related to the siting and design of Middle Housing types in urban growth boundaries.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0010

Applicability

(1) A local government that is a Medium City must comply with this division.

(2) Notwithstanding section (1), a local government need not comply with this division for:

(a) Lands that are not zoned for residential use, including but not limited to lands zoned primarily for commercial, industrial, agricultural, or public uses;

(b) Residentially zoned lands that do not allow for the development of a detached single-family home; or

(c) Lands that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

(3) Local governments may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where local governments have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by OAR 660-046-0010.

(a) Goal 5: Natural Resources, Scenic, and Historic Areas - Pursuant to OAR 660-023, local governments must adopt land use regulations to protect identified resources under Goal 5, including regulations to comply with protective measures (including plans, policies, and regulations) applicable to Middle Housing.

(A) Goal 5 Riparian Areas, Wetlands, and Wildlife Habitat – Pursuant to OAR 660-023-0050 through 660-023-0115, local governments must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5. Local governments may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone.

(B) Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), local governments must adopt land use regulations to protect locally significant historic resources . This includes regulations of Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Local governments may not apply the following types of regulations specific to Middle Housing:

(i) Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.

(ii) Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings

(b) Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), local governments must adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including but not limited to restrictions on use, density, and occupancy in the following areas:

(A) Special Flood Hazard Areas as identified on the applicable FEMA Flood Insurance Rate Map (FIRM) ; or

(B) Other hazard areas identified in an adopted comprehensive plan or development code; provided the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings. Greater risk includes but is not limited to actions or effects such as:

(i) Increasing the number of people exposed to a hazard;

(ii) Increasing risk of damage to property, built, or natural infrastructure;

(iii) Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.

(c) Goal 15: Willamette Greenway – Pursuant to OAR 660-015-0005, cities and counties must review intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Local governments may regulate Middle Housing to comply with Goal 15 protective measures that apply to detached single-family dwellings in the same zone.

(d) Goal 16: Estuarine Resources – Pursuant to OAR 660-015-0010(1) and OAR 660-017, local governments must apply land use regulations that protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features and water quality. Local governments may prohibit Middle Housing in areas regulated to protect estuarine resources under Goal 16.

(e) Goal 17: Coastal Shorelands – Pursuant to OAR 660-015-0010(2) and OAR 660-037-0080, local governments must apply land use regulations that protect shorelands for water-dependent recreational, commercial, and industrial uses. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 17. Local governments may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone.

(f) Goal 18: Beaches and Dunes – Pursuant to OAR 660-015-0010(3), local governments must apply land use regulations to residential developments to mitigate hazards to life, public and private property, and the natural environment in areas identified as Beaches and Dunes. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 18 including but not limited to restrictions on use, density, and occupancy; provided the development of Middle Housing presents a greater risk to life or property than development of detached single-family dwellings. Greater risk includes but is not limited to actions or effects such as:

(A) Increasing the number of people exposed to a hazard;

(B) Increasing risk of damage to property, built or natural infrastructure; and

(C) Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.

(4) This division does not prohibit local governments from allowing:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle Housing in areas not required under this division.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0020

Definitions

As used in this division, the definitions in ORS 197.015 and 197.758 et seq apply, unless the context requires otherwise. In addition:

(1) "A local government that has not acted" means a local government that has not adopted acknowledged land use regulations that are in compliance with ORS 197.758 and this division.

(2) "Department" means the Department of Land Conservation and Development.

(3) "Detached single-family dwelling" means a detached structure on a Lot or Parcel that is comprised of a single dwelling unit, either site built or a manufactured dwelling.

(4) "Duplex" means two attached dwelling units on one Lot or Parcel. A Medium City may define a Duplex to include two detached dwelling units on one Lot or Parcel.

- (5) "Lot or Parcel" means any legally created unit of land.
- (6) "Medium City" means each city with a certified Portland State University Population Research Center estimated population more than 10,000 and less than 25,000 and not within a metropolitan service district.
- (7) "Middle Housing" means a Duplex as defined in section (4).
- (8) "Model Code" means the model code developed by the Department contained OAR 660-046-0110(5).
- (9) "Zoned for residential use" means a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0030

Implementation of Middle Housing Ordinances

- (1) Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the local government must submit the proposed amendment to the Department for review and comment pursuant to OAR chapter 660, division 18.
- (2) In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:
- (a) Waiving or deferring system development charges;
 - (b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and
 - (c) Assessing a construction tax under ORS 320.192 and ORS 320.195.
- (3) When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0040

Compliance

- (1) A local government may adopt land use regulations or amend its comprehensive plan to comply with ORS 197.758 et seq and the provisions of this division.
- (2) A local government may request from the Department an extension of the time allowed to complete the action in section (1) pursuant to ORS 197.758.
- (3) A Medium City that has not acted by June 30, 2021 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0130(5) in its entirety to all proposed Middle Housing development applications until such time as the Medium City has adopted provisions under section (1).
- (4) If a Medium City has adopted land use regulations or amended its comprehensive plan by the date provided under section (3) and the city's land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an appellate court solely on procedural grounds, the Medium City is deemed to have acted. Accordingly, the Medium City may continue to apply its own land use regulations and comprehensive plan as they existed prior to the adoption of land use regulations or comprehensive plan amendments that were the subject of procedural remand until the first of the two options:
- (a) The Medium City has adopted land use regulations or amended its comprehensive plan in response to the remand; or

(b) 120 days after the date of the remand. If the Medium City has not adopted land use regulations or amended its comprehensive plan within 120 days of the date of the remand, the Medium City is deemed not to have acted under section (3).

(5) If a Medium City has adopted land use regulations or amended its comprehensive plan by the date provided under section (3) and the Medium City's land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an appellate court on any substantive grounds, the city is deemed to have not acted under section (3).

(6) If a Medium City acknowledged to be in compliance with this division subsequently amends its land use regulations or comprehensive plan, and those amendments are remanded by the Land Use Board of Appeals or an appellate court, the city shall continue to apply its land use regulations and comprehensive plan as they existed prior to the amendments until the amendments are acknowledged.

(7) In the event that a Medium City directly applies the Model Code in accordance with sections (3) and (5), the Model Code completely replaces and pre-empts any provisions of that Medium City's development code that conflict with the Model Code.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0050

Eligible Local Governments

If a local government was not previously a Medium City and a certified Portland State University Population Research Center population estimate qualifies a city as a Medium City, the city must comply with this division within one year of its qualification as a Medium City.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0100

Purpose of Middle Housing in Medium Cities

OAR 660-046-0105 through OAR 660-046-0130 are intended to measure compliance with ORS 197.758 et seq and Goal 10 Housing for Medium Cities.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0105

Applicability of Middle Housing in Medium Cities

(1) A Medium City must allow for the development of a Duplex, including those Duplexes created through conversion of an existing detached single-family dwelling, on each Lot or Parcel zoned for residential use that allows for the development of detached single-family dwellings.

(2) OAR 660-046-0105 through OAR 660-046-0130 do not require a Medium City to allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0110

Provisions Applicable to Duplexes in Medium Cities

- (1) Medium Cities may regulate Duplexes to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
- (2) Medium Cities may regulate siting and design of Duplexes, provided that the regulations;
- (a) Are clear and objective standards, conditions, or procedures; and
- (b) Do not, individually or cumulatively, discourage the development of Duplexes through unreasonable costs or delay.
- (3) Siting and design standards that create unreasonable cost and delay include any standards applied to Duplex development that are more restrictive than those applicable to detached single-family dwellings in the same zone.
- (4) Siting and design standards that do not, individually or cumulatively, discourage the development of Duplexes through unreasonable cost and delay include only the following:
- (a) Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
- (b) Permitted uses and approval process provided in OAR 660-046-0115;
- (c) Siting standards provided in OAR 660-046-0120;
- (d) Design standards in Medium Cities provided in OAR 660-046-0125;
- (e) Duplex Conversions provided in OAR 660-046-0130; and
- (f) Any siting and design standards contained in the Model Code referenced in section (5).
- (5) For the purposes of assisting Medium Cities in adopting reasonable siting and design standards for Duplexes, the Commission adopts the following model Middle Housing code for Medium Cities. The Model Code provided in Exhibit A of this section will be applied to Medium Cities who have not acted to comply with the provisions of ORS 197.758 and this division and completely replaces and pre-empts any provisions of that Medium City's development code that conflict with the Model Code.

[ED. NOTE: To view attachments referenced in rule text, [click here to view rule.](#)]

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0115

Permitted Uses and Approval Process

Medium Cities must apply the same approval process to Duplexes as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Medium Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Duplexes. Nothing in this rule prohibits a Medium City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-008-0015(2) and ORS 197.307(6).

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0120

Duplex Siting Standards in Medium Cities

The following standards apply to all Duplexes:

- (1) Minimum Lot or Parcel Size: A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.

- (2) Density: If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.
- (3) Setbacks: A Medium City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.
- (4) Height: A Medium City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone.
- (5) Parking:
- (a) A Medium City may not require more than a total of two off-street parking spaces for a Duplex.
- (b) Nothing in this section precludes a Medium City from allowing on-street parking credits to satisfy off-street parking requirements.
- (6) Lot Coverage and Floor Area Ratio: Medium Cities are not required to apply lot coverage or floor area ratio standards to new Duplexes. However, if the Medium City chooses to apply lot coverage or floor area ratio standards, it may not establish a cumulative lot coverage or floor area ratio for a Duplex that is less than established for detached single-family dwelling in the same zone.
- (7) A Medium City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the same exceptions to Duplexes.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0125

Duplex Design Standards in Medium Cities

- (1) Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.
- (2) A Medium City may not apply design standards to Duplexes created as provided in OAR 660-046-0130.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0130

Duplex Conversions

Conversion of an existing detached single-family dwelling to a Duplex is allowed, pursuant to OAR 660-046-0105(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards in the Medium City's development code, unless increasing nonconformance is otherwise allowed by the Medium City.

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.758

History:

LCDD 12-2020, adopt filed 07/31/2020, effective 08/03/2020

660-046-0300

Purpose of Infrastructure-Based Time Extension Request Process

OAR 660-046-0300 to OAR 660-046-0370 establish the form and substance of the IBTER application and review process. The purpose of these rules is to provide submittal requirements, including required data and analyses that a local government must submit with an IBTER, prescribe when a local government is eligible for a time extension in response to an IBTER, and to provide the evaluation process and criteria that the department will use to review IBTERs and issue Time Extensions.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0310

Entities Eligible to Apply

Local governments, as defined in OAR 660-046-0320, may submit an IBTER.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0320

Definitions

In addition to the definitions in OAR 660-046-0020 and in ORS 197.015 and ORS 197.758, the following definitions apply to OAR 660-046-0300 to OAR 660-046-0370. In the event of a conflict, these definitions will take precedence.

- (1) "Acceptable service levels" means measures of public facility adequacy defined by common engineering standards of practice, adopted as a policy for a utility, identified by designated authority from the decision-making body of a local government, identified in an adopted utility master plan or special area utility plan, or as necessary to comply with state or federal law.
- (2) "IBTER" means an infrastructure-based time extension request submitted by a local government for an extension of time to adopt land use regulations or amend a comprehensive plan as provided for under Oregon Laws 2019, chapter 639, section 4.
- (3) "Infill and redevelopment areas" means areas with lot sizes of less than one-half an acre that are zoned to allow detached single family dwellings and that are either vacant or developed with detached single family dwellings.
- (4) "Infrastructure" means urban water, sanitary sewer, stormwater, and transportation systems.
- (5) "Local governments" means a city outside a metropolitan service district, with a population of more than 10,000 and less than 25,000; a city inside a metropolitan service district, with a population of more than 1,000 and less than 25,000; any city with a population of 25,000 or more; or any unincorporated portion of a county within a metropolitan service district that is provided with sufficient urban services as defined in ORS 195.065. No other unincorporated areas within urban growth boundaries are included in this definition.
- (6) "Significant infrastructure deficiency" means a local government has met the burden of proof to demonstrate a situation or situations where the following exists:
 - (a) A local government or service provider is unable to provide acceptable service levels within a developed, or developing, area zoned to allow detached single-family dwellings; or
 - (b) A local government or service provider anticipates that it will be unable to provide acceptable service levels by December 31, 2023, based either on extrapolated current development rates alone, or based on extrapolated current rates and additional anticipated middle housing development.
 - (c) There is no single service level for demonstrating a significant infrastructure deficiency for transportation infrastructure. Supporting information regarding the magnitude and severity of the deficiency must support a determination that the deficiency has a significant impact on transportation function or safety in the affected area. Higher street classifications, traffic volumes, and impacts to the function of transportation corridors, rather than a single intersection, will help to support the significance of the transportation deficiency. The severity of safety issues may be supported with information such as crash data, posted speed limits, sight distance at intersections, or similar information.
- (7) "Time extension" is an IBTER as granted by the department.
- (8) "Undeveloped or underdeveloped areas" means areas with lot sizes greater than one-half an acre that are zoned to allow single family detached dwellings and are currently developed at a density of two dwelling units per acre or less.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0330**Parameters**

- (1) Infrastructure, as defined in OAR 660-046-0320(4) and as described in more detail in OAR 660-046-0340, is eligible as a basis for an IBTER application. An infrastructure deficiency is not significant if it would be addressed with infrastructure improvements required in conjunction with the development of a single-family dwelling.
- (2) If a local government is currently unable to issue any new permits for residential development due to a jurisdiction-wide significant infrastructure deficiency, the local government must address that situation through the moratorium process provided in ORS 197.505 through ORS 197.540. The department will not approve IBTER applications that address this type of situation.
- (3) If a local government intends to continue permitting new single family detached dwellings or other development allowed by the current zoning within the area that has a significant infrastructure deficiency while deferring middle housing development within the area, the local government shall demonstrate that the additional infrastructure demand created by middle housing development would cause an unacceptable service level of the infrastructure, or shall provide other valid justification for allowing other development in the subject area while prohibiting middle housing development until the significant infrastructure deficiency is addressed.
- (4) For the purpose of estimating the additional impacts of middle housing development on infrastructure, the local government may assume the following increases in residential development that would create additional impacts upon an area that is significantly infrastructure deficient over the period ending December 31, 2023:
- (a) The local government shall prepare the baseline estimate for the number of dwelling units per acre produced within a residential zoning district by following the process described in ORS 197.296(5)(a)(A). A local government may add units produced by middle housing allowances, as described in subsections (b) through (f) to estimate residential infrastructure demand within a specified area. A local government may include additional infrastructure demand from other existing uses within the service area, such as higher density housing, schools, businesses, industrial uses, or other uses to estimate a total infrastructure service demand within the area that has a significant infrastructure deficiency.
- (b) Infill and redevelopment areas may assume a one percent increase in the number of dwelling units produced due to middle housing allowances within the specified residential zone(s), above the baseline estimate described in subsection (a) prior to adoption of middle housing allowances. If some types of middle housing are currently allowed in a residential zone, the local government must adjust the anticipated increase for that area to an estimated fraction of one percent representing additional housing production from the middle housing types that are not currently allowed.
- (c) Undeveloped and underdeveloped areas may assume a three percent increase in the number of dwelling units produced due to middle housing allowances within the specified residential zone(s), above the baseline estimate described in subsection (a) prior to adoption of middle housing allowances. If some types of middle housing are currently allowed in a residential zone, the local government must adjust the anticipated increase to an estimated fraction of three percent representing additional housing production from the middle housing types that are not currently allowed.
- (d) The local government may project an increase in anticipated middle housing residential development above the thresholds identified in subsections (b) or (c) if it provides quantifiable validation of such an increase. For local governments located outside a metropolitan service district, the standards for demonstration of a quantifiable validation are provided in subsection (e). For local governments within a metropolitan service district, the standards for demonstration of a quantifiable validation are provided in subsection (f).
- (e) A local government located outside a metropolitan service district may provide a quantifiable validation by demonstrating an actual increase in residential dwelling units produced above the rates anticipated in subsections (b) and (c), within a zone that allows densities that are no higher than those that would be allowed with adopted middle housing provisions. The evidence may be derived from an existing zone within the local government's jurisdiction, or from another local government within 25 miles of the subject local government.
- (f) A local government located inside a metropolitan service district may provide a quantifiable validation by demonstrating an actual increase in residential dwelling units produced above the rates anticipated in subsections (b) and (c), within a zone that allows densities that are no higher than those that would be allowed with adopted middle housing provisions. The evidence may be derived from an existing zone within the local government's jurisdiction, or from another local government within the metropolitan service district.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0340**Infrastructure-Specific Application Thresholds**

This rule specifies the circumstances that would justify a time extension for each infrastructure type.

(1) Transportation. A local government may use the following circumstances to justify a transportation-based IBTER:

(a) Areas where the supporting roadways, intersections, or both are operating or anticipated to operate over capacity, not meet currently acceptable service levels, or have existing geometric/safety limitations. Supporting information regarding the magnitude and severity of the deficiency must support a determination that the deficiency has a significant impact on transportation function or safety in the affected area. This type of transportation IBTER applies only to areas where mitigation is planned and is either within the jurisdiction and financial capacity of the local government, or is planned, financed, and scheduled in partnership with county, state, or other governmental or private partners.

(b) Areas that lack adequate emergency vehicle access per current adopted Fire Code standards, and for which mitigation in conjunction with development is not feasible.

(2) Stormwater. A local government may use the following circumstances to justify a stormwater-based IBTER:

(a) Lack of stormwater infrastructure, or adequately-sized stormwater infrastructure, such as storm drainage pipes, curb and gutters, catch basins and inlets, lateral storm connections, regional stormwater facilities, and discharge outfalls that results in not meeting an acceptable service level. An acceptable service level may include metrics for water quantity discharge, water quality, or both.

(b) A downstream stormwater conveyance system deficiency, resulting in localized ponding or flooding and storm pipe back-ups caused by pipes, culverts, or catch basins in disrepair; these problems may be compounded by high groundwater; compacted underlying soils; or backwater from nearby waterways during high flows; any of which that results in not meeting an acceptable service level.

(3) Water and Sewer. A local government may use the following circumstances to justify a water or sanitary sewer IBTER:

(a) A significant infrastructure deficiency in localized (not citywide) water or sanitary sewer service that results in unacceptable service levels for water or sewer services. For example, maintaining minimum water pressure in a water system or exceeding the capacity of existing infrastructure within a sanitary sewer system.

(b) A localized (not citywide) combined sewer/stormwater system that will exceed capacity as a result of new middle housing units. As further justification the local government shall demonstrate how it would mitigate the deficiency with respect to wastewater capacity and stormwater controls, if both aspects would not meet acceptable service levels. In this case, the local government shall include descriptions and justifications for the IBTER consistent with the requirements for each of the infrastructure types.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0350**Application Submittal Timeline and Requirements**

(1) Local governments requesting a time extension must file IBTER applications with the department as follows:

(a) By December 31, 2020 for local governments subject to ORS 197.758(3).

(b) By June 30, 2021 for local governments subject to ORS 197.758(2).

(2) Completeness review. Upon receipt of an IBTER application, the department will conduct a preliminary completeness review within 30 calendar days of receipt and notify the local government of any additional materials from section (3) that are required to make a complete application. Within one week of receiving notification of an incomplete application, the local government shall notify the department if it will provide all, some, or none of the requested additional information. If no additional information will be provided by the local government, the review period specified in OAR 660-046-0360(2) will begin upon receipt of the notification from the local government. If additional information is to be provided, the review period specified in OAR 660-046-0360(2) will begin on the date of receipt of the additional information. The local government must

submit all requested materials within 60 calendar days of receipt of a request for additional materials. If the local government does not submit some or all of the requested completeness materials within the 60-day period, the review period specified in OAR 660-046-0360(2) will begin on the 61st day from the notification of incompleteness, and the department will evaluate the application based on the information that the local government has submitted by the end of the 60-day period.

(3) Required materials. A complete IBTER application from a local government shall include the information described in subsections (a) through (g):

(a) A narrative, graphics, tabular data, and other information as necessary to provide a general description of the significant infrastructure deficiency, including:

(A) A description of the infrastructure and the current system capacity. Relevant information from adopted utility master plans, special area utility plans, capital improvement plans, or similar documents and studies. Also, an identification of the service level that will not be met, including identification of the adopted utility master plan or other authority which establishes the service level.

(B) A description of the significant infrastructure deficiency. The application shall clarify if capacity is exceeded currently, or is anticipated by December 31, 2023, based on current development trends; or if the infrastructure is only expected to exceed capacity based on additional impacts from middle housing development pursuant to OAR 660-046-0330(4).

(C) If the local government finds significant infrastructure deficiency would be caused only by additional middle housing development in the area and plans to continue issuing permits for other types of development within the area, a detailed analysis of how and why existing infrastructure can continue to meet the needs of other types of development, but not middle housing.

(D) A description of assumptions used to calculate or estimate system capacity. This includes analysis of current impacts on the infrastructure system; impacts from additional development anticipated to occur based on current zoning; and impacts anticipated from the allowance for middle housing in the areas where it is not currently allowed, as more fully described in OAR 660-046-0330(4).

(E) Documentation of the significant infrastructure deficiency sufficient to allow the department to verify that the deficiency exists, including (but not necessarily limited to) items such as; maintenance and complaint records, photographs, modeling results (if available), crash data, a deficiency documented in an adopted utility master plan, or other evidence of deficiency.

(b) The name of the service provider if the Infrastructure is owned or operated by another provider, along with a description of any agreements between the local government and service provider for infrastructure improvements.

(c) A vicinity map showing the boundary of the impacted areas for which the IBTER is requested. If the local government identifies more than one significant infrastructure deficiency (sewer and transportation, for example), the map should show the boundary of each deficiency separately and any areas of overlap.

(d) A regional map, if applicable, showing the significant infrastructure deficiency that otherwise provides service to the area where an IBTER is being requested.

(e) If the local government is subject to ORS 197.758(2), a description of the local government's plan for middle housing implementation in the impacted area, including identification of areas intended for duplex-only provisions, and, as applicable, standards to be applied in goal-protected and constrained areas, and areas intended to accommodate triplexes, quadplexes, townhomes, and cottage cluster developments.

(f) A remediation plan that describes the proposed infrastructure improvement(s) intended to remedy the significant infrastructure deficiency so that the local government may implement middle housing provisions. For each infrastructure improvement project, the description should include, at a minimum:

(A) The proposed period of time needed to address the significant infrastructure deficiency, including phasing and contingencies, if applicable.

(B) A discussion of the options initially considered for addressing the significant infrastructure deficiency, along with an explanation of how the proposed approach is the most expeditiously feasible approach available to address the deficiency.

(C) Explanation of how the improvement project will provide acceptable service levels to anticipated middle housing.

(D) Potential funding source(s), including funding commitments from other governmental agencies or private parties, and schedule for project completion.

(E) Depiction of the area that will be remedied by the project.

(F) Proposed timeline and associated mapping to demonstrate any phasing of the remediation plan where there are several improvement projects identified.

(G) A map of all other areas within the local government where middle housing will be implemented during the extension period.

(H) If a local government proposes a bond measure or similar financial mechanism that requires voter approval as a means to fund an infrastructure improvement project, a local government may also propose a contingency plan for funding the infrastructure improvement.

(g) A narrative detailing how the application is in compliance with the Review Criteria in OAR 660-046-0360(3). In response to criterion in OAR 660-046-0360(3)(d), the local government shall provide a map of the local government's jurisdictional area, depicting US Census tract scores based on the Oregon Housing and Community Services Department's Notice of Funding Availability Scoring Criteria Map: (<https://geo.maps.arcgis.com/apps/webappviewer/index.html?id=2cb211dbdd3d4cf497d8190283f1402f>). The map identifies census tracts within communities that score low, medium, or high in relation to access to opportunity. Those tracts identified as high opportunity areas have a relatively low poverty rate, high labor market engagement index, and a low unemployment rate. Low opportunity areas have a relatively high poverty rate, low labor market engagement index, and a high unemployment rate. The narrative addressing criterion in OAR 660-046-0360(3)(d) must refer to the mapped areas in relation to the review criterion.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0360

Review Process, Review Criteria and Appeal Process

(1) Review and decision-making authority. The department reviews IBTERs for consistency with the review criteria and compliance with the procedural requirements in OAR 660-046-0360. The department will deny an IBTER that does not meet either the review criteria or comply with the procedural requirements. The department has final decision-making authority for IBTERs. The Land Conservation and Development Commission has decision-making authority for appeals of the department's decision.

(2) Posting for Public Comment. The department will post a timely and complete IBTER on the department's website along with the review criteria provided in section (5) and a statement that any person may file a comment regarding the IBTER no more than 21 days after the posting of the IBTER.

(3) Valid Comments. Any person may file a comment with the Department. In order to be considered valid, a comment must:

(a) Be in writing and filed with the Department no more than 21 days after the Department posting of the IBTER on the department's website;

(b) Address one or more of the five review criteria in section (5); and

(c) Provide the person's mailing address.

(4) Department Decision. The Department shall review the IBTER along with any valid comments and shall approve, approve with conditions of approval under section (7), or deny an IBTER. The department will mail the decision to the local government submitting the IBTER and any person that submitted valid comments. The department will issue a decision on an IBTER as follows:

(a) Within 90 days of receipt of a complete application for local governments subject to ORS 197.758(3);

(b) Within 120 days of receipt of a complete application for local governments subject to ORS 197.758(2).

(5) Review criteria. The department shall consider the following criteria in the review of IBTERs:

(a) Whether the identified deficiency is a significant infrastructure deficiency, consistent with the parameters and infrastructure-specific thresholds established in OAR 660-046-0330 and OAR 660-046-0340.

(b) Whether the IBTER has adequately described and documented the identified significant infrastructure deficiency and has established a boundary for the requested extension area(s), as required by OAR 660-046-0350. The boundary for the requested time extension is a specific area where there is an identified significant infrastructure deficiency.

(c) Whether the proposed remediation plan is likely to be effective and presents the most expeditiously feasible course of action to enable implementation of middle housing provisions.

(d) Whether, in relation to the opportunity area map provided per OAR 660-046-0350(3)(g) and any other available data sources regarding income, race, or ethnicity within the jurisdiction, the local government has demonstrated that correction of the significant infrastructure deficiency will either help to overcome patterns of segregation by income, race, or ethnicity, and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics, or, at minimum, will not serve to perpetuate these inequities. To assist with this evaluation, local governments may demonstrate that the IBTER is consistent with a plan of actions over time by the local government and community partners that will reduce barriers to opportunity for all community residents, in all areas within the local government's jurisdiction.

(e) Whether the time period proposed for the IBTER is the minimum necessary to remedy the significant infrastructure deficiency.

(6) Response to Comments. The department's decision under section (4) shall include a response to each valid comment.

(7) Conditions of Approval. The department may impose conditions in time extensions that it deems necessary to satisfy the review criteria or to ensure the time extension is consistent with the intent of OAR chapter 660, division 46, ORS 197.758, and Oregon Laws 2019, chapter 639, section 4.

(8) Appeals.

(a) Within 21 days of the mailing of the department's decision the local government submitting the IBTER or a person that submitted a valid comment may file an appeal, in writing, of the decision to the Land Conservation and Development Commission. The appellant shall simultaneously provide a copy of the appeal to each recipient of the department's decision as indicated by the department's certificate of service.

(b) Appeals must identify the specific findings and analysis that are alleged to be made in error in relation to the applicable criterion or criteria. A challenge to a condition of approval under section (7) must specify how the condition is inconsistent with the intent of OAR chapter 660, division 46, ORS 197.758, and Oregon Laws 2019, chapter 639, section 4. An appellant may submit written materials in support of the appeal.

(c) The local jurisdiction or a party that submitted a valid comment may file a written response to the appeal with the Department within 21 days of the filing of the appeal.

(d) The Commission shall hold an appeal hearing within 120 days of the filing of the appeal. The appeal hearing shall be a contested case hearing. In making its decision the Commission may consider:

(A) All materials in the record that led to the Department decision under section (4);

(B) Any written materials submitted in support of the appeal under subsection (8)(b);

(C) Any timely written responses filed in response to the appeal under subsection(8)(c);

(D) The department staff report and recommendation to the Commission; and

(E) Oral arguments and evidence presented at the appeal hearing.

(e) The Commission shall issue a final order rejecting or upholding the appeal within 30 days of the appeal hearing.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020

660-046-0370

Duration of Time Extension

(1) As provided in OAR 660-046-0350(3)(f)(A), the IBTER must specify when the local government intends to correct the significant infrastructure deficiency. The IBTER must provide a detailed timeline for a complete plan of action that will remedy the significant infrastructure deficiency, which may include phased infrastructure improvements and contingent actions and timelines based on circumstances outside the control of the local government.

(2) If, for reasons beyond the control of the local government, the local government cannot complete an approved remediation plan by the deadline specified in the time extension decision, the local government, prior to the expiration date of a time extension, may prepare an amended remediation plan and submit the plan for department consideration. With the exception

of application deadlines specified in OAR 660-046-0350(1), the amended remediation plan must be consistent with the provisions of OAR 660-046-0300 through OAR 660-046-0370. The amended remediation plan must explain why the initial approved plan could not be completed on schedule. Department review of the amended remediation plan is not subject to the completeness review period specified in OAR 660-046-0350(2), nor the required decision timelines in OAR 660-046-0360(4). Otherwise, the review process and criteria for the amended remediation plan must be consistent with the requirements of OAR 660-046-0360. Additionally, the department shall evaluate the following considerations in review of any amended remediation plan:

- (a) Whether the local government anticipated or reasonably should have anticipated the contingencies causing delay in the initial remediation plan;
 - (b) Whether additional delay in the enactment of middle housing allowances is warranted; and
 - (c) Whether the allowance for middle housing in the subject area would provide an opportunity for other parties to construct the necessary infrastructure as needed in association with middle housing development.
- (3) Upon the expiration date of a time extension, the local government must either enact development code regulations implementing middle housing or apply the model code, as applicable, per OAR 660-046-0100 or OAR 660-046-0200.

Statutory/Other Authority: ORS 197.040 & OR Laws 2019, chapter 639, section 4(6)

Statutes/Other Implemented: ORS 197.758 & OR Laws 2019, chapter 639, sections 3 and 4

History:

LCDD 14-2020, adopt filed 08/07/2020, effective 08/07/2020



House Bill 2001 Guidance – Affordability and Goal 10 Findings

Middle Housing Affordability Considerations

House Bill 2001 requires local governments to consider ways to increase the affordability of middle housing, including considerations related to SDCs, property tax exemptions, and construction taxes.

Sections 3, chapter 639, Oregon Laws 2019:

(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to:

- a) Waiving or deferring **system development charges**;*
- b) Adopting or amending criteria for **property tax exemptions** under ORS 307.515 (Definitions for ORS 307.515 to 307.523) to 307.523 (Time for filing application), 307.540 (Definitions for ORS 307.540 to 307.548) to 307.548 (Termination of exemption) or 307.651 (Definitions for ORS 307.651 to 307.687) to 307.687 (Review of denial of application) or property tax freezes under ORS 308.450 (Definitions for ORS 308.450 to 308.481) to 308.481 (Extending deadline for completion of rehabilitation project); and*
- c) Assessing a **construction tax** under ORS 320.192 (City or county ordinance or resolution to impose tax) and 320.195 (Deposit of revenues).*

Please note that this is not a requirement to adopt these measures, but to consider them and directly address them within the findings. We advise that local governments use this opportunity to consider the myriad of policies that affect middle housing development. The policies outlined within the bill are specific to the subsidization of middle housing development and affordable housing generally. We also advise the consideration of other policies that affect the feasibility and affordability of housing options, such as the provision and finance of public facilities, incentives for regulated affordable housing development, incentives for the retention or conversion of existing affordable housing supply, and incentives and barriers within the development code.

Starting these conversations will be helpful for local jurisdictions as they embark on their housing production strategy, a new planning requirement for cities above 10,000 implemented by House Bill 2003 (now ORS 197.290). This document will require cities to identify and develop an implementation schedule for strategies that promote the development of housing.

Rulemaking for this new requirement included the compilation of a library of potential strategies local governments could consider as part of a housing production strategy. While this list is not exhaustive, it's a good place to start the conversation. You can access this document as an attachment on the Secretary of State webpage:

<https://secure.sos.state.or.us/oard/view.action?ruleNumber=660-008-0050>

*Goal 10 Findings*

ORS 197.175(2)(a) requires cities and counties to prepare, adopt, amend and revise comprehensive plans in compliance with Oregon's statewide land use planning goals, including Goal 10. In any plan amendment or adoption of land use regulations, cities and counties must address via findings how the proposed plan amendments affect compliance with each applicable goal.

In adopting land use regulations to comply with House Bill 2001, local jurisdictions will need to consider how these regulations will affect their compliance with Goal 10, including how it affects an adopted Buildable Lands Inventory (BLI) and Housing Needs Analysis (HNA), to ensure the sufficient availability of buildable lands to accommodate needed housing types identified in the HNA.

House Bill 2001 will enable to development of housing types where they were previously prohibited, increasing the capacity of lands to accommodate identified housing need. However, local jurisdictions will still need to consider how these regulations impact capacity in greater depth. ORS 197.296(6)(b), as amended by House Bill 2001, allows jurisdictions to assume up to a three percent increase in zoned capacity, unless they demonstrate a quantifiable validation that the anticipated capacity will be greater. In developing Goal 10 findings, we recommend that local jurisdictions apply this assumption to the adopted buildable lands inventory. Additionally, we recognize that adopted inventories may be dated and the true development capacity may not be known at the time of adoption. In these cases, we recommend that jurisdictions note that they will further consider the impacts of middle housing ordinances on land capacity in the next Housing Needs Analysis, as required on a regular schedule by House Bill 2003. List item example.

Medium Cities Middle Housing Model Code

User's Guide:

Oregon House Bill 2001 (2019) (HB 2001) requires that "Medium Cities" (defined as cities with a population of more than 10,000 and less than 25,000 that are not within Metro's jurisdiction) allow a duplex on each lot or parcel zoned for residential use that allows for the development of detached single family dwellings. Duplexes provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with detached single-family dwellings.

The bill allows local governments to regulate siting and design of duplexes, provided that the regulations do not, individually or cumulatively, discourage duplex development through unreasonable costs or delay. When regulating siting and design of duplexes, Medium Cities should balance concerns about neighborhood compatibility and other factors against the need to address Oregon's housing shortage by removing barriers to development and should ensure that any siting and design regulations do not, individually or cumulatively, discourage the development of duplexes through unreasonable costs or delay.

Medium Cities may develop their own standards in compliance with the requirements of HB 2001. This model code may provide guidance toward that end. However, if Medium Cities do not wish to prepare their own standards or if Medium Cities do not adopt the required code amendments by June 30, 2021, they must directly apply this model code prepared by the Department of Land and Conservation Development (DCLD) to development in their jurisdictions. The model code is intended to be straightforward and implementable by Medium Cities throughout the state. The model rules are consistent with the requirements and intent of HB 2001 and are intended to ensure that a duplex is no more difficult to develop than a detached single family home. The model code will be adopted by reference into Oregon Administrative Rules.

To the extent they are applicable, the Administrative Rules contained in Chapter 660, Division 46 apply to and may be used to interpret this model code.

Sections:

- A. Purpose
- B. Definitions
- C. Applicability
- D. Relationship to Other Regulations
- E. Permitted Uses and Approval Process
- F. Development Standards
- G. Design Standards
- H. Duplex Conversions
- I. Figures

A. Purpose

The purpose of this model middle housing code (“code”) is to implement HB 2001, codified in ORS 197.758 et seq, by providing siting and design standards for duplexes developed on lots or parcels that allow for the development of detached single family dwellings.

B. Definitions

The following definitions shall apply for the purposes of this code, notwithstanding other definitions in the development code:

1. “Detached single family dwelling” means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single family dwellings may be constructed off-site, e.g., manufactured dwellings or modular homes.
2. “Duplex” means two dwelling units on a lot or parcel in any configuration. Figures 1–6 in Section I illustrate examples of possible duplex configurations. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.
3. “Lot or Parcel” means any legally created unit of land.
4. “Zoned for residential use” means a zoning district in which residential dwellings are the primary use and which implements a residential Comprehensive Plan map designation.

C. Applicability

1. Except as specified in subsection (2) of this section (C), the standards in this code allow for the development of duplexes, including those created through conversion of existing detached single family dwellings, on lots or parcels zoned for residential use that allow for the development of detached single family dwellings.
2. The standards in this code do not allow the following, unless otherwise permitted by the development code:

- Creation of duplexes on lots or parcels on lands that are not zoned for residential use. This includes lands zoned primarily for commercial, industrial, agricultural, public, or mixed uses, even if those zones allow for the development of detached single family dwellings.
- Creation of more than two dwelling units on a single lot or parcel.

D. Relationship to Other Regulations

1. Conflicts. In the event of a conflict between this code and other standards applicable to a duplex, the standards of this code control.
2. Public Works Standards. Clear and objective exceptions to public works standards granted to single family dwellings shall also be granted to duplexes.
3. Protective Measures. Duplexes shall comply with protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).

E. Permitted Uses and Approval Process

Duplexes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single family dwellings. Duplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures. Alternatively, an applicant may choose to submit an application for a duplex subject to discretionary standards and criteria adopted in accordance with ORS 197.307, if such a process is available.

F. Development Standards

Except as specified below, duplexes shall meet all clear and objective development standards that apply to detached single family dwellings in the same zone (including, but not limited to, minimum and maximum lot size, minimum and maximum setbacks, and building height), unless those standards conflict with this code.

The following development standards are invalid and do not apply to duplexes being developed on lots or parcels zoned for residential use that allow the development of a detached single family dwelling:

1. Maximum Density. The jurisdiction's pre-existing density maximums and minimum lot sizes for duplexes do not apply.
2. Setbacks. A minimum front setback of greater than 20 feet or a minimum rear setback of greater than 15 feet except for those minimum setbacks applicable to garages and carports.
3. Off-Street Parking. Any off-street parking requirement.

G. Design Standards

New duplexes shall meet all clear and objective design standards (e.g., entry orientation, window coverage, articulation, etc.) that apply to detached single family dwellings in the same zone, unless those standards conflict with this code. Facades of dwellings that are separated from the street property line by another dwelling are exempt from meeting building design standards.

Any design standards that apply only to duplexes are invalid.

H. Duplex Conversions

Conversion of an existing detached single family dwelling to a duplex is allowed, pursuant to Section C, provided that the conversion does not increase nonconformance with applicable clear and objective standards.

I. Figures

The following figures illustrate examples of possible duplex configurations. Other configurations may also be acceptable, provided the development meets the definition of duplex, pursuant to Section B.

Figure 1. Stacked Duplex

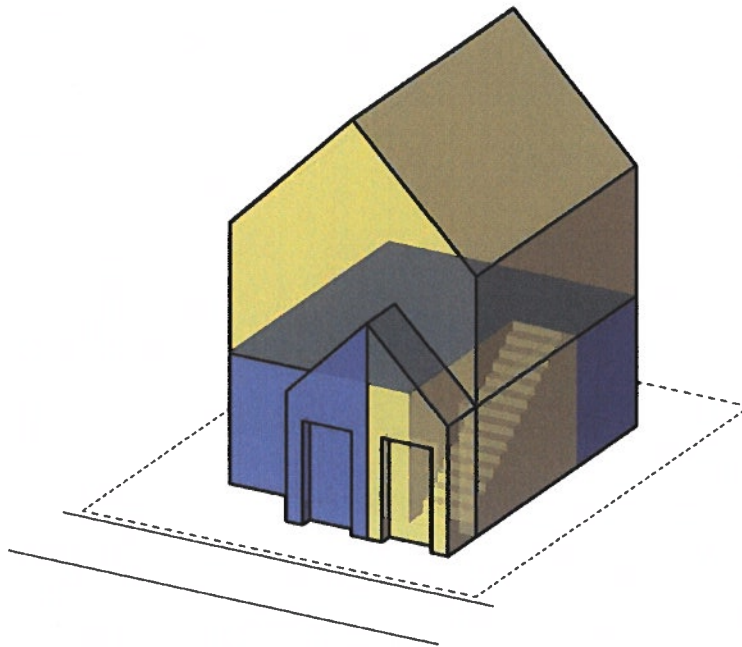


Figure 2. Side-by-Side Duplex

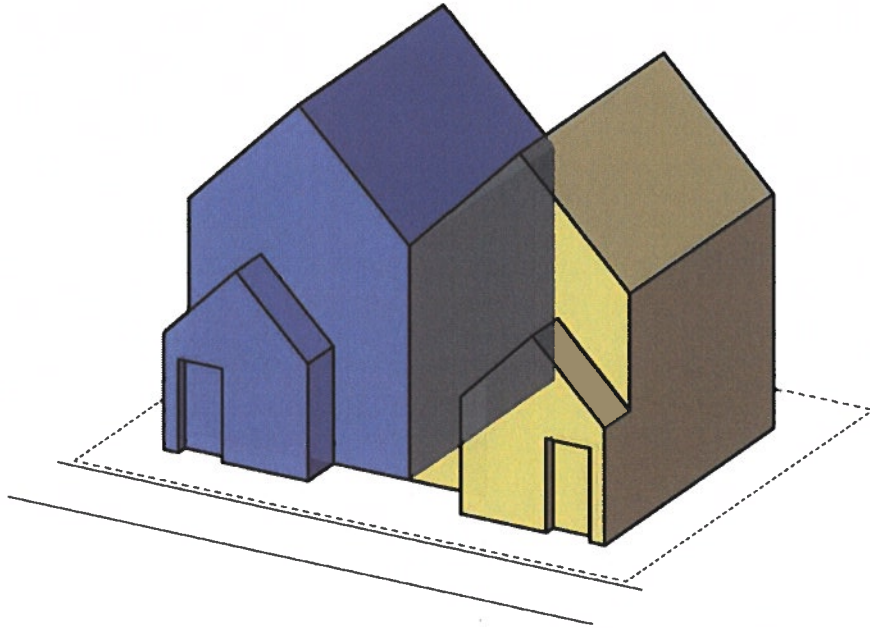


Figure 3. Duplex Attached by Garage Wall

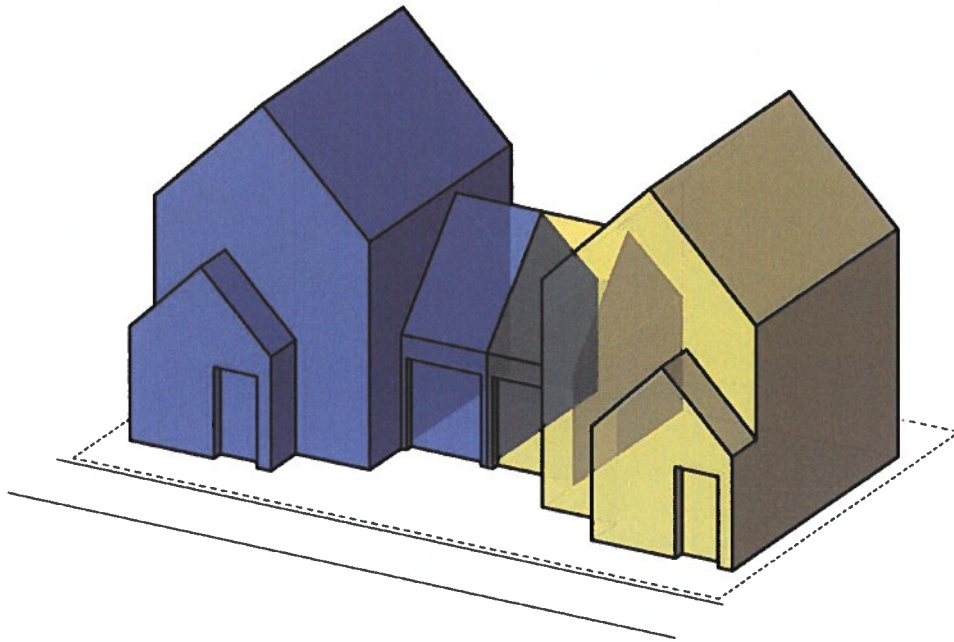


Figure 4. Duplex Attached by Breezeway

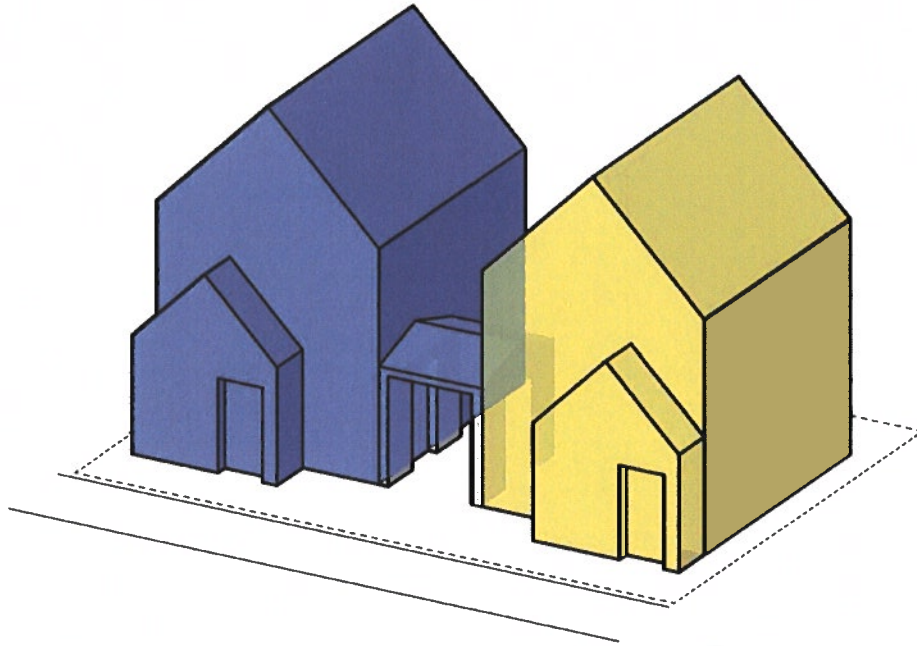


Figure 5. Detached Duplex Units Side-by-Side

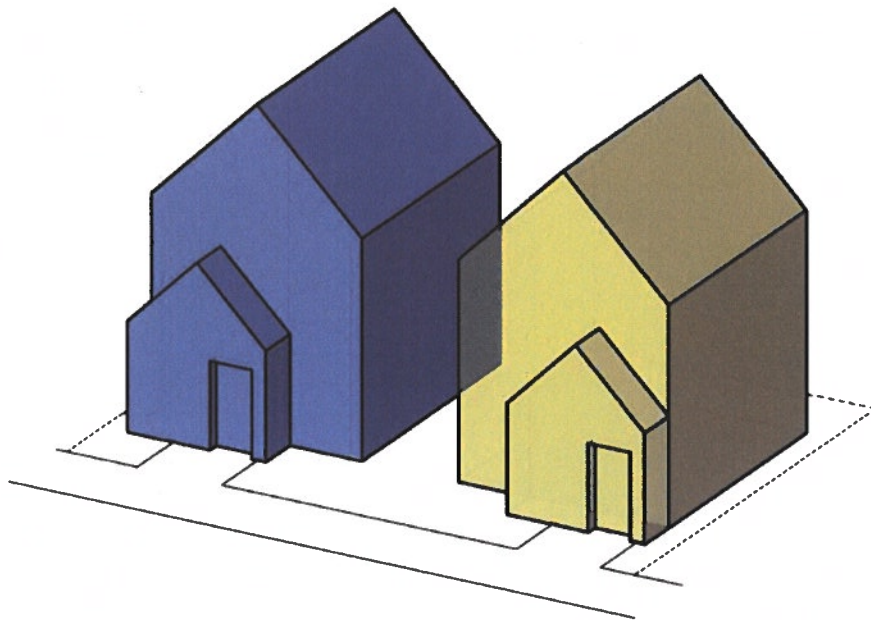
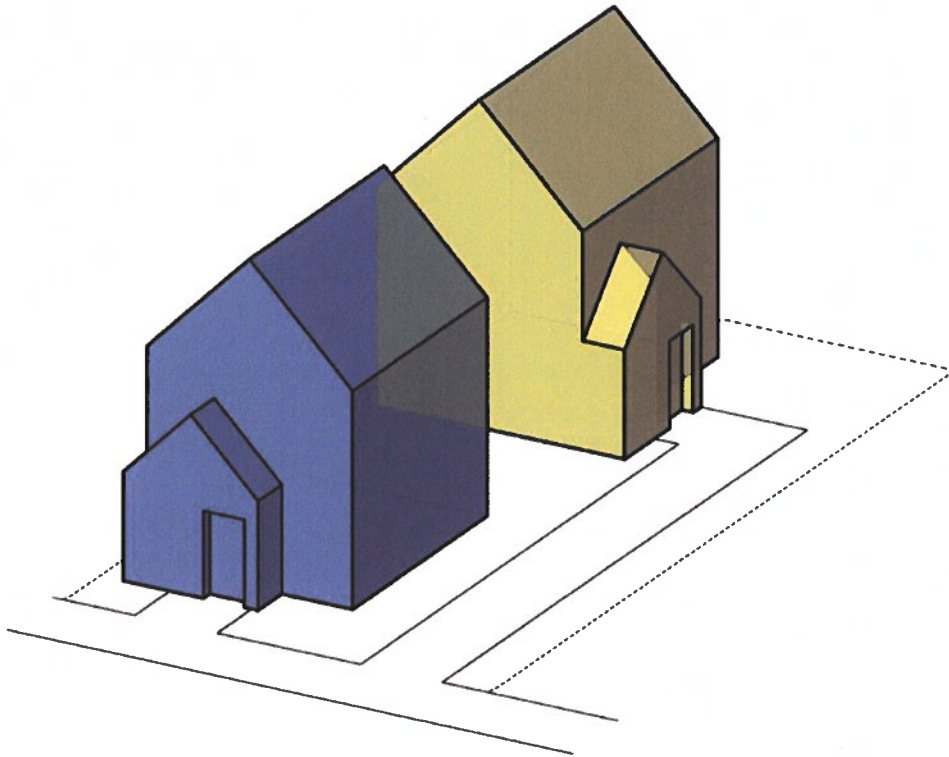


Figure 6. Detached Duplex Units Front and Back



Large Cities Middle Housing Model Code

User's Guide:

Oregon House Bill 2001 (2019) (HB 2001) requires that "Large Cities" (defined as cities with a population of 25,000 or more and each county or city within a metropolitan service district) must allow: (1) all middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and (2) a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Middle housing, which HB 2001 defines as duplexes, triplexes, quadplexes, cottage clusters, and townhouses, provides an opportunity to increase housing supply in developed neighborhoods and can blend in well with detached single-family dwellings.

The bill allows local governments to regulate siting and design of middle housing, provided that the regulations do not, individually or cumulatively, discourage middle housing development through unreasonable costs or delay. When regulating siting and design of middle housing, Large Cities should balance concerns about neighborhood compatibility and other factors against the need to address Oregon's housing shortage by removing barriers to development and should ensure that any siting and design regulations do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay.

Large Cities may develop their own standards in compliance with the requirements of HB 2001. This model code may provide guidance toward that end. However, if Large Cities do not wish to prepare their own standards or if Large Cities do not adopt the required code amendments by June 30, 2022, they must directly apply this model code prepared by the Department of Land and Conservation Development (DCLD) to development in their jurisdictions. The model code is intended to be straightforward and implementable by Large Cities throughout the state, and is consistent with the requirements and intent of HB 2001. The model code will be adopted by reference into Oregon Administrative Rules.

To the extent they are applicable, the Administrative Rules contained in Chapter 660, Division 46 apply to and may be used to interpret this model code.

Chapter 1. Combined Standards for All Middle Housing

Sections:

- A. Purpose
- B. Definitions
- C. Applicability
- D. Relationship to Other Regulations
- E. Duplex, Triplex, and Quadplex Examples

A. Purpose

The purpose of this middle housing model code (“code”) is to implement HB 2001, codified in ORS 197.758 et seq, by providing siting and design standards for middle housing developed in areas zoned for residential use that allow for the development of detached single family dwellings.

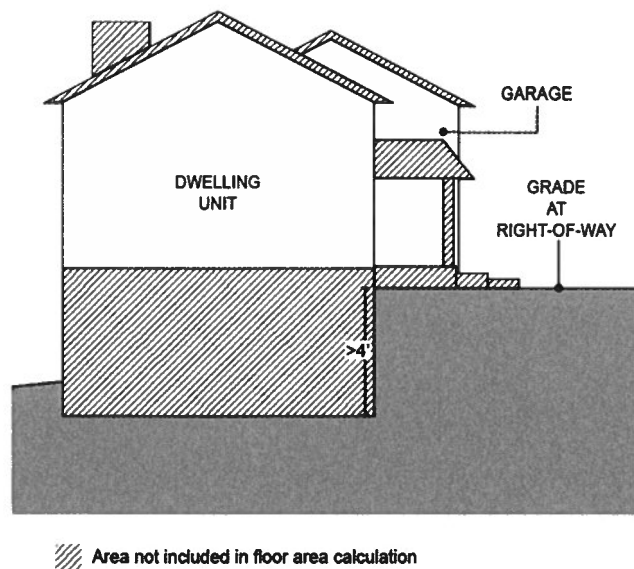
B. Definitions

The following definitions shall apply for the purposes of this code, notwithstanding other definitions in the development code:

1. “Building footprint” means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.
2. “Common courtyard” means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.
3. “Common wall” means a wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.
4. “Cottage” means an individual dwelling unit that is part of a cottage cluster.
5. “Cottage cluster” means a grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet, located on a single lot or parcel that includes a common courtyard. Cottage cluster may also be known as “cluster housing,” “cottage housing,” “bungalow court,” “cottage court,” or “pocket neighborhood.”
6. “Cottage cluster project” means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

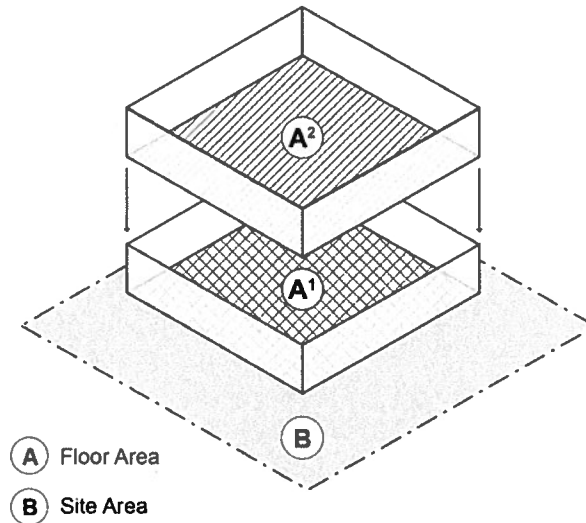
7. "Detached single family dwelling" means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single family dwellings may be constructed off-site, e.g., manufactured dwellings or modular homes.
8. "Door area" is the area of the portion of a door other than a garage door that moves and does not include the frame.
9. "Driveway approach" means the edge of a driveway where it abuts a public right-of-way.
10. "Duplex" means two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU. See Figure 3 through Figure 8 in Section E for examples of possible duplex configurations.
11. "Floor area" means the total area of all floors of a building. Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking. Floor area does not include the following (see Figure 1):
 - Areas where the elevation of the floor is 4 feet or more below the adjacent right-of-way;
 - Roof area, including roof top parking;
 - Roof top mechanical equipment; and
 - Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter.

Figure 1. Areas Excluded from Floor Area Calculation



12. “Floor area ratio (FAR)” means the amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 0.7 to 1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of all buildings on a site by the total site area (See Figure 2).

Figure 2. Floor Area Ratio (FAR) Calculation



$$FAR = \frac{A^1 + A^2}{B}$$

13. “Frontage” means the portion of a lot or parcel that abuts a street.
14. “Goal Protected Lands” means lands protected or designated pursuant to any one of the following statewide planning goals:
- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;
 - Goal 6 Air, Water, and Land Resource Quality
 - Goal 7 Areas Subject to Natural Hazards;
 - Goal 9 Economic Development;
 - Goal 15 Willamette River Greenway;
 - Goal 16 Estuarine Resources;
 - Goal 17 Coastal Shorelands; or
 - Goal 18 Beaches and Dunes.
15. “Lot or parcel” means any legally created unit of land.
16. “Middle housing” means duplexes, triplexes, quadplexes, cottage clusters, and townhouses.

17. "Quadplex" means four dwelling units on a lot or parcel in any configuration. See Figure 11 and Figure 12 in Section E for examples of possible quadplex configurations.
18. "Site area" means the total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way and/or designation of private rights-of-way.
19. "Story" means a portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:
 - A basement or cellar if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50 percent of the perimeter and does not exceed twelve (12) feet above grade at any point;
 - An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two (2) feet above the floor of such space.
20. "Sufficient Infrastructure" means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:
 - Connection to a public sewer system capable of meeting established service levels.
 - Connection to a public water system capable of meeting established service levels.
 - Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
 - Storm drainage facilities capable of meeting established service levels for storm drainage.
21. "Townhouse" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. A townhouse is also commonly called a "rowhouse," "attached house," or "common-wall house."
22. "Townhouse project" means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.
23. "Triplex" means three dwelling units on a lot or parcel in any configuration. See Figure 9 and Figure 10 in Section E for examples of possible triplex configurations.
24. "Window area" means the aggregate area of the glass within each window, including any interior grids, mullions, or transoms.
25. "Zoned for residential use" means a zoning district in which residential dwellings are the primary use and which implements a residential Comprehensive Plan map designation. This excludes

lands zoned primarily for commercial, industrial, agricultural, public, or mixed uses, even if those zones allow for the development of detached single family dwellings.

C. Applicability

1. Applicability of Code Sections.

- a. Code sections applicable to all middle housing types are: Chapter 1, Sections A (Purpose), B (Definitions), C (Applicability), and D (Relationship to Other Regulations).
- b. Code standards applicable to specific housing types are listed below:
 - Duplexes: Chapter 2.
 - Triplexes: Chapter 3.
 - Quadplexes: Chapter 3.
 - Townhouses: Chapter 4.
 - Cottage clusters: Chapter 5.

2. Applicability by Development Type and Location.

- a. Except as specified in subsection (b) of this section (C)(2), the standards in this code allow for the following development on lots or parcels zoned for residential use that allow for the development of detached single family dwellings:
 - New duplexes and those created through conversion of existing detached single family dwellings.
 - New triplexes, quadplexes, cottage clusters, and townhouses, and those created through conversion of existing detached single family dwellings or duplexes, on lots or parcels with Sufficient Infrastructure.
- b. Exceptions. The standards in this code do not allow the following, unless otherwise permitted by the development code through clear and objective standards, criteria, and procedures:
 - On Goal Protected Lands, the creation of triplexes, quadplexes, cottage clusters, or townhouses, or the creation of more than two dwelling units on a single lot or parcel, including accessory dwelling units.
 - On lands that are not zoned for residential use, the creation of middle housing.

D. Relationship to Other Regulations

1. Conflicts. In the event of a conflict between this code and other local jurisdictional standards applicable to a middle housing development, the standards of this code control.
2. Public Works Standards. Clear and objective exceptions to public works standards granted to single family dwellings shall also be granted to duplexes.

3. **Protective Measures.** Middle housing shall comply with protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).

E. Duplex, Triplex, and Quadplex Examples

The following figures illustrate examples of possible configurations for duplexes, triplexes, and quadplexes. Other configurations may also be acceptable, provided the development meets the definition of duplex, triplex, or quadplex, pursuant to Section B.

Figure 3. Stacked Duplex

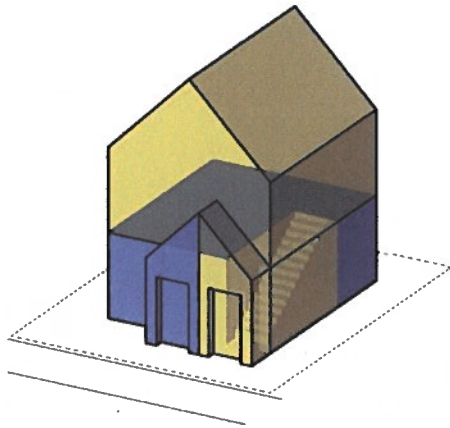


Figure 4. Side-by-Side Duplex

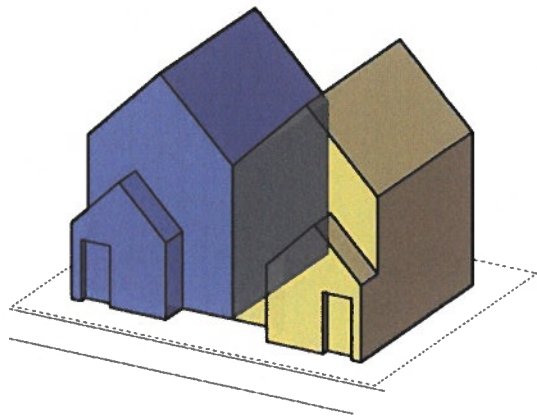


Figure 5. Duplex Attached by Breezeway

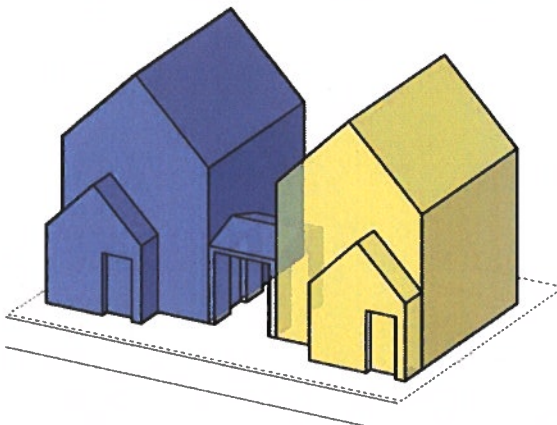


Figure 6. Duplex Attached by Garage Wall

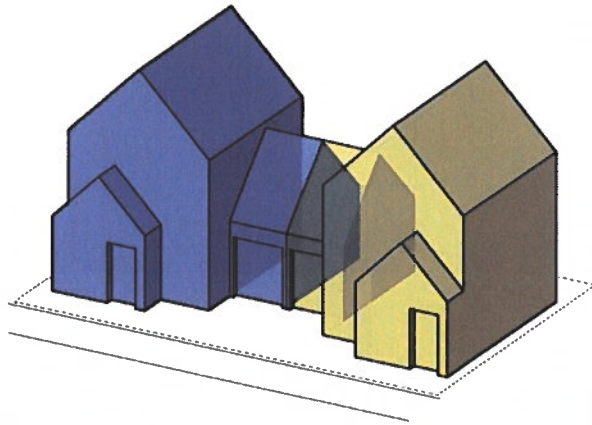


Figure 7. Detached Duplex Units Side-by-Side

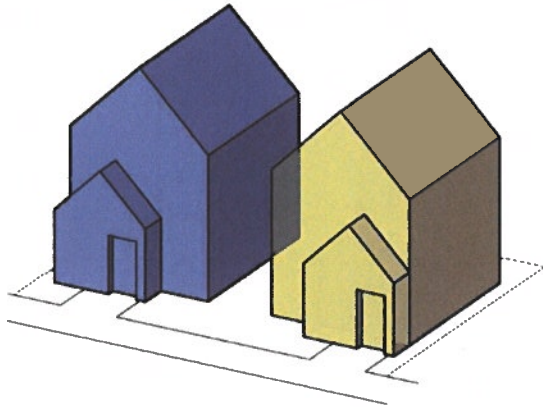


Figure 8. Detached Duplex Units Front and Back

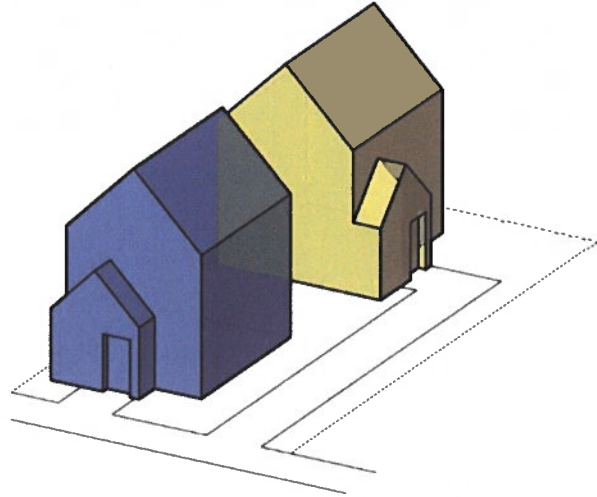


Figure 9. Attached Triplex Front and Back

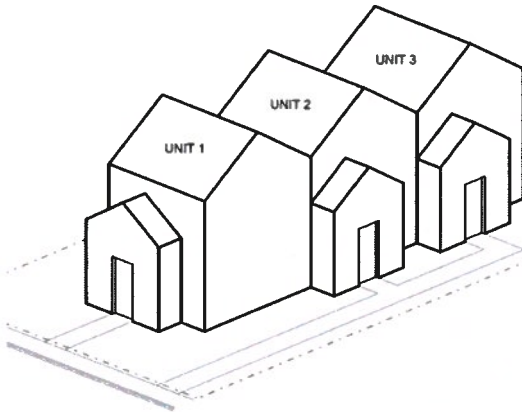


Figure 10. Attached Triplex Side-by-Side

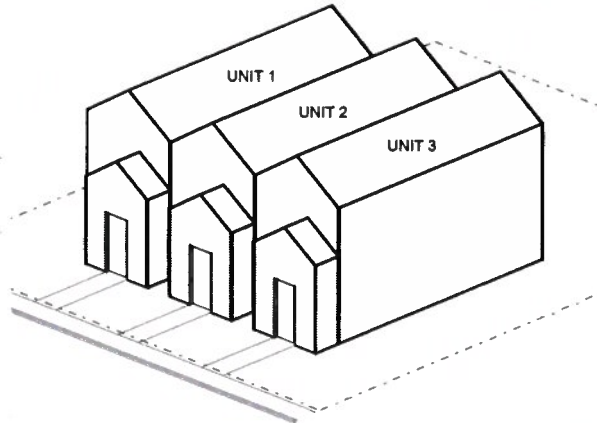


Figure 11. Stacked Quadplex

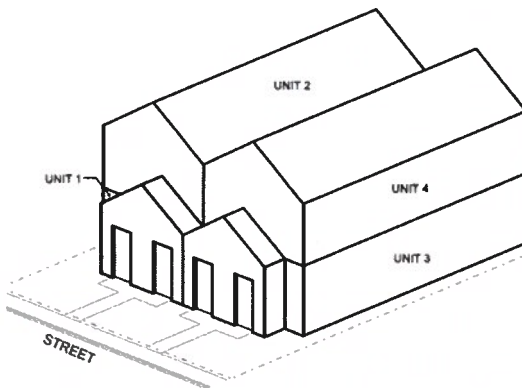
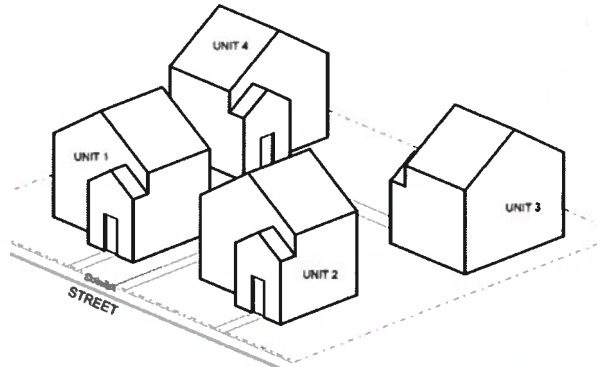


Figure 12. Detached Quadplex



Chapter 2. Duplexes

Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards
- D. Duplex Conversions

A. Permitted Uses and Approval Process

Duplexes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single family dwellings. Duplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a duplex subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.

B. Development Standards

Except as specified below, duplexes shall meet all clear and objective development standards that apply to detached single family dwellings in the same zone (including, but not limited to, minimum and maximum lot size, minimum and maximum setbacks, and building height), unless those standards conflict with this code.

The following development standards are invalid and do not apply to duplexes being developed on lots or parcels zoned for residential use that allow the development of a detached single family dwelling:

1. Maximum Density. The jurisdiction's pre-existing density maximums and minimum lot sizes for duplexes do not apply.
2. Setbacks. A minimum front setback of greater than 20 feet or a minimum rear setback of greater than 15 feet except for those minimum setbacks applicable to garages and carports.
3. Off-Street Parking. Any off-street parking requirement.

C. Design Standards

New duplexes shall meet all clear and objective design standards (e.g., entry orientation, window coverage, articulation, etc.) that apply to detached single family dwellings in the same zone, unless those standards conflict with this code. Facades of dwellings that are separated from the street property line by another dwelling are exempt from meeting building design standards.

Any design standards that apply only to duplexes are invalid.

D. Duplex Conversions

Conversion of an existing detached single family structure to a duplex is allowed, pursuant to Chapter 1, Section C (Applicability), provided that the conversion does not increase nonconformance with applicable clear and objective standards.

Chapter 3. Triplexes and Quadplexes

Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards
- D. Triplex and Quadplex Conversions

A. Permitted Uses and Approval Process

1. Permitted Use. Triplexes and quadplexes are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Triplexes and quadplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a triplex or quadplex subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a triplex or quadplex development application.

B. Development Standards

1. Applicability.
 - a. Triplexes and quadplexes shall meet:
 - The standards in subsections (2) through (7) of this section (B).
 - All other clear and objective development standards that apply to detached single family dwellings in the same zone (including, but not limited to, lot size and dimensions, minimum and maximum setbacks, and building height), unless those standards conflict with this code and except as specified in subsections (1)(b) and (2) through (7) of this section (B).
 - b. The following standards are invalid and do not apply to triplexes or quadplexes allowed by this code:

- Maximum lot coverage, minimum landscape area, or minimum open space standards.
 - The jurisdiction’s development standards other than those in subsections (2) through (7) of this section (B) that apply only to triplexes, quadplexes, or multifamily development.
2. **Number of Units.** This code does not allow for the creation of more than four (4) dwelling units on a lot, including accessory dwelling units.
 3. **Maximum Density.** The jurisdiction’s pre-existing density maximums do not apply.
 4. **Setbacks.** Minimum front and street side setbacks greater than 10 feet and minimum rear setbacks greater than 10 feet are invalid, except for those minimum setbacks applicable to garages and carports.
 5. **Building Height.** A maximum height of less than 35 feet or three (3) stories is invalid. Building height is measured in accordance with the development code.
 6. **Maximum Floor Area Ratio (FAR).** The maximum floor area ratio for all buildings onsite, cumulatively, is based on the minimum lot size for a detached single family dwelling in the same zone, as provided below:

Minimum Lot Size for Detached Single Family Dwellings	Maximum FAR
3,000 sf or less	1.4 to 1
More than 3,000 sf, up to and including 5,000 sf	1.1 to 1
More than 5,000 sf, up to and including 10,000 sf	0.7 to 1
More than 10,000 sf but less than 20,000 sf	0.6 to 1
20,000 sf or more	0.4 to 1

7. **Off-Street Parking.**
 - a. **Required Off-Street Parking.** The minimum number of required off-street parking spaces is:
 - i. In zones with a minimum lot size of less than 5,000 square feet, one (1) off-street parking space per development.
 - ii. In zones with a minimum lot size of 5,000 square feet or more, two (2) off-street parking spaces per development.

A credit for on-street parking shall be granted for some or all the required off-street parking as provided in subsection (b). No additional parking spaces shall be required for conversion of a detached single family dwelling to a triplex or quadplex, including those created through the addition of detached units.
 - b. **On-Street Credit.** If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;
- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

C. Design Standards

1. Applicability.

- a. New triplexes and quadplexes, including those created by adding building square footage on a site occupied by an existing dwelling, shall meet:
 - The design standards in subsections (2) through (5) of this section (C); and
 - All other clear and objective design standards that apply to detached single family dwellings in the same zone, unless those standards conflict with this code and except as specified in subsection (1)(b) of this section (C).
- b. The following standards are invalid and do not apply to triplexes or quadplexes allowed by this code:
 - Mandates for construction of a garage or carport.
 - The jurisdiction's design standards other than those in subsections (2) through (5) of this section (C) that apply only to triplexes, quadplexes, or multifamily development.

2. Entry Orientation. At least one main entrance for each triplex or quadplex structure must meet the standards in subsections (a) and (b) below. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling is exempt from meeting these standards.

- a. The entrance must be within 8 feet of the longest street-facing wall of the dwelling unit; and
- b. The entrance must either:
 - i. Face the street (see Figure 13);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 14);
 - iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 15); or
 - iv. Open onto a porch (see Figure 16). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.

Figure 13. Main Entrance Facing the Street

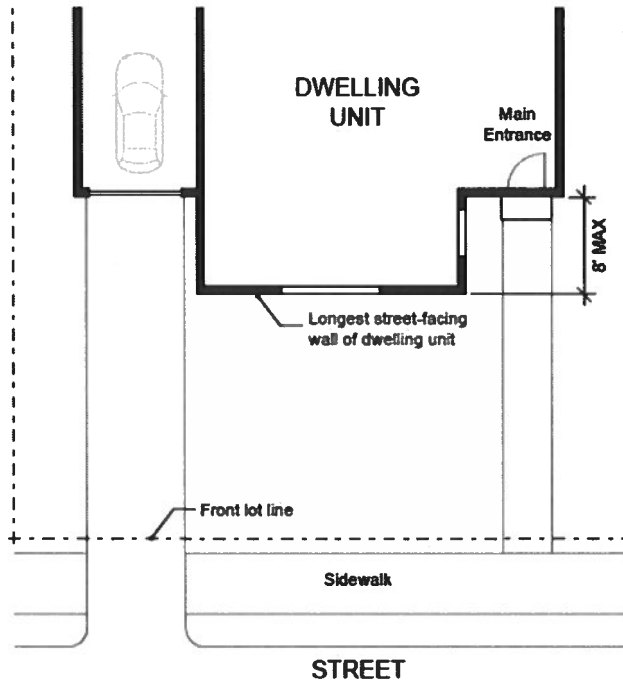


Figure 14. Main Entrance at 45° Angle from the Street

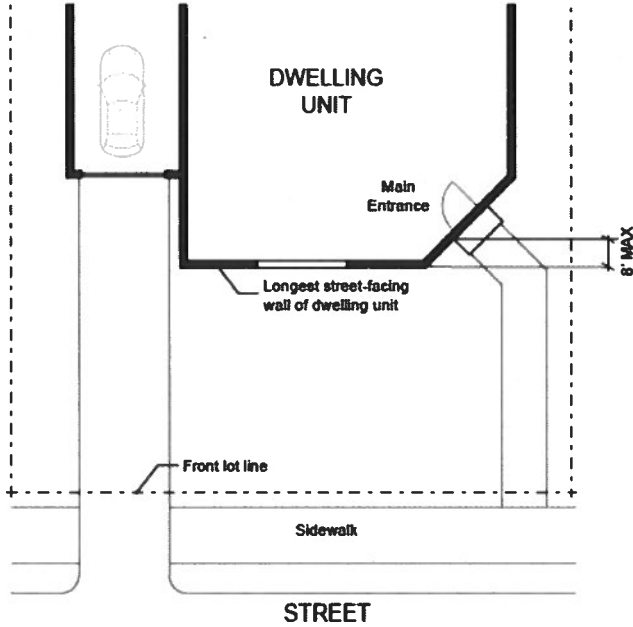


Figure 15. Main Entrance Facing Common Open Space

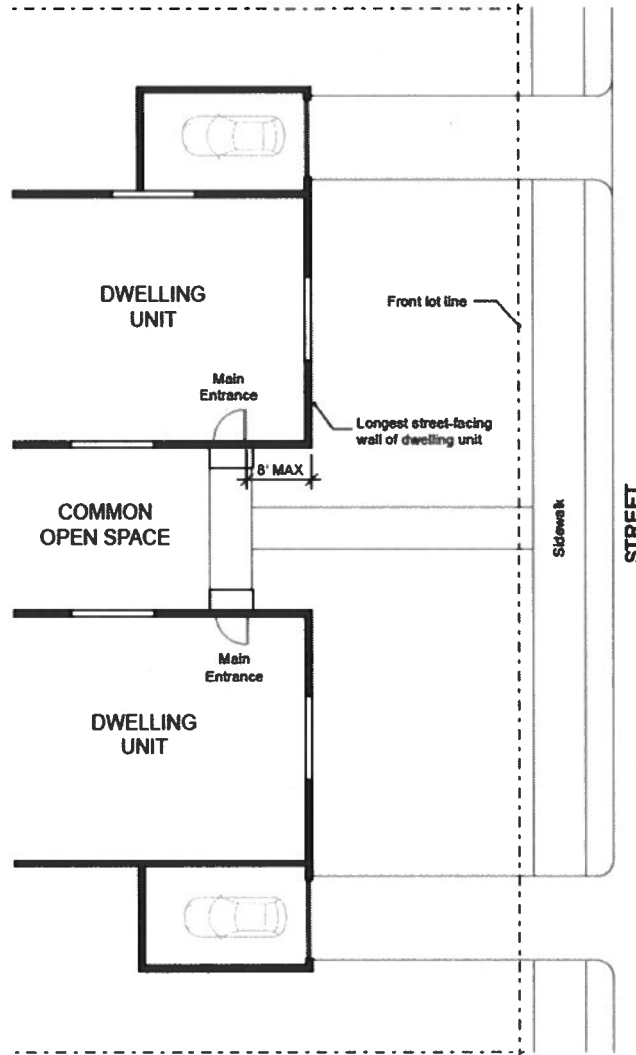
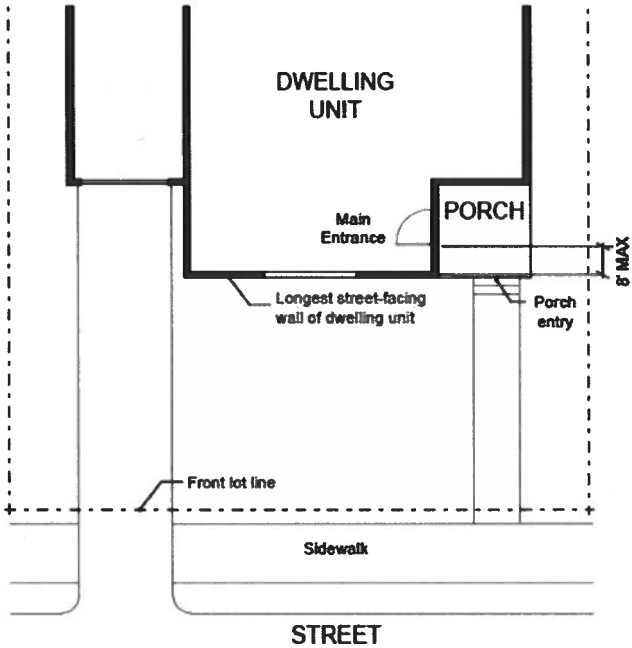


Figure 16. Main Entrance Opening onto a Porch



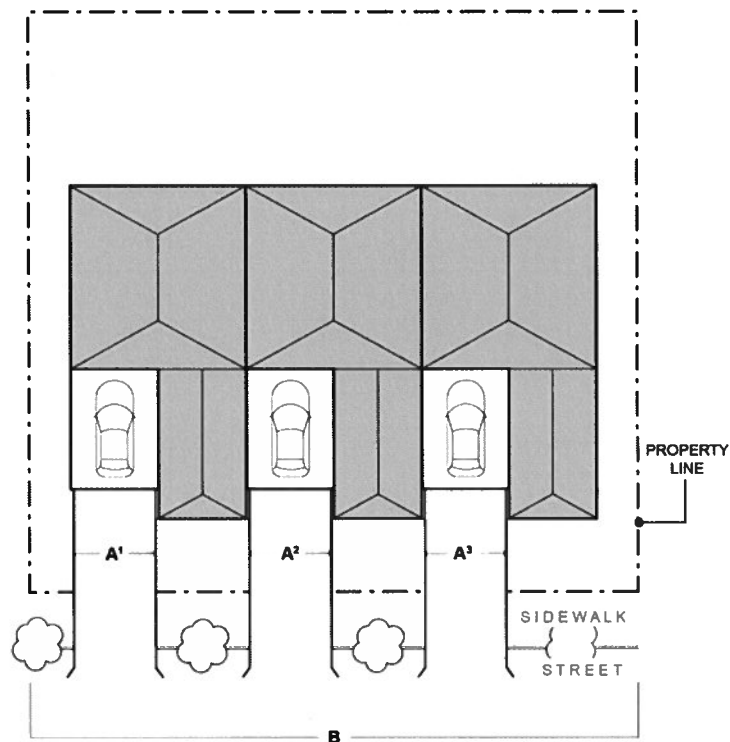
- 3. Windows. A minimum of 15 percent of the area of all street-facing facades must include windows or entrance doors. Facades separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 17.

Figure 17. Window Coverage



4. **Garages and Off-Street Parking Areas.** Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (a) and (b) of this subsection (C)(4).
 - a. The garage or off-street parking area is separated from the street property line by a dwelling; or
 - b. The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 18).

Figure 18. Width of Garages and Parking Areas



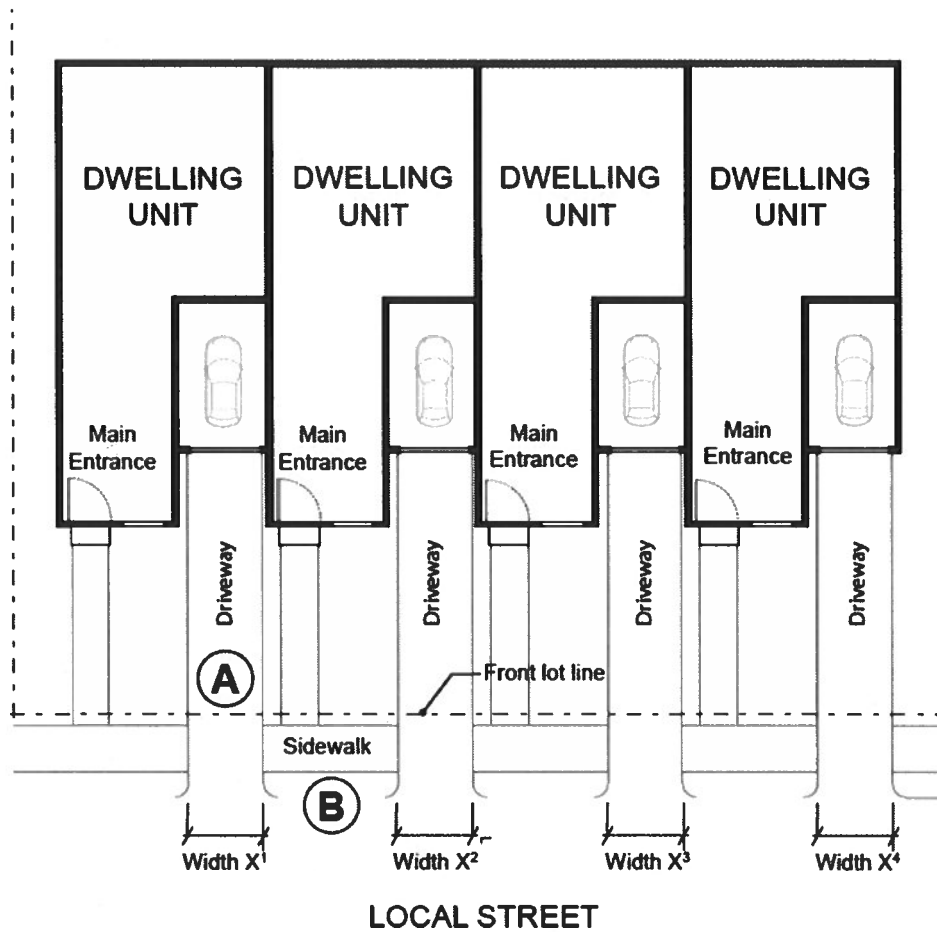
- (A) Garage and on-site parking and maneuvering areas
- (B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

5. **Driveway Approach.** Driveway approaches must comply with the following:
 - a. The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line (see Figure 19). For lots or parcels with more than one frontage, see subsection (5)(c) of this subsection (C).

- b. Driveway approaches may be separated when located on a local street (see Figure 19). If approaches are separated, they must meet the jurisdiction's driveway spacing standards applicable to local streets.
- c. In addition, lots or parcels with more than one frontage must comply with the following:
 - i. Lots or parcels must access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley (defined as an alley that meets the jurisdiction's standards for width and pavement), access must be taken from the alley (see Figure 20).
 - ii. Lots or parcels with frontages only on collectors and/or arterial streets must meet the jurisdiction's access standards applicable to collectors and/or arterials.
 - iii. Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:
 - Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - One maximum 16-foot-wide driveway approach per frontage (see Figure 21).

Figure 19. Driveway Approach Width and Separation on Local Street



A $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

B Driveway approaches may be separated when located on a local street

Figure 20. Alley Access

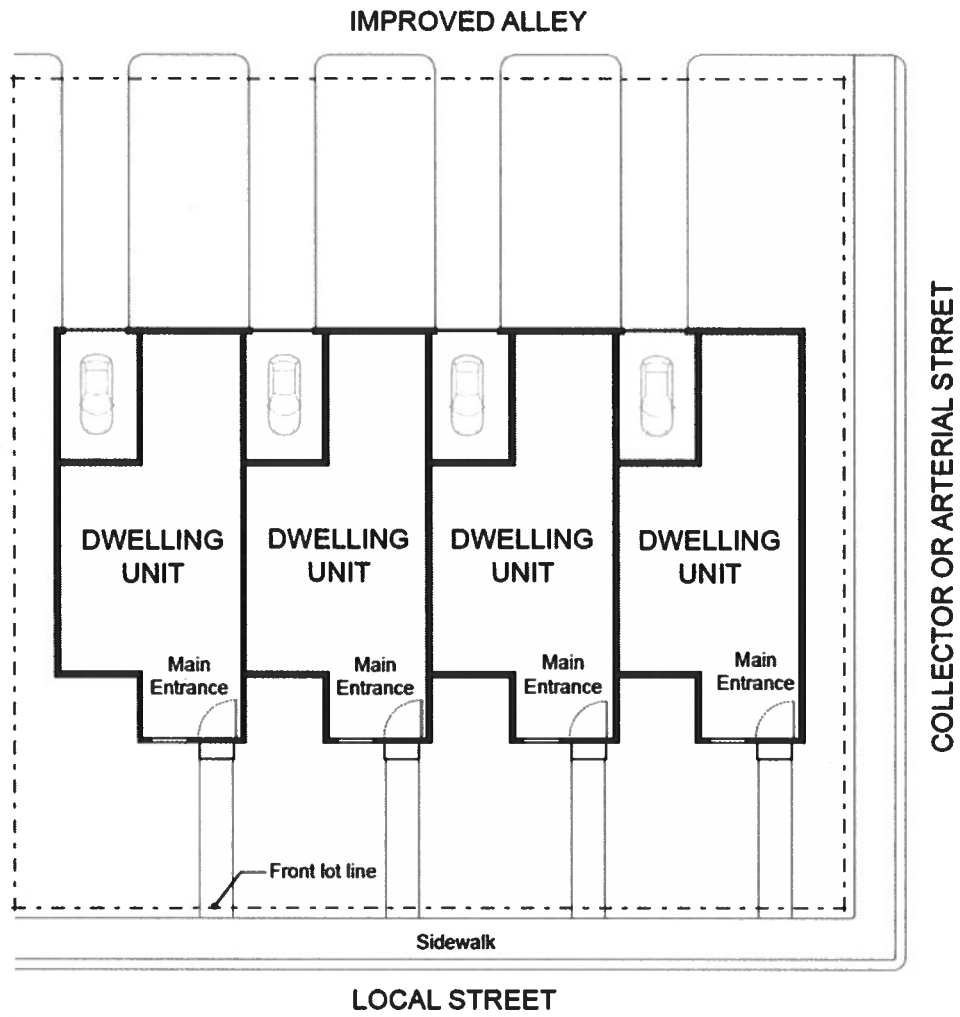
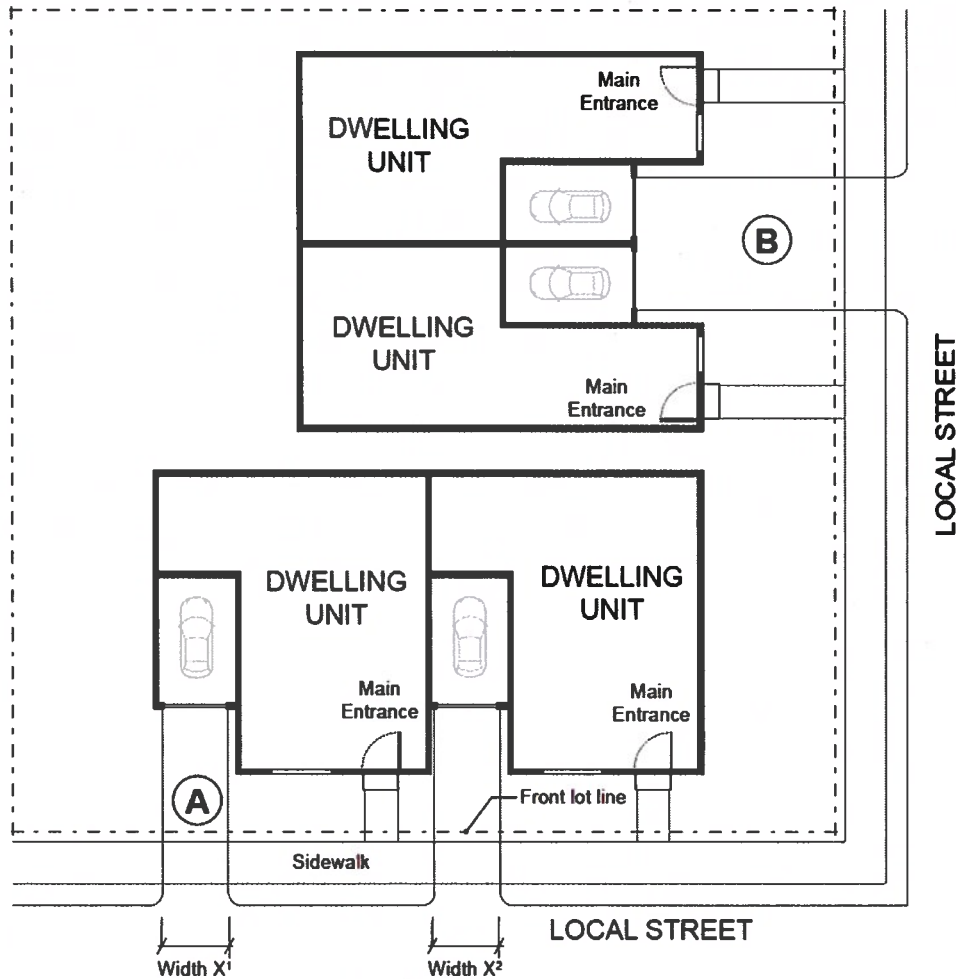


Figure 21. Driveway Approach Options for Multiple Local Street Frontages



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

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

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

D. Conversions to Triplex and Quadplex

Internal conversion of an existing detached single family structure or duplex to a triplex or quadplex is allowed, pursuant to Chapter 1, Section C (Applicability), provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the development code.

Chapter 4. Townhouses

Sections

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards

A. Permitted Uses and Approval Process

1. Permitted Use. Townhouses are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Townhouse structures are subject to the same approval process as that for detached single family dwellings in the same zone. Townhouse projects are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a townhouse project subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. New Lots or Parcels. Creation of new lots or parcels as part of a townhouse project is subject to the applicable land division approval process.
4. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

B. Development Standards

1. Applicability.
 - a. Townhouses shall meet the standards in subsections (3), (4), and (5) of this section (B).
 - b. Townhouse projects shall meet:
 - The standards in subsections (2), (5), and (6) of this section (B).
 - Any applicable clear and objective platting standards, unless those standards conflict with this code.
 - c. The following standards are invalid and do not apply to townhouses or townhouse projects allowed by this code, except as specified in this section (B):
 - Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (6) of this section (B).
 - Development standards of the applicable base zone related to lot dimensions, lot coverage, landscape or open space area, or the siting or design of dwellings.
 - The jurisdiction's other development standards that apply only to townhouses and that conflict with provisions of this code.

2. **Maximum Density.** The maximum density for a townhouse project is as follows:
 - In zones in which the minimum lot size for detached single family dwellings is 2,500 square feet or less, townhouse projects are allowed two (2) times the allowed density for detached single family dwellings.
 - In zones in which the minimum lot size for detached single family dwellings is more than 2,500 square feet but less than 5,000 square feet, townhouse projects are allowed three (3) times the allowed density for detached single family dwellings.
 - In zones in which the minimum lot size for detached single family dwellings is 5,000 square feet or more, townhouse projects are allowed four (4) times the allowed density for detached single family dwellings.

3. **Setbacks.** Townhouses shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone, except as noted below:
 - **Front and Street Side:** Minimum front and street side yard setbacks greater than 10 feet are invalid, except those applicable to garages or carports.
 - **Rear:** Minimum rear setbacks greater than 10 feet and minimum rear setbacks greater than zero (0) feet for lots with rear alley access are invalid.
 - **Non-street Side:**
 - The minimum setback for a common wall lot line where units are attached is zero (0) feet.
 - The minimum side setback for an exterior wall at the end of a townhouse structure is five (5) feet.

4. **Building Height.** Townhouses shall meet the maximum building height standards that apply to detached single family dwellings in the same zone, except a maximum height of less than 35 feet or three (3) stories is invalid. Building height is measured in accordance with the development code.

5. **Off-Street Parking.**
 - a. **Required Off-Street Parking.** The minimum number of required off-street parking spaces for a townhouse project is one (1) space per unit. Spaces may be provided on individual lots or in a shared parking area on a common tract. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).
 - b. **On-Street Credit.** If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is allowed by the jurisdiction;

- iii. The space must be a minimum of 22 feet long; and
 - iv. The space must not obstruct a required sight distance area.
6. **Areas Owned in Common.** Common areas must be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.

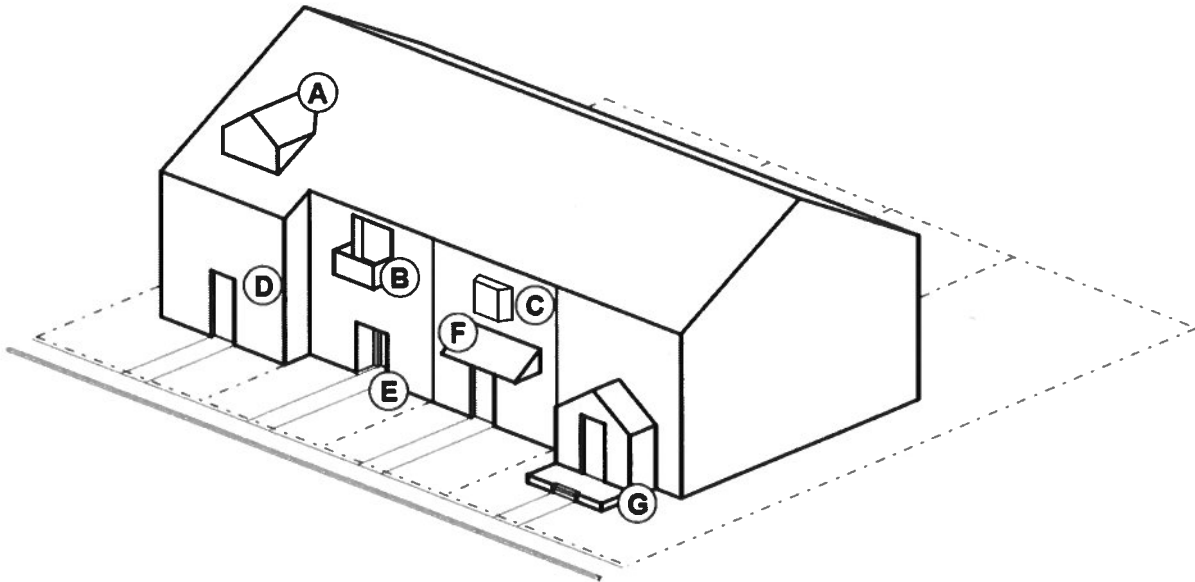
C. Design Standards

New townhouses shall meet the design standards in subsections (1) through (4) of this section (C). Mandates for construction of a garage or carport and any other design standards are invalid.

1. **Entry Orientation.** The main entrance of each townhouse must:
 - a. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 - b. Either:
 - i. Face the street (see Figure 13);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 14);
 - iii. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - iv. Open onto a porch (see Figure 16). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.
2. **Unit definition.** Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 22):
 - a. A roof dormer a minimum of 4 feet in width, or
 - b. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
 - c. A bay window that extends from the facade a minimum of 2 feet, or
 - d. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
 - e. An entryway that is recessed a minimum of 3 feet, or
 - f. A covered entryway with a minimum depth of 4 feet, or
 - g. A porch meeting the standards of subsection (1)(b)(iv) of this section (C).

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

Figure 22. Townhouse Unit Definition

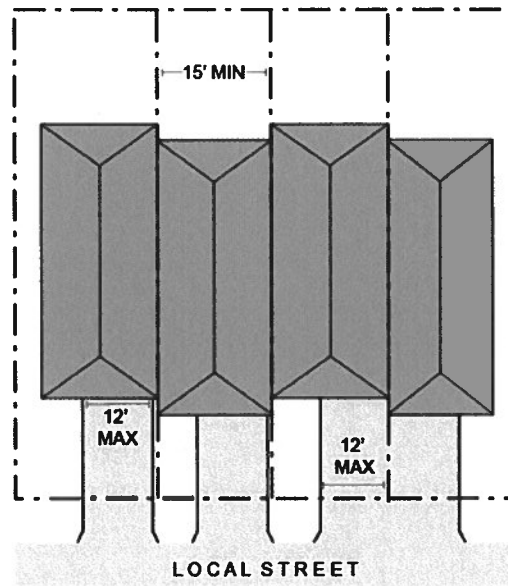


- (A)** Roof dormer, minimum of 4 feet wide
- (B)** Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C)** Bay window extending minimum of 2 feet from facade
- (D)** Facade offset, minimum of 2 feet deep
- (E)** Recessed entryway, minimum 3 feet deep
- (F)** Covered entryway,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

3. **Windows.** A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 17.
4. **Driveway Access and Parking.** Townhouses with frontage on a public street shall meet the following standards:
 - a. Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 23).

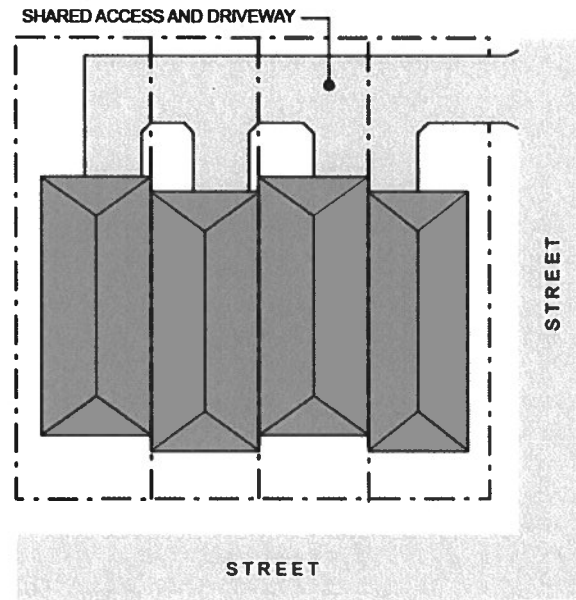
- i. Each townhouse lot has a street frontage of at least 15 feet on a local street.
- ii. A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
- iii. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
- iv. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 23. Townhouses with Parking in Front Yard



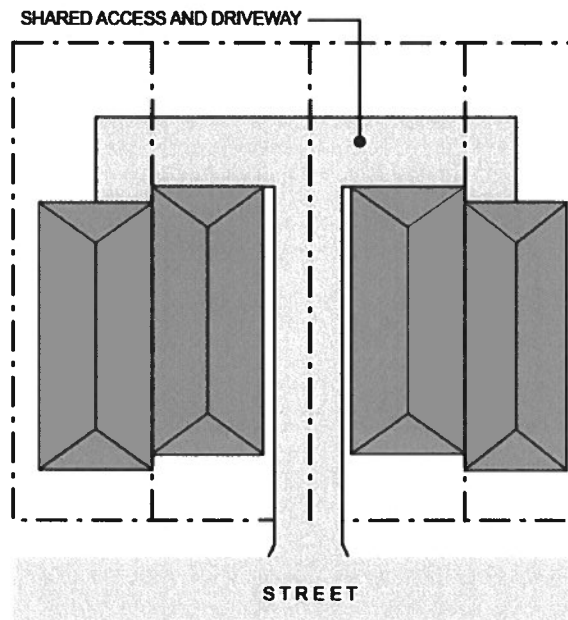
- b. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (a).
 - i. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
 - ii. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 24.

Figure 24. Townhouses on Corner Lot with Shared Access



- iii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 25.

Figure 25. Townhouses with Consolidated Access



- iv. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.
- c. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b).

Chapter 5. Cottage Clusters

Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards

A. Permitted Uses and Approval Process

1. Permitted Use. Cottage cluster projects are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Cottage cluster projects are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a cottage cluster project subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a cottage cluster development application.

B. Development Standards

1. Applicability.
 - a. Cottage clusters shall meet the standards in subsections (2) through (7) of this section (B).
 - b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):
 - Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).
 - Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the siting or design of dwellings.
 - The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.

2. **Minimum Lot Size and Dimensions.** Cottage clusters shall meet the minimum lot size, width, and depth standards that apply to detached single family dwellings in the same zone.
3. **Maximum Density.** The jurisdiction's pre-existing density maximums do not apply.
4. **Setbacks and Building Separation.**
 - a. **Setbacks.** Cottage clusters shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone, except that minimum setbacks for dwellings in excess of the following are invalid:
 - Front setbacks: 10 feet
 - Side setbacks: 5 feet
 - Rear setbacks: 10 feet
 - b. **Building Separation.** Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
5. **Average Unit Size.** The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.
6. **Building Height.** The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.
7. **Off-Street Parking.**
 - a. **Required Off-Street Parking.** The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).
 - b. **On-Street Credit.** If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
 - iii. The space must be a minimum of 22 feet long; and
 - iv. The space must not obstruct a required sight distance area.

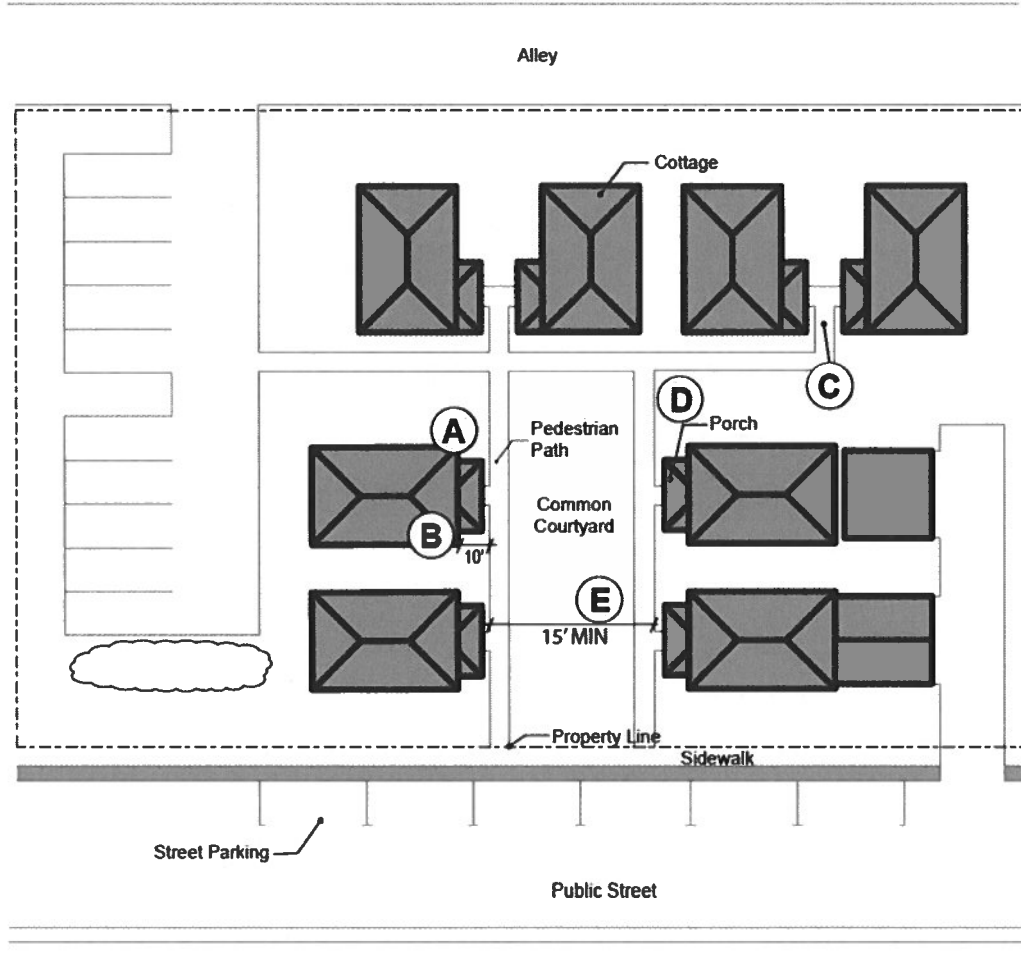
C. Design Standards

Cottage clusters shall meet the design standards in subsections (1) through (8) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (C).

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 26):
 - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 26):
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

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

Figure 26. Cottage Cluster Orientation and Common Courtyard Standards

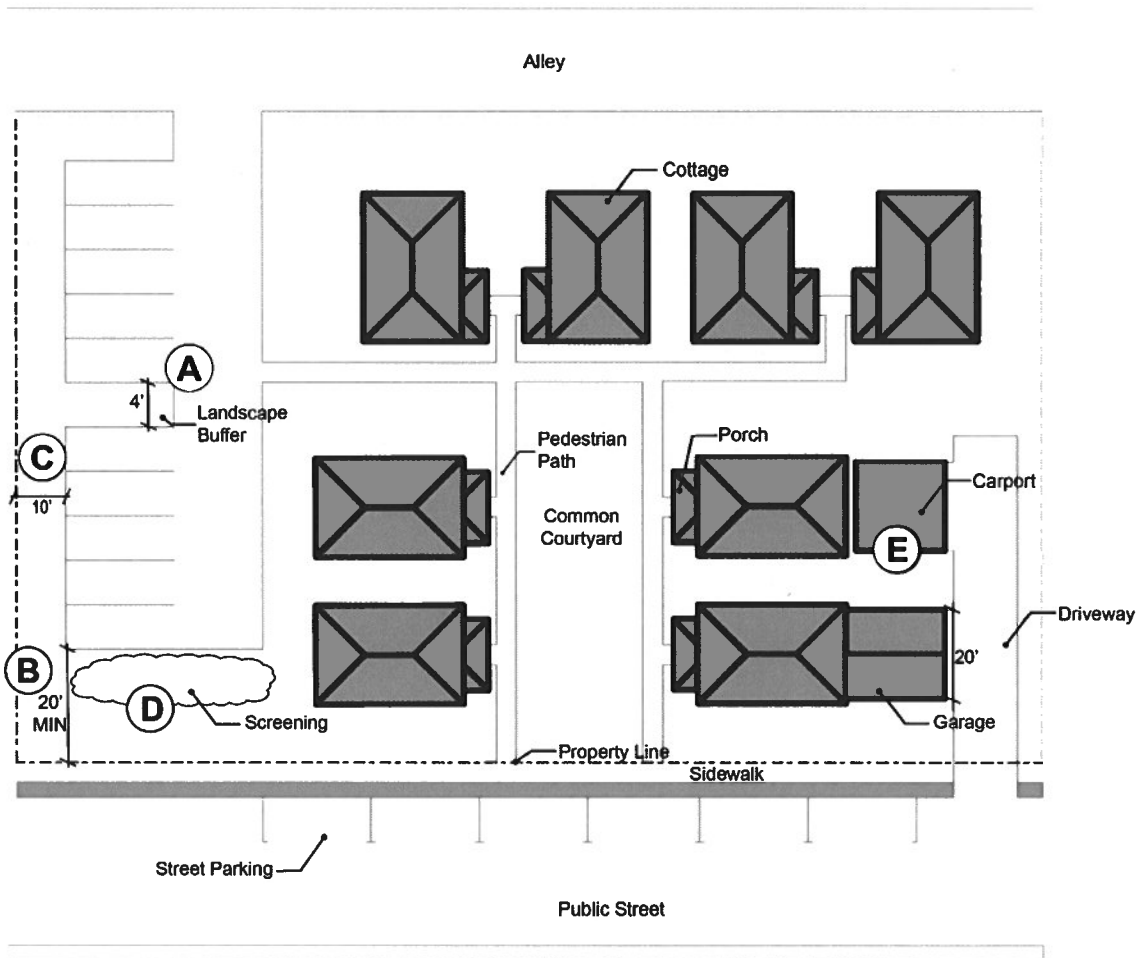


- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least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

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
 - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (B)(5).
 - b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
4. Pedestrian Access.
 - a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - i. The common courtyard;
 - ii. Shared parking areas;
 - iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
 - b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.
6. Parking Design (see Figure 27).
 - a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
 - ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
 - iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
 - iv. Clustered parking areas may be covered.
 - b. Parking location and access.
 - i. Off-street parking spaces and vehicle maneuvering areas shall not be located:

- Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 - d. Garages and carports.
 - i. Garages and carports (whether shared or individual) must not abut common courtyards.
 - ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - iii. Individual detached garages must not exceed 400 square feet in floor area.
 - iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
 8. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
 - a. The existing dwelling may be nonconforming with respect to the requirements of this code.
 - b. The existing dwelling may be expanded up to the maximum height in subsection (B)(4) or the maximum building footprint in Chapter 1, subsection (B)(1); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
 - c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
 - d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (C).

Figure 27. Cottage Cluster Parking Design Standards



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



RELEASED: March 30, 2020

PARKING AND MIDDLE HOUSING

Analysis of Demand and Impacts – Implications for Middle Housing Rulemaking

The purpose of this document is to summarize research regarding minimum parking requirements to better understand their potential impact on the provision of middle housing and inform administrative rulemaking as to what constitutes unreasonable cost or delay in relationship to minimum parking requirements.

The data analysis and literature review outlined in this document serve to answer two primary questions:

- 1.) *What is the anticipated **demand** for off-street parking in middle housing types permitted by HB 2001? How does this demand vary between jurisdictions throughout the state by occupancy characteristics and household size?*
- 2.) *What direct and indirect **costs and impacts** do minimum parking requirements impose on middle housing development? Who pays those costs?*

Parking Demand

A key discussion point regarding minimum parking requirements is the observation that existing parking needs in local jurisdictions are often not met, necessitating a minimum parking requirement beyond one space per unit to ensure sufficient parking spaces are provided. Frequently, the basis for this argument is the observation that individuals in rural (i.e. non-Metro) and smaller cities typically have more than one vehicle per household and are more reliant on vehicles as a primary mode of transportation.

A follow-up question to this observation is whether this observation is supported by empirical data. To answer this, this analysis utilizes ACS 2013-2017 data to assess vehicles per household by tenure (Table B25044) and household size (Table B08201). Below are key findings from ACS 2013-2017 data for medium and large/Metro cities. Results of this data analysis presented in a visual format are available in Exhibits A and B of this document.

Please note that according to the U.S. Census Bureau, a "household includes all the persons who occupy a housing unit as their usual place of residence... The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements." In other words, a "household" includes unrelated persons who share an occupancy, such as roommates.

Tenure Type and Vehicle Ownership (Exhibits A.1 through A.3)

- *Owner-occupied households tend to have between one or two vehicles per household.*
The largest share of owner-occupied households have two vehicles, though many have one vehicle or three or more vehicles.
- *Renter-occupied households predominately have no or one vehicle per household.*
For most jurisdictions, more than half and up to two-thirds of renter households have zero or one vehicle.
- *Renter-occupied households often have zero vehicles.*
It varies pretty significantly by jurisdiction, but typically between one fifth and one quarter of renter households have zero vehicles.



Household Size and Vehicle Ownership (Exhibit B.1-3)

- *Household size corresponds to vehicle ownership.*
The vast majority of one-person households have zero or one vehicle, two-person households typically have one or two vehicles, and the number of vehicles available increases as household size grows.
- *Smaller households (one and two-person) comprise the vast majority of households.*
For all jurisdictions, one and two-person households comprise more than one half and up to three-quarters of households.
- *For all household sizes, households with zero or one vehicle comprise between one-third and one-half of households.*
Under a two space per unit parking minimum, these households would be forced to pay to address an issue that they do not contribute to.

Regional Variation in Vehicle Ownership (Exhibits A and B)

- *While Portland has a somewhat higher proportion of households with zero or one car, cities within the Metro typically have similar or higher rates of vehicles available than non-Metro large and medium cities.*
Households in non-Metro medium and large cities typically have fewer vehicles than Metro households, though this varies between cities.
- *In general, the communities with the greatest vehicle availability appear to be affluent, far from economic centers, and contain a relatively low proportion of smaller (one- and two-person) households.*
Sherwood, Happy Valley, and West Linn contain some of the highest rates of vehicles available per household statewide.

Conclusion

The key takeaway from these findings is there is a degree of truth behind the claim that many households have two cars, but it is really contingent on tenure and household size. Large and medium cities outside of the Metro seem to have similar or, in many cases, lower vehicle ownership rates than Metro cities, especially in comparison to affluent, exurban communities.

For all cities, the majority of smaller and rental households have zero or one car, and requirements for additional off-street parking create an additional cost that these households have to bear with no benefit either to the household or community at large. This represents what economists refer to as deadweight loss or lost economic efficiency. Unlike taxes, which can be reinvested to offset deadweight loss imposed by the tax, parking requirements do not raise revenue to reinvest, so the deadweight loss imposed by parking mandates are borne entirely by households and producers.

Of course, if these costs were minimal, then there may be justification for allowing a two-space per unit minimum, but these costs often pose substantial barriers to the production and affordability of housing, running counter to the legislative intent of HB 2001 to create more housing, especially housing that supplies smaller, often less expensive, infill development on already developed properties.

Parking Cost and Development Impact

While there is limited literature on middle housing specifically, there is a wealth of academic and economic literature that provides insight as to how minimum parking requirements affect housing development. Exhibit C contains a bibliography summarizing the review of relevant academic and economic literature. The key takeaways from this review are summarized below:



- *Minimum parking requirements substantially increase the costs of housing and development both directly and indirectly.*
 Nationwide, the cost of garage parking to renter households is approximately \$1,700 per year, or an additional 17% of a housing unit's rent.¹ One parking space per unit increases costs by approximately 12.5%, and two parking spaces can increase costs by up to 25%. This effect is more pronounced for lower priced housing. Additionally, increased surface parking reduces the maximum potential development density (units per acre) for any given project. This effect is proportionally greatest for smaller units.²
- *These costs disproportionately impact renters and lower-income households, especially ones without vehicles.*
 Lower-income and rental households have proportionally fewer cars and often are paying for parking that they do not need or want. The estimated direct deadweight loss for carless renters nationwide is an estimated \$440 million annually, and disproportionately burdens those with the least ability to pay.¹
- *When left to market conditions, developers typically provide some degree of off-street parking.*
 In 2012, Seattle reduced or eliminated parking requirements in many areas. Seattle's parking reforms led to 18,000 or 40% fewer parking spaces, saving \$537 million, but about 70% of developments with no parking requirements did include some parking.³ In Portland, developers typically provide 0.7 parking spaces per unit when left to market conditions.
- *There are more efficient and equitable alternatives to minimum parking requirements to ensure adequate on-street parking and incentivize developers to construct off-street spaces.*
 Off-street parking mandates do not necessarily fix on-street parking issues, because there is no mechanism for jurisdictions to require residents to use off-street parking spaces in lieu of available street parking. On-street parking management districts and programs eliminate the incentive for developers to allow parking to spill-over into the street and incentivize the construction of parking if tenants have cars.⁴
- *Minimum parking requirements incentivize developers to build less affordable and larger housing types and increase the subsidy required to finance subsidized development.*
 Minimum parking requirements - by prohibiting units with little or no parking - reduce profits earned by building units for lower-income market segments, discouraging the production of small units and incentivizing developers to serve higher-income market segments.⁵
- *Bundled parking and increased provision of parking appears to be a cause of increased automobile mode share, rather than driven by it.*
 Households without bundled parking, controlled for vehicle ownership and other factors, are more than twice as likely to utilize transit and 60-80% more likely to be vehicle free.⁶ There is a strong association between the provision of parking spaces and automobile mode share,

¹ Gabbe, C. J., & Pierce, G. (2017). Hidden costs and deadweight losses: Bundled parking and residential rents in the metropolitan United States. *Housing Policy Debate*, 27(2), 217-229.

² Litman, T. (2019). Parking Requirement Impacts on Housing Affordability. *Victoria Transport Policy Institute*.

³ Gabbe, C. J., Pierce, G., & Clowers, G. (2020). Parking policy: The effects of residential minimum parking requirements in Seattle. *Land Use Policy*, 91, 104053.

⁴ Shoup, D. (2013). On-street parking management v. off-street parking requirements. *The access almanac*, 42, 38-40.

⁵ Lehe, L. (2018). How minimum parking requirements make housing more expensive. *Journal of Transport and Land Use*, 11(1).

⁶ Manville, M., & Pinski, M. (2020). Parking behaviour: Bundled parking and travel behavior in American cities. *Land Use Policy*, 91, 103853.



and there is compelling evidence suggesting this relationship is causal (i.e. increased provision of parking results in increased automobile usage).⁷

Implications for Rulemaking

The perceived demand for two parking spaces per household is not supported by best available statewide data (ACS 2013-2017), especially for smaller and rental households. In all cities impacted by HB 2001, the majority of smaller and rental households have zero or one car, and requirements for additional off-street parking create an additional cost that these households have to bear with no benefit either to the household or community at large.

The cost imposed by minimum parking requirements is thousands of dollars per space for surface parking and far more for garage or covered spaces. Those who bear the brunt of costs imposed by minimum parking standards are disproportionately renter and lower-income households as well as households with fewer vehicles. Furthermore, such requirements place a steep cost on housing development and results in fewer units produced, especially for smaller and more affordable housing types. Additionally, minimum parking standards have not demonstrated efficacy at managing on-street parking issues in comparison to alternatives, such as on-street parking management districts and programs.

Furthermore, [Executive Order 20-04](#) directs the Department to “exercise any and all authority and discretion vested in them by law to help facilitate Oregon’s achievement of the GHG [greenhouse gas] emissions reduction goals set forth in paragraph 2 of this Executive Order”. There is a robust correlation with minimum parking standards and increased automobile mode share, and compelling evidence that greater minimum parking standards are a cause rather than a symptom of increased automobile mode share.

Given the best available evidence to the Department, allowing jurisdictions to impose more than a two-space minimum parking mandate for duplexes would be contrary to the Department’s statutory obligations under HB 2001 and EO 20-04.

⁷ McCahill, C. T., Garrick, N., Atkinson-Palombo, C., & Polinski, A. (2016). Effects of parking provision on automobile use in cities: inferring causality. *Transportation Research Record*, 2543(1), 159-165.

Exhibit A.1 Vehicle Ownership by Tenure - Metro Cities American Community Survey 2013-2017

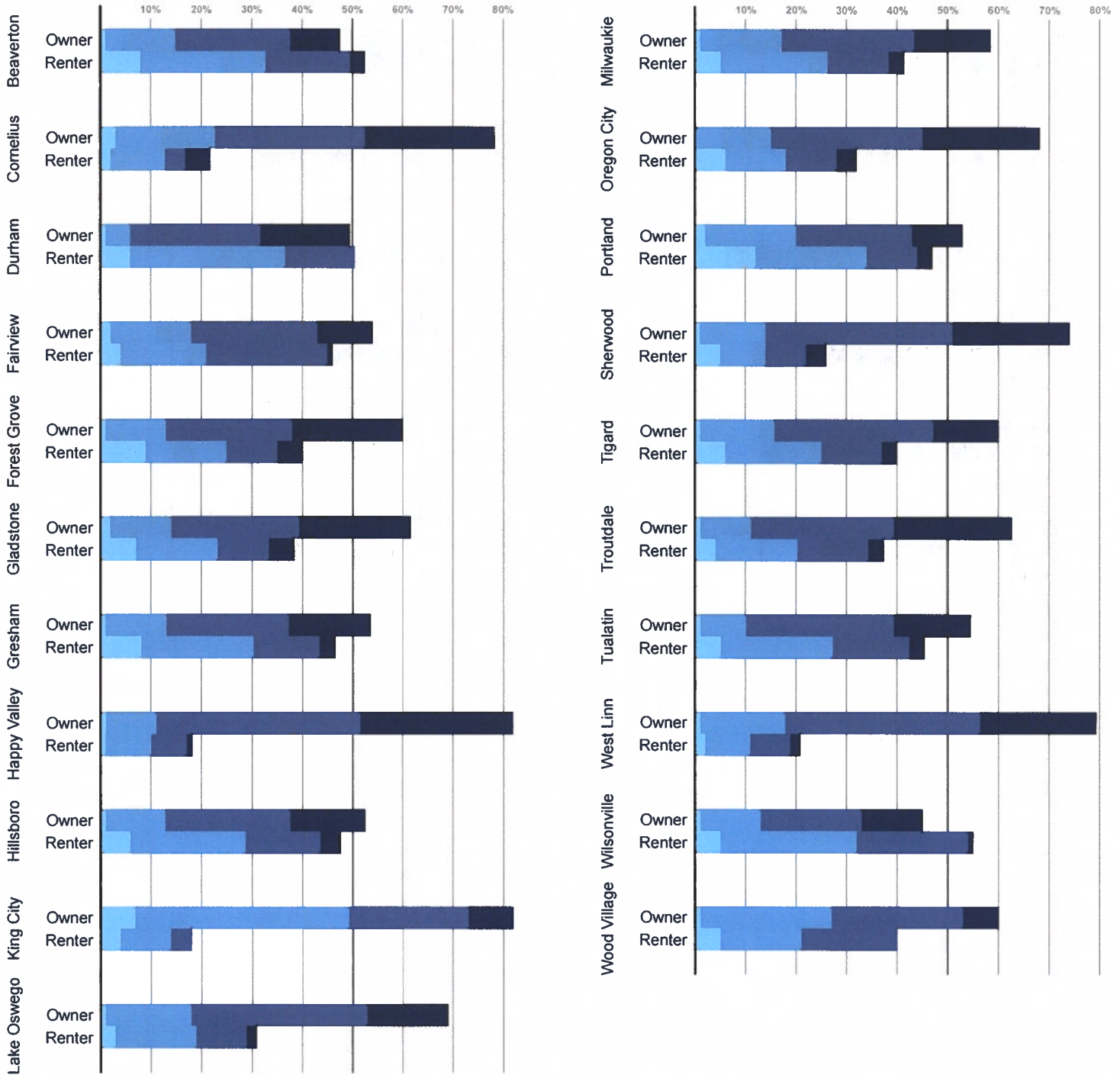
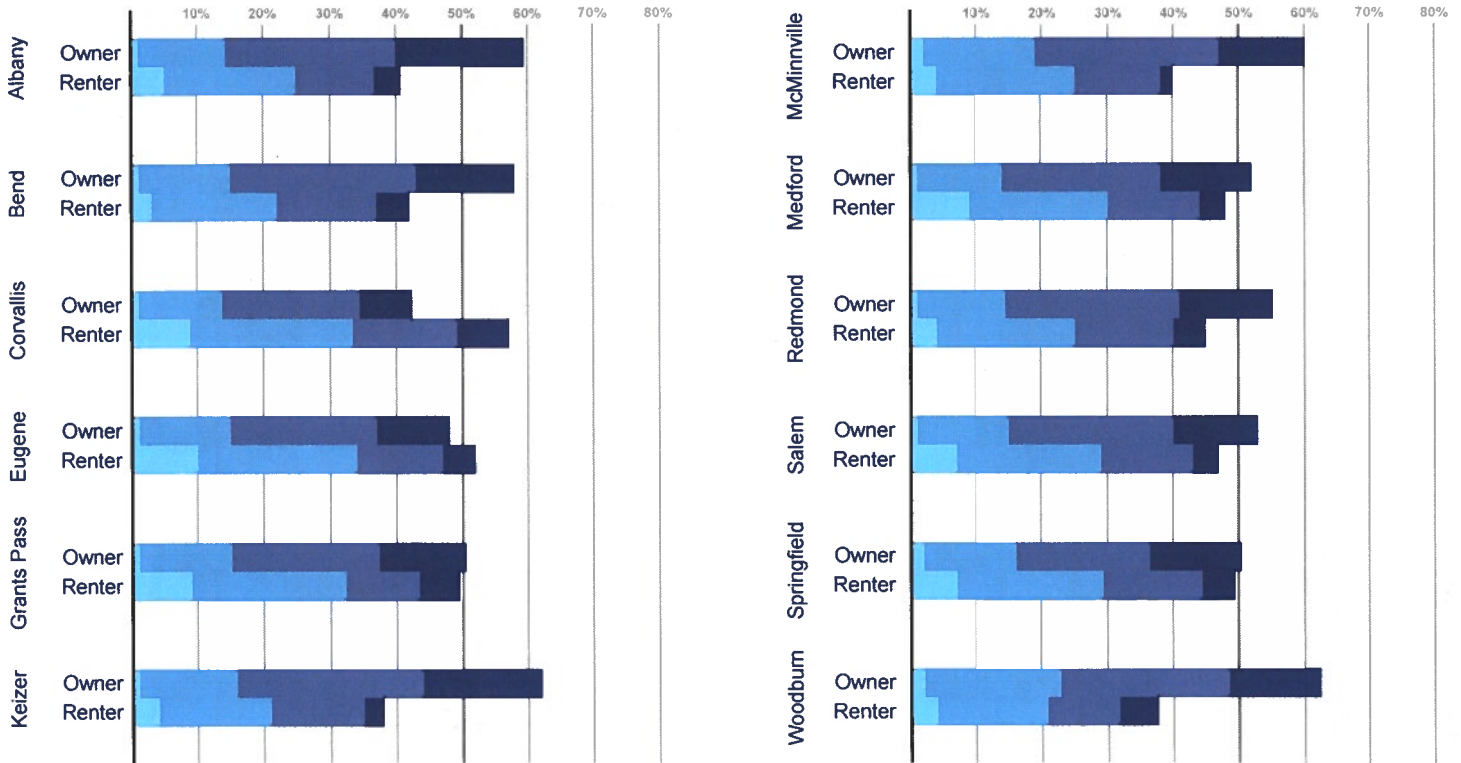


Exhibit A.2 Vehicle Ownership by Tenure - Large, Non-Metro Cities American Community Survey 2013-2017



A.3 Vehicle Ownership by Tenure - Medium Cities American Community Survey 2013-2017



Zero Vehicles



One Vehicle



Two Vehicles



Three or More Vehicles

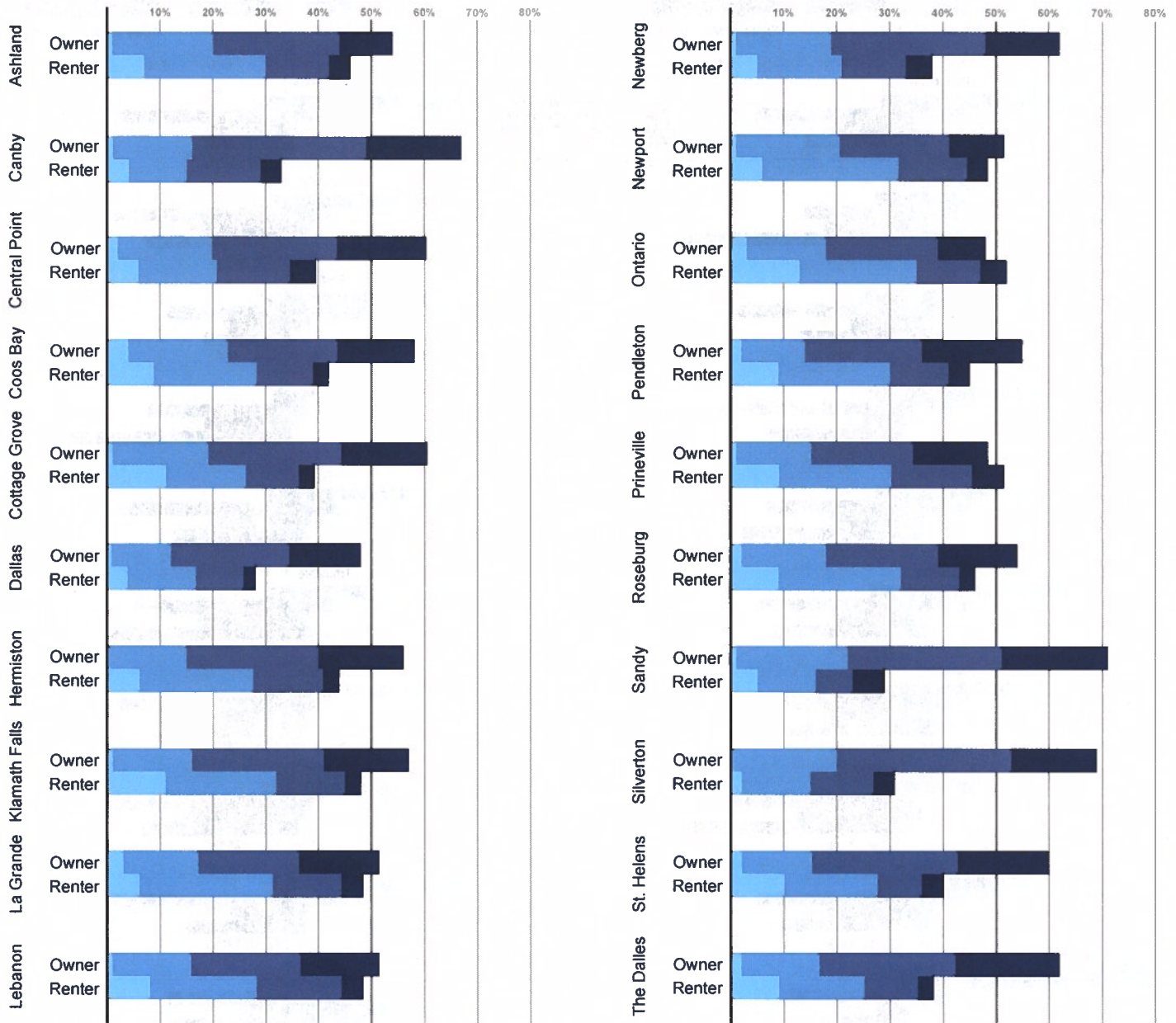


Exhibit B.1 Vehicle Ownership by Household Size - Metro Cities American Community Survey 2013-2017

Households on the left side of the graph would be forced to pay for additional parking they do not utilize under a two-space minimum parking mandate.

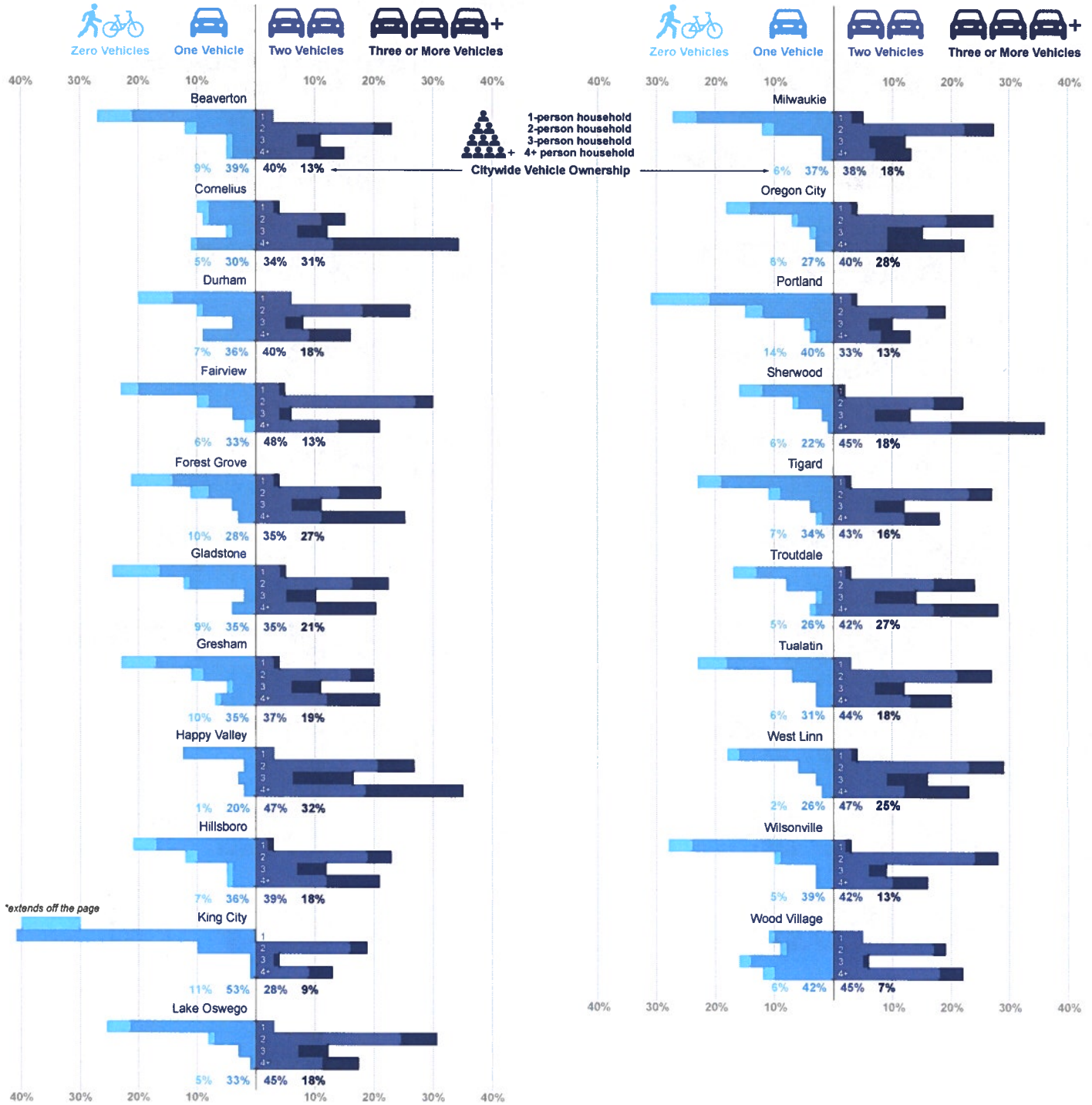


Exhibit B.2 Vehicle Ownership by Household Size - Large, Non-Metro Cities American Community Survey 2013-2017

Households on the left side of the graph would be forced to pay for additional parking they do not utilize under a two-space minimum parking mandate.

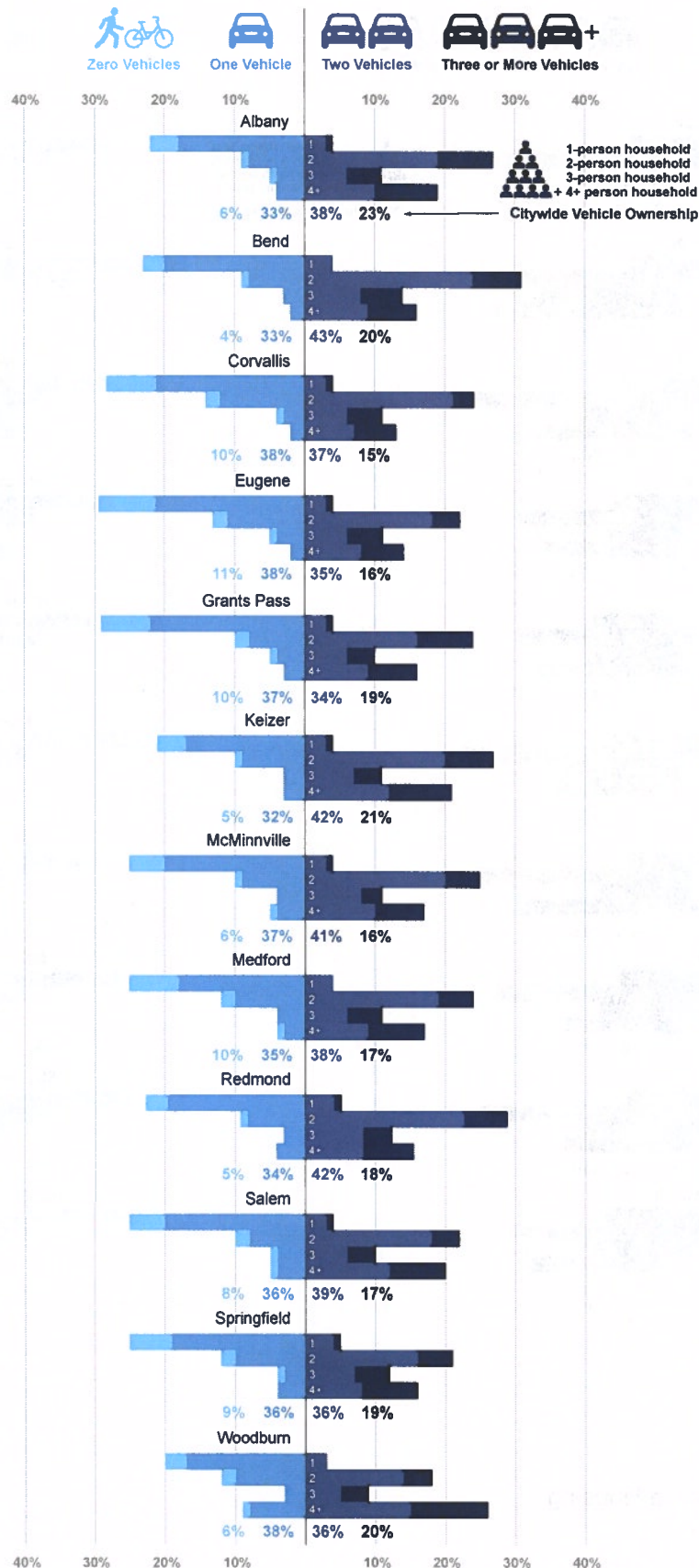


Exhibit B.3 Vehicle Ownership by Household Size - Medium Cities American Community Survey 2013-2017

Households on the left side of the graph would be forced to pay for additional parking they do not utilize under a two-space minimum parking mandate.

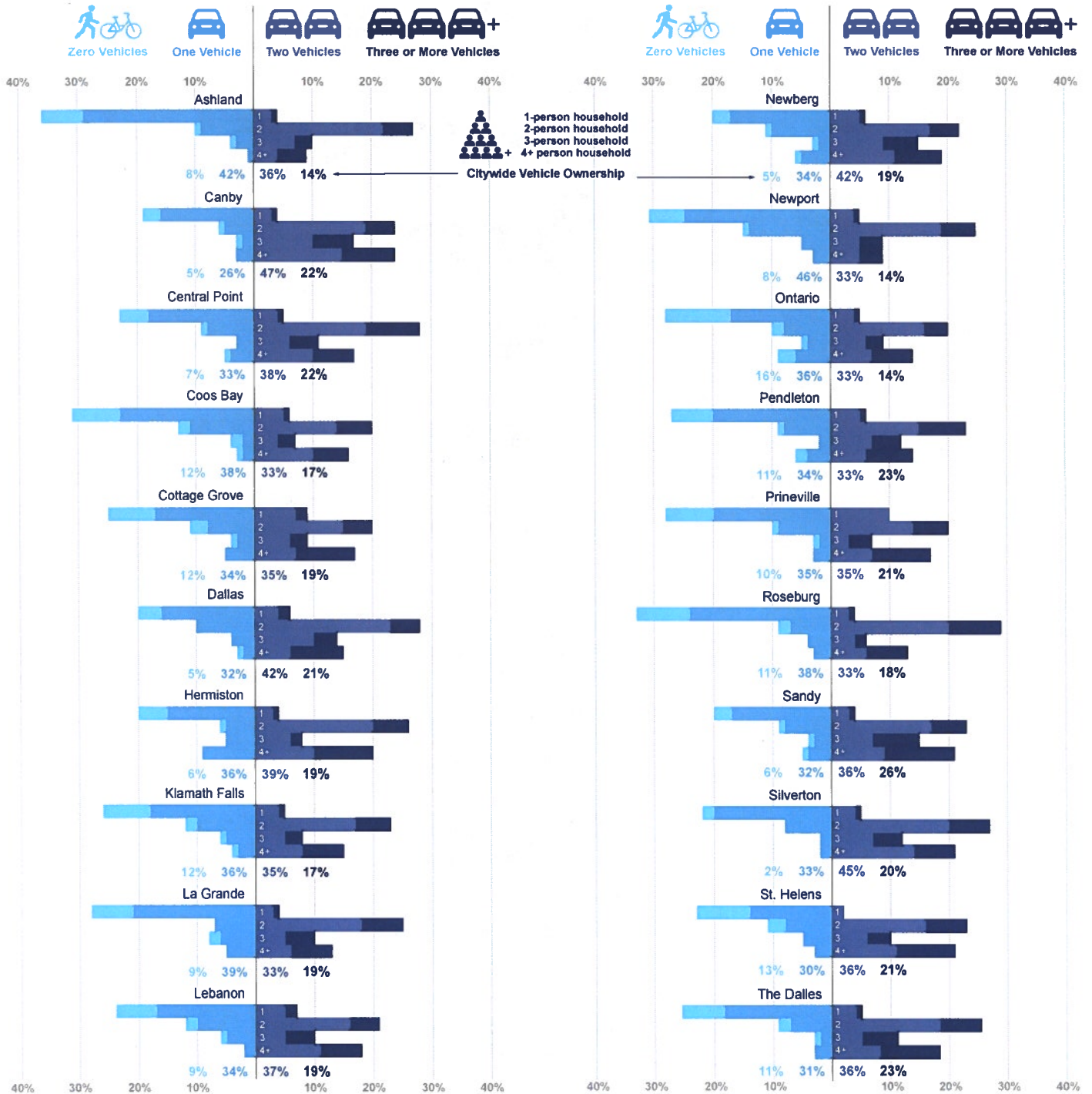


Exhibit C. Literature Review

Off-Street Parking and Housing Cost

1. Gabbe, C. J., & Pierce, G. (2017). Hidden costs and deadweight losses: Bundled parking and residential rents in the metropolitan United States. *Housing Policy Debate*, 27(2), 217-229.
 Nationwide, the cost of garage parking to renter households is approximately \$1,700 per year, or an additional 17% of a housing unit's rent. This cost imposes the steepest cost on carless renters – commonly the lowest income households – who may be paying for parking that they do not need or want. There are about 708,000 households without a car who have a garage parking space, due primarily to municipal regulations. The estimated direct deadweight loss for carless renters nationwide is an estimated \$440 million annually. Many of the households involuntarily paying for garage parking are the ones that can least afford to do so.

2. Gabbe, C. J., Pierce, G., & Clowers, G. (2020). Parking policy: The effects of residential minimum parking requirements in Seattle. *Land Use Policy*, 91, 104053.
 In 2012, Seattle reduced or eliminated parking requirements in many areas. Seattle's parking reforms led to 18,000 or 40% fewer parking spaces, saving \$537 million.

 Parking requirements are the largest predictors of actual parking production with many developments meeting only the minimum required parking, but about 70% of developments with no parking requirements did include some parking.

3. Jia, W., & Wachs, M. (1999). Parking requirements and housing affordability: Case study of San Francisco. *Transportation Research Record*, 1685(1), 156-160.
 Found that the provision of one off-street parking space increased the cost of a house by 11.8% and condominium by 13%. Based on the distribution of income of residents, an estimated 16,600 additional households could qualify for home mortgages for units without off-street parking spaces if they could legally be provided.

4. Lehe, L. (2018). How minimum parking requirements make housing more expensive. *Journal of Transport and Land Use*, 11(1).
 Minimum parking requirements discourage the production of small units by making it less profitable to build units for lower-income households. Developers' most common response to the high incremental costs of increased parking is to build less affordable/higher priced urban housing.

 Rationale: Housing consumers, can be grouped into various market segments, which are each most profitably served by units with certain attributes. Specifically, the most profitable type of unit to build for a lower-income market segment will have less parking. A minimum parking requirement —by prohibiting units with little or no parking—reduces the profits earned by building units for such households, making them more likely to serve other market segments. Since it is also true that lower-income markets are most profitably served by relatively small units, a binding MPR may wind up discouraging small units. Importantly, this logic can operate at the level of a small neighborhood or an individual parcel.

5. Litman, T. (2006). *Parking Management Best Practices*. American Planning Association.
 Requirements for off-street parking significantly impacts the development cost of housing, but that impact varies based on the price of the housing and price of land. For higher-priced housing in suburban areas with lower land costs, supplying two parking spaces per unit adds 10% to the total development costs; lower-priced residential buildings in urban areas with higher land costs, providing two parking spaces increases costs more than 20 percent.

 Parking requirements shift the cost of parking from direct (e.g. paid parking spaces) to indirect (higher development/housing costs), which fails to reward consumers who reduce the parking costs they impose. If parking is bundled with housing, residents must pay regardless of whether they use a space or not, and therefore, do not receive a benefit by reducing vehicle ownership.

While individual impacts seem modest, market distortions have significant cumulative effects. The combination of lower-density development and underpriced parking increases parking demand and vehicle travel 15 to 25 over what would occur if parking requirements were more accurate, motorists paid directly for parking, and land development were more compact.

6. Litman, T. (2019). *Parking Requirement Impacts on Housing Affordability*. Victoria Transport Policy Institute. One parking space per unit increases costs by approximately 12.5%, and two parking spaces can increase costs by up to 25%. This effect is more pronounced for lower priced housing, and places a disproportionate cost on lower income and rental households, who own fewer vehicles yet receive no benefit from minimizing their parking impact.

Increased surface parking reduces the maximum potential development density (units per acre). This can result in a density decline between 13% and 37%. This impact is proportionally greatest for smaller units.

Off-street parking requires curb cuts, which reduces capacity for on-street parking and increases potential for conflict between pedestrians

Parking imposes additional costs for non-profit developments. For example, to build an \$80,000 per unit affordable at \$700/month for a family earning \$30,000 annually, a subsidy of \$4,000 is required for no parking, \$12,792 for one parking space/unit, \$26,251 for two parking spaces/unit, and \$51,376 for three.

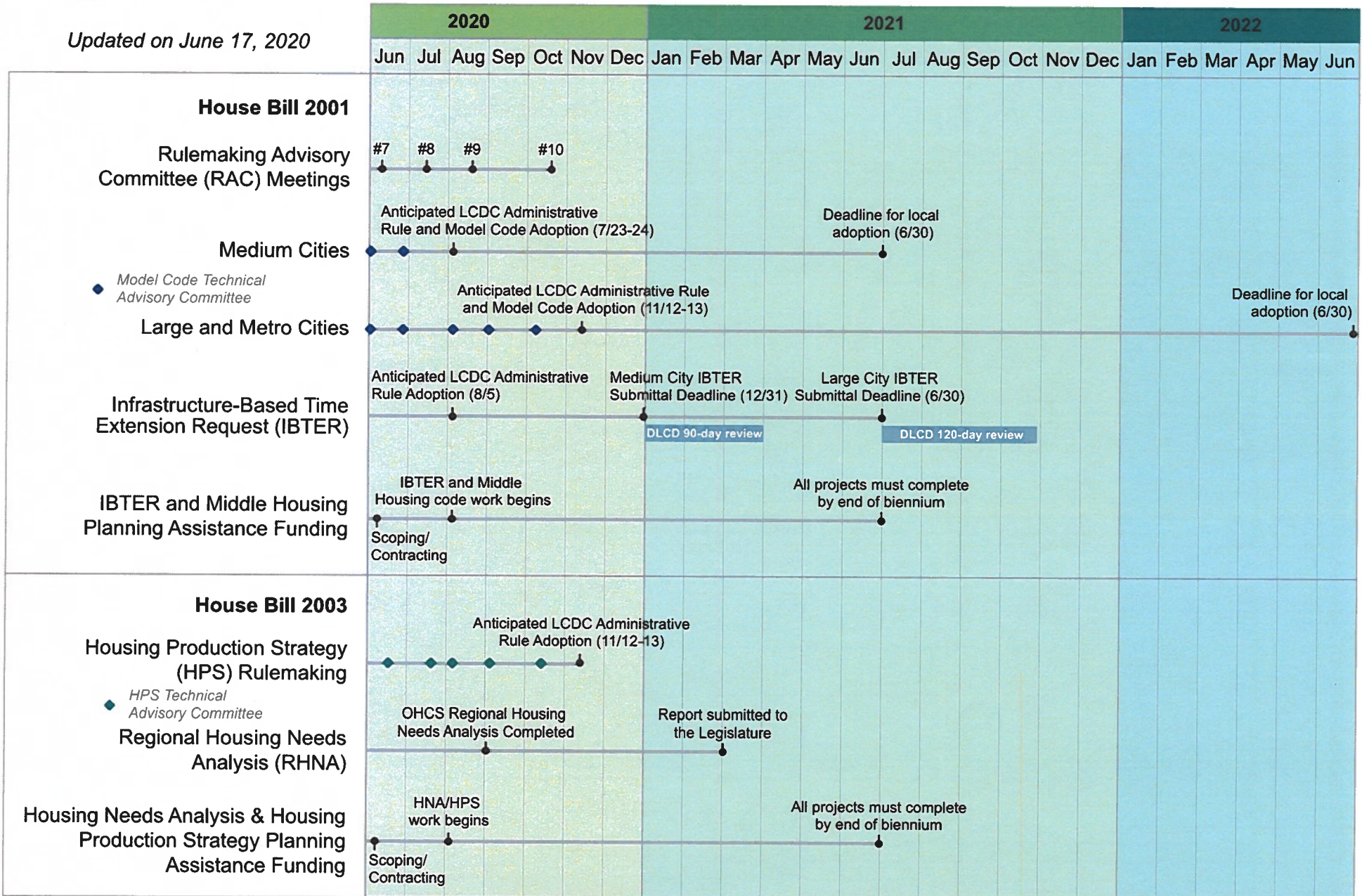
7. Manville, M., & Pinski, M. (2020). Parking behaviour: Bundled parking and travel behavior in American cities. *Land Use Policy*, 91, 103853.
People without bundled parking own fewer cars and drive less as a result, even after vehicle ownership is controlled for. Households without bundled parking, controlled for vehicle ownership and other factors, are more than twice as likely to transit and 60-80% more likely to be vehicle free. There is also evidence that households with bundled parking drive more.
8. McCahill, C. T., Garrick, N., Atkinson-Palombo, C., & Polinski, A. (2016). Effects of parking provision on automobile use in cities: inferring causality. *Transportation Research Record*, 2543(1), 159-165.
An increase in parking provision from 0.1 to 0.5 parking spaces per person is associated with an increase in automobile mode share of roughly 30 percentage points. The study also finds compelling evidence that parking provision is a *cause* of citywide automobile use, rather than driven by it.
9. Shoup, D. (2013). On-street parking management v. off-street parking requirements. *The access almanac*, 42, 38-40.
On-street parking management districts and programs eliminate the incentive for developers to allow parking to spill-over into the street and incentivize the construction of parking if tenants have cars.
10. Weinberger, R. (2012). Death by a thousand curb-cuts: Evidence on the effect of minimum parking requirements on the choice to drive. *Transport policy*, 20, 93-102.
There is a clear relationship between guaranteed parking at home and a greater propensity to use the automobile for journey to work trips, even when origin and destination are well served by transit.



Implementation Timeline

House Bill 2001 and House Bill 2003

Updated on June 17, 2020



HB 2001 Implementation Tracking Spreadsheet (Medium Cities)

Updated March 24, 2021

City	Compliance Date	Grant Type	Product Type	PAPA - Draft Code Review	First Hearing date
Ashland	6/30/2021	-	-	not submitted	6/1/2021
Baker City	12/15/2021	-	-	not submitted	-
Canby	6/30/2021	-	-	not submitted	-
Central Point	6/30/2021	-	-	not submitted	-
Coos Bay	6/30/2021	Direct Grant	Code Assistance	not submitted	-
Cottage Grove	6/30/2021	-	-	effective; DLCD to review code adopted prior to rulemaking	1/25/2021
Dallas	6/30/2021	-	-	not submitted; preliminary draft reviewed by staff	-
Hermiston	6/30/2021	DLCD Consultant	Code Assistance	not submitted	-
Klamath Falls	6/30/2021	-	-	not submitted	-
La Grande	6/30/2021	-	-	Review complete; Comments submitted to city	1/6/2021
Lebanon	6/30/2021	-	-	not submitted	-
Newberg	6/30/2021	Direct Grant	Code Assistance	not submitted	-
Newberg	6/30/2021	Direct Grant	IBTER	approved	N/A
Newport	6/30/2021	-	-	Review complete; Comments submitted to city	4/12/2021
Ontario	6/30/2021	Direct Grant	Code Assistance	Review complete; Comments submitted to city	4/12/2021
Pendleton	6/30/2021	DLCD Consultant	Code Assistance	not submitted	-
Prineville	6/30/2021	-	-	effective	N/A
Roseburg	6/30/2021	DLCD Consultant	Code Assistance	not submitted	-
Sandy	6/30/2021	-	-	Review complete; Comments submitted to city	1/25/2021
Silverton	6/30/2021	DLCD Consultant	Code Assistance	not submitted	-
St. Helens	6/30/2021	-	-	Review complete; Comments submitted to city	4/13/2021
The Dalles	6/30/2021	DLCD Consultant	Code Assistance	not submitted	-

HB 2001 Implementation Tracking Spreadsheet (Large Cities)

Updated March 24, 2021

City	Compliance Date	Grant Type	Product Type	PAPA - Draft Code Review	First Hearing date
Albany	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Beaverton	6/30/2022	-	-	not submitted	-
Bend	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Clackamas Co	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Corvallis	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Cornelius	6/30/2022	-	-	not submitted	-
Durham	6/30/2022	-	-	not submitted	-
Eugene	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Fairview	6/30/2022	-	-	not submitted	-
Forest Grove	6/30/2022	-	-	not submitted	-
Forest Grove	6/30/2022	Direct Grant	IBTER	not submitted	-
Gladstone	6/30/2022	-	-	not submitted	-
Grants Pass	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Gresham	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Happy Valley	6/30/2022	-	-	not submitted	-
Hillsboro	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Keizer	6/30/2022	-	-	not submitted	-
King City	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Lake Oswego	6/30/2022	Direct Grant	Code Assistance	not submitted	-
McMinnville	6/30/2022	Direct Grant	Code Assistance	not submitted	-
McMinnville	6/30/2022	Direct Grant	IBTER	not submitted	-
Medford	6/30/2022	-	-	not submitted	-
Milwaukie	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Oregon City	6/30/2022	-	-	effective; DLCDC to review code adopted prior to rulemaking	-
Portland	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Portland	6/30/2022	Direct Grant	IBTER	not submitted	-
Redmond	6/30/2022	-	-	not submitted	-

HB 2001 Implementation Tracking Spreadsheet (Large Cities)

Updated March 24, 2021

City	Compliance Date	Grant Type	Product Type	PAPA - Draft Code Review	First Hearing date
Salem	6/30/2022	-	-	not submitted	-
Sherwood	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Springfield	6/30/2022	-	-	not submitted	-
Tigard	6/30/2022	-	-	effective; DLCD to review code adopted prior to rulemaking	-
Troutdale	6/30/2022	-	-	not submitted	-
Tualatin	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Washington Co	6/30/2022	Direct Grant	Code Assistance	not submitted	-
West Linn	6/30/2022	DLCD Consultant	Code Assistance	not submitted	-
Wilsonville	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Woodburn	6/30/2022	Direct Grant	Code Assistance	not submitted	-
Woodburn	6/30/2022	Direct Grant	IBTER	not submitted	-
Wood Village	6/30/2022	-	-	not submitted	-

Derrick Tokos

From: Phipps, Lisa <lisa.phipps@state.or.us>
Sent: Thursday, March 04, 2021 7:37 PM
To: Derrick Tokos
Cc: Stuckmayer, Ethan
Subject: PAPA notice: 4-Z-20

Follow Up Flag: Follow up
Flag Status: Flagged

Hi, Derrick,

We reviewed the PAPA submittal addressing HB 2001 (2019). Ethan was the major reviewer and he was really impressed that the City is going above and beyond the requirements in the bill!

These are the comments regarding the rest of his review:

:

1. Table A footnote 2 - "Density limitations apply where there is construction of more than one single-family dwelling (SFD) or duplex on a lot or parcel." Is there a scenario where multiple duplexes on a lot would still meet the definition of a duplex? Based on the definitions in the NMC, it seems like that kind of development would be defined as multi-family development. If so, why include a density limitation standard in Table A?
2. Master versions of the Model Code Graphics are available on the HB 2001 webpage on DLCD's website and are available for City use.
3. Prior to final adoption, the City must provide Goal 10 findings. These should also include a "demonstration of consideration" of housing affordability measures including but not limited to SDC waivers, a Construction Excise Tax, and property tax exemptions, per OAR 660-046-0030(2) a-c.

#1 and #2 are just questions and/or informational. I expect you were planning on addressing #3 (the Goal 10 findings) in your staff report, but since we don't have that yet, Ethan was just affirming that it was necessary.

I wanted to pass these thoughts along as you were getting ready to prepare your staff report. I don't always get comments so early in our process so happy to be able to get them to you so soon.

If you have any questions, please let me know or if you want to reach out to Ethan specifically, I am sure he would be happy to chat.

Hope all is well!!
Lisa



Lisa M. Phipps

North Coast Regional Representative | Ocean/Coastal Services Division
Oregon Department of Land Conservation and Development
4301 Third Street, Room 206 | Tillamook, OR 97141
Cell: 503-812-5448|
lisa.phipps@state.or.us | www.oregon.gov/LCD

Derrick Tokos

From: Julie private <privateii@hotmail.com>
Sent: Tuesday, March 23, 2021 11:32 AM
To: Derrick Tokos
Subject: Regarding amendments to HB2001

[WARNING] This message comes from an external organization. Be careful of embedded links.

Mr. Tokos,

My name is Julie Gearin. Born and raised here in Newport, Oregon. I would like to present a view to you that should be included in the proposal for duplexes and group cottages. First of all I would like to say that it is a shame that our locals have nowhere to rent, therefore I realize it is in the best interest of our community to be able to create more duplexes and cottages. The shame, I believe, has been created by the persons who have bought and used every home that would have been available for rent as a fast money-making "hotel" for tourists. They should be made to pay any and all taxes that a hotel has to pay.

One huge issue I see with existing multi-family dwellings and those that may be allowed in the future is parking. First of all if these structures are built they should have ample parking for those living there, on the property. Such as 2 parking spaces = no more than 2 cars. The problem is there will be more than 2 cars, where do they park? There has to be an answer, maybe a permit for residential persons using street parking? More revenue there for the city.

Let me give you an example. I live at 238 N.W. 7th St., here in Newport. A very short-dead end street, with limited parking. Directly across from me there is a 2 story duplex(237) with Multiple families living on the 2 levels. The building has parking spaces for 4 vehicles on the property, however on any given day or night they have a minimum of 8 cars, maximum of 15 cars. FOR 1 home. One house to the west of me has multiple families, 2 parking spaces on property. They have 5-6 cars daily. At least one or 2 of those cars parks ON THE SIDEWALK, completely blocking the walkway. I have called parking enforcement, nothing has changed.

If circumstances caused me to use the street parking, I would gladly pay for a permit. They should too.

Bottom line is, I am all for these new types of housing being allowed in our neighborhoods, but there must be adequate or limited parking.

These cars I speak of move on a daily basis, they are hardworking people, they are not abandoned vehicles. If someone is to view the problem areas, they should be viewed at night as well as in the day.

Thank you for listening.

Julie A. Gearin

557 SE Vista Drive
Newport, Oregon 97365
541-264-8614

29 March 2021

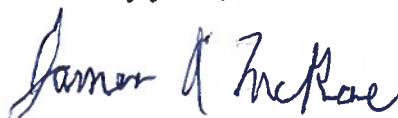
Newport Community Development Department
City hall, '69 SW Coast Hwy
Newport, Oregon 97365

Dear sirs:

In regard to your letter announcing a public hearing, on April 12th, to discuss possible property zoning changes. First of all, thank you for your service on this committee. We wonder about the reasons for this zoning change. If it is just for making more housing that's not too expensive available, I feel that could be good. On the other hand, if it is due from pressure from the federal or state government, that is not good. A zoning change could be a first step to cram many illegal aliens into our community.

A requirement could be to have furniture and other belongings moved into storage, having the existing house torn down, a new duplex built on the land, and having the furniture and belongings moved into the duplex. In the meantime, we would have to pay to live somewhere else. I hope you would resist that idea. We do not have a spare million dollars to pay for all that. I doubt our neighbors do either. If a zoning change is supposed to lead to all that, I am strongly opposed to it. Thank you for your consideration.

Sincerely yours,



James A. McRae

CITY OF NEWPORT

APR 05 2021

RECEIVED

Sherry Marineau

From: Derrick Tokos
Sent: Monday, March 29, 2021 8:41 AM
To: 'carla perry'
Cc: Sherry Marineau
Subject: RE: Public comment for hearing on Monday, April 12, 2021- review of amendments to NMC

Hi Carla,

Thanks for sharing your thoughts on the HB 2001 related amendments. Your testimony will be included in the public record and Planning Commission packet for the upcoming hearing.

Derrick I. Tokos, AICP
 Community Development Director
 City of Newport
 169 SW Coast Highway
 Newport, OR 97365
 ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

From: carla perry <perry.carla@gmail.com>
Sent: Sunday, March 28, 2021 11:34 AM
To: Derrick Tokos <D.Tokos@NewportOregon.gov>
Subject: Public comment for hearing on Monday, April 12, 2021- review of amendments to NMC

[WARNING] This message comes from an external organization. Be careful of embedded links.

TO: The City of Newport Planning Commission
FROM: Carla Perry
RE: Public hearing on Monday April 12, 2021 Review of amendments to Newport Municipal Code. File No. 4-Z-020
DATE: March 28, 2021

In response to the Notice of Public Hearing I received on March 22, 2021 via postal mail, I offer the following comments based on review of the document titled: "February 8, 2021 Draft Revisions to Implement HB 2001 (2019)" regarding changes proposed to NMC 14.01.020, from the file named "DraftHB2001NMC-Duplex-CottageClusterAmendments_V.3-1.pdf," which I located in the Community Development Section of the City website under "Current Projects," and based on Planning Commission meeting minutes on this topic.

For the most part, I concur with the proposed amendments and am grateful for the Planning Director and the Planning Commissioners taking the time to review the ramifications of the radical changes to Newport Municipal Code caused by the passage of HB 2001.

However, I do have a few comments:

- I am opposed to duplexes being allowed to have ADUs in R-1 and R-2 zones. Detached ADUs should be allowed only on lots with one single-family home.
- I am opposed to lots with three (3) dwelling units per lot or parcel in R-1 and R-2 zones. Two dwelling units should be the new allowable maximum.
- I am opposed to "cottage clusters" in R-2 zones.
- Newport's aging sewer system and existing infrastructure are not capable of handling a significantly greater density of housing in R-1 and R-2 zones, so infrastructure should be a consideration when granting permits for additional housing on standard lots.
- I am in favor of requiring at least one off-street parking space for duplexes.
- I am in favor of requiring owner-occupancy in the primary residence if a second dwelling is constructed on a lot in R-1 and R-2 zones. As Commissioner Berman stated during the January 11, 2021 meeting, "[The City] couldn't control the uses for ADUs, but could control if they were legal or not." ADUs in R-1 and R-2 zones could easily become a problem when used illegally as short-term rentals because it is the City's policy to require only "voluntary compliance" to Municipal Code regulations, and because there has been little or no enforcement when past violations were confirmed. Even when action was taken against violators and the City levied fines, the City's policy is to excuse all fines and other penalties. Requiring either the ADU or the primary dwelling to be owner-occupied would be a prudent step in reducing violations.

Document Specifics:

14.03.050 Residential Uses.

"A. Residential #7: Manufactured Dwelling Park."

These types of "parks" are currently permitted in R-2 zones, but should be a conditional use.

"B. Accessory Dwelling Units.

"L: Colleges and Universities" are listed as Conditional Uses in all residential zones. But this is not feasible in R-1 and R-2 zones due to lack of infrastructure capacity and parking.

"Y: Short-Term Rentals (subject to requirements of Chapter 14.25." Rather than refer the reader to Chapter 14.25, the chart should state, "***Short-Term rentals are Prohibited in R-1 and R-2 zones except in specially designated City Overlay areas (see Chapter 14.25).***"

14.40.030 Number of Parking Spaces Required

"A.20. Duplex – 1 space/dwelling."

The number of off-street parking spaces required for duplexes in R-1 and R-2 zones should be the same as for single-family dwellings (i.e., two spaces). On-street parking is already a problem in many R-1 and R-2 neighborhoods. In neighborhoods such as my own, the streets are narrow, sub-standard, with no sidewalks or curbs, so all on-street parking obstructs a lane of traffic and decreases pedestrian safety. If higher-density housing forced residents to use the public right of way for parking on a permanent basis, it would place all vehicles, bicycles, and pedestrians in harm's way, for which the City of Newport would be liable. Therefore, I propose that on-street parking should be allowed only in conjunction with fully developed streets, when both sides of the street have sidewalks and "ready-to-park-in spaces."

"B. On-Street Credit.... subject to the following limitations:"

I am strongly in favor of all six limitations listed.

14.16.050(B)

I am opposed to Option 1.

I am in favor of **Option 2: "A maximum of one Accessory Dwelling Unit is allowed for each detached single-family dwelling on a lot or parcel."**

Thank you for your consideration of my comments.

-Carla Perry

Derrick Tokos

From: William H. Wiist <whwiist@yahoo.com>
Sent: Monday, April 5, 2021 4:53 PM
To: Derrick Tokos
Subject: Comments on February 8, 2021 Draft Revisions to Implement HB 2001 (2019)

[WARNING] This message comes from an external organization. Be careful of embedded links.

Mr. Derrick Tokos, Director, Newport Planning Department

Below are my comments on the February 8, 2021 Draft Revisions to Implement HB 2001 (2019). I ask that you please make these adjustments prior to your submission to the Planning Commission and City Council. My thanks to Carla Perry for bringing this matter to the attention of the residents of Newport in an editorial to the News Lincoln County Apr 4, 2021.

My comments are highlighted in yellow. Quotes from your draft are not highlighted.

Thank you for your consideration.
 Bill Wiist, Newport resident

In my opinion the addition of ADUs will add too much strain to City's water and sewage system that is already overburdened, and for which home owners are paying exorbitant rates (compared to rates of some other OR cities I am aware of) that include fees for replacing the old and deteriorated system.

I believe that ADUs will detract from the low density atmosphere/ambience of Newport as a "home town" and increase an undesirable exclusively "tourist/resort" high density atmosphere/ambience.

You need to review sections NMC 14.01.020, 14.28.060, 14.30.080, 14.40.030 to be sure that definitions of terms for dwellings are consistent across the document (they currently are not and are confusing).

The document (Table in Section 14.14.030) does not specify where residents of ADUs are supposed to park. What are the requirements? This document needs to specify what parking must be made available for ADUs by the main dwelling property owner (e.g., on street by permit as specified in "parking" section of the document)

The document must be made consistent with City's Short-term Rental ordinance requirements.

Table "A" R1-R2 allows height of 30 feet; R3 allows height of 35 feet and 5 feet side setbacks.

These heights and setbacks should not be allowed for townhouses, duplexes, condominiums, or cottages directly next to (side or back) of single family dwellings because of invasion of privacy of the residents of single family dwellings (unless the single family dwelling is itself 30 feet or more in height), and those heights would alter the character of the neighborhood.

Many, if not most, residents (e.g., families, roommates) now-a-days have more than one vehicle. So requirements for only one space/1.5 space for each unit is an antiquated specification. Requirements should be at least one space per bedroom for (e.g., apartment, duplex, townhouses, cottage, and condominiums).

The City should require that on-street parking for residents of multi-unit residences (e.g., apartment, duplex, townhouses, cottage, condominiums) be limited to only the space across the front of the building/lot itself, and that residents of those dwellings not be allowed to park in front of other residences (e.g., single family dwellings). Violations should be made an enforceable offense.

Currently, STR users and apartment residents park in front of permanent residents' single family dwellings and prevent those permanent residents and their guests from using those spaces, and all those cars create an "eye-sore" for those permanent single family dwelling residents.

14.14.030 Number of Parking Spaces Required

Table

19. Single-Family Detached Residence

(one space may be the driveway between garage and front property line) 2 spaces/dwelling

Why remove the allowance for one space to be in the driveway since 20 feet setback (sufficient for cars and pickups) is required?

0.5 space (e.g., 1.5) parking space is of no use for vehicles. The 0.5 space does not serve any purpose for expanding vehicle parking space except that two 1.5 could be used by three vehicles.

For on-street parking to be allowed (credits) the document should specify (in exact foot width) that the width of the street must be sufficient to allow safe parallel passage of two vehicles between the parked vehicles on both sides of the street (to avoid a street becoming "one-way" due to vehicles being parked on both sides of the street.)

The cottage cluster ratio is what DLCD's Model Code recommends for units over 1,000 sf in size. It recommends no parking requirements below that size.

This requirement is antiquated and not forward looking. Small "efficiency" units (e.g., less than 1000 sq ft) are becoming more common. At least one parking space should be required.

Clarified (B)(4) to indicate that credited parking must be on the same side of the street as the dwelling, which is what "abutting" was intended to mean.

Yes, keep this Commission recommendation as a requirement.

POLICY ALTERNATIVES

Option No. 1:

B.

A maximum of one Accessory Dwelling Unit is allowed for each detached single-family dwelling or townhouse on a lot or parcel. In cases where a property lot or parcel is developed with one or more single family attached a two-family dwellings, a maximum of one, detached Accessory Dwelling Unit is allowed per lot or parcel.

In my opinion, NO ADUs should be allowed for townhouses or two-family (or more) dwellings. That is too much neighborhood crowding (see notes above about aged infrastructure, and ADU parking requirement).

Applicability: The provisions of this ordinance shall apply to all new commercial, industrial, public/institutional, and multi-family development, including additions to existing development or remodels, ~~other than single family and two family dwelling units.~~

This should also apply to two family dwelling units.

CHAPTER 14.31

Development Standards

Need to define "second front setbacks" since townhouse project or cottage clusters are being added to NMC 14.01.020

Cottage Clusters. One dwelling unit for every 1,250 sf in R-3 and R-4 zone districts.

The maximum average floor area (1400 sf per dwelling) for a cottage cluster shall not exceed 1,400 sf per dwelling unit.

The maximum floor area allowed exceeds the 1,250 sf size specified for in R-3 and R-4 zone districts

6. Clustered parking areas may be covered.

he document needs to provide specifications for height, type, etc. of the covering.

6.b. Driveways and drive aisles are permitted within 10 feet of other property lines; and

This to too close to other property line. The number of vehicles traveling to and from the parking area will make too much disturbing noise to adjacent dwelling (e.g., single family dwelling)

14.31.060 Access In addition, townhouse or cottage cluster lots with no frontage shall have a perpetual easement across any and all lots that have frontage and any intervening lot.

The document must make clear that easement must NOT be across property not owned by the primary property owner/developer of the cluster cottage development.

14.03.050 Residential Uses

Footnote 1. Manufactured homes may be located on lots, parcels or tracts outside of a manufactured dwelling park subject to the provisions listed in NMC 14.06.020.

If "manufactured home" is not defined elsewhere in the City Code, it should be made clear that the term does not referred to mobile manufactured home ("trailer house") which should NOT be permitted outside of "manufactured dwelling parks"

Derrick Tokos

From: Rose Jade <rjalate@gmail.com>
Sent: Wednesday, April 7, 2021 6:49 PM
To: Derrick Tokos
Cc: City Council
Subject: Re: Contact Us - Web Form

[WARNING] This message comes from an external organization. Be careful of embedded links.

Thank you for your response. I'll look over the documents. I have 2 comments/objections to the Draft Revisions -- basically where the proposal goes "further" than the Model Code. I can't image 3 dwellings on an existing standard 5000 sq ft R-1 zoned lot (duplex + ADU). And the idea of on-street parking credits is awful. My neighborhood can hardly provide parking for those who live here. Bad idea. Portland is suffering from this stuff. Streets are jammed with cars due to the no parking provided apt buildings that have gone up in the last 10-20 years. It's ridiculous. And we have less public transportation than PDX, obviously, so even more cars. Grrr.

On Wed, Apr 7, 2021 at 5:49 PM Derrick Tokos <D.Tokos@newportoregon.gov> wrote:

Hi Rose,

Thank you for raising this issue. An Infrastructure Based Time Extension (IBTER) application to DLCD was not pursued because (a) the impact on the City's infrastructure attributed to allowing duplexes on R-1 and certain R-2 properties is likely to be modest considering the City's historic growth pattern; (b) an application would have to be for a targeted area that the City could prove is infrastructure deficient as opposed to the entire City; (c) if an application had been submitted and approved by DLCD, it would only defer compliance with the law for the finite period within which the City identified the infrastructure deficiency would be addressed; and (d) the City, as opposed to a developer, would be on the hook for resolving the infrastructure deficiency.

Most local governments chose to forgo the option of submitting an IBTER application (see attached list). My sense is that they did so because they did not want to take on the burden of constructing infrastructure that might otherwise be paid for by new development. Also, it is important to keep in mind that compliance with HB 2001 does not trump other types of codes the City applies, such as Oregon Health Authority rules that set minimum pressure requirements for public water systems or Oregon Fire Code limitations on the number of dwellings that can be served by a single point of access. Those two issues are particularly relevant in Newport given our challenging terrain and it is within the City's authority to deny new development projects that can't meet these types of requirements.

Enclosed is a packet and minutes from the July 13, 2020 Planning Commission meeting where they met to discuss whether or not an IBTER application should be pursued. They concluded that it wasn't worthwhile.

As an FYI, I served on the State's Technical Advisory Committee that developed the administrative rules implementing the IBTER provisions of HB 2001, and am very familiar with the process. Please don't hesitate to drop me a note if you have additional questions about the IBTER requirements or other aspects of the City's effort to comply with HB 2001.

Derrick I. Tokos, AICP
 Community Development Director
 City of Newport
 169 SW Coast Highway

Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

To: City Council
Name: Rose Jade
Email: rjalate@gmail.com
Phone: 541 961 8423
Subject: Planning Comm Hearing 4/12 HB 2001

Message: Just a quick question -- did the City ever file -- or even consider filing -- an Infrastructure-Based Time Extension Request (OAR 660-046-0300 et seq) for complying with HB 2001? If the City filed it, what happened? Why was it denied? If the City didn't file for one, why the heck not? We are just barely over the 10K pop mark and removing R-1 zoning is going to be just as troublesome as the short-term rental fiasco. Thank you - Rose

--
I try to respond to phone calls and emails within 24 hours - Rose.

Derrick Tokos

From: laura ehret <llehret@gmail.com>
Sent: Thursday, April 8, 2021 4:33 PM
To: Derrick Tokos
Subject: Proposed Municipal Code amendments to comply with state House Bill 2001

[WARNING] This message comes from an external organization. Be careful of embedded links.

City of Newport
 Planning Director Derrick Tokos, d.tokos@newportoregon.gov

I am writing to comment on the impact of proposed Municipal Code amendments to Newport city housing regulations resulting from House Bill 2001, particularly the impact on my neighborhood, north Agate Beach, stepchild of the city.

Specifically I want to address the deleterious effect of allowing duplexes or accessory dwellings on single-family-dwelling lots in north Agate Beach.

There are two issues.

First, increasing the population of our neighborhood will further strain our ancient, inadequate, leaking, oft-repaired water and sewer system.

A water system that is already taxed by higher occupancy due the city of Newport allowing lot splitting and permitting of narrow width lots, i.e. less than the 50 ft 'required' by city code for R1/R2 zones, more so in north Agate Beach than anywhere else in the city.

The second issue is street parking, particularly the relaxing of off-street requirements. Already the streets of north Agate Beach look like a cross between an RV sales lot and a mobile home park with gravel plots. Exacerbated by the above mentioned situation.

Do the math:

duplex => 2 families x 2 cars + RV/boat/whatever - 1 off-street space > 50 ft.

Did I mention that north Agate Beach has numerous single-dwelling lots less than 50 feet wide?

The housing regulation amendments being considered presage undesirable urban planning, especially to vulnerable areas like north Agate Beach, a modest neighborhood more subject to such than wealthy areas

L. L. Ehret
 North Agate Beach resident

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**VACATION RENTALS
CAN BE PHASED OUT**

A city recently passed
legislation to phase out
most vacation rentals in
residential neighborhoods

neural City measure and
still lost. They and other
industry supporters are
spending heavily in mul-
tiple cities, and losing.

Candidates running for
Lincoln City mayor owe
us their opinion on this
subject — except Don
Williams, who already

rely on tourism, said
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Attachment "L"
4-Z-20

and voted. Your
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lay to vote. Pretty
lear-cut and legal.
Marylin Gauthier
Tidewater

4/2/2021

VIEWPOINT

**City of Newport proposal will change
dynamics of local neighborhoods**

On March 22, I received a notice of public hearing from the city of Newport regarding proposed municipal code amendments to comply with a new state law that addresses housing and long-term rental shortages. House Bill 2001 applies to all cities, including those with a population of 10,000 to 25,000, such as Newport, and mandates the increase of housing density in all residential areas. The Newport Planning Commission prepared a draft document of amendments and now they are asking for public comment in advance of their April 12 planning commission meeting.

The changes proposed include allowing second homes, duplexes and "cottage clusters" (a grouping of at least four dwelling units) to be built on a standard lot wherever only one single-family dwelling was allowed before, and allowing an accessory dwelling unit (ADU) for every dwelling, including duplexes. It drops parking requirements from two spaces "off-street" (such as in a garage or driveway), to just one space for duplexes, even in residential neighborhoods where

any on-street parking
would obstruct a lane of
traffic.

In my opinion, "cottage clusters" should not be allowed in residential R-1 or R-2 zones. And the proposed amendments do not take into account the city's aging water and sewer systems that cannot handle double or triple the number of residents on a street. An updated water and sewer treatment availability study that directly addresses these potential additional units should be completed first. (The state law gives cities more latitude to consider issues such as sewer and water capacity when looking at added density.)

The table listing on page 3 of the draft states that short-term rentals are permitted in all residential zones "subject to requirements of Chapter 14.25." This could be misleading because short-term rentals are currently prohibited in all residential areas except within the Vacation Rental Overlay Zone (see Municipal Code Chapter 14.25).

New housing should not be used as a vacation rental since the purpose of the new law is to create additional long-term

housing options. However, it is the city's practice to encourage voluntary compliance for all municipal code regulations, and to waive fines and penalties for documented violations. Therefore, municipal code language must be absolutely clear. Making owner-occupancy a requirement for one of the dwellings could cut down potential violations.

I urge all city residents to review "Draft Zoning Ordinance Amendments Implementing HB 2001" online at <https://tinyurl.com/rpb2ak38>.

Despite the requirements for public involvement (Goal No. 1 of the State of Oregon's Land Use Planning Goals), the city has made it almost impossible for the public to participate in this upcoming hearing. I've included the link above because there is no mention of the file name or location in the notice of public hearing, nor is it available on the first page of the city's website under "Public Comment," nor on the planning department's webpage, or the planning commission meeting agenda page, and I couldn't find it using the search function on the city's website.

I contacted a Newport planning commissioner, who contacted Planning Director Derrick Tokos, who emailed the file to him and agreed to post it online. But I still could not find the file. Finally, by searching for "HB 2001," I found a link to the city's community development department page where the draft amendments were included at the bottom of the list called "Current Projects." The document should not have been this difficult to find.

The proposed amendments will change the dynamics of our neighborhoods and alter our town forever. I've already sent in my comments, and I encourage you to do so too. Read the draft and send your comments by noon on April 12 to Planning Department Director Derrick Tokos at: d.tokos@newportoregon.gov.

The meeting begins at 7 p.m. and can be watched live at: <https://www.newportoregon.gov/citygov/comm/pc.asp>. The meeting will also be broadcast live on Charter Channel 190. Tune in and listen to the discussion.

Carla Perry is a resident of Newport.

4/7/2021

VIEWPOINT

Counter-viewpoint regarding House Bill 2001

It was with great disappointment that I read the viewpoint published on April 2 titled "City of Newport proposal will change dynamics of local neighborhoods." The writer is entitled to her opinion, but the piece contains a number of factual inaccuracies that should be corrected so that readers have an accurate understanding of the issues and decisions at hand.

The Oregon Legislature passed House Bill 2001 in 2019 with the goal of helping to increase housing supply, housing choices and housing affordability in medium and large cities throughout the state. As cities across Oregon, including Newport, work to amend their development codes to be in compliance with HB 2001, it is an important time to provide clear and accurate information to the public about the requirements of the bill and how they translate to code changes being proposed in our community.

HB 2001 is progressive and exciting landmark legislation. Simply put, it requires all cities in Oregon with populations over 10,000 to eliminate single-family zoning, a tool that has

been used historically to uphold economic and racial segregation. People can (and likely will) still build detached single-family homes in all zones where it was previously legal to, but at a minimum they must also be allowed to build duplexes in those zones too, under the provisions of the bill that apply to medium-sized cities, including Newport.

To directly address some of the incorrect statements in the April 2 piece, here are some facts: The only change being proposed within R-1 neighborhoods is that duplexes will now be allowed on all lots, which is mandated by HB 2001. Townhouses are being proposed as the only added allowance in R-2 neighborhoods. There are no changes being proposed to the existing parking requirements for duplexes, which will remain at one space per unit. Cottage clusters are being proposed as an addition only in R-3 and R-4 zones and not in R-1 and R-2 zones, as the writer implies. There are no changes being proposed to existing short-term rental regulations, which include a cap on the total number of short-term

rentals allowed in Newport.

These proposed code amendments provide the opportunity for more housing types to be built in residential zones, with the intention to expand housing options and opportunities for all residents. In short, HB 2001 is a statewide policy measure that advances several of the high-priority strategies that were adopted as part of the Greater Newport Area's 2040 Vision, including those seeking to: A) 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; B) 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; C) ensure an adequate supply of buildable land by first encouraging redevelopment of underutilized and redevelopable properties, and; D) promote and incentivize environmentally responsible, resource-efficient building and development techniques.

For everyone in our

community who is serious about and committed to achieving our collective vision, it is critical that the dots are connected between that vision and what it takes to turn it into a reality. I agree that the proposed amendments will change the dynamics of our neighborhoods and alter our town forever, but in a positive way. I encourage folks to do their own research by reading more about HB 2001 and reviewing the city's draft code amendments at <https://tinyurl.com/rpb2ak38>. Submit comments in advance and attend the public hearing on April 12 at 7 p.m.

If we want to add more affordable and workforce housing locally and create and maintain livable, vibrant, walkable neighborhoods in Newport, implementing the proposed code amendments is an important piece of the puzzle. I encourage you to support these changes.

Rachel Cotton is a Newport resident. She was formerly employed as associate planner for the city of Newport. She currently works as an economic development and planning consultant in the private sector.



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Derrick Tokos

From: DLCDC Plan Amendments <plan.amendments@state.or.us>
Sent: Tuesday, February 09, 2021 8:26 AM
To: Derrick Tokos
Subject: Confirmation of PAPA Online submittal to DLCDC

Newport

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: 4-Z-20

DLCDC File #: 002-21

Proposal Received: 2/9/2021

First Evidentiary Hearing: 3/22/2021

Final Hearing Date: 4/19/2021

Submitted by: dtokos

If you have any questions about this notice, please reply or send an email to plan.amendments@state.or.us.

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING**

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The Newport Planning Commission will hold a public hearing on Monday, April 12, 2021, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 4-Z-20, amendments to Newport Municipal Code to implement mandatory, and certain optional, provisions of HB 2001 (2019) that would allow duplexes on all lots and parcels in residential zone districts where single-family detached dwellings are permitted. Cottage clusters are added as a new housing type, and design standards are included for both cottage cluster and townhouse developments. The revisions further address the interplay between duplexes, accessory dwelling units and multi-family uses, and an on-street parking credit option for new residential development has been developed similar to what the City currently has in place for portions of Nye Beach. Pursuant to Newport Municipal Code (NMC) Section 14.36.010: Findings that the amendment to the Zoning Ordinance is required by public necessity and the general welfare of the community. Cities must also prepare findings establishing that the amendments satisfy Statewide Planning Goal 10 for Housing, and that housing affordability incentives related to deferred system development charges, property tax exemptions, and construction excise tax have been considered. Testimony and evidence must be directed toward the request above or other criteria, including criteria within the Comprehensive Plan and its implementing ordinances, which the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal, including to the Land Use Board of Appeals, based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. The hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 12:00 p.m. (Noon) the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The proposed code amendments, additional material for the amendments, and any other material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 (address above).

(FOR PUBLICATION ONCE ON FRIDAY, April 2, 2021)

ARCHITECTURAL, PLANNING AND ENGINEERING SERVICES FOR A NEW ANIMAL SHELTER BUILDING

Lincoln County is requesting proposals from qualified firms for architectural, planning and engineering services related to the construction of a new animal shelter building, under a division of the Lincoln County Sheriff's Office. In addition, initial planning for possible ancillary facilities, including, but not limited to, dog runs, exercise areas, larger animal corrals or shelters, pet adoption facilities and storage (both indoor and outdoor) will be included. The Planning and A/E services will be implemented in multiple phases: 1) Phase 1 will consist of the creation of a conceptual design for the animal shelter including facilities and services for initial development and possible future expansion. This phase will include extensive stakeholder and community input within the limitations of available funding. The conceptual design and planning will be used by Lincoln County for a conditional use permit application with the City of Newport which is required for the selected location of the facilities. Lincoln County will prepare the application with the successful proposer's assistance. 2) If the conditional use process is successful and other conditions precedent are resolved including the execution of a lease on the subject property, the project will move into Phase 2 which will include detailed plans, designs, and construction administration services with the Lincoln County Animal Shelter. 3) Future phases, which will not be included in this proposal, will include development of ancillary facilities under the conditional use permit. The project is to be located on property at the Newport Municipal Airport in Newport, Oregon. It is anticipated that the budget for the Animal Shelter Facility, associated utilities and amenities, but not including ancillary facilities, will be in the range of up to \$2.5 million including consultant costs. RFP documents may be downloaded from the County's RFPs, Bids and RFQs page at <https://www.co.lincoln.or.us/publicworks/page/request-proposals-lincoln-county-animal-shelter-building>. Printed copies of the RFP documents may be obtained by contacting the Contract Administrator M. Gerard Herbage via email at mherbage@co.lincoln.or.us, or by phoning 541-270-3537. Proposals are due on Thursday, April 29, 2021, at 2:00 P.M., at which time they will be opened. No late proposals will be opened or considered. The proposals will be reviewed by a Selection Committee under the criteria listed in the RFP. This Selection Committee will determine

6. All Other Resources Except Current Year Property Taxes.....	12,500	15,000	15,000
7. Current Year Property Taxes Estimated to be Received.....	270,742	284,279	288,493
8. Total Resources -- add lines 1 through 7.....	383,042	399,279	418,493

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION

9. Personnel Services.....	0	0	0
10. Materials and Services.....	288,177	310,072	325,576
11. Capital Outlay.....	0	0	0
12. Debt Service.....	0	0	0
13. Intertfund Transfers.....	0	0	0
14. Contingencies.....	85,000	85,000	85,000
15. Special Payments.....	0	0	0
16. Unappropriated Ending Balance and Reserved for Future Expenditure.....	9,865	4,207	7,827
17. Total Requirements -- add lines 9 through 16.....	383,042	399,279	418,493

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM*

Name of Organizational Unit or Program	FTE for Unit or Program		
Name CITY OF NEWPORT		288,177	310,072
FTE			325,576

PROPERTY TAX LEVELS

	Rate or Amount Imposed	Rate or Amount Imposed	Rate or Amount Approved.
Permanent Rate Levy (Rate Limit .9634 Per \$1000)	270742	284279	288493
Local Option Levy.....			
Levy for General Obligation Bonds.....			

M31 A2 (21-02)

who is the highest-scored proposer, and the County will initially negotiate then on the scope of services and compensation with that proposer. Further procedures are outlined in the RFP. The final decisions on selection and on a contract will be made by the Lincoln County Board of Commissioners. The County reserves the right to reject any and all proposals. A2 (28-02)

SELF-STORAGE PUBLIC SALE

Safe-Lock Storage, 3639 SE Ash, South Beach, Oregon 97366. Saturday 4/24/21 @ 10:00am. R03 - Edward Schroeder; O04 - Juan Garcia; K04 - Lucy Keith; D29 - Lucy Keith. Sale Subject to Cancellation. Safe-Lock Storage reserves the right to refuse any and all bids. A2 A9 (26-09)

NOTICE OF BUDGET COMMITTEE MEETINGS

CITY OF NEWPORT, OREGON AND NEWPORT URBAN RENEWAL AGENCY; Public meetings of the Budget Committee of the City of Newport and Newport Urban Renewal Agency, Lincoln County, State of Oregon, to discuss the budget for the Fiscal Year July 1, 2021 to June 30, 2022, will be held at City Hall, Council Chambers, 169 SW Coast Highway, on Tuesday, April 27, 2021 at 5:00 p.m., and May 18, 2021 at 5:00 p.m., and May 25, 2021 at 6:00 p.m. The City of Newport Budget Committee meetings will be hybrid meeting which means that it will be held electronically, via Zoom, with a limited number of people (up to 15) allowed to attend in-person. The meeting will be live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone interested in making public comment is allowed to attend in-person, subject to congregant limitations (up to 15). Anyone wishing

to provide written public comment should send the comment to publiccomment@newportoregon.gov. The e-mail must be received by noon on the scheduled date of the meeting. Written comments received by noon on a City Council meeting date, will be included in the agenda packet. These comments will be acknowledged, at the appropriate time, by the Budget Officer or Budget Committee Chair. If a specific request is made to read written public comment into the record during a meeting, the City Recorder, or designee, will be provided a maximum of three minutes to read the comment during the meeting. The purpose of the first meeting is to receive the budget message and to receive comments from the public on the budget. At these public meetings, the Budget Committee will deliberate on the 2021-2022 Fiscal Year Budget. As part of these meetings the Budget Committee will take public comment at each session beginning at 6:00pm. Notice of meetings and agenda items may be viewed on the City of Newport's website at www.newportoregon.gov. A copy of the budget document may be inspected or obtained on or after April 20, 2021, at the City of Newport, Finance Department, 169 SW Coast Highway, Newport, Oregon, between the hours of 8 a.m. and 2 p.m., Monday through Thursday. Spencer R. Nebel, Budget Officer. A2 (22-02)

PRIVATE SALE NOTICE OF REAL PROPERTY

Lincoln County hereby gives notice according to ORS 275.225 that it is offering the following parcel(s) of land for private sale: 14-12-26-CB-07200 M31 A2 (17-02)

NOTICE TO INTERESETED PERSONS IN THE CIRCUIT COURT

OF THE STATE OF OREGON FOR THE COUNTY OF LINCOLN Department of Probate. In the Matter of the Estate of: RUSSELL E. JACOBSON, Deceased. NO. 21PB01117: NOTICE IS HEREBY GIVEN that BRENDA WINGER has been appointed personal representative of the above estate. All persons having claims against the estate are required to present them, with vouchers attached, to the undersigned attorney for the personal representative at 7157 SW Beveland Rd., Suite 100, Portland, OR 97223, within four months after the date of first publication of this notice, or the claims may be barred. All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the personal representative, or the attorney for the personal representative, Phillip A. Hingson of The Hingson Law Firm, PC. Dated and first published on March 26, 2021. Personal Representative: BRENDA WINGER 921 Woodfield Drive Eugene, OR 97401 541-513-1305 Phillip A. Hingson, OSB #923354 Attorney for Personal Representative The Hingson Law Firm, PC 7157 SW Beveland Rd., Suite 100 Portland, OR 97223 (503) 639-4800 Fax: (971) 239-1139 phil@oregontrustattorney.com M26 A2 A9 (14-26)

NOTICE OF A PUBLIC HEARING

CITY OF NEWPORT This will be a hybrid meeting which means that it will be held electronically, via Zoom, with a limited number of people (up to 15) allowed to attend in-person. The meeting will be live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone interested in making public comment is allowed to attend in-person, subject to congregant limitations (up to 15). Anyone wishing to provide virtual public

comment should make a request by noon on the day of the meeting, at publiccomment@newportoregon.gov, and ask for the Zoom meeting information. Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. The e-mail must be received by noon on the scheduled date of the meeting. Written comments received by noon on a Planning Commission meeting date, will be included in the agenda packet. The Newport Planning Commission will hold a public hearing on Monday, April 12, 2021, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 4-Z-20, amendments to Newport Municipal Code to implement mandatory, and certain optional, provisions of HB 2001 (2019) that would allow duplexes on all lots and parcels in residential zone districts where single-family detached dwellings are permitted. Cottage clusters are added as a new housing type, and design standards are included for both cottage cluster and townhouse developments. The revisions further address the interplay between duplexes, accessory dwelling units and multi-family uses, and an on-street parking credit option for new residential development has been developed similar to what the City currently has in place for portions of Nye Beach. Pursuant to Newport Municipal Code (NMC) Section 14.36.010: Findings that the amendment to the Zoning Ordinance is required by public necessity and the general welfare of the community. Cities must also prepare findings establishing that the amendments satisfy Statewide Planning Goal 10 for Housing, and that housing affordability incentives related to deferred system development charges, property tax exemptions,

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LEGAL DEADLINES

WEDNESDAY EDITION: 5:00pm Thursday

FRIDAY EDITION: 5:00pm Tuesday

4/2/2021

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING ¹**

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing on Monday, April 12, 2021, to review amendments and to make a recommendation to the City Council as to whether or not the following amendments should be adopted. A public hearing before the City Council will be held at a later date and notice will be provided for the Council hearing.

File No. 4-Z-20

Applicants: City of Newport.

Proposal: Amendments to Newport Municipal Code to implement mandatory, and certain optional, provisions of HB 2001 (2019) that would allow duplexes on all lots and parcels in residential zone districts where single-family detached dwellings are permitted. Cottage clusters are added as a new housing type, and design standards are included for both cottage cluster and townhouse developments. The revisions further address the interplay between duplexes, accessory dwelling units and multi-family uses, and an on-street parking credit option for new residential development has been developed similar to what the City currently has in place for portions of Nye Beach.

Subject Property: Changes to allowed uses primarily impact R-1 and R-2 zoned properties within the Newport city limits.

Applicable Criteria: Pursuant to Newport Municipal Code (NMC) Section 14.36.010: Findings that the amendment to the Zoning Ordinance is required by public necessity and the general welfare of the community. Cities must also prepare findings establishing that the amendments satisfy Statewide Planning Goal 10 for Housing, and that housing affordability incentives related to deferred system development charges, property tax exemptions, and construction excise tax have been considered.

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Reports/Application Materials: The staff report may be reviewed or purchased for reasonable cost at the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy., Newport, Oregon 97365, seven days prior to the hearing. The application materials, applicable criteria, and other file material are available for inspection at no cost or copies may be purchased for reasonable cost at this address.

Contact: Derrick Tokos, Community Development Director, (541) 574-0626; d.tokos@newportoregon.gov (mailing address above in "Reports/Application Materials").

Time/Place of Planning Commission Hearing: Monday, April 12, 2021; 7:00 p.m.; City Hall Council Chambers (address above in "Reports/Application Materials").

MAILED: March 19, 2021.

PUBLISHED: April 2, 2021/News-Times.

¹ This notice is being sent to the applicant, the applicant's authorized agent (if any), affected property owners (according to Lincoln County tax records) within the notification area required for the request, affected public/private utilities/agencies within Lincoln County, and affected city departments.

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**YENCHIK RON &
YENCHIK STEPHANIE
818 NE GRANT ST
NEWPORT; OR 97365**

**YERLY DUANE &
YERLY JENNIFER
226 NE SAN-BAY-O CIR
NEWPORT; OR 97365**

**YORK REBECCA J
528 NE 11TH ST
NEWPORT; OR 97365**

**YORK SUZY KAY
5734 NW RHODODENDRON ST
NEWPORT; OR 97365**

**YOUNG BETH
2015 NW OCEANVIEW DR
NEWPORT; OR 97365**

**YOUNG DEAN S JR &
YOUNG MARILYN K
1027 SW MARK ST
NEWPORT; OR 97365**

**YOUNG LAURA A
1239 NW OCEANVIEW DR
NEWPORT; OR 97365**

**YOUNG ROLLAND J &
YOUNG ELIZABETH A
1205 SE 1ST ST
NEWPORT; OR 97365**

**YOUNG RUSSELL W &
YOUNG WENDI A
2845 NE ILER ST
NEWPORT; OR 97365**

**YOUNG TERRY L &
ROMANELLI SYDNEY J
149 NW 56TH ST
NEWPORT; OR 97365**

**YOUNG THOMAS TRAVIS &
FONG LI JUNG
1127 SW MARK ST
NEWPORT; OR 97365**

**YUEN MONGLI
2128 CORNERSTONE DR
WINTERVILLE; NC 28590**

**YUILLE KRISTIN H &
GREEN NATHAN R
1245 NE LAKEWOOD DR
NEWPORT; OR 97365**

**ZAFFORONI GRETA M
306 NW 59TH ST
NEWPORT; OR 97365**

**ZAMORA MIKE &
ZAMORA BETTY
PO BOX 36
NEWPORT; OR 97365**

**ZARKOU DAVID &
ZARKOU JULIE
1015 NE LAUREL CT
NEWPORT; OR 97365**

**ZAYTSEV LEONID
17496 SE HEMRICK RD
BORING; OR 97009**

**ZEGERS THOMAS B &
GRAF KRISTY
353 NW 58TH ST
NEWPORT; OR 97365**

**ZEHRUNG DANE SINCLAIR &
KORDELL JACLYN MARIE
69712 CAMP POLK RD
SISTERS; OR 97759**

**ZHAO RICHARD TSTEE &
PANG JIANHUA TSTEE
23720 STAFFORD HILL DR
WEST LINN; OR 97068**

**ZHEN MIA LIU
1627 WATSON BUTTE AVE SE
SALEM; OR 97306**

**ZHEN YANYI &
CHEN JIAN ZHOU
554 SW COAST HWY
NEWPORT; OR 97365**

**ZIEGLER KEVIN J &
ZIEGLER MONICA LYNN
1056 NE 7TH DR
NEWPORT; OR 97365**

**ZIRGES MALCOLM H &
ZIRGES GLORIA M
PO BOX 938
NEWPORT; OR 97365**

File 4-Z-20

R-1 & R-2 Zoned Properties

WONG TIN H & JUNE H
28875 S DRYLAND RD
CANBY; OR 97013

WOOD CARL E TSTEE &
WOOD SHARON A TSTEE &
WOOD SHARON A
216 NW 73RD CT
NEWPORT; OR 97365

WOOD DONETTA
PO BOX 7
JUNCTION CITY; OR 97448

WOOD GARY LEE TSTEE &
RUDDIMAN KAREN M WOOD TSTEE
9560 NE CARMEL WAY
NEWPORT; OR 97365

WOOD GREGORY M &
WOOD LINELL E
511 NE 11TH ST
NEWPORT; OR 97365

WOOD MILTON R TRUSTEE &
WOOD MARY L TRUSTEE
9790 NE BENTON ST
NEWPORT; OR 97365

WOODARD LISA A
1255 NE LAKEWOOD DR
NEWPORT; OR 97365

WOODED OCEAN ESTATES ASSOC
ATTN JEFF RAMIREZ
8807 EAST MILL PLAIN BLVD
VANCOUVER; WA 98664

WOODLEY MICHAEL H &
WOODLEY WINNIFRED J
PO BOX 664
PRINEVILLE; OR 97754

WOODRUFF KATHLEEN ANN TRUSTEE
5270 CAPISTRANO AVE
ATASCADERO; CA 93422

WOODSON ELWYN
ATTN MARK ELWYN WOODSON
3402 SERENE WAY
LYNNWOOD; WA 98087

WOODSON JON L
11155 SW LYNNVALE DR
PORTLAND; OR 97225

WOOTEN LAWRENCE M &
WOOTEN ARZU K
2723 NW PACIFIC PL
NEWPORT; OR 97365

WORTHINGTON FRANK E &
WORTHINGTON CONNIE L
17314 SCAUP DR
BEND; OR 97707

WRAY JOHN M &
WRAY SHEILA
PO BOX 1566
NEWPORT; OR 97365

WRIGHT & ASSOC DEV COMPANY INC
2333 NW VAUGHN
PORTLAND; OR 97210

WRIGHT ILENE PEARL &
WRIGHT WILLIAM JOSEPH
179 NW 58TH ST
NEWPORT; OR 97365

WRIGHT JUDITH
342 NW 58TH ST
NEWPORT; OR 97365

WRIGHT KURT &
WRIGHT SUSAN
111 NW 73RD CT
NEWPORT; OR 97365

WRIGHT RICHARD E &
WRIGHT DEBORAH L
PO BOX 722
NEWPORT; OR 97365

WRIGHT RICHARD EARL &
WRIGHT DEBORAH LEE
PO BOX 722
NEWPORT; OR 97365

WROBEL CHARLES TRUSTEE &
AFFENTRANGER HELEN H TRUSTEE
16971 S CLACKAMAS RIVER DR
OREGON CITY; OR 97045

WYANT RONNI LAINE &
WYANT JAMES MARTIN
5533 NW RHODODENDRON
NEWPORT; OR 97365

WYNVEEN WILLIAM GERALD &
WYNVEEN KATHRYN MARIE
351 NE CHAMBERS CT
NEWPORT; OR 97365

YANEZ FELIPE
215 NE SAN BAY O CIRCLE
NEWPORT; OR 97365

YANEZ HERNANDEZ JUAN CARLOS
222 NW NYE ST
NEWPORT; OR 97365

YANG JRMING J &
WANG TING YU
4445 NW SNOWBRUSH DR
CORVALLIS; OR 97330

YAQUINA BAY BANK
% LONG DAVID C &
LYMAN DEBORAH M CONT
240 NE 56TH ST
NEWPORT; OR 97365

YATES AMY
234 NE 11TH ST
NEWPORT; OR 97365

YELTRAB FAMILY LLC
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NEWPORT; OR 97365

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DBA WIENERT INVESTMENTS
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WIENERT RYLEY C
880 NE JEFFRIES CT
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RIDGEFIELD; WA 98642

WILDCARD INVESTMENTS LLC
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BEAVERCREEK; OR 97004

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PORTLAND; OR 97202

WILL PAUL E &
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WILLDEN KIM MICHAEL
2038 STATE RD
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WILLIAMS JESSE JOSEPH &
SEVASTITA VALI STEFANIA
1727 NW 33RD AVE
PORTLAND; OR 97210

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NEWPORT; OR 97365

WILLIAMS PENNY M
2750 NE HARNEY DR
NEWPORT; OR 97365

WILLIAMS ROBERT CORY
1040 NE 7TH DR
NEWPORT; OR 97365

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1830 NE CRESTVIEW PL
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WILSON CABIN LLC
% AYERS R M & L A
LIFE ESTATE
221 ENTERPRISE DR
RICHLAND; WA 99354

WILSON JANICE L &
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1990 VAN BUREN
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WESTERMAN LISA M
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WHEELER STEPHANIE
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WHITE MARY A
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VALENZUELA VALERIE J
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VALET MARY P
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TUCKER PAUL G &
TUCKER TIANA J
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DISTRICT 13
618 2ND AVE
SEATTLE; WA 98104

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UPDENKELDER RHIANNON
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266 NE SAN-BAY-O CIR
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UPDENKELDER ROBERT DOUGLAS &
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UTTERBACK BARBARA J TSTEE
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CONT
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KAILUA KONA; HI 96740

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SMITH NANCY A
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SMITH NOREEN L &
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SMITH ROBERT &
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SOLANO JOSE &
SOLANO BERNADETTE
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SON KATRINA &
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SPECTRUM PROPERTIES LLC
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SAMOYLICH JENNA
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SAVARA VIKRAM C TSTEE &
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NEWPORT; OR 97365

PHILLIPS JOHN S
317 NW 19TH ST
NEWPORT; OR 97365

PHILLIPS MARK C &
PHILLIPS DEANNA M
PO BOX 1222
NEWPORT; OR 97365

PHILLIPS VICKIE LEE TRUSTEE
2840 NE HARNEY DR
NEWPORT; OR 97365

PHILLIPS WARREN B; ESTATE
193 THORNTON CREEK RD
TOLEDO; OR 97391

PIERCE HEATHER A
1624 NW OCEANVIEW DR
NEWPORT; OR 97365

PIETROMONACO LIVING TRUST
PIETROMONACO PAULA M TRUSTEE
PO BOX 1948
NEWPORT; OR 97365

PIVOT POINT PRODUCTIONS LLC
4676 COMMERCIAL ST SE
PMB 244
SALEM; OR 97302

PLANT KAY C TRUST &
PLANT GEORGE JR TRUSTEE
1183 SE HARBOR CRESCENT DR
NEWPORT; OR 97365

PLANTZ FRED D
ATTN KRAUSE JAMIE
4841 181ST LANE SW
ROCHESTER; WA 98579

PLATT ELIZABETH D
256 NW 55TH ST
NEWPORT; OR 97365

PNP PROPERTIES LLC
3859 YAQUINA BAY RD
NEWPORT; OR 97365

POE JOSHUA ALLAN
1852 NE CRESTVIEW PL
NEWPORT; OR 97365

POMERING RAYMOND H &
POMERING CAROL R
222 NW 55TH ST
NEWPORT; OR 97365

POPE MAX A & ROBERTA I
PO BOX 86
NEWPORT; OR 97365

PORCH ROBERT R
1100 NE LAKEWOOD DR
NEWPORT; OR 97365

POSNER MERRILL A TRUSTEE &
POSNER MARIE H TRUSTEE
ATTN DORIS POSNER
125 SW COTTAGE ST
NEWPORT; OR 97365

POURTEYMAUR CYNTHIA L
PO BOX 23265
PORTLAND; OR 97281

PRATER BEACH SHACK LLC
1166 NW SOLAR PLACE
CORVALLIS; OR 97330

PRESTON LORENNE T
135 NE 54TH ST
NEWPORT; OR 97365

PRICE LIONA M &
HILL DUDLEY G
1680 SE 12TH
ALBANY; OR 97322

PRIDGEON JEFFREY C &
PRIDGEON-BRANDSBERG JILL
515 W OLIVE ST
NEWPORT; OR 97365

PROPERTY TAXPAYER
;

PROUD GROUND
ATTN BLAKE A HAGAN
310 SE 2ND ST
NEWPORT; OR 97365

PROUD GROUND
ATTN SARA BIRMAN
2334 NE DOUGLAS ST
NEWPORT; OR 97365

PAVLOVICH JOHN &
VANDAALEN KATHLEEN ANN
226 NW 73RD CT
NEWPORT; OR 97365

PAYNE LINEA L
196 NW 57TH ST
NEWPORT; OR 97365

PAYNE TODD A TSTEE &
PAYNE KRISTINA L TSTEE
2902 LORD BYRON PL
EUGENE; OR 97408

PEARCE LORI &
PEARCE WARD
PO BOX 814
SILETZ; OR 97380

PEARCE ROBERT WARD &
PEARCE LAUREEN CHRISTINE
PO BOX 814
SILETZ; OR 97380

PEARSON MARK A
1416 MAHAN AVE
RICHLAND; WA 99354

PEASE PENNEY K
907 NE GRANT ST
NEWPORT; OR 97365

PECK THOMAS H &
PECK KAREN S
PO BOX 92
NEWPORT; OR 97365

PEDIGO JOAN S &
SMITH KAMMA
628 SE 1ST ST
NEWPORT; OR 97365

PEITERSON DANA M TSTEE &
PEITERSON GAIL A TSTEE &
PEITERSON GAIL & DANA TTEES
1254 MOKAPU BLVD
KAILUA; HI 96734

PELKEY MICHELLE A
PO BOX 32
SOUTH BEACH; OR 97366

PENA VELAZQUEZ CESAR
925 NE FOGARTY ST
NEWPORT; OR 97365

PENTER WARREN H TRUSTEE
434 SE GRANT ST
NEWPORT; OR 97365

PERALES DE HERNANDEZ MARTHA
1231 NW NYE ST
NEWPORT; OR 97365

PEREZ ELIZABETH GWENN &
GOMEZ LILLIAN PEREZ
PO BOX 352
SKY FOREST; CA 92385

PERKINS CAROL J
1417 NW THOMPSON ST
NEWPORT; OR 97365

PERKINS DEANE M &
PERKINS BARBARA L
PO BOX 1814
NEWPORT; OR 97365

PERLENFEIN MIKE &
PERLENFEIN DELORIS
2858 NW PINEVIEW DR
ALBANY; OR 97321

PERLENFEIN STEVEN R TRUSTEE
631 KOUNS DR NW
ALBANY; OR 97321

PERREWE ROBERT C &
PERREWE TREVA A
110 NW 58TH ST
NEWPORT; OR 97365

PERRILL W ALAN &
PERRILL RUTH C
PO BOX 2014
NEWPORT; OR 97365

PERRY CARLA L
PO BOX 832
NEWPORT; OR 97365

PERRY KELLY &
BEHNER BRIAN
605 SE 2ND ST
NEWPORT; OR 97365

PESTANA RICKY D &
PESTANA JANICE M
391 KAELEPULU DR
APT C
KAILUA; HI 96734

PETERSEN KEN E
245 NW 17TH ST
NEWPORT; OR 97365

PETERSON ALAN SCOTT &
PETERSON BEVERLY K
759 NW LEE ST
NEWPORT; OR 97365

PETERSON JOY D
PO BOX 2064
NEWPORT; OR 97365

PETERSON JUSTIN S &
MUNOZ EVA GONZALEZ
828 NE AVERY ST
NEWPORT; OR 97365

PETERSON MARK G &
YOUNG PETERSON STEPHANIE A
4450 S SHASTA LOOP
EUGENE; OR 97405

PETERSON MARY H
PO BOX 1576
NEWPORT; OR 97365

OSBORN E THOMAS TSTEE &
OSBORN E LOUISA TSTEE
PO BOX 846
NEWPORT; OR 97365

OSBORN STUART D &
OSBORN MELANIE C
51 NE 55TH ST
NEWPORT; OR 97365

OSBURN BENNIE R &
OSBURN DAWN R
165 4TH ST
OTTER ROCK; OR 97369

OSHANICK LARRY &
OSHANICK KAREN
2525 NE BIG CREEK RD
NEWPORT; OR 97365

OWENS KATHERINE D
218 NW 56TH ST
NEWPORT; OR 97365

PAC PERL LLC
PO BOX 2658
ALBANY; OR 97321

PACHUTA JOHN A &
MCGILL LAUREL
3645 N PRINCE VLG PL
TUCSON; AZ 85719

PACIFIC SHORES RV RESORT
OWNER'S ASSOCIATION
ATTN RITACCO CO
924 SW 8TH ST
NEWPORT; OR 97365

PACKARD DANIEL S
410 HIGH CT
GLADSTONE; OR 97027

PALMER JOSEPH ALLEN &
PALMER LINDA LORENA
105 NW 77TH CT; UNIT B
NEWPORT; OR 97365

PALMER JOYCE LYNN
34 SCHLECHT RD
TOLEDO; OR 97391

PALMER JUDITH A
41228 HWY 261
EAGAR; AZ 85925

PALMER LEVORA
PO BOX 2207
NEWPORT; OR 97365

PALSER GREGORY J TSTEE &
HARLAND DEBRA L TSTEE
2560 NW PACIFIC ST
NEWPORT; OR 97365

PARISI G P &
PARISI EVA D
32241 SW BOONES BEND RD
WILSONVILLE; OR 97070

PARKER BRIAN WILLIAM &
PARKER DENISE MICHELE
583 NE 20TH PL
NEWPORT; OR 97365

PARKER LARRY E COTRUSTEE &
PARKER EILEEN COTRUSTEE
PO BOX 74
SILETZ; OR 97380

PARKER LARRY E COTRUSTEE ETAL
% THOMPSON ADAM &
THOMPSON TIFFANY; CONT
PO BOX 74
SILETZ; OR 97380

PARKER MONICA ROSE
1160 NE AVERY ST
NEWPORT; OR 97365

PARKER RYAN M &
OTSUKI SACHIKO
4360 SE FLEMING ST
SOUTH BEACH; OR 97366

PARKER SARAH ELIZABETH
1809 NW NYE ST
NEWPORT; OR 97365

PARKS ROBERT E &
PARKS DEBRA RAE
321 SE FOGARTY ST
NEWPORT; OR 97365

PARMA NORTHWEST INC
235 MAPLEWOOD RD
RIVERSIDE; IL 60546

PARODI DON J
3134 RAILROAD ST SE
ALBANY; OR 97322

PARSELL W ADAM
406 NW 56TH ST
NEWPORT; OR 97365

PARSONS BRUCE C TRUSTEE &
PARSONS BRUCE C TRUSTEE
PO BOX 190
TOLEDO; OR 97391

PARSONS MICHAEL G &
PARSONS SANDRA A
1447 NW THOMPSON ST
NEWPORT; OR 97365

PATTISON DAN W &
PATTISON SUSAN
315 NW 18TH ST
NEWPORT; OR 97365

PATTISON SUSAN
315 NW 18TH ST
NEWPORT; OR 97365

PAVLISICK MARK ANDREW
PO BOX 191
WALDPORT; OR 97394

NYE SANDERS MCFARLAND TSTEE
63890 JOHNSON RD
BEND; OR 97703

NYGAARD MARY
1030 SW MARK ST
NEWPORT; OR 97365

OBRIGHT ALAN WILLIAM &
OBRIGHT JILL MICHELLE
705 SE 43RD ST
SOUTH BEACH; OR 97366

O'CALLAGHAN PEGGY J
207 NE 6TH ST
NEWPORT; OR 97365

OCAMPO ISIDRO FRANCISCO
1058 NW SUNSET DR
TOLEDO; OR 97391

OCAMPO VICTOR A
1124 OHIO STREET
REDLANDS; CA 92374

OCEAN EQUITY INVESTMENTS LLC
1107 SW COAST HWY
NEWPORT; OR 97365

O'CONNOR DANIEL J
5741 NE HAZEL PL
NEWPORT; OR 97365

O'DELL PATRICIA &
O'DELL TERYL
PO BOX 2204
NEWPORT; OR 97365

O'DELL PATRICIA ANN FAMILY TR &
O'DELL PATRICIA ANN TRUSTEE
PO BOX 2204
NEWPORT; OR 97365

OGARA MICHAEL J &
OGARA JANELLE I
7524 SW LAVIEW DR
PORTLAND; OR 97219

OGORZALEK AARON
1953 SW FOREST RIDGE AVE
BEND; OR 97702

OGORZALEK AARON S
1953 SW FOREST RIDGE AVE
BEND; OR 97702

OHARA KRISTEN E &
BRECKENRIDGE STEVEN W
1207 NW LAKE ST
NEWPORT; OR 97365

OHARE RITA
1026 NW COAST ST
NEWPORT; OR 97365

OLESON CLIFTON R TSTEE &
OLESON EVANGELINE TSTEE
801 PARK AVE
EUGENE; OR 97404

OLMSTEAD RONALD D
5714 NW BIGGS ST
NEWPORT; OR 97365

OLSEN CODY R
1022 NE BENTON ST
NEWPORT; OR 97365

OLSEN DAVID &
OLSEN ANNETTE
865 NE JEFFRIES CT
NEWPORT; OR 97365

OLSEN DONALD D TSTEE &
OLSEN MARCIA L TSTEE
370 NE 10TH CT
NEWPORT; OR 97365

OLSEN JEFFRY SCOTT TRUSTEE &
OLSEN ELIZABETH THERESA TTEE
2407 NW PACIFIC ST
NEWPORT; OR 97365

OLSON IVER W (TOD) &
OLSON SYLVIA A (TOD)
3376 DEER LAKE CT SE
SALEM; OR 97317

OLSON LLOYD G JR &
SEAGER LAURA M
882 SE CRESCENT PL
NEWPORT; OR 97365

OLSON ROBERT E TRUSTEE &
OLSON JERRYANN TRUSTEE
230 NE SAN-BAY-O CIR
NEWPORT; OR 97365

OMALLEY JOSEPH P &
OMALLEY LAVONNA R
PO BOX 713
NEWPORT; OR 97365

ONOFRE RENE AGUADO
PO BOX 1843
NEWPORT; OR 97365

ORANGE LINDA J &
HUFFMAN ARDIS L
1420 NW SPRING ST
NEWPORT; OR 97365

OREGON LAND GROUP LLC
PO BOX 8158
MEDFORD; OR 97501

ORGAN RICHARD W
PO BOX 2755
VANCOUVER; WA 98668

ORTON ALESHA S
203 NW 55TH ST
NEWPORT; OR 97365

NEUKAM RUSTI REBECCA
1506 NW LAKE ST
NEWPORT; OR 97365

NEVERS PAUL G &
GARZA ANGIE
374 NW 60TH ST
NEWPORT; OR 97365

NEWBERRY MARTIN F
513 N TOMAHAWK ISLAND DR
PORTLAND; OR 97217

NEWPORT BAY ESTATES
HOMEOWNERS ASSOCIATION INC
ATTN TURNER DAVID ROBERT
340 N COAST HWY
NEWPORT; OR 97365

NEWPORT CHURCH OF THE
NAZARENE
PO BOX 1068
NEWPORT; OR 97365

NEWPORT CONGREGATION OF &
JEHOVAHS WITNESSES
PO BOX 1621
NEWPORT; OR 97365

NEWPORT HOUSE LLC
ATTN AMY T GORDON
10190 SE 37TH AVE
MILWAUKIE; OR 97222

NEWPORT PROPERTIES LLC
ATTN PAUL MARTINSON
409 NE CHAMBERS CT
NEWPORT; OR 97365

NEWPORT VILLAGE LLC
ATTN PAM FARTHING
13310 E REDINGTON RD
TUCSON; AZ 85749

NEWSOM DON R &
NEWSOM DELILAH J
4852 SETTLERS DR NE
SALEM; OR 97305

NEZ JEAN A &
NEZ ALEXANDER M
437 10TH ST
NEWPORT; OR 97365

NGO TUAN KIM &
PHAN LISA
7932 NE HALSEY ST
PORTLAND; OR 97213

NGUYEN LAM &
LE LAN
3582 NE REEF DR
LINCOLN CITY; OR 97367

NGUYEN TUAN TRUSTEE &
NGUYEN UYEN TRUSTEE
17 DRY CREEK LN
LAGUNA HILLS; CA 92653

NICHOLAS NORA ANN TSTEE
2121 JEPPESEN ACRES RD
EUGENE; OR 97401

NIELSEN DAVID DUSTIN TRUSTEE &
NIELSEN TOBY LYNN TRUSTEE
31947 W OCEAN AVE
ARCH CAPE; OR 97102

NIX HENRY DANIEL JR &
NIX LYNNE B
2031 ROCKWOOD DR
SACRAMENTO; CA 95864

NIXON ALAN D &
NIXON LINDA K
1440 NW THOMPSON ST
NEWPORT; OR 97365

NOBLE BRIAN
PO BOX 2424
NEWPORT; OR 97365

NOBLE TIM G
435 NW 59TH ST
NEWPORT; OR 97365

NOLE ALBERTH
1437 E PARK AVE NE
SALEM; OR 97301

NORRIS DAVID A &
NORRIS JUDY JO
PO BOX 2275
NEWPORT; OR 97365

NORTH LIGHT CONDO
ASSOCIATION OF UNIT OWNERS
ATTN HAYS DARON R
207 NW 55TH
NEWPORT; OR 97365

NORTHEAST 55TH STREET LLC
ATTN CYNTHIA CRISTOFANI
2860 NW BAUER WOODS DR
PORTLAND; OR 97229

NORTHWEST PROP HOLD ORE LLC
PO BOX 422
ORANGE CITY; IA 51041

NOVELLO JOSEPH III &
MARGARET A
227 NE SAN-BAY-O CIR
NEWPORT; OR 97365

NOWAK JAMES &
NOWAK SARA
230 SE PENTER LN
NEWPORT; OR 97365

NUETZMAN ROLAND F &
NUETZMAN PATRICIA L
1030 NE 7TH DR
NEWPORT; OR 97365

NUNNEMAKER VINCENT E
PO BOX 1542
NEWPORT; OR 97365

NYE JOHN C JR &
NYE MIMI L
28481 SOUTHSHORE DR
UMATILLA; OR 97882

MOXNESS M KAY
204 NE CHAMBERS CT
NEWPORT; OR 97365

MPITSOS KAREN J
708 NW BEACH DR
NEWPORT; OR 97365

MULBEY VIRGINIA
1535 NE 26TH AVE
PORTLAND; OR 97232

MULLAN JEAC TSTEE
26841 CARLOTA DR
MISSION VIEJO; CA 92691

MULLEN MICHAEL A &
MULLEN MEAGEAN R
343 NE SAN-BAY-O CIR
NEWPORT; OR 97365

MULLINIX STANLEY WARREN
PO BOX 647
NEWPORT; OR 97365

MULLINS TIFFANY B
1009 SW ANGLE ST
NEWPORT; OR 97365

MURPHY MOLLY JANE
1314 SE RIO VISTA DR
NEWPORT; OR 97365

MYERS AMANDA KAY &
MYERS DANIEL ERIC
2750 NE ILER ST
NEWPORT; OR 97365

MYERS JAMES K &
MYERS KATHERINE B
PO BOX 2301
NEWPORT; OR 97365

MYERS KATHERINE THOMAS
PO BOX 714
NEWPORT; OR 97365

MYERS MARC V
4973 CAMPANILE DR
SAN DIEGO; CA 92115

MYRICK TIMOTHY H &
MYRICK SARAH C
1813 NE CRESTVIEW PL
NEWPORT; OR 97365

NAGEL CHAD &
NAGEL ELVA
12392 SE WAGNER ST
HAPPY VALLEY; OR 97086

NAGGAR RONNI &
BARTON ALMINE
PO BOX 300
NEWPORT; OR 97365

NASH MICHAEL &
NASH COSSETTE C
1602 RUDKIN RD
YAKIMA; WA 98901

NASH RICHARD D &
NASH NANCY C
246 NW 13TH ST
NEWPORT; OR 97365

NATAN MARY ANN
255 NE 11TH ST
NEWPORT; OR 97365

NAUTICAL HILL HOLDINGS LLC
11675 RAINWATER DR
SUITE 220
ALPHARETTA; GA 30009

NAVA ISMAEL G &
NAVA CHANDA L
PO BOX 1761
NEWPORT; OR 97365

NEAL BLAKE T
6454 NE 35TH PL
PORTLAND; OR 97211

NEAL BROOK &
ISHIKAWA TATSUO
PO BOX 13
MISSOULA; MT 59806

NEARY LAURA
535 SW MINNIE ST
NEWPORT; OR 97365

NEBEL SPENCER R &
NEBEL ANGELA B
PO BOX 2147
NEWPORT; OR 97365

NEFF ROY S III
944 N BAYVIEW RD
WALDPORT; OR 97394

NEGRON ELIAS JR &
GONZALEZ CLAUDIA SEGURA
516 NW 56TH ST
NEWPORT; OR 97365

NEIGEBAUER LINDA RAE SELLERS-
3914 NW CHEROKEE LN
NEWPORT; OR 97365

NEIGEBAUER ROSS FRANK TTEE &
NEIGEBAUER JANIS DIANE TTEE
PO BOX 655
NEWPORT; OR 97365

NEILSEN DONALD L
236 NE 55TH ST
NEWPORT; OR 97365

NELSON DONALD G &
STRAUSS VICTORIA M
4310 SE FLEMING ST
NEWPORT; OR 97365

MITCHELL GERALDINE TSTEE
1405 ROCKHAVEN DR
MODESTO; CA 95356

MITCHELL TOBY J &
BILLINGS ALICIA A
2830 NE JACKSON PL
NEWPORT; OR 97365

MITTLEMAN NANCY A
454 SW 7TH ST
NEWPORT; OR 97365

MLW LLC
ATTN MICHAEL L WILSON
PO BOX 113
NEWPORT; OR 97365

MOCHON COLLURA T CHRIS &
MOCHON COLLURA EVONNE
268 NE 11TH ST
NEWPORT; OR 97365

MOLFINO GEOFFREY M &
MOLFINO BEVERLY LIND
289 SE PENTER LN
NEWPORT; OR 97365

MOLINE ROBERT J &
MOLINE DEANNA M
1785 SW OTANA DR
CORVALLIS; OR 97333

MONCADO PAULA JEANNE
305 NW 55TH ST
NEWPORT; OR 97365

MONDEN DENISE L &
MONDEN DENNIS L
1440 GEYSER CT
THOUSAND OAKS; CA 91320

MONTGOMERY BARBARA
1431 NW SPRING ST
UNIT A
NEWPORT; OR 97365

MONTGOMERY BRIAN &
COTE SANDRA
55715 WAGON MASTER WAY
BEND; OR 97707

MOORE ARTHUR ALEXANDER &
MOORE KAREN ANN SCHULZKI
PO BOX 1069
DEPOE BAY; OR 97341

MOORE CHARLES J
2825 NE BIG CREEK RD
NEWPORT; OR 97365

MOORE HELEN
PO BOX 1867
NEWPORT; OR 97365

MOORE JUSTIN MICHEAL
15700 44TH AVE W
APT G206
LYNNWOOD; WA 98087

MOORE MARK &
MOORE SHELLEY A
339 NW 16TH ST
NEWPORT; OR 97365

MOORE TAMARA LYNN &
MOORE RANDY ANDREW
855 SE CRESCENT PL
NEWPORT; OR 97365

MORA DARIN J &
MORA BILJANA
311 VINCENT PL
ELGIN; IL 60123

MOREHOUSE DARROLL L &
MOREHOUSE PAIGE E
711 SE 4TH ST
NEWPORT; OR 97365

MORELLI NATHANIEL &
MORELLI LISA
1164 SW COAST HWY
D
NEWPORT; OR 97365

MORIN WILLIAM D &
MERNITZ LAURA
4320 SE FLEMING ST
SOUTH BEACH; OR 97366

MORRIS LINDA C
130 NW 57TH ST
NEWPORT; OR 97365

MORRIS MAUREEN
348 NE SAN-BAY-O CIR
NEWPORT; OR 97365

MORRIS WILLIAM J JR &
MORRIS BETTI FRY
ATTN FREEDOM MORTG CORP
907 PLEASANT VALLEY AVE #3
MOUNT LAUREL; NJ 08054

MORRISON DAVID M &
MORRISON MARGARET R
2305 NW PACIFIC ST
NEWPORT; OR 97365

MORRISON DOUGLAS B &
MORRISON CHRISTINA A
816 SE VISTA DR
NEWPORT; OR 97365

MORROW DEE L JR
4100 SE HWY 101
SP 49
LINCOLN CITY; OR 97367

MORTENSEN JOSEPH ROBERT &
MORTENSEN JENNIFER LYNN
920 MADRONA AVE SE
SALEM; OR 97302

MORTON GERALD L SR TRUSTEE
614 NW 12TH ST
NEWPORT; OR 97365

MOSSBARGER JOHN T &
MOSSBARGER MARCIA L
PO BOX 1362
NEWPORT; OR 97365

MEDRANO PAUL GRACA
11715 EXETER AVE E
SEATTLE; WA 98125

MEESTER C H ESTATE
ATTN MARGO EASTMAN
1171 SE HARBOR CRESCENT DR
NEWPORT; OR 97365

MEISTER JOHN J &
MEISTER CHRISTIE L
PO BOX 2366
NEWPORT; OR 97365

MELOY JOAN L &
MELOY JOAN L TSTEE
28646 MEADOWS LOOP
WILSONVILLE; OR 97070

MENDOZA TELLEZ MIRIAN &
MENDOZA TELLEZ HUMBERTO
320 NW 13TH ST
NEWPORT; OR 97365

MENEGAT RUSSELL E
4238 SE 75TH AVE
PORTLAND; OR 97206

MERCHANT MICHAEL D
4640 CANYON DR
RENO; NV 89519

MERRILL GREGG A TSTEE &
CASTLE BARBARA J TSTEE
MERRILL G A & CASTLE B J TTEES
2246 TREEMONT CT S
SALEM; OR 97302

MERRY KAREN J
% MUIS ROBERT
CONT
724 STEARMAN ST
INDEPENDENCE; OR 97351

MERWIN PAMELA D COTTEE &
ROEBBER SUSAN COTTEE &
VANGORP ALISON COTSTEE
1135 NE LAKEWOOD DR
NEWPORT; OR 97365

MESSER PAUL V &
MESSER JULIE ANN
725 NW NYE ST
NEWPORT; OR 97365

METCALF D MARY
367 SE GEORGE ST
NEWPORT; OR 97365

METTLE VICTOR K &
METTLE DEDE M
PO BOX 122
NEWPORT; OR 97365

MEYER CASEY ADAM &
MEYER BRUCE L &
MEYER KATHRYN C
61363 ROCK BLUFF LN
BEND; OR 97702

MICKLER LARRY M TSTEE &
MICKLER JEANNETTIA TSTEE
319 HAMILTON CRK SCHOOL RD
LEBANON; OR 97355

MIGNANO MICHAEL R TSTEE &
MIGNANO PEGGY L TSTEE
16928 SE SPRAY AVE
MILWAUKIE; OR 97267

MILLER DAVID E &
MILLER JILL M
209 BERINGER CT
EUGENE; OR 97404

MILLER DEBRA ANNE TRUSTEE
642 NE LEE ST
NEWPORT; OR 97365

MILLER ERIN B
PO BOX 1425
NEWPORT; OR 97365

MILLER FRANKIE RAE
3905 RIVERCREST DR N
KEIZER; OR 97303

MILLER KAROLEE F TRUSTEE
26 N BEAVER VALLEY DR
SEAL ROCK; OR 97376

MILLER MICHAEL A
126 NW 55TH ST
NEWPORT; OR 97365

MILLER MICHAEL A &
MILLER JUANITA
126 NW 55TH ST
NEWPORT; OR 97365

MILLER MICHAEL W &
NESS MICHELLE
322 NW 19TH ST
NEWPORT; OR 97365

MILLER PATRICIA J
344 NE SAN-BAY-O CIR
NEWPORT; OR 97365

MILLET SCOTT A
258 NE SAN-BAY-O CIRCLE
NEWPORT; OR 97365

MINCH CHLOE RUFFIN
704 NW COTTAGE ST
NEWPORT; OR 97365

MINOR JOHN C &
MINOR MARY C
517 SW MINNIE ST
NEWPORT; OR 97365

MIRANDA FERMIN
PO BOX 2421
NEWPORT; OR 97365

MITCHELL ANJI M
222 NE CHAMBERS CT
NEWPORT; OR 97365

MAVITY DENNIS C
335 NW 21ST ST
NEWPORT; OR 97365

MAY ROBERT RUSSELL &
MAY IRIS CYDENTTE
937 NE LAKEWOOD DR
NEWPORT; OR 97365

MCBUCK PROPERTIES #2 LLC
35651 ZEPHYR WAY
PLEASANT HILL; OR 97455

MCCAMMON DAVID L TSTEE &
MCCAMMON EVA O
5086 IKE MOONEY RD NE
SILVERTON; OR 97381

MCCANLESS WILLIAM V &
MCCANLESS FREIA K
1451 NW OCEANVIEW DR
NEWPORT; OR 97365

MCCLELLAN RONALD D COTRUSTEE &
MCCLELLAN DIANE E COTRUSTEE
1258 NE YAQUINA HEIGHTS DR
NEWPORT; OR 97365

MCCLURE CHRISTOPHER J
1070 NE LAKEWOOD DR
NEWPORT; OR 97365

MCCOY EDWARD J &
MCCOY DONNA L
2501 NE BIG CREEK RD
NEWPORT; OR 97365

MCDONOUGH LOLA J
1894 NE CRESTVIEW CT
NEWPORT; OR 97365

MCDOWELL MINDY &
MCDOWELL SCOTT
6553 S MADISON CT
CENTENNIAL; CO 80121

MCDOWELL MURRAY G &
MCDOWELL JACQUELINE L
48690 MCKENZIE HWY
VIDA; OR 97488

MCELROY PAMELA S
456 NW 56TH ST
NEWPORT; OR 97365

MCFARLANE ONA E
526 NW 56TH ST
NEWPORT; OR 97365

MCGHIE JOHN R
444 SUNLAND DR
APT 78
ST GEORGE; UT 84790

MCGOVERN ANN &
MCGOVERN PATRICK C
PO BOX 270
NEWPORT; OR 97365

MCGREENERY THOMAS F &
MCGREENERY GAIL A
1039 SW ELIZABETH ST
NEWPORT; OR 97365

MCKEEMAN ROBERT M &
MCKEEMAN ELLEN M
1025 NE LAUREL CT
NEWPORT; OR 97365

MCKENNEY CHRISTINE
PO BOX 2253
NEWPORT; OR 97365

MCLAREN THOMAS A F
5805 NW RHODODENDRON DR
NEWPORT; OR 97365

MCLAUGHLIN DAN &
ELMEN EVENDA L
725 SE 43RD ST
SOUTH BEACH; OR 97366

MCLAUGHLIN JAMES S &
MCLAUGHLIN ROBIN KING
225 NE 11TH ST
NEWPORT; OR 97365

MCLEOD CONSTANCE M
4365 SE FLEMING ST
NEWPORT; OR 97365

MCMURRY JOE A
252 NW 18TH ST
NEWPORT; OR 97365

MCAIR VALENCIA Y
PO BOX 135
NEWPORT; OR 97365

MCNEILL DANIEL J &
MCNEILL COLEEN L
305 NE GOLF COURSE DR
NEWPORT; OR 97365

MCPHERSON BARRY P TRUSTEE &
MCPHERSON DENISE A TRUSTEE
905 NE 7TH ST
NEWPORT; OR 97365

MCQUIDDY DANNY &
CRUTCHER MCQUIDDY PAMELA ANN
JANE
195 NW 70TH ST
NEWPORT; OR 97365

MCRAE JAMES A &
MCRAE MARY JO &
MCRAE JULIE A
557 SE VISTA DR
NEWPORT; OR 97365

MCWHORTER SHERRY E
220 NE 12TH ST
NEWPORT; OR 97365

MEDIN MICHAEL F &
MEDIN SHERILYN L
134 SE 1ST PL
NEWPORT; OR 97365

MANSER RICHARD DOOLEY &
VELTROP RUTH MARIE
625 NW NYE ST
NEWPORT; OR 97365

MANSER RODNEY L
PO BOX 1981
NEWPORT; OR 97365

MANTEI GARY O &
MANTEI H G
12097 SE 222ND DR
DAMASCUS; OR 97089

MANTEI MICHAEL G
5705 NW BIGGS ST
NEWPORT; OR 97365

MANTEI MICHAEL GARY
5705 NW BIGGS ST
NEWPORT; OR 97365

MANVILLE WALLACE K &
MANVILLE FRANCES E
4875 SW 78TH AVE
#189
PORTLAND; OR 97225

MARCHAND CAROLYN M
4875 N HWY 101
SPACE J-1
DEPOE BAY; OR 97341

MARESCO SABINE
115 NE GOLF COURSE DR
NEWPORT; OR 97365

MARIE LIN
153 NE 57TH ST
NEWPORT; OR 97365

MARIN MIGUEL CALLEJA
7233 NE AVERY ST
NEWPORT; OR 97365

MARION SCOTT R
928 NW COTTAGE ST
NEWPORT; OR 97365

MARKHAM KATHERINE K
221 NW 73RD CT
NEWPORT; OR 97365

MARSH STEVE H TRUSTEE &
MARSH KIM D TRUSTEE
1080 NE LAUREL ST
NEWPORT; OR 97365

MARSHALL RICHARD L TRUSTEE
335 NW 56TH ST
NEWPORT; OR 97365

MARSHALL STANLEY N TRUSTEE &
MARSHALL CYNTHIA F TSTEE
2388 SE CONIFER CT
PRINEVILLE; OR 97754

MARTIN ELENA KAY
1405 NW THOMPSON ST
NEWPORT; OR 97365

MARTIN ROGER J &
MARTIN BRENDA L
1886 NE CRESTVIEW CT
NEWPORT; OR 97365

MARTIN SALLY JO; TOD
PO BOX 434
SEAL ROCK; OR 97376

MARTINEZ FLORES JOEL
PO BOX 1408
NEWPORT; OR 97365

MARTINEZ KRISTA I
420 NW 54TH PL
NEWPORT; OR 97365

MARTINSON PAUL KENNETH &
MARTINSON JAMIE DARLENE
409 NE CHAMBERS CT
NEWPORT; OR 97365

MARTZ LESLEY
412 NE CHAMBERS CT
NEWPORT; OR 97365

MASON KEVIN M
354 NW 60TH
NEWPORT; OR 97365

MASON RONALD LEE TRUSTEE
825 MEADOW VIEW
CORVALLIS; OR 97330

MATE BRUCE TSTEE &
MATE MARY LOU TSTEE
176 SE LARCH ST
NEWPORT; OR 97365

MATHIOUDAKIS JOHN
332 NW 12TH ST
NEWPORT; OR 97365

MATSUMOTO HARUYOSHI TSTEE &
MATSUMOTO GALE Y TSTEE
PO BOX 2046
NEWPORT; OR 97365

MATTIOLI DONNA M TSTEE
2225 NW PACIFIC ST
NEWPORT; OR 97365

MATTSON CRAIG D &
MATTSON REYNA I
PO BOX 1307
NEWPORT; OR 97365

MAUGHAN SHARON S
152 NW 57TH ST
NEWPORT; OR 97365

LUGO RAFAEL &
LUGO ROBYN
853 NE LAKEWOOD DR
NEWPORT; OR 97365

LUMAN RICHARD A &
LUMAN CAROL A
70 NE 73RD ST
NEWPORT; OR 97365

LUND LUKE A
39627 MT HOPE DR
LEBANON; OR 97355

LUND WILLIAM
PO BOX 22
SEAL ROCK; OR 97376

LUNDY GREGORY P &
LUNDY ANITA L
737 NE JEFFRIES PL
NEWPORT; OR 97365

LUSK CATHERINE J &
LUSK CHARLES
1404 NW LAKE ST
NEWPORT; OR 97365

LUTHER NANCY L
1312 NW THOMPSON ST
NEWPORT; OR 97365

LUTHER ROSE M &
NEARY MICHAEL P
330 NW 25TH ST
NEWPORT; OR 97365

LUTZ DORA L
4108 RIVERDALE RD S
SALEM; OR 97302

LYNCH LORIN J SR TSTEE &
STOROZHENKO OLENA I TSTEE
169 SE VIEW DR
NEWPORT; OR 97365

M & J LIVING TRUST &
LIMBRUNNER MARY MALINDA TTEE
631 SE 1ST ST
NEWPORT; OR 97365

MACE JOHN P &
CHATTERTON TARA
6225 SE CARLTON ST
PORTLAND; OR 97206

MACFARLAND JOSEPH ALFRED
1337 NW OCEANVIEW DR
NEWPORT; OR 97365

MACKEY TIMOTHY J &
MACKEY LORI A
189 SE LARCH ST
NEWPORT; OR 97365

MACPHERSON PETER S &
BALLONI RICHARD E & BECKY &
BRAXLING ART; ETAL
PO BOX 1659
SISTERS; OR 97759

MACPHERSON PETER S &
MACPHERSON MARK A
14984 BUGGY WHIP
SISTERS; OR 97759

MAES KENNETH &
MAES CARI
3513 SW WILLAMETTE AVE
CORVALLIS; OR 97333

MAGUIRE PATRICK
1406 NW OCEANVIEW DR
NEWPORT; OR 97365

MAGUIRE PATRICK J M &
MAGUIRE MARINA K
PO BOX 2608
HAILEY; ID 83333

MAHLER BLAKE &
MAHLER HAILEY
1805 NE CRESTVIEW PL
NEWPORT; OR 97365

MAIER HAROLD F
39291 LITTLE FALL CREEK RD
FALL CREEK; OR 97438

MAIN MICHAEL D
726 NW LEE ST
NEWPORT; OR 97365

MALARKEY CHARLES M &
MALARKEY KATHLEEN SIPMAN
224 NE 54TH ST
NEWPORT; OR 97365

MALARKEY KATHLEEN SIPMAN &
MALARKEY CHARLES M
224 NE 54TH ST
NEWPORT; OR 97365

MALCOLM DAVID J &
MALCOLM GAIL L
1070 NE LAUREL ST
NEWPORT; OR 97365

MALLINOFF LINDA
913 NE LAKEWOOD DR
NEWPORT; OR 97365

MALONEY THERESA M
318 NW 59TH ST
NEWPORT; OR 97365

MALONEY THOMAS JAMES &
MALONEY COLLEEN
2240 NW HIGH LAKES LOOP
BEND; OR 97703

MALVITCH JOHN SCOTT
236 NW NYE CT
NEWPORT; OR 97365

MANGUM JERIMIAH S &
MANGUM AMBER R
232 NW 56TH ST
NEWPORT; OR 97365

LILY LEATRICE
206 NW 56TH ST
NEWPORT; OR 97365

LIMBRUNNER LOUIS &
LIMBRUNNER M MALINDA
631 SE 1ST ST
NEWPORT; OR 97365

LIMBRUNNER LOUIS L &
LIMBRUNNER MARY M
435 SW MINNIE ST
NEWPORT; OR 97365

LIMBRUNNER LOUIS MARCUS &
LIMBRUNNER JENNIFER MARIE
201 NW 8TH ST
NEWPORT; OR 97365

LIMESAND FRED &
LIMESAND NANCY
440 NW 55TH ST
NEWPORT; OR 97365

LINCOLN COUNTY
ATTN LINCOLN CO PROP MGMT
880 NE 7TH ST
NEWPORT; OR 97365

LINCOLN COUNTY PUBLIC WORKS
DEPARTMENT
880 NE 7TH ST
NEWPORT; OR 97365

LINCOLN COUNTY SCHOOL DIST
PO BOX 1110
NEWPORT; OR 97365

LIND MICHAEL COTSTEE &
RONDA KATHY LYNN COTSTEE
5177 AGIO AVE
PAHRUMP; NV 89061

LINDLY DONALD A &
LINDLY LINDA J
629 NE 20TH PL
NEWPORT; OR 97365

LINDSTROM ZACHARY KENDALL &
LINDSTROM ASHLEE J
2535 NE BIG CREEK RD
NEWPORT; OR 97365

LINSTROMBERG PAT JOAN TTEE
ATTN LESLIE HOGAN
931 WASHINGTON SW
ALBANY; OR 97321

LITTLEHALES MARION P TSTEE
622 NE 20TH PL
NEWPORT; OR 97365

LIU CHI CHANG &
HSIEH BO CHUAN
ATTN SCHOOL OF FOREST & CONSERV
NO 1 SEC 4 ROOSEVELT RD
TAIPEI; 10617 TIWAN

LIU XIN &
QU WEIWEI
765 NE JEFFRIES PL
NEWPORT; OR 97365

LLEWELLYN ROBERT I TSTEE &
LLEWELLYN MARTHA M TSTEE
1821 MOONSHINE PARK RD
LOGSDEN; OR 97357

LLOYD JAMES PATRICK &
LLOYD PATRICIA O
PO BOX 246
BRIGHTWOOD; OR 97011

LLOYD MARICEL VICTORIA
2901 FOREST HILLS DR
AMES; IA 50014

LODGE 2105 B P O E
PO BOX 966
NEWPORT; OR 97365

LONERGAN BRIAN &
LONERGAN PATRICIA
326 SE 2ND ST
NEWPORT; OR 97365

LONGVIEW HILLS LLC
PO BOX 7
NOVATO; CA 94948

LOOMIS CHARLES MELVIN
2305 NW NYE ST
NEWPORT; OR 97365

LOPEZ ALBERTO PERALTA
210 NW 55TH ST
NEWPORT; OR 97365

LOPEZ JESUS MUNOZ &
LOPEZ MARIA ELENA VALLADOLID
631 NW NYE ST
NEWPORT; OR 97365

LOSEKE MICHAEL J &
LOSEKE JENNIFER C
8727 TRIPLE CROWN DR
FREDERICK; CO 80504

LOSIER JOSEPH RODNEY &
LOSIER LEONOR LOU
PO BOX 1851
NEWPORT; OR 97365

LOTT KENNETH E
2226 N COAST HWY #330
NEWPORT; OR 97365

LOVIN STEPHEN F
1115 S PINE ST
NEWPORT; OR 97365

LOZANO LOURDES M TRUSTEE
2925 NE LISI PL
NEWPORT; OR 97365

LUCAS SCOTT &
LUCAS KAREN
205 NW 20TH ST
NEWPORT; OR 97365

LEE LAI FONG
269 NE CHAMBERS CT
NEWPORT; OR 97365

LEE MIMI MEI &
ZHU MEI YUE
1130 NE 7TH DR
NEWPORT; OR 97365

LEE MIMI MEI FONG
1130 NE 7TH DR
NEWPORT; OR 97365

LEE SHI NONG &
ZHU MEI YUE
206 N COAST HWY
NEWPORT; OR 97365

LEECH EARL G &
LEECH JAN C
390 OLALLA RD
TOLEDO; OR 97391

LEEPER WILBERT D &
LEEPER ARTEMIA F
2730 NE HARNEY DR
NEWPORT; OR 97365

LEGEMAN JOHN HYDE &
LEGEMAN MARY J
945 SW 7TH ST
NEWPORT; OR 97365

LEIB CHARLES B & KATHY M
PO BOX 476
NEWPORT; OR 97365

LEIFERMAN JOY L REV LVG TRST &
JUSTICE KARRIE A TRUSTEE
321 NE 17TH COURT
NEWPORT; OR 97365

LEIGHTON HERRMANN SHERRY &
MONSON GENE L
1975 NW NYE ST
NEWPORT; OR 97365

LENGWENUS ROLF &
LENGWENUS PENELOPE L
210 NW 20TH ST
NEWPORT; OR 97365

LEONG WAYNE K TRUSTEE
15500 NW FERRY RD
UNIT P
PORTLAND; OR 97231

LES REVOCABLE TRUST &
LEONARD STEVEN E TRUSTEE
303 W STATE ST
APT #109
DOYLESTOWN; PA 18901

LEATHERER RICHARD R &
LEATHERER CATHY R
303 NW 57TH ST
NEWPORT; OR 97365

LEWIS CARRIE E
PO BOX 708
NEWPORT; OR 97365

LEWIS JOHN W &
LEWIS PATRICIA M
1037 SE 1ST ST
NEWPORT; OR 97365

LEWIS LARRY B &
LEWIS ALICE R
730 SE 5TH ST
NEWPORT; OR 97365

LEWIS STEPHEN R TSTEE &
DONALD CHARLES C TSTEE
14736 ALBERS WAY NE
AURORA; OR 97002

LEWIS TARRANCE &
LEWIS REBECA &
LEWIS LINDA
196 SE LARCH ST
NEWPORT; OR 97365

LEWIS TARRANCE E &
LEWIS REBECA L &
LEWIS LINDA C
196 SE LARCH ST
NEWPORT; OR 97365

LGL INVESTMENTS LLC
PO BOX 60747
SANTA BARBARA; CA 93160

LICHTMAN JEFFREY W
506 NE GOLF COURSE DR
NEWPORT; OR 97365

LIEBAERT RICHARD M
2835 NW SKYLINE DR
CORVALLIS; OR 97330

LIFE IS A BEACH LLC
34332 SEAVEY LOOP RD
EUGENE; OR 97405

LIFE IS A BEACH TWO LLC
34332 SEAVEY LOOP RD
EUGENE; OR 97405

LIGGETT KATHLEEN M
2266 N COAST HWY
NEWPORT; OR 97365

LIGHTHOUSE UNITED
PENTECOSTAL CHURCH
936 SW BAY ST
NEWPORT; OR 97365

LIGHTLE IRENE M &
LIGHTLE LANDON L
936 NE EADS ST
NEWPORT; OR 97365

LIGHTNER WILLIAM
% SKRIVER TRAVIS &
SKRIVER CYNTHIA; CONT
112 SE 145TH DR
SOUTH BEACH; OR 97366

LIGON ERIC W &
LIGON DONNA J
PO BOX 754
NEWPORT; OR 97365

LADD ESTATE COMPANY
ATTN PAUL & MARY LEE MURPHY
73064 SKYWARD WAY
PALM DESERT; CA 92260

LAHMAN GARY D &
JACOBI CYNTHIA A
428 NW 17TH ST
NEWPORT; OR 97365

LAKEWOOD HILLS INC
810 SE 5TH ST
NEWPORT; OR 97365

LAKIN JANET M TRUSTEE
PO BOX 310
REDMOND; OR 97756

LAMKIN DONALD G
945 SW MARK ST
NEWPORT; OR 97365

LAMMERT GERALD R
4416 NE DOUGLAS WAY
VANCOUVER; WA 98662

LAMONT PAUL C &
JOSIAH NAOMI B
1244 NW OCEANVIEW DR
NEWPORT; OR 97365

LAMOURIA LLOYD J &
LAMOURIA PATRICIA P
824 SE CRESCENT PL
NEWPORT; OR 97365

LANCASTER WILLIAM H &
LANCASTER JEAN L
158 NW 55TH ST
NEWPORT; OR 97365

LANDERS CURTIS &
LANDERS JENNIFER
PO BOX 1645
NEWPORT; OR 97365

LANDWAVES INC
2712 SE 20TH AVE
PORTLAND; OR 97202

LANGDON CHRISTOPHER J
PO BOX 723
SOUTH BEACH; OR 97366

LARSELL JOHN F TRUSTEE &
LARSELL JOANNE TRUSTEE
5565 HACIENDA AVE
LINCOLN CITY; OR 97367

LARSEN DAVID A &
LARSEN ANDREA C
2910 NE LISI PLACE
NEWPORT; OR 97365

LARSEN NANCY &
HEMPHILL LOUISE
PO BOX 612
NEWPORT; OR 97365

LARSEN STAURT
1217 NW OCEANVIEW DR
NEWPORT; OR 97365

LARSON KEITH MICHAEL
150 TWIN PEAKS RD
SELAH; WA 98942

LARSON PATRICK D
3900 NW CHEROKEE LN
NEWPORT; OR 97365

LATTA JUDY L
810 SE 5TH ST
NEWPORT; OR 97365

LAU TAI KWAN ANDY
2404 NW EDENVIEW WAY
NEWPORT; OR 97365

LAUREL BENJAMIN J &
COPEMAN LOUISE A
1095 NE 7TH DR
NEWPORT; OR 97365

LAVRAKAS JOHN &
LAVRAKAS MELODY
1542 NW NYE ST
NEWPORT; OR 97365

LAW KEVIN JON &
LAW MICHELLE A
546 NW 54TH ST
NEWPORT; OR 97365

LAWRENCE JOSHUA S
435 E OLIVE ST
NEWPORT; OR 97365

LAWRIE ANGELA D
231 NE GOLF COURSE DR
NEWPORT; OR 97365

LAWSON JAMES E TRUSTEE
2777 NE JACKSON PL
NEWPORT; OR 97365

LAYFIELD NADINE C
439 NW 56TH ST
NEWPORT; OR 97365

LEAHY MARLA A
1431 NW LAKE ST
NEWPORT; OR 97365

LEAKE MICHAEL GENE &
LEAKE JENIFIER
1009 NE GRANT ST
NEWPORT; OR 97365

LEE DAVID J &
LEE ROSALINE H
PO BOX 2226
NEWPORT; OR 97365

KIYOKAWA DAVID S &
KIYOKAWA MARGARET A
187 NW 55TH ST
NEWPORT; OR 97365

KLESCHEN PETER JOHN
2300 LARCH CAMP RD
MISSOULA; MT 59803

KLINE JUNE E TSTEE &
KLINE RALPH H TSTEE
13809 NE 89TH CIR
VANCOUVER; WA 98682

KMT INVESTMENTS LLC
PO BOX 80323
PORTLAND; OR 97280

KNIGHT DONALD C TRUSTEE &
KNIGHT PATSY M TRUSTEE
660 DRIVER VALLEY RD
OAKLAND; OR 97462

KNODER ERIK A
2307 NW 12TH ST
CORVALLIS; OR 97330

KNOX CAROLYN H &
KNOX LOREN A
623 SE 2ND ST
NEWPORT; OR 97365

KNOX WILLIAM SCOTT TSTEE &
KNOX VICKY JEAN TSTEE
615 NW 54TH CT
NEWPORT; OR 97365

KNUTSON ERIC HENRY TTEE &
KNUTSON PATRICIA JANE TTEE
840 SE CRESCENT PL
NEWPORT; OR 97365

KOCH MEGAN &
KOCH JOSEPH
431 NE 10TH CT
NEWPORT; OR 97365

KOIKE BRUCE G &
KOIKE MARY G
332 SE HARNEY ST
NEWPORT; OR 97365

KOLWITZ ROBERT A
923 SE BAY BLVD
#173
NEWPORT; OR 97365

KONOWALCHUK DAVID P &
KONOWALCHUK FRANCES C
1094 NE 7TH DR
NEWPORT; OR 97365

KONOWALCHUK THOMAS W TRUSTEE
1070 NE 7TH DR
NEWPORT; OR 97365

KOSYDAR NORMAN J TSTEE &
KOSYDAR ANITA K TSTEE
PO BOX 315
SILETZ; OR 97380

KRAEMER CATHERINE A TSTEE &
KRAEMER ALAN J TSTEE
PO BOX 110
MT ANGEL; OR 97362

KRONEMAN KENT A TSTEE &
KRONEMAN RUTH L TSTEE
260 SE 2ND ST
NEWPORT; OR 97365

KRUEGER MARVIN O &
KRUEGER NADINE E
606 NE 20TH PL
NEWPORT; OR 97365

KRUMLAND CHRIS C
2721 LADARRAH ST
EUGENE; OR 97404

KUEBBING THOMAS J &
KUEBBING KATHLEEN A
1127 S PINE ST
NEWPORT; OR 97365

KUEBRICH K J REV LIV TST &
KUEBRICH KAREN J TSTEE &
KUEBRICH PAUL H TSTEE
3136 FIR OAKS CT SW
ALBANY; OR 97321

KUHL JUDY ANN
30 NE 72ND ST
NEWPORT; OR 97365

KUNDE FREDERICK JAMES &
KUNDE GRETCHEN JEANNETTE
PO BOX 2146
NEWPORT; OR 97365

KUTZ KAROL M
PO BOX 1630
NEWPORT; OR 97365

LABARGE WENDY E
5540 NW RHODODENDRON ST
NEWPORT; OR 97365

LABORDE TAMARA
17850 REEDS CREEK RD
RED BLUFF; CA 96080

LACKNER SCOTT J
PO BOX 921112
DUTCH HARBOR; AK 99692

LACY CONRAD M TSTEE &
LACY EMILIA J TSTEE
1447 SE MARINE DR
NEWPORT; OR 97365

LACY LARRY D TSTEE
995 N 7TH ST
AUMSVILLE; OR 97325

KALEZ MARK R
266 NE 12TH ST
NEWPORT; OR 97365

KAMINGA MARK ALAN
5775 NE HAZEL PL
NEWPORT; OR 97365

KARAMI KRISTOPHE JEMEL &
KARAMI MARIANA
7175 SW LAVIEW
PORTLAND; OR 97219

KARLIK THERESA
433 NE 8TH ST
NEWPORT; OR 97365

KARNES ROBIN R &
KARNES ELAINE R
PO BOX 1754
NEWPORT; OR 97365

KARTALYAN RITA &
KARTALYAN ARI
PO BOX 2277
NEWPORT; OR 97365

KARTSIOUKAS GEORGE &
KARTSIOUKAS KAY
990 HERDSMAN WAY
TEMPLETON; CA 93465

KASSEBAUM HARRY C &
KASSEBAUM RUTH R
535 NE 20TH PL
NEWPORT; OR 97365

KAUTZ DEBRA D
225 NE 10TH ST
NEWPORT; OR 97365

KAY MICHELE S
958 SW ELIZABETH ST
NEWPORT; OR 97365

KEAGLE RICHARD A &
KEAGLE HELEN A
1050 NE 7TH DR
NEWPORT; OR 97365

KEELER MAUREEN B
PO BOX 2202
NEWPORT; OR 97365

KEESEE RONALD E &
KEESEE SUZANN M
PO BOX 648
NEWPORT; OR 97365

KELLAR ELMER GLENN &
KELLAR BARBARA J
256 NE 11TH ST
NEWPORT; OR 97365

KEMPER KEVIN R &
JOHNS STACY C
256 NE 56TH CT
NEWPORT; OR 97365

KENNEDY TONY B &
KENNEDY CONNIE G
PO BOX 1634
NEWPORT; OR 97365

KENYON JANICE
1037 NW HURBERT ST
NEWPORT; OR 97365

KEPLER RICHARD ALLEN
1175 NE LAKEWOOD DR
NEWPORT; OR 97365

KERTIS JOSEPH W REV TRUST &
BARTON JOANN F SUCC TSTEE &
BARTON WILLIAM A
241 SW 12TH ST
NEWPORT; OR 97365

KIDD AMY
ATTN UNION BANK
407 SW BROADWAY
PORTLAND; OR 97205

KIER BRIAN
4033 NW SARAH MARIA CT
ALBANY; OR 97321

KIGER JANET A
11034 SE KRIEGER LN
PORTLAND; OR 97266

KIM LIVING TRUST &
KIM SU CHIN TRUSTEE &
KIM JADE OK TRUSTEE
5535 VIA LAMESTA UNIT A
LAGUNA WOODS; CA 92637

KIND KRISTINE M
58 BENTLEY CT
SILETZ; OR 97380

KING CHRISTIAN S &
KING LISA B
1247 DAYTON AVE
SAINT PAUL; MN 55104

KING RICKY J &
KING INGE D
2622 NW BLUEBELL RD
CORVALLIS; OR 97330

KING RONALD HAROLD TSTEE
750 NE JEFFRIES PL
NEWPORT; OR 97365

KIRK DIANE
233 NW 19TH ST
NEWPORT; OR 97365

KIRKPATRICK MOLLY &
GEHLHAUS FREDERICK JR
206 NE SAN-BAY-O CIR
NEWPORT; OR 97365

KIRMEYER LAURIE &
NORTON MARCIE
510 NW 15TH ST
NEWPORT; OR 97365

JOHNSON BRUCE W
37090 SOAP CREEK RD
CORVALLIS; OR 97330

JOHNSON CHERYL M
61329 TRIPLE KNOT RD
BEND; OR 97702

JOHNSON FREDRICH L
63 KAHIAPO PL
HAIKU; HI 96708

JOHNSON HERBERT R
PO BOX 841
NEWPORT; OR 97365

JOHNSON JANET E
556 NE 20TH PL
NEWPORT; OR 97365

JOHNSON KEITH F TSTEE &
JOHNSON JAN G TSTEE
520 SW 2ND ST
NEWPORT; OR 97365

JOHNSON KELLY JOSEPH
950 SE 1ST ST
NEWPORT; OR 97365

JOHNSON MICHAEL &
JOHNSON VIRGINIA W
2809 NE ILER ST
NEWPORT; OR 97365

JOHNSON ROBIN T TSTEE &
JOHNSON CYNTHIA E TSTEE
410 SE GRANT ST
NEWPORT; OR 97365

JOHNSON RUSSELL J TSTEE &
JOHNSON LEORA M TSTEE
PO BOX 1204
NEWPORT; OR 97365

JOHNSON RUSSELL TRUSTEE &
FORINASH RHONDA M TRUSTEE
629 NE 8TH ST
NEWPORT; OR 97365

JOHNSTON HARVEY D TSTEE
2710 NE HARNEY DR
NEWPORT; OR 97365

JOHNSTON STEVEN G &
JOHNSTON SUSAN M
2450 LOMBARD LN
CLOVIS; CA 93619

JOHNSTONE PARKER &
JOHNSTONE SHARON
PO BOX 627
WILSONVILLE; OR 97070

JOLING MICHAEL R &
PATRICK JOLING PATRICIA
PO BOX 7
NEWPORT; OR 97365

JOLING MICHAEL R &
PATRICK JOLING PATRICIA S
PO BOX 1711
NEWPORT; OR 97365

JOLING MICHAEL RAY
PO BOX 7
NEWPORT; OR 97365

JOLLEY MARGARET TRUSTEE
2029 NW NYE ST
NEWPORT; OR 97365

JOLLEY ROBERT J &
JOLLEY TONI L
2111 NE CRESTVIEW DR
NEWPORT; OR 97365

JONES AARON &
JONES KAREN J
32680 NE CORRAL CREEK RD
NEWBERG; OR 97132

JONES CINDY
PO BOX 836
NEWPORT; OR 97365

JONES CRAIG KIMBELL (TOD)
2421 NE DOUGLAS ST
NEWPORT; OR 97365

JONES GRANT D &
JONES LAUREN K
232 NE 55TH ST
NEWPORT; OR 97365

JONES JOAN I
549 SE 2ND ST
NEWPORT; OR 97365

JONES JODY L
2807 NE JACKSON PL
NEWPORT; OR 97365

JONES MARK DAVID &
JONES MARIE ANTOINETTE
321 NE 57TH ST
NEWPORT; OR 97365

JONSSON MARGARET A
7170 SW RENEE DR
PORTLAND; OR 97225

JOYCE RICHARD E &
JOYCE ANNE L
270 NE CHAMBERS CT
NEWPORT; OR 97365

JOZWIAK ROBERT L &
JOZWIAK AMY L
1045 NE FOGARTY ST
NEWPORT; OR 97365

KAISER RODNEY J &
KAISER JOAN D
1431 SE VISTA CT
NEWPORT; OR 97365

INTERNATIONAL CHURCH
OF FOUR SQUARE GOSPEL
PO BOX 1271
NEWPORT; OR 97365

IRWIN KENNETH C &
IRWIN KAREN P
263 NE 56TH ST
NEWPORT; OR 97365

ISERI PAUL J &
ISERI MERCEDES L
PO BOX 2351
NEWPORT; OR 97365

IVERSON MICHAEL D &
IVERSON LYNNE D
1010 NE FOGARTY ST
NEWPORT; OR 97365

IVERSON RICHARD CC &
IVERSON SHEILA L
2241 NW NYE ST
NEWPORT; OR 97365

IVERSON TRAVIS WILLIAM
1061 NE DOUGLAS ST
NEWPORT; OR 97365

IWASAKI KARL & RENE
94-224 HIKIKU PL
MILILANI; HI 96789

JACKS THOMAS MATHEW &
JACKS HEATHER LYNN
34362 DEERWOOD DR
EUGENE; OR 97405

JACKSON CHADWICK S &
JACKSON EILEEN
734 SE 4TH ST
NEWPORT; OR 97365

JACKSON PAMELA M
2734 NW PACIFIC PL
NEWPORT; OR 97365

JACOBSON DAVID P & KYM C
434 NW 21ST PL
NEWPORT; OR 97365

JACOBSON MICHAEL MARC (TOD)
355 NE 9TH ST
NEWPORT; OR 97365

JACOBSON ROBERT W &
JACOBSON ROBIN L
2225 NW OCEAN VIEW DR
NEWPORT; OR 97365

JACOBSON ROBIN &
JACOBSON KAETY R
2225 NW OCEANVIEW DR
NEWPORT; OR 97365

JADE SAVOY ROSE
PO BOX 2104
NEWPORT; OR 97365

JAECH JOHN L &
JAECH PATRICIA W
165 NE GOLF COURSE DR
NEWPORT; OR 97365

JAFF OMAR G
612 SE 47TH AVE
PORTLAND; OR 97215

JAMTGAARD GORDON E &
JAMTGAARD SHARON R
PO BOX 172
NEWPORT; OR 97365

JANES RALPH T &
JANES WANDA L
1430 NW THOMPSON ST
NEWPORT; OR 97365

JANIGO CHRISTOPHER
612 SE 1ST ST
NEWPORT; OR 97365

JARAMILLO MANUEL GARCIA
5312 NE LUCKY GAP ST
NEWPORT; OR 97365

JCH ENTERPRISES INC 401K
TST FBO HAYWARD J C &
HAYWARD JOSEPH C TSTEE
24084 WOODS CREEK RD
PHILOMATH; OR 97370

JEBOUSEK NYLA LYNN
304 NE SAN BAY-O CIR
NEWPORT; OR 97365

JENNINGS DOYLE L &
JENNINGS LANETA F
207 NE SAY-BAY-O CIR
NEWPORT; OR 97365

JERNIGAN WILLIAM D TSTEE &
JERNIGAN WENDY A TSTEE
PO BOX 1553
NEWPORT; OR 97365

JESSAL JOE &
JESSAL EMILY
434 NW 57TH ST
NEWPORT; OR 97365

JEWETT GREG S &
JEWETT IRINA S
209 N SAN GABRIEL
UNIT #1
AZUSA; CA 91702

JIMENEZ PERILLA JULIO CESAR &
MACCHIA OSIO MARGARITA D J
PMB 8
4330 SE ELLIS ST
NEWPORT; OR 97365

JOHANSEN RALPH T &
JOHANSEN REBECCA L
5423 NW MEANDER ST
NEWPORT; OR 97365

JOHNSON ALAN L
12765 SE ELDERBERRY DR
SOUTH BEACH; OR 97366

HOPPE SUSAN
856 NE GRANT ST
NEWPORT; OR 97365

HOPSEKER EARNEST & KAREN
623 SE 3RD ST
NEWPORT; OR 97365

HORST KEVIN T COTSTEE &
HORST DAWN COTSTEE
150 NE 56TH ST
NEWPORT; OR 97365

HORVATH ERIC G &
SMITH CLAIRE
PO BOX 721
SOUTH BEACH; OR 97366

HOSTS OF AMERICA INC
ATTN HALLMARK INNS & RESORTS
5 CENTERPOINTE DR
SUITE #590
LAKE OSWEGO; OR 97035

HOUSING AUTHORITY OF
LINCOLN COUNTY
PO BOX 1470
NEWPORT; OR 97365

HOWARD ASHLY &
HOWARD MATTHEW
333 NW 58TH ST
NEWPORT; OR 97365

HOWARD JULIE A
145 NE 55TH ST
NEWPORT; OR 97365

HOWARD TRAVIS J &
HOWARD AMY E
PO BOX 1358
NEWPORT; OR 97365

HOWELL ANN W &
HICKEY THOMAS J &
HICKEY ELINOR G & SARAH W
429 N BRIDGETON RD #3
PORTLAND; OR 97217

HOWES SALLY KAY
812 W SHERIDAN ST
NEWBERG; OR 97132

HUDSON RALPH E &
HUDSON NORMA G
556 NW 55TH ST
NEWPORT; OR 97365

HUFF THOMAS R TSTEE
3055 NW VAUGHN ST
PORTLAND; OR 97210

HUFFMAN RONALD M &
HUFFMAN CARRIE M
16740 SW BRASADA RANCH RD
POWELL BUTTE; OR 97753

HUGHES HERMAN R; TOD
238 NW 20TH ST
NEWPORT; OR 97365

HULET BRETT &
HULET JENNIFER J
415 SE SCENIC LOOP
NEWPORT; OR 97365

HUNDLEY ROBERT S TRUSTEE &
HUNDLEY JACLYN K TRUSTEE
550 SE 2ND ST
NEWPORT; OR 97365

HUNDTOLT LLOYD W TSTEE
15132 S FORSYTHE RD
OREGON CITY; OR 97045

HUNNEL GAROLD E
PO BOX 220358
MILWAUKIE; OR 97269

HUNT AURELIA CASTERLINE
PO BOX 706
SOUTH BEACH; OR 97366

HUNTER BARBARA &
PENDERGRASS VICKIE
130 NW 70TH ST
NEWPORT; OR 97365

HUNTER MARIA C
2540 NW PACIFIC ST
NEWPORT; OR 97365

HUNTER SHIRLEY J TRUSTEE
410 SE 43RD ST
SOUTH BEACH; OR 97366

HURST THOMAS P &
STEINBERG NANCY D
458 NE CHAMBERS CT
NEWPORT; OR 97365

HUTCHINS SHELLY
80 NE 72ND ST
NEWPORT; OR 97365

HUTMACHER WILLIAM J &
HUTMACHER RUTH M
543 NW 55TH ST
NEWPORT; OR 97365

HYDUCHAK DANIEL J &
HYDUCHAK SANDRA R
914 SW HURBERT ST
NEWPORT; OR 97365

IBARRA BERSAIN HERNANDEZ
PO BOX 1261
NEWPORT; OR 97365

ICNAVA ENTERPRISES LLC
PO BOX 1761
NEWPORT; OR 97365

INGALLS DONNE J &
INGALLS KELSEY A
1235 NE LAKEWOOD DR
NEWPORT; OR 97365

HILL ROBERT S &
HILL ELYNOR
PO BOX 473
NEWPORT; OR 97365

HILLEBRAND SARAH M &
HILLEBRAND TYRELL M
257 NE SAN-BAY-O CIR
NEWPORT; OR 97365

HINER JOSEPH A &
HINER JENNIFER A
837 NE GRANT ST
NEWPORT; OR 97365

HITSELBERGER SUE P TSTEE
199 N WOLKAU RD
SEAL ROCK; OR 97376

HIXSON RICHARD S &
STOODY JOCELYN L
1698 HUNTERS WAY
BOZEMAN; MT 59718

HOARD DAVID
6176 WILFORD PLACE SW
ALBANY; OR 97321

HOCKEMA SCOUT D
PO BOX 386
TOLEDO; OR 97391

HOCKEN JEAN TRUST
ESTATE
ATTN VICTORIA GRUSING
345 NE BENTON ST
NEWPORT; OR 97365

HOEY JEFFREY &
HOEY SHANDI MARCEEN
318 NW 55TH ST
NEWPORT; OR 97365

HOFER VANDEHEY ROBERTA
20481 WINLOCK LN
FOSSIL; OR 97830

HOFFMAN DOUGLAS G &
HOFFMAN SUSAN L &
HAMIL LORNA FRANCETTE
289 NE 53RD ST
NEWPORT; OR 97365

HOFFMAN DOUGLAS G TSTEE &
HOFFMAN SUSAN L TSTEE
299 NE 53RD ST
NEWPORT; OR 97365

HOFFMAN SUZAN J
2000 AVON AVE
CAMBRIA; CA 93428

HOFFMANN DOROTHY R
172 NW 58TH ST
NEWPORT; OR 97365

HOGAN DARCY M
305 NW 10TH ST
NEWPORT; OR 97365

HOGG LUCY W &
HOGG SUSAN E
PO BOX 537
NEWPORT; OR 97365

HOLBROOK JONATHAN B &
GOLDADE TERESA J
405 SE SCENIC LOOP
NEWPORT; OR 97365

HOLBROOK TIMOTHY M
218 NE 53RD ST
NEWPORT; OR 97365

HOLBROOK TIMOTHY M &
HOLBROOK PAMELA K
218 NE 53RD ST
NEWPORT; OR 97365

HOLIEN JUDY R
14060 NW ALIKA DR
SEAL ROCK; OR 97376

HOLLEN ROBERT E
PO BOX 1438
NEWPORT; OR 97365

HOLLER PATRICIA P
1029 S PINE ST
NEWPORT; OR 97365

HOLLY TONY &
HOLLY ROBIN
822 SE VISTA DR
NEWPORT; OR 97365

HOLMES WALTER G &
MURIB-HOLMES WADIDA
8105 MOORES MILL CT
STOKESDALE; NC 27357

HOLT DAVID W COTSTEE &
HOLT NANCY E COTRUSTEE
599 NE 20TH PL
NEWPORT; OR 97365

HOLT DONALD M &
HOLT PING
112 NW WADE WAY
NEWPORT; OR 97365

HOLTEL PAUL LEWIS &
HOLTEL PAMELA A
421 NW 56TH ST
NEWPORT; OR 97365

HOMEFRONT ENTERPRISES LLC
6910 CHAKARUN LN SE
SALEM; OR 97306

HON LYNNE R TSTEE
311 NW 59TH ST
NEWPORT; OR 97365

HOOD SUSAN
1529 NW LAKE ST
NEWPORT; OR 97365

HEIMLICH SARA L
511 NW LEE ST
NEWPORT; OR 97365

HEIN ROBERT A &
HEIN PHOEBE W
562 NE GOLF COURSE DR
NEWPORT; OR 97365

HEINRICH WILLIAM R &
HEINRICH CONNIE L
444 NE CHAMBERS CT
NEWPORT; OR 97365

HEISLER PETER R &
HEISLER HEATHER J
567 SE VISTA DR
NEWPORT; OR 97365

HEITZLER GREGORY &
HEITZLER KRISTIN JONES
616 NW COAST ST
NEWPORT; OR 97365

HEITZLER GREGORY MICHAEL &
LINGEMANN AARON TRENT
2820 SMITH GRADE RD
SANTA CRUZ; CA 95060

HELLMAN EMMA J
428 NE CHAMBERS CT
NEWPORT; OR 97365

HELMRICKS DOYLE G &
HELMRICKS DEBBIE L
PO BOX 1310
NEWPORT; OR 97365

HENDERSON JIMMY
258 NE 9TH ST
NEWPORT; OR 97365

HENDRICKSON DEAN A TSTEE &
HENDRICKSON JEAN A TSTEE
854 SE 5TH ST
NEWPORT; OR 97365

HENKELS DIANE M &
VANCALAR JOHN D
PO BOX 1023
NEWPORT; OR 97365

HENRIKSEN JEPHRY D
929 NW NYE ST
NEWPORT; OR 97365

HENSON DAVID
3822 N CHEYENNE ST
TACOMA; WA 98407

HENTON GREGORY H &
HENTON DAWN M
910 NW LAKE ST
NEWPORT; OR 97365

HERKERT BARBARA L &
HERKERT GREGORY E
2065 THORNDYKE RD
PORT LUDLOW; WA 98365

HERMAN ANTHONY G TSTEE &
JOHNSON DREW M TSTEE
465 NW 57TH
NEWPORT; OR 97365

HERNANDEZ JUAN C ACOSTA
220 NW 18TH ST
NEWPORT; OR 97365

HERNDON PEGGY A
2827 FOXGLOVE LN
REDDING; CA 96001

HERRON THOMAS E &
HERRON ANN L
178 NW 73RD CT
NEWPORT; OR 97365

HESLEN AMIE L &
MARSHALL HEATH
1215 NE LAKEWOOD DR
NEWPORT; OR 97365

HESSE DAVID A &
NELSON GRETCHEN R
910 NW COTTAGE ST
NEWPORT; OR 97365

HEWLETT BARRY S &
HEWLETT BONNIE L
PO BOX 1908
NEWPORT; OR 97365

HIBBS JOLYN
238 NW 24TH ST
NEWPORT; OR 97365

HICE SAMUEL V &
HICE DENISE M
715 SE 43RD ST
SOUTH BEACH; OR 97366

HIGH DANIEL J
PO BOX 397
GLENEDEN BEACH; OR 97388

HIGH DOINA FAMILY TRUST &
HIGH DOINA TRUSTEE
PO BOX 552
SILETZ; OR 97380

HIGHFILL ROBERT T &
HIGHFILL MILDRED
2830 NE ILER ST
NEWPORT; OR 97365

HILDEBRAND ROBERT JAMES &
HILDEBRAND LESLIE LEE ANN
12147 SE WAGNER ST
HAPPY VALLEY; OR 97086

HILDENBRAND ROY &
HILDENBRAND LISA
2415 NW NYE ST
NEWPORT; OR 97365

HILL BRIDGET A
1868 NE CREST VIEW PL
NEWPORT; OR 97365

HARDY LEOLA M
PO BOX 566
SOUTH BEACH; OR 97366

HARE JOHN CHARLES
2640 EDGEWATER DR
EUGENE; OR 97401

HARGETT KURT DALE &
HARGETT CORRINA L
2823 NE JACKSON PL
NEWPORT; OR 97365

HARGIS ELWIN &
HARGIS JUDITH
PO BOX 253
NEWPORT; OR 97365

HARKLEROAD GREGORY P TRUSTEE
2465 N SHADOW VLY RNCH TRL
PRESCOTT; AZ 86305

HARKLEROAD PATRICIA A &
HARKLEROAD GREGORY S
335 NW 14TH ST
NEWPORT; OR 97365

HARMER LINDA C COTRUSTEE &
HARMER RANDY W COTRUSTEE
2226 N COAST HWY
#7
NEWPORT; OR 97365

HARRINGTON BONITA ZWEBER
626 NW HURBERT ST
NEWPORT; OR 97365

HARRISON JAMES E COTTEE &
HARRISON MADELINE P COTTEE
85985 CHEROKEE DR
EUGENE; OR 97402

HARTLEY HOMES LLC
19 CHALET HILLS TER
HENDERSON; NV 89052

HARTSELL WILLIAM S IV
473 NE CHAMBERS CT
NEWPORT; OR 97365

HASKELL MARY JANE
PO BOX 706
NEWPORT; OR 97365

HATCH LEON TSTEE &
HATCH PATRICIA TSTEE
PO BOX 626
WALDPOROT; OR 97394

HAWLEY JAMES NORMAN TRUSTEE &
HAWLEY NANCY SUE TRUSTEE
PO BOX 531
NEWPORT; OR 97365

HAWTHORNE EMILY
955 SW MARK ST
NEWPORT; OR 97365

HAYES JOHN R &
HAYES KAREN E
648 SE VISTA DR
NEWPORT; OR 97365

HAYES RUTH C
ATTN WELLS FARGO BANK NA
SELENE FINANCE LP
9990 RICHMOND AVE STE 400
HOUSTON; TX 77042

HAYNER JORDON L &
HAYNER MARISA R
212 NE 10TH ST
NEWPORT; OR 97365

HAZEL PATRICK A TRUSTEE
5631 NW MEANDER AVE
NEWPORT; OR 97365

HAZELL BRET J &
HAZELL DEBRA K
2613 BLACKTAIL DR
EUGENE; OR 97405

HEAD STEVE & HEAD GLENNA
% OTIS KELLY; CONT
PO BOX 2187
WALDPOROT; OR 97394

HEARNE BRETT &
HEARNE EILEEN
407 SE 4TH ST
NEWPORT; OR 97365

HEARNE WADE
407 SE 4TH ST
NEWPORT; OR 97365

HEATER KATHRYN E &
HEATER DAVID C
638 NE 20TH PL
NEWPORT; OR 97365

HEATH LAWRENCE T &
SCHULKE PATRICIA A
1515 NE BIG CREEK RD
NEWPORT; OR 97365

HECHT BLAINE F &
HECHT CAROLYN S
333 NE 20TH ST
NEWPORT; OR 97365

HECTOR JOSH
233 NE 56TH ST
NEWPORT; OR 97365

HEENAN ANNE
255 SW HARRISON
#4B
PORTLAND; OR 97201

HEGGE AARON S &
HEGGE MALLORY B
525 STRAWBERRY LOOP
SWEET HOME; OR 97386

HEIL F CHARLES W &
HEIL PATRICIA J
22239 SW SEQUOIA TERR
SHERWOOD; OR 97140

HABITAT FOR HUMANITY
OF LINCOLN COUNTY
PO BOX 1311
NEWPORT; OR 97365

HADDON RICHARD N TRUSTEE &
HADDON KATHLEEN A TRUSTEE
1354 NW NYE ST
NEWPORT; OR 97365

HAGGERTY BRIAN &
HAGGERTY LINDA
5711 NW GLADYS ST
NEWPORT; OR 97365

HAGLUND TODD &
HAGLUND PAULA
5259 NW ROCKY WAY
NEWPORT; OR 97365

HAIMA DOUG
PO BOX 56
ALBANY; OR 97321

HAINES CRAIG F
PO BOX 954
NEWPORT; OR 97365

HAINES ETHEL M TSTEE
% DAHLQUIST GARY LYNN &
DAHLQUIST ALISA JANE; CONT
35240 TENNESSEE RD SE
ALBANY; OR 97322

HAJDU STEVE PETER
116 NW 73RD CT
NEWPORT; OR 97365

HAKANSON JOHN MICHAEL &
HAKANSON JANINE
1261 NW CROSBY AVE
#A
OAK HARBOR; WA 98277

HALE DANIEL &
HALE JOY C
218 NW 55TH ST
NEWPORT; OR 97365

HALL CALEB D
410 NE 20TH PL
NEWPORT; OR 97365

HALL ELIZABETH A TSTEE
2235 NE DOUGLAS ST
NEWPORT; OR 97365

HALL STEPHEN L
355 NE GOLF COURSE DR
NEWPORT; OR 97365

HALLAHAN LAWRENCE J JR
46 ROCKAWAY AVE
HULL; MA 02045

HALSEY CHARLES S &
HALSEY PEARL E
351 SE PENTER LN
NEWPORT; OR 97365

HALVERSON ROBERT L &
HALVERSON DOREEN J
985 SE 1ST ST
NEWPORT; OR 97365

HAMRICK BRET A
PO BOX 492
NEWPORT; OR 97365

HAMRICK BRETT A
PO BOX 492
NEWPORT; OR 97365

HAMSTREET BRENT &
MUELLER KARI
466 LA MESA CT
PORTOLA VALLEY; CA 94028

HANKS CORY L &
HANKS JUSTINE M
2420 NE DOUGLAS ST
NEWPORT; OR 97365

HANLEY CLARE
94 W NOBLE ST
STOCKTON; CA 95204

HANNA BRIAN &
HANNA JODY
1090 NE LAUREL ST
NEWPORT; OR 97365

HANNEMAN ERIC H
1328 NW NYE ST
NEWPORT; OR 97365

HANRAHAN MARK &
HANRAHAN JULIE
PO BOX 2063
NEWPORT; OR 97365

HANSELMAN JAMES E &
RONZIO JOANN M
4044 NW CHEROKEE LN
NEWPORT; OR 97365

HANSON JACKIE RAY TRUSTEE &
HANSON MARILYN ANN TRUSTEE
162 SE 11TH ST
NEWPORT; OR 97365

HANTZE MELANIE K &
JENKINS DEAN
7128 SUNRISE RIDGE LN NW
OLYMPIA; WA 98502

HANTZE MELANIE KAY &
CHEEVER MONITA LOU HANTZE
7128 SUNRISE RIDGE LANE NW
OLYMPIA; WA 98502

HARBOR CRESCENT HOMEOWNRS
ASSN
872 SE CRESCENT PL
NEWPORT; OR 97365

HARDY LAMAR L TRUSTEE ETAL
% RAWLES GLEN M &
RAWLES RAYNETTE I ETAL; CONT
192 NW 58TH ST
NEWPORT; OR 97365

GRAF SCOTT
PO BOX 699
TOLEDO; OR 97391

GRAHAM JOYCE THOMPSON
2137 22ND PL SE
ALBANY; OR 97322

GRASS MATTHEW &
COOPER KARA
PO BOX 810
NEWPORT; OR 97365

GRASSLEY JAMES L &
GRASSLEY LORRAINE
PO BOX 2431
NEWPORT; OR 97365

GRAVES ARTHUR J &
GRAVES JANET E
653 SE 4TH ST
NEWPORT; OR 97365

GRAY JOAN M TRUSTEE
411 SE FOGARTY ST
NEWPORT; OR 97365

GRAY LANE R &
GRAY RUTH A
452 SE 4TH ST
NEWPORT; OR 97365

GREELEY MARK L
5627 NW RHODODENDRON ST
NEWPORT; OR 97365

GREEN ALBERT TRUSTEE
829 NE DOUGLAS ST
NEWPORT; OR 97365

GREEN MARK G TSTEE
915 SW 7TH ST
NEWPORT; OR 97365

GREEN RONALD LEE TSTEE &
GREEN CAROL ANN TSTEE
12926 WOLVERTON LN
CERRITOS; CA 90703

GREENAWALD TERRENCE &
GREENAWALD BETTY
1344 NW NYE ST
NEWPORT; OR 97365

GREENWOOD REGINALD C & LOIS
2416 NW EDENVIEW WAY
NEWPORT; OR 97365

GREGORY DAVID &
BENEDETTI CHRISTINE
424 SW 297TH ST
FEDERAL WAY; WA 98023

GREGORY DAVID E &
BENEDETTI CHRISTINE M
424 SW 297TH
FEDERAL WAY; WA 98023

GRIFFITH THOMAS G TSTEE
PO BOX 21282
KEIZER; OR 97307

GRIGORY BILLY H TRUSTEE &
GRIGORY THERESA L TRUSTEE
24470 HALL RD
CHESHIRE; OR 97419

GRIMSTAD RICHARD
271 SE YAQUINA VIEW DR
NEWPORT; OR 97365

GRINDELL WILLIAM R &
GRINDELL PAMELA POWER
1060 NE LAUREL ST
NEWPORT; OR 97365

GSBN LLC
PO BOX 720
SOUTH BEACH; OR 97366

GUAN ZU YANG &
ZHU MEI AI
1384 9TH AVE #3
SAN FRANCISCO; CA 94122

GUENTHER SCOTT &
GUENTHER CHRISTINE &
GUENTHER JEFF & JOELLE
323 MCCLAIN ST
SILVERTON; OR 97381

GUILD DENISE E TRUSTEE
420 SE 43RD ST
SOUTH BEACH; OR 97366

GUIMOND ALISON S
525 NE 10TH ST
NEWPORT; OR 97365

GUTIERREZ JOHANNE E &
GUTIERREZ URAGA CRESENCIO
445 NW 55TH ST
NEWPORT; OR 97365

GUTKNECHT RICHARD &
GUTKNECHT JOY
1505 NE BIG CREEK RD
NEWPORT; OR 97365

GUTT PHILIP A TSTEE &
GUTT CONNIE M TSTEE
4845 SW DRESDEN AVE
CORVALLIS; OR 97333

GWILLAM VINCENT & L
26270 OLD RIVER RD
MONROE; OR 97456

GWYNN MICHAEL W & DEBORAH S
PO BOX 12
TOLEDO; OR 97391

H&B KRAUSE PROPERTIES LLC
513 SE POWELL AVE
CORVALLIS; OR 97333

GIBBS VIRGINIA G
4340 SE FLEMING ST
NEWPORT; OR 97366

GIBSON JAMES &
GIBSON KATHLEEN
341 NE SAN-BAY-O CIR
NEWPORT; OR 97365

GIBSON WAYNE P TSTEE &
GIBSON DIANA C TSTEE
4905 SW DRESDEN AVE
CORVALLIS; OR 97333

GILBERT JOHN W &
GILBERT MEREDITH A
2510 NW PACIFIC ST
NEWPORT; OR 97365

GILBERT PAMELA J
386 COUNTY RD 27
MOUNTAIN HOME; AR 72653

GILBERT RUTH TRUSTEE
837 NE FOGARTY ST
NEWPORT; OR 97365

GILES RICHARD W &
GILES MARY
815 NE GRANT ST
NEWPORT; OR 97365

GILL PAMELA SUSAN TSTEE &
BOYLE CHRISTOPHER D TSTEE
197 SW 82ND ST
SOUTH BEACH; OR 97366

GILLEN WYLDE &
GILLEN HEATHER
245 NE 52ND ST
NEWPORT; OR 97365

GILMORE BILLY R &
GILMORE SHIRLEY J
142 NW 57TH ST
NEWPORT; OR 97365

GLANZMAN MERLIN &
GLANZMAN WENDY
212 NE 55TH ST
NEWPORT; OR 97365

GLAU PATRECIA C
1860 NE CRESTVIEW PL
NEWPORT; OR 97365

GLOUDE THOMAS E TSTEE &
GLOUDE WANDA J TSTEE
2045 36TH AVE SE
ALBANY; OR 97322

GOBER FAMILY TRUST &
GOBER JAMES TSTEE
PO BOX 1106
NEWPORT; OR 97365

GODINET NANCY KATHRYN RHODEN
625 SE 4TH ST
NEWPORT; OR 97365

GODWIN STACEY LYNN
313 NW 16TH ST
NEWPORT; OR 97365

GOEBEL DIETMAR H &
GOEBEL LINDA L
PO BOX 2067
NEWPORT; OR 97365

GOFF DIANE
% WILLIAMS GORDON & H
LIFE ESTATE
327 NE 10TH CT
NEWPORT; OR 97365

GOLDADE HOLBROOK CHLOE M
405 SE SCENIC LOOP
NEWPORT; OR 97365

GOLDEN DANA
758 NW COTTAGE ST
NEWPORT; OR 97365

GOLDEN LINDA D
314 NW 59TH ST
NEWPORT; OR 97365

GOLDEN RODNEY E & M J
551 NE 20TH PL
NEWPORT; OR 97365

GOLITZ FAMILY LLC
262 S ELM ST
DENVER; CO 80246

GONZALEZ PEDRO
31 NE 73RD ST
NEWPORT; OR 97365

GOPLEN HANS &
GOPLEN JANELL
611 SE 3RD ST
NEWPORT; OR 97365

GOTHARD ADRIENNE A
155 NW 57TH ST
NEWPORT; OR 97365

GOUGH RICHARD J COTRUSTEE &
GOUGH DIANA C COTRUSTEE
17540 MESNARD ST
#113
LAKE OSWEGO; OR 97034

GOULD; GEORGE F TSTEE &
KEITH; SHAY M TSTEE &
GOULD G G & KEITH S M TTEES
184 NE 57TH ST
NEWPORT; OR 97365

GOULETTE RICHARD H &
GOULETTE DENISE A
905 NE DOUGLAS ST
NEWPORT; OR 97365

GRACE KELLY
7 CAPTAIN DR
APT C 213
EMERYVILLE; CA 94608

FRITZ LAVONNE A TSTEE
2810 NE HARNEY DR
NEWPORT; OR 97365

FROGGE ANGELICA M &
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FULLER SHARON C COTRUSTEE
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GAMEZ ESTELA &
LOPEZ JOSE GAMEZ
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GALICIA EFRAIN RUIZ &
FERNANDEZ ROSA GARCIA &
GARCIA IVAN R RUIZ; ETAL
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NEWPORT; OR 97365

GAMEZ JOSE A
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NEWPORT; OR 97365

GARBARINO LAURIE D
678 NW ESTATE DR
SEAL ROCK; OR 97376

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GARCIA PAUL VINCENT JR &
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GARCIA VICTOR URIBE
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HAVNER GRETCHEN P
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NEWPORT; OR 97365

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GERMANERI MICHAEL S &
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FOSTER DALE GEORGE
2226 N COAST HWY
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FREDERICKSON THERESA
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NEWPORT; OR 97365

FREDERICKSON JAY &
FREDERICKSON THERESA
5524 NW PINERY ST
NEWPORT; OR 97365

FREEL MIKE &
FREEL REBECCA
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FREEMAN CAROL LYNNE TRUSTEE
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EVANS RONALD D
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NEWPORT; OR 97365

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LINCOLN CITY; OR 97367

FAIMAN CRAIG &
LIMPER LESLIE L
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HILLSBORO; OR 97123

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FARRA SUSAN E TSTEE &
FARRA R L & S E TSTEE S
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FAY BERTHA R
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NEWPORT; OR 97365

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141 NW 58TH ST
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1053 NE EADS ST
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FEUERBACHER JAY
724 NW COAST ST
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NEWPORT; OR 97365

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FIELD LISA C
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NEWPORT; OR 97365

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NEWPORT; OR 97365

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GRIMM CATHERINE A
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FILI INGRID TRUSTEE
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FINNELL OTTO F &
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19385 VINCENT DR
OREGON CITY; OR 97045

FIRST BAPTIST CHURCH
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208 NW 6TH
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FIRST CHRISTIAN CHURCH
809 SE 2ND ST
NEWPORT; OR 97365

FIRST PRESBYTERIAN CHURCH
227 NE 12TH ST
NEWPORT; OR 97365

FISH MARY M TRUSTEE
631 SE FIRST ST
NEWPORT; OR 97365

FISHER KURT M
131 NW 58TH ST
NEWPORT; OR 97365

FITZPATRICK ALBERT WARREN
TRUSTEE
1080 NE 7TH DR
NEWPORT; OR 97365

FIX CASSANDRA
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NEWPORT; OR 97365

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FLANSBERG JULIE M
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FLEMING JENNIFER D
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CYR RYC Y TSTEE
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#377
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EDWARDS JOHN C
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EGGMAN DONNA L
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EISLER PATRICIA L
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ELLIOTT LAURA
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ELLIOTT CLAUDIA A TRUSTEE
85250 S WILLAMETTE
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ELLIS RAMON K &
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ELSNER GEORGE &
ELSNER HELMGARD L
434 NE 10TH CT
NEWPORT; OR 97365

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EMERSON PATRICIA ANN; ETAL
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ENGLISH JAMES K &
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NEWPORT; OR 97365

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EPPERSON LETITIA TRUSTEE
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EQUITY TRUST CO CUSTODIAN &
YEOMANS MICHAEL IRA FBO
ATTN MICHAEL YEOMANS
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862 SE CRESCENT PL
NEWPORT; OR 97365

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NEWPORT; OR 97365

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NEWPORT; OR 97365

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DORDAN LEANNE K
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NEWPORT; OR 97365

DORSEY DALE A &
DORSEY MARY
410 NE 10TH CT
NEWPORT; OR 97365

DOUGHERTY NICOLE R &
DOUGHERTY ROBERT W
1115 NE 7TH DR
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DOUGLASS MICHAEL A SR &
DOUGLASS TERESA
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NEWPORT; OR 97365

DOWNEY TIM
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DOWNS NILA L TRUSTEE
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NEWPORT; OR 97365

DOYLE ED TSTEE &
DOYLE SUSAN H TSTEE
124 SE VIEW DR
NEWPORT; OR 97365

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EUGENE; OR 97401

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64864 E LUPINE DR
RHODODENDRON; OR 97049

DRESNEK CHRISTOPHER GEORGE &
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NEWPORT; OR 97365

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KRESTON ANTHEA
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ATTN RAMONA MARTIN
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DUNSTAN DIANE S COTRUSTEE
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EARL JUDITH B
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NEWPORT; OR 97365

EASLEY FAM SUR TRUST &
EASLEY ANNA I TRUSTEE
520 SE 2ND ST
NEWPORT; OR 97365

EASLEY FAMILY SUR TRUST &
EASLEY FAMILY DEC TRUST &
EASLEY ANNA I TRUSTEE
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NEWPORT; OR 97365

EASON GLEN R &
EASON KIM M
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NEWPORT; OR 97365

EASTBURN HUGH F &
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344 SW 7TH ST SUITE A
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DOLL STEPHANIE
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ASSOCIATION OF UNIT OWNERS
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DOOHER STEPHEN B &
DOOHER MIKEL ANN
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DASENBROCK EDWARD C TRUSTEE &
DASENBROCK BETTY J TRUSTEE
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DAVIDSON RONALD H
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DAVIDSON CHASSE R
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NEWPORT; OR 97365

DAVIS DANIEL
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1017 SW ELIZABETH ST
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DEEG DAVIS MICHELLE D
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DAVIS PAULA MARIE
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CUERNAVACA MORELOS 62000
; MEXICO

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NEWPORT; OR 97365

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DECKER DAVID W
1344 SE UMATILLA ST
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DEEDS DYLAN
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DEEN JENNY K TRUSTEE
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COYLE F J &
COYLE BARBARA
850 SE CRESCENT PL
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CRANDALL CAROLYN S
537 NE GOLF COURSE DR
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#960
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CRCH LLC
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CREGO TED R &
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826 SE VISTA DR
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ATTN AUSTRENG MILLICENT Y
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CRUICKSHANK PHILLIPS SANDRA L
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CURTIS MERRY E
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NEWPORT; OR 97365

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CZULEGER BEYRL A TRUSTEE
2140 MESSINA PL
MONTEREY; CA 93940

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DALLAS HOLLY I
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DALON W R & G A COTTEES
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NEWPORT; OR 97365

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COCHRAN LINDA L
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COHEN MARBRA A TSTEE
229 NW 73RD CT
NEWPORT; OR 97365

COLE DAVID L &
COLE PAMELA S
1450 SE VISTA CT
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COLE JASON &
COLE PATAJIT
901 NE 7TH CR
NEWPORT; OR 97365

COLE RONALD SCOTT TRUSTEE
9127 NW HERON ST
SEAL ROCK; OR 97376

COLGAN RAMOZ TANYA MARIE
419 NE GOLF COURSE DR
NEWPORT; OR 97365

COLLARD CLIFFORD G &
COLLARD CAREY J
248 SE PENTER LN
NEWPORT; OR 97365

COLLIER CORA LUCILE TRUSTEE
2226 N COAST HWY
#309
NEWPORT; OR 97365

COLLSON MARK G III &
COLLSON V LYNNE
760 NE JEFFRIES PL
NEWPORT; OR 97365

COLLURA T CHRSTOPHER N M &
COLLURA EVONNE MOCHON
268 NE 11TH ST
NEWPORT; OR 97365

COLMAN PINNING JOHN H TTEE &
COLMAN PINNING ALLISON B TTEE
3315 N BAYVIEW RD
WALDPOR; OR 97394

COMSTOCK RENTALS LLC
633 E OLIVE ST
NEWPORT; OR 97365

CONKLING DIEDRE
4335 SE FLEMING ST
NEWPORT; OR 97365

CONNELL ROBERT &
CONNELL CHERYL
418 SW 6TH ST
NEWPORT; OR 97365

CONRADY BARBARA LOHSE &
CONRADY GERALD ALEX &
CONRADY KATHY ANN
PO BOX 278
SEAL ROCK; OR 97376

COOK JOSHUA &
HALL STEPHEN L
61092 RIVER BLUFF TRL
BEND; OR 97702

COOPER CHRISTOPHER L TSTEE &
COOPER DEENA J TSTEE
24000 HWY 20
PHILOMATH; OR 97370

COOPER JUDI MACDONALD
314 NW 60TH ST
NEWPORT; OR 97365

COOPER ROBERT M &
COOPER DANIEL R
2815 TEIRRA RIDGE CT
SUPERIOR; CO 80027

COOPERSTEIN BERNARD D TRUSTEE &
COOPERSTEIN THELMA Z TRUSTEE
PO BOX 1537
NEWPORT; OR 97365

CORDER LEONARD &
CORDER DENISE
41 NE 73RD ST
NEWPORT; OR 97365

CORNELIUS RONALD L &
CORNELIUS PATRICIA F
5640 NE LUCKY GAP ST
NEWPORT; OR 97365

CORNER COTTAGE LLC
ATTN TRACY CHADWICK
608 NW COTTAGE ST
NEWPORT; OR 97365

CORREO JOSE J MARTINEZ &
MARTINEZ JAMIE A
814 NE DOUGLAS ST
NEWPORT; OR 97365

CORREO LOURDES BALTAZAR &
BALTAZAR KELLY MERINO
176 NW 57TH ST
NEWPORT; OR 97365

CORTES EDUARDO R &
CORTES HIDI H
2002 NW OCEANVIEW DR
NEWPORT; OR 97365

COSTAMAGNA SUSAN &
COSTAMAGNA MATTEO C
1005 NE LAKEWOOD DR
NEWPORT; OR 97365

COULOMBE THOMAS &
COULOMBE WENDY THAN
1547 NW LAKE ST
NEWPORT; OR 97365

COURTNEY MICHAEL THOMAS &
THORP ANNE KATHERINE
382 FIR KNOLL LN NE
SALEM; OR 97317

COWAN PATRICK O &
COWAN S JEAN
2710 NE ILER ST
NEWPORT; OR 97365

CHONGVILAIWAN TANIDA &
CHAIWARIN POOMPANYA
535 SE RUNNING SPRINGS ST
NEWPORT; OR 97365

CHOPP WARREN J &
CHOPP SHARON M
505 SE RUNNING SPRINGS ST
NEWPORT; OR 97365

CHRISTIANSAN CHAN &
CHRISTIANSAN LORI TOBIAS
315 NW 55TH ST
NEWPORT; OR 97365

CHRISTOFERSON LAURI L &
LARREA PAUL
244 NW 55TH ST
NEWPORT; OR 97365

CHUNN PATRICIA K
PO BOX 193
SEAL ROCK; OR 97376

CHURCH LDS
REAL EST DIV
50 E NORTH TEMPLE
SALT LAKE CITY; UT 84150

CHURCH OF NAZARENE
ATTN MITCHELL SALLY
227 NW 12TH ST
NEWPORT; OR 97365

CIN KEEGAN
1007 NW LAKE ST
NEWPORT; OR 97365

CITY OF NEWPORT
CITY MANAGER
169 SW COAST HWY
NEWPORT; OR 97365

CJR BUILDING LLC &
OSHANICK LARRY & KAREN &
LINDSTROM ZACHARY K & ASHLEE
240 PALMER LN
CHEWELAH; WA 99109

CLAPP CHRISTINE M &
DENNETT PETER N
231 NE 8TH ST
NEWPORT; OR 97365

CLARK BERNARD J &
CLARK DARLA R
303 NW 26TH ST
NEWPORT; OR 97365

CLARK DEBBY L
407 NW 10TH ST
NEWPORT; OR 97365

CLARK JOHN B &
CLARK JOANNE M
197 NE GOLF COURSE DR
NEWPORT; OR 97365

CLARK KIM M &
CLARK CINDY R
1212 SW CURRY ST
PORTLAND; OR 97239

CLARK MICHAEL GLENN TSTEE &
CLARK WREN ELAINE TSTEE
1249 NW OCEAN VIEW DR
NEWPORT; OR 97365

CLARK SAMUEL DAVID &
CLARK ANN A
51 NE 73RD ST
NEWPORT; OR 97365

CLARK SCOTT &
GEIGER MARIANNE
3059 VAUGHNDALE DR
MACHESNEY PARK; IL 61115

CLARK VICKI
298 NE 53RD ST
NEWPORT; OR 97365

CLARKE ANDERSON JACOB &
SCULL SAMANTHA
5525 NW RHODODENDRON ST
NEWPORT; OR 97365

CLASON ELISE &
ERMINI EUGENE
627 NW LEE ST
NEWPORT; OR 97365

CLAY MARK WINSTON
548 NE GOLF COURSE DR
NEWPORT; OR 97365

CLAYMAN DANIELLE
% GLTRI LLC
CONT
608 SW BAY BLVD
NEWPORT; OR 97365

CLAYTON SALLY A
427 NW 55TH ST
NEWPORT; OR 97365

CLEMONS JULIA E R &
DAVIS PETER A P
420 NW 19TH CT
NEWPORT; OR 97365

CLENDENEN RYAN D &
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NEWPORT; OR 97365

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1853 NE CRESTVIEW PL
NEWPORT; OR 97365

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JOHNSON TAMARIS TRUSTEE
PO BOX 2074
NEWPORT; OR 97365

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MOORE ALICE GENEVIEVE LISSY
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NEWPORT; OR 97365

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NEWPORT; OR 97365

CARSTENS KURT TSTEE &
MCDOWELL CHAD ROBERT
% KEESEE R E & S M; CONT
PO BOX 648
NEWPORT; OR 97365

CARTER JOHN L TRUSTEE &
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2865 NW BAUER WOODS DR
PORTLAND; OR 97229

CASCADIA RISING LLC
PO BOX 1167
NEWPORT; OR 97365

CATHERY EDWARD J
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NEWPORT; OR 97365

CATO PHILLIP S &
CATO CHRISTINA
1012 NE AVERY ST
NEWPORT; OR 97365

CAUDURO RAYMOND &
CAUDURO PATRICIA A
1090 NE LAKEWOOD DR
NEWPORT; OR 97365

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NEWPORT; OR 97365

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ATTN BARTH BRIAN
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872 SE CRESCENT PL
NEWPORT; OR 97365

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PO BOX 1957
NEWPORT; OR 97365

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230 NE 10TH CT
NEWPORT; OR 97365

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NEWPORT; OR 97365

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NEWPORT; OR 97365

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NEWPORT; OR 97365

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CHARGIN DORIS TSTEE
985 HEAVENLY VIEW CT
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CHASE BRENDA G
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NEWPORT; OR 97365

CHATTERTON KEVIN L &
CHATTERTON FLORINDA O
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243 NW 56TH ST
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CHEEVER JEFFREY L &
HANTZE CHEEVER MONITA
1128 SW ELIZABETH ST
NEWPORT; OR 97365

CHEN JANE
1130 NE 7TH ST
NEWPORT; OR 97365

CHEN KIM C &
CHEN EVONNE
5172 SALERNO DR
DUBLIN; CA 94568

CHEN XIAOHUI
4445 NW SNOWBRUSH DR
CORVALLIS; OR 97330

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CHENEY SALLY L TRUSTEE
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NEWPORT; OR 97365

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NEWPORT; OR 97365

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CHIPPS GALE L TRUSTEE
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OREGON CITY; OR 97045

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NEWPORT; OR 97365

BURTON LYNSEY
1200 NE LAKEWOOD DR
NEWPORT; OR 97365

BURUM RYLAN
806 NE DOUGLAS ST
NEWPORT; OR 97365

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BUSBY SHARON J TSTEE
645 SE 3RD ST
NEWPORT; OR 97365

BUSH BARBARA
1525 NW OCEANVIEW DR
#4
NEWPORT; OR 97365

BUSSEY LAVONNE EARNEST (TOD)
1226 SE WADE WAY
NEWPORT; OR 97365

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NEWPORT; OR 97365

BUTLER GERALD R TRUSTEE
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NEWPORT; OR 97365

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CRESSE SHELLEY R
2136 MARYAL DR
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BUTTS C ALAN &
BUTTS JUDITH A
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NEWPORT; OR 97365

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BYNUM SUSAN E
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BYRNES HOLLY JO
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45021 COUGAR CIRCLE
FREMONT; CA 94539

CALAVAN TED R &
CALAVAN AMY R
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NEWPORT; OR 97365

CALDWELL CAROL JEAN TRUSTEE
2410 NW PACIFIC ST
NEWPORT; OR 97365

CALLAHAN MICHAEL &
CASSELL SANTHA A
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PORTLAND; OR 97212

CAMBRIDGE HEIGHTS LLC
6910 CHAKARUN LN SE
SALEM; OR 97306

CAMPBELL DONALD T &
CAMPBELL ELLEN D
933 NE DOUGLAS ST
NEWPORT; OR 97365

CANDANOZA & EDWARDS LLC
PO BOX 615
CORVALLIS; OR 97333

CAPRI REX S &
CAPRI THERESA A
255 NW 17TH ST
NEWPORT; OR 97365

CAPRI THERESA &
CAPRI REX
255 NW 17TH ST
NEWPORT; OR 97365

CARD ABIGAL R &
CARD MICHAEL
1802 NE CRESTVIEW PL
NEWPORT; OR 97365

CARD STEVEN R &
CARD TERESA L
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NEWPORT; OR 97365

CARLBERG BETH
437 NE 20TH PL
NEWPORT; OR 97365

CARLSEN JAKE &
CARLSEN CHRISTINA
505 NW 10TH ST
NEWPORT; OR 97365

CARLSON DAVID B &
CARLSON SHEILA D
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NEWPORT; OR 97365

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CARLSON CANDACE
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FAIRFIELD RD
YELLOW SPRINGS; OH 45387

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NEWPORT; OR 97365

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BRUCE CYNTHIA S
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NEWPORT; OR 97365

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BRUCE VALERIE M
1548 NE WAGON RD
TOLEDO; OR 97391

BRUGGER CATHERINE D
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PRINEVILLE; OR 97754

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NEWPORT; OR 97365

BRUND WILLIAM B &
BRUND KRISTI LOUISE
333 NW 25TH ST
NEWPORT; OR 97365

BRUNELLE LAWRENCE W &
BRUNELLE CLAUDIA J
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NEWPORT; OR 97365

BRUNER REBECCA LOUISE
252 NE SAN-BAY-O CIR
NEWPORT; OR 97365

BRUNS STEVEN W &
BRUNS RHONDA F
1210 NE BENTON ST
NEWPORT; OR 97365

BRYAN DIANE E
522 SW PARK ST
NEWPORT; OR 97365

BRYANT DOUGLAS T &
BRYANT JANICE L
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ARLINGTON; WA 98223

BRYDEN NICHOLAS BRYAN &
BRYDEN KARA DANIELLE NOVEMBER
474 HIGHLAND DR
LOS OSOS; CA 93402

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ATTN ALAN LEE BUCK
PO BOX 58
SEAL ROCK; OR 97376

BUCKLEY MARCIA &
WHEELER MICHAEL EUGENE
PO BOX 636
NEWPORT; OR 97365

BUCKMASTER DENNIS
409 NW 56TH ST
NEWPORT; OR 97365

BUEHN MOTOKO Y (TOD)
PO BOX 615
NEWPORT; OR 97365

BUKER JAMES M TRUSTEE &
BUKER MARLENE R TRUSTEE ETAL
ATTN BEACH CLIFF
4833 GARDNER RD SE
SALEM; OR 97302

BULLOCK WESLEY F &
BULLOCK PATRICIA M
1008 NE BENTON ST
NEWPORT; OR 97365

BUNGAY JOHN &
BUNGAY BARBARA
PO BOX 1448
SANTA FE; NM 87504

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BUNKER PAMELA C TRUSTEE
1609 NW OCEANVIEW DR
NEWPORT; OR 97365

BURCH DANIEL D &
BURCH ELIZABETH B
928 SW ELIZABETH ST
NEWPORT; OR 97365

BURCH PAUL &
BURCH ROBERTA
441 NW HURBERT ST
NEWPORT; OR 97365

BURCH ROBERTA &
BURCH JAMES ANTHONY
7035 NE AVERY ST
NEWPORT; OR 97365

BURCHETT TRACY L &
BURCHETT CHERYL L
533 NE 10TH ST
NEWPORT; OR 97365

BURCHETTE MATTHEW
1832 BANBURY RD
CHARLESTON; SC 29414

BURGER JERRY
687 NW 3RD ST
PRINEVILLE; OR 97754

BURKE JAMES M &
BURKE AJA E
46 SE 143RD ST
SOUTH BEACH; OR 97366

BURKETT MICHAEL J TSTEE &
LARSON DEBORAH A R TSTEE
15215 14TH AVE NW
GIG HARBOR; WA 98332

BURN SIMON &
BURN ALETHEA
951 NE GRANT ST
NEWPORT; OR 97365

BURNS RICHELLE R
1913 NE CRESTVIEW PL
NEWPORT; OR 97365

BURNS STEPHEN M TRUSTEE &
BURNS CHRISTIE N TRUSTEE
2466 SE KENDAL CT
NEWPORT; OR 97365

BRADSHAW HAROLD W SUCCESSOR
TR &
BRADSHAW JEAN M TRUST ESTATE
223 SE BENSON RD
NEWPORT; OR 97365

BRADSHAW HAROLD W TRUST &
BRADSHAW HAROLD W TRUSTEE
223 SE BENSON RD
NEWPORT; OR 97365

BRADSHAW JEAN M FAMILY TRUST &
BRADSHAW HAROLD W COTRUSTEE &
BRADSHAW RICHARD L COTRUSTEE
223 SE BENSON RD
NEWPORT; OR 97365

BRADSHAW TIMOTHY CRAIG TTEE &
BRADSHAW GAIL BAZZEL TRUSTEE
2663 MOON MOUNTAIN DR
EUGENE; OR 97403

BRAKOB DEVIN &
BRAKOB ANN
18411 BRIGHT PLUME TER
BOYDS; MD 20841

BRANCHFIELD SCOTT &
MANDRAKE JOYCE CARLETTA
PO BOX 358
NEWPORT; OR 97365

BRANIGAN B D REVOCABLE TR &
BRANIGAN BARBARA DIANE TRUSTEE
170 NW 73RD CT
NEWPORT; OR 97365

BRANT KENNETH N
813 SE CRESCENT PL
NEWPORT; OR 97365

BRAXLING GRETCHEN I
926 NE EADS ST
NEWPORT; OR 97365

BRAXLING RAYMOND A
PO BOX 240
NEWPORT; OR 97365

BRAXLING TIM A
PO BOX 567
NEWPORT; OR 97365

BREMER ULRIKE
727 NW 3RD ST
NEWPORT; OR 97365

BREMNER BRENDA G &
IMBLER JUDY G
1024 NE FOGARTY ST
NEWPORT; OR 97365

BRENIER DOUGLAS TSTEE &
BRENIER SHAWN TSTEE
925 SCEPTER CT NE
SALEM; OR 97301

BREWSTER MARY
907 NE EADS ST
NEWPORT; OR 97365

BRICE ROBERT M ESTATE
ATTN MCMANUS DENNIS CPA
PO BOX 1802
NEWPORT; OR 97365

BRIDGES AVA E &
BRIDGES LESTER A
805 E GREENWOOD ST
ENTERPRISE; OR 97828

BRIDGEVIEW HEIGHTS LLC
6895 22ND AVE N
KEIZER; OR 97303

BRINGETTO LOIS
161 NW 73RD CT
NEWPORT; OR 97365

BRISTOW DEANE G TSTEE &
BRISTOW ELLEN F TSTEE
128 SE COOS ST
NEWPORT; OR 97365

BRITTON LIVING TRUST &
BRITTON ROBERT D TRUSTEE &
BRITTON MARTHA E TRUSTEE
PO BOX 1960
NEWPORT; OR 97365

BRITTSAN TREVOR T
2231 NW EDENVIEW WAY
NEWPORT; OR 97365

BROOKHYSER PAUL JAMES TRUSTEE&
BROOKHYSER EVELYN ANNE B TRSTE
253 NE CHAMBERS CT
NEWPORT; OR 97365

BROOKS LOYAL TRUSTEE
1157 SW MARK ST
NEWPORT; OR 97365

BROWN ALAN A &
BROWN F J
1155 SW COAST HWY
NEWPORT; OR 97365

BROWN JEFFREY A
1250 NW LAKE ST UNIT B
NEWPORT; OR 97365

BROWN JIMMIE B
9351 HAPPY VALLEY RD
NAMPA; ID 83686

BROWN NANCY L
319 NW 59TH ST
NEWPORT; OR 97365

BROWN SANDRA C
266 NE 10TH CT
NEWPORT; OR 97365

BROWN WILLIAM A SR &
BROWN JUDY
5718 NW BIGGS ST
NEWPORT; OR 97365

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PO BOX 2024
NEWPORT; OR 97365

BERTULEIT DONALD J
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NEWPORT; OR 97365

BETEA RACHELLE &
HALL STEPHEN L
495 NE GOLF COURSE DR
NEWPORT; OR 97365

BEWLEY LAURA SUE
393 NW CRESWELL LN
ALBANY; OR 97321

BEYER GREGORY J &
BEYER ROSE M
12403 NT ANGEL GERVAIS RD NE
MT ANGEL; OR 97362

BIENDARA MELANY DAWN TRUSTEE &
MCFARLAND BRIAN J TRUSTEE
4749 DEL MAR AVE
SAN DIEGO; CA 92107

BILODEAU JOSEPH N &
BILODEAU MELINDA K
412 NW 54TH PL
NEWPORT; OR 97365

BILODEAU LAWRENCE FRANCIS
415 NW 54TH PL
NEWPORT; OR 97365

BINGHAM JENNIFER SUZANNE
196 NE 57TH ST
NEWPORT; OR 97365

BIONDOLILLO THOMAS &
BIONDOLILLO DARLENE GRACE
PO BOX 911
NEWPORT; OR 97365

BLOOMQUIST KAREN M TSTEE
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SOUTH BEACH; OR 97366

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129 SE VIEW DR
NEWPORT; OR 97365

BODENSTAB MARK R &
BODENSTAB DORIS
7836 E BRALTON DR
NAMPA; ID 83686

BOEKHOUT THOMAS B &
BOEKHOUT BRIDGETTE M
930 NW LAKE ST
NEWPORT; OR 97365

BOLDUC STEPHEN P
216 NE 11TH ST
NEWPORT; OR 97365

BOLING SHAWN L &
BOLING DIANE L
1562 ROLLING THUNDER RIDGE
SAND POINT; ID 83864

BONHAM AMMON L &
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NEWPORT; OR 97365

BOTELLO ADRIAN &
BOTELLO ZAIDALI
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NEWPORT; OR 97365

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BOWDER SHERYL L
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NEWPORT; OR 97365

BOWERS JERRY L
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NEWPORT; OR 97365

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NEWPORT; OR 97365

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NEWPORT; OR 97365

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NEWPORT; OR 97365

BEEEMER DORIS
2545 NE DOUGLAS
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BEEEMER DORIS K
2545 NE DOUGLAS ST
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2545 NE DOUGLAS ST
NEWPORT; OR 97365

BEEEMER RICHARD K &
BEEEMER DORIS K
2545 NE DOUGLAS ST
NEWPORT; OR 97365

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2545 NE DOUGLAS ST
NEWPORT; OR 97365

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4355 SE FLEMING ST
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NEWPORT; OR 97365

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BERRY JANET L
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**BARLOW JOSHUA &
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NEWPORT; OR 97365**

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BARNES DIANA M TSTEE
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**BARNEY ALLEN LLOYD &
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BARRAR MARY TRUSTEE
1220 NW FERNWOOD CIRCLE
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**BARRETT BRUCE A &
BARRETT KATHLEEN M
151 NW 73RD CT
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**BARRETT THOMAS M
5210 SE THIESSEN RD
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**BARTELS MARY E
207 NW 55TH ST
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**BARTH BRIAN W &
BARTH KAREN R
1110 NE 7TH DR
NEWPORT; OR 97365**

**BARTH JASON M
332 NE CHAMBERS CT
NEWPORT; OR 97365**

**BARTON RUTH CLAIRE
862 SE 5TH ST
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**BATEMAN ROBERT D &
BATEMAN ILA M
217 NE CHAMBERS CT
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**BATEMANN JUDITH A
596 SE VISTA DR
NEWPORT; OR 97365**

**BATSON DOUGLAS RAYMOND &
MCDOWELL TARA ANN
448 NE 10TH CT
NEWPORT; OR 97365**

**BATSON GARY H &
BATSON LINDA E
642 MURRAY DR
EL CAJON; CA 92020**

**BAUER RODNEY B &
BAUER VALLORY
5435 NW RHODODENDRON ST
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DEMARCO DONNA M
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BAUMGARDT BERNHARD
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NEWPORT; OR 97365**

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NEWPORT; OR 97365**

**BAYSTONE CONDO
ASSOCIATION OF UNIT OWNERS
822 SE 5TH ST
NEWPORT; OR 97365**

**BEAL MELISSA L
4609 CIRCUIT RIDER LANE S
SALEM; OR 97302**

**BEALL DONALD M &
BEALL PEGGY J
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NEWPORT; OR 97365**

**BEAR SUSANNE L
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BEARDEN TRACEY
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PORTLAND; OR 97216**

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MILLER JESSICA ADELE TTEE
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NEWPORT; OR 97365**

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BAILEY LEVORA A PALMER
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NEWPORT; OR 97365**

**BAILEY DAVID M JR
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NEWPORT; OR 97365**

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BAILEY MARY V
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NEWPORT; OR 97365**

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KAVANAGH BAIRD GERI
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**BAKER JOHN H &
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NEWPORT; OR 97365**

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BAKER SANDRA K; TOD
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**BALEY JASON P &
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144 NW 55TH ST
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**BALEY STEVEN R
ATTN SUSAN PATTISON
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NEWPORT; OR 97365**

**BALK BRAD THOMAS &
BALK AMBER R
845 NE JEFFRIES CT
NEWPORT; OR 97365**

**BALL GARY LEE &
BALL JEANNIE MAE
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**BALLANCE LISA T &
PITMAN ROBERT L
1260 SE WADE WAY
NEWPORT; OR 97365**

**BALLOCH SHIRLEY A
340 NW 55TH ST
NEWPORT; OR 97365**

**BALSOM WILLIAM
83 MARLBORO LN
EUGENE; OR 97405**

**BANCROFT MORGAN &
HORTON CHERYL
4356 SE ELLIS ST
NEWPORT; OR 97365**

**BANCROFT RYAN J TRUSTEE &
BANCROFT JOLEE J TRUSTEE
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NEWPORT; OR 97365**

**BANDY SUZANNE M
949 NE LAKEWOOD DR
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**BARBER JAMES W &
BARBER MICHELE R
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NEWPORT; OR 97365**

**BARBER JERRY LEE &
BARBER SANDRA LEE
2930 NE LISI PL
NEWPORT; OR 97365**

**BARBOUR JACK K TSTEE
308 NW 15TH ST
NEWPORT; OR 97365**

**BARICHIO LINDA N &
BARICHIO DANIEL L
918 NW LAKE ST
NEWPORT; OR 97365**

**BARKER PATRICIA A &
FELTNER JANICE C
4132 NW CHEROKEE LN
NEWPORT; OR 97365**

AMOS JOHN C &
AMOS LISA M
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NEWPORT; OR 97365

AMSTAD FARMS NEWPORT LLC
16300 SW 192ND AVE
SHERWOOD; OR 97140

ANDERSON EDDIE J &
ANDERSON CANDRA J
1430 NW NYE ST
NEWPORT; OR 97365

ANDERSON JILLANE L
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NEWPORT; OR 97365

ANDERSON JOHN D &
ANDERSON SUSAN A
227 NW 8TH ST
NEWPORT; OR 97365

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ANDERSON OREN P &
ANDERSON JENNIFER E L
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FORT COLLINS; CO 80524

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NEWPORT; OR 97365

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NEWPORT; OR 97365

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ANDERSON CHARLOTTE TRUSTEE
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NEWPORT; OR 97365

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NEWPORT; OR 97365

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APPLING DUSTIN &
APPLING TRISTIN
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NEWPORT; OR 97365

ARB DAN &
BENSON ARB SENA
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NEWPORT; OR 97365

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ARBEENE JOYCE B TRUSTEE
1280 SE SHERMER CT
NEWPORT; OR 97365

ARCEO LISA E &
ARCEO AUSTIN
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NEWPORT; OR 97365

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SALGADO BEATRIZ Y BOTELLO
1836 NE CRESTVIEW PLACE
NEWPORT; OR 97365

ARMINGTON C M
919 NE EADS ST
NEWPORT; OR 97365

ARMSTRONG SUSAN K
193 NW 70TH ST
NEWPORT; OR 97365

ARNOLD EDWARD M &
ARNOLD KATHY N
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NEWPORT; OR 97365

ARNOLD WALTER &
ARNOLD PING H
1525 NW HURBERT
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ARNSDORF JOSEPH A
2216 NE DOUGLAS ST
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ARNSDORF JESSICA L
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NEWPORT; OR 97365

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YANES FELIPE
215 NE SAN-BAY-O CIRCLE
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ATKINSON RICHARD C &
ATKINSON CHERYL L
223 NW 19TH ST
NEWPORT; OR 97365

AVERY TOM
3550 NW GLEN EDEN DR
CORVALLIS; OR 97330

1431 NW SPRING STREET LLC
1143 MANOR DR
SONOMA; CA 95476

1505 NW SPRING STREET LLC
1143 MANOR DR
SONOMA; CA 95476

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12 OLALLA PL
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ABERS ROBERT
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ADAMS CLIFTON E
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ADOLF DARCI L
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ALLAN KAREN R
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ALLEN DAVID N
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NEWPORT; OR 97365

ALLEN VINCENT F &
ALLEN DOROTHY A
357 NW 60TH ST
NEWPORT; OR 97365

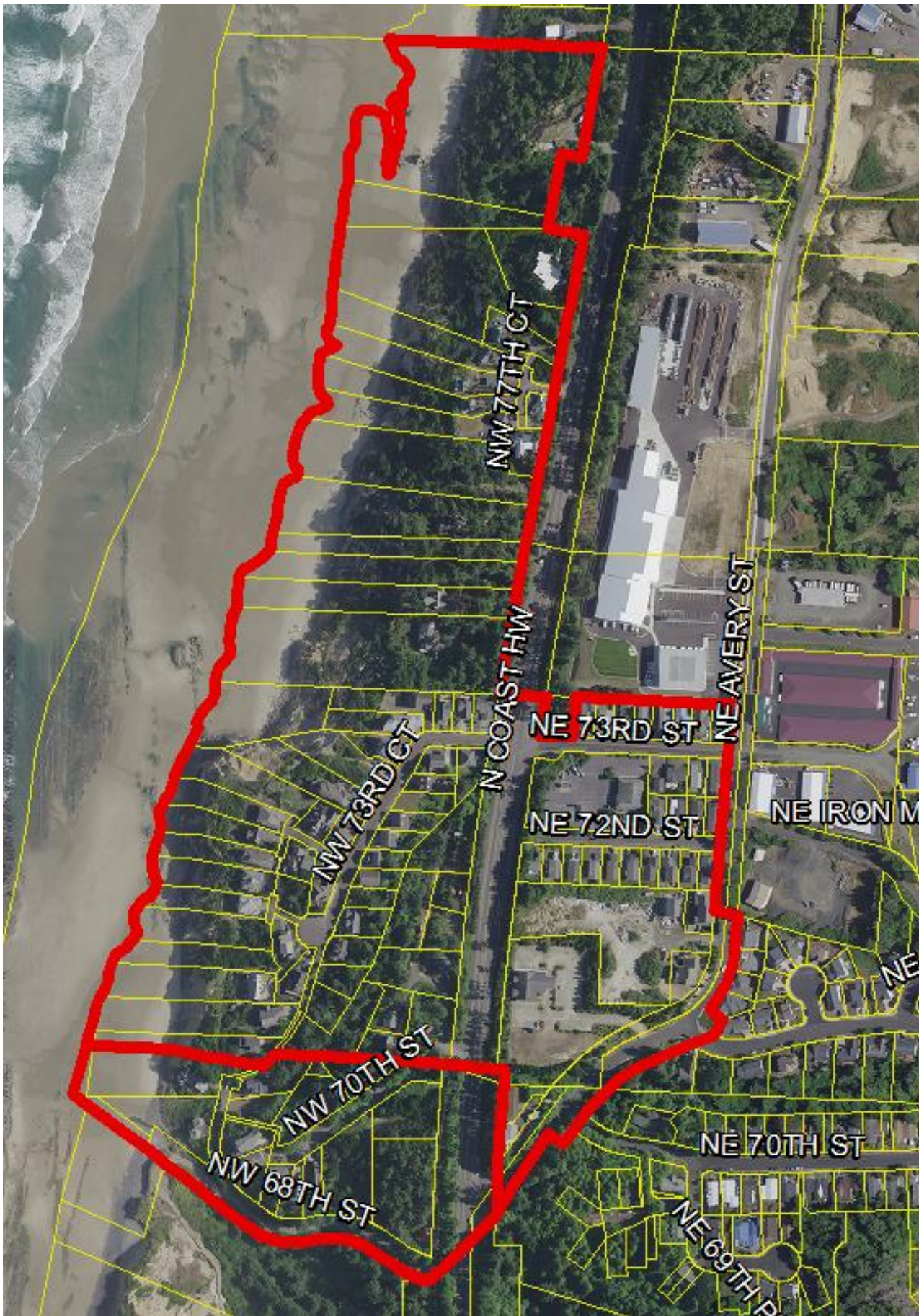
ALTHAUSER ANDREW WILLEM &
ALTHAUSER LEIA JEANTAE
318 NW 56TH ST
NEWPORT; OR 97365

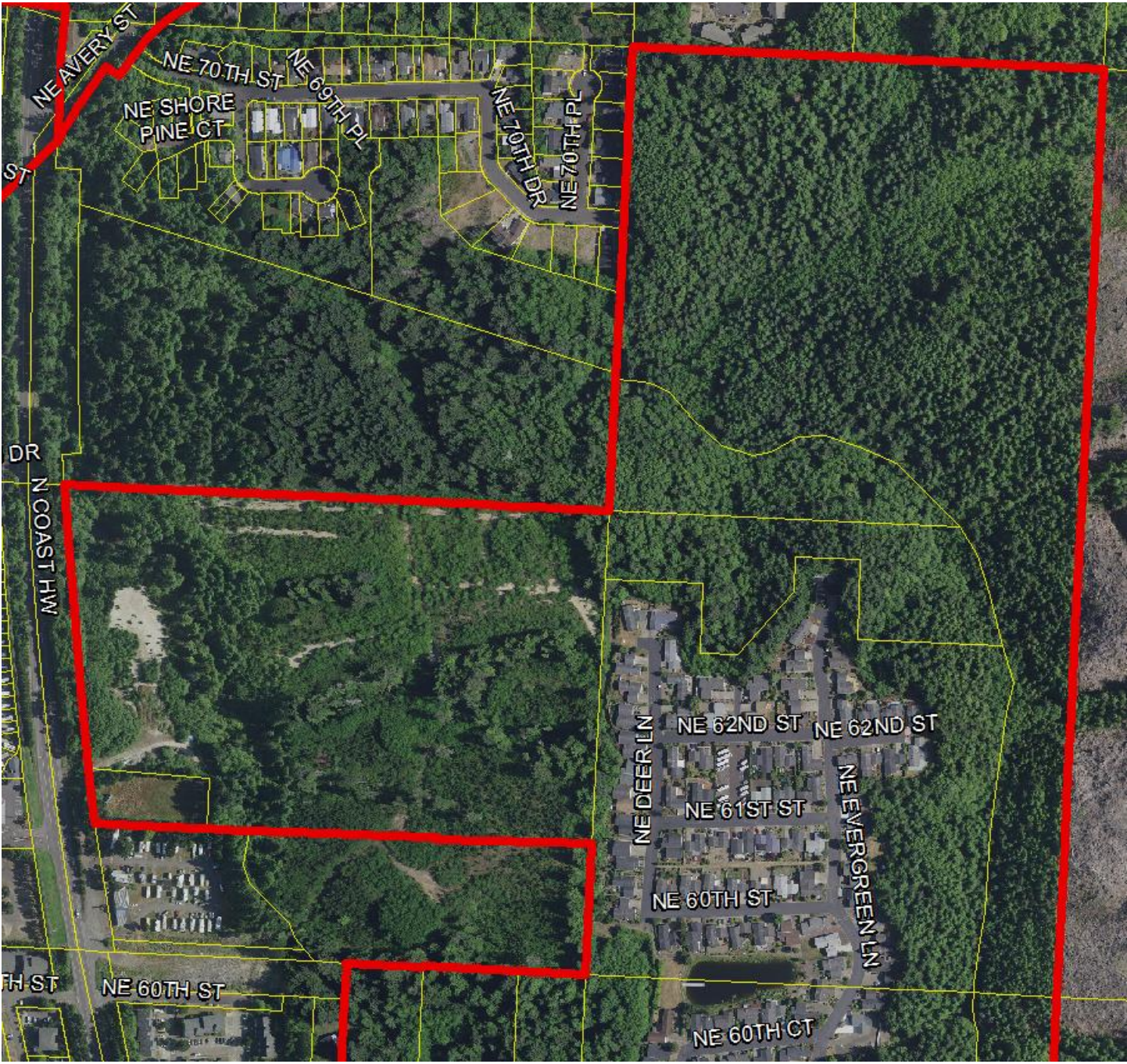
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ALTREE MARGUERITE TRUSTEE
3710 PROVIDENCE PT DR SE
APT 3302
ISSAQUAH; WA 98029

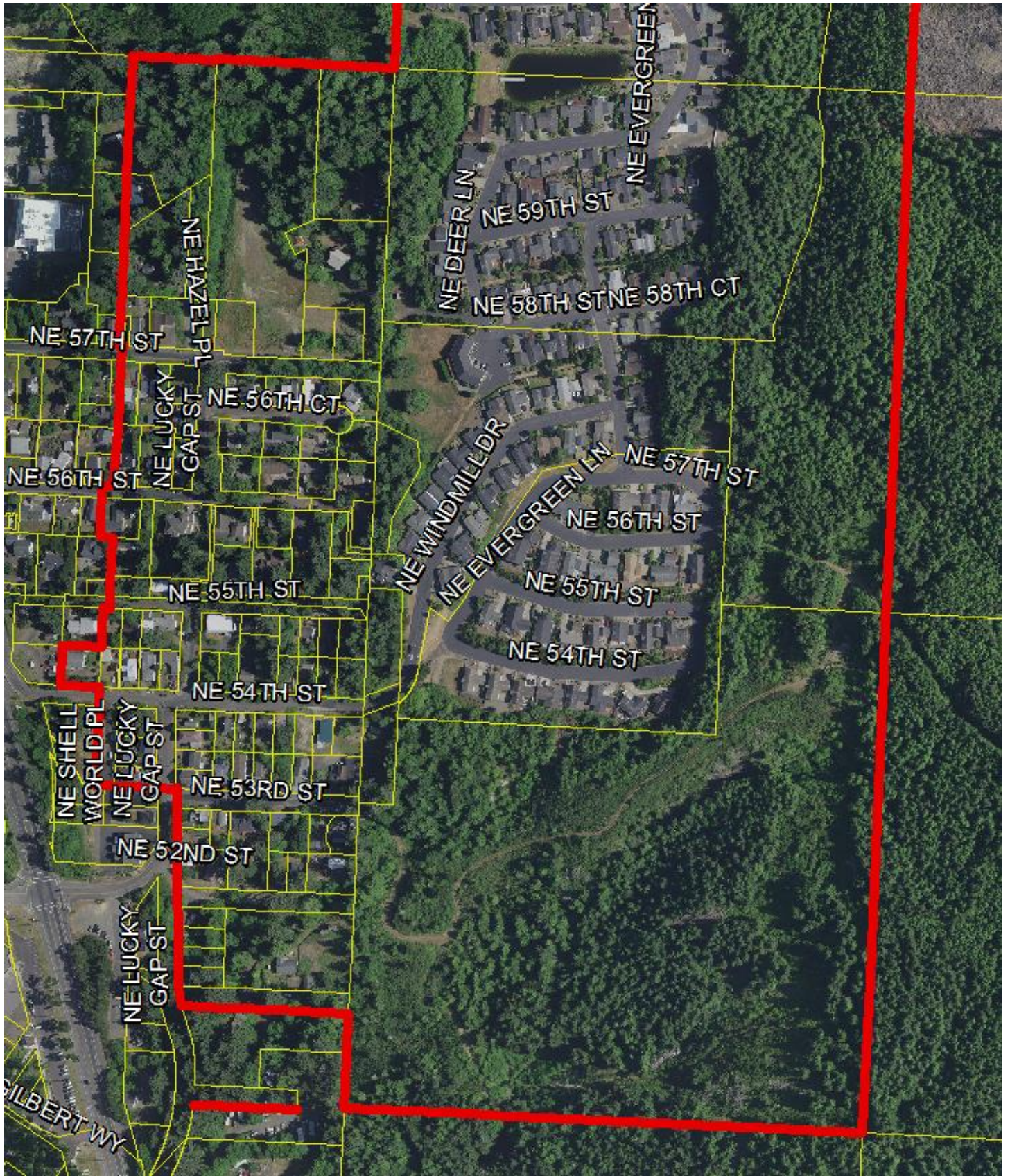
ALVES DEREK &
ALVES COURTNEY
821 SE VISTA DR
NEWPORT; OR 97365

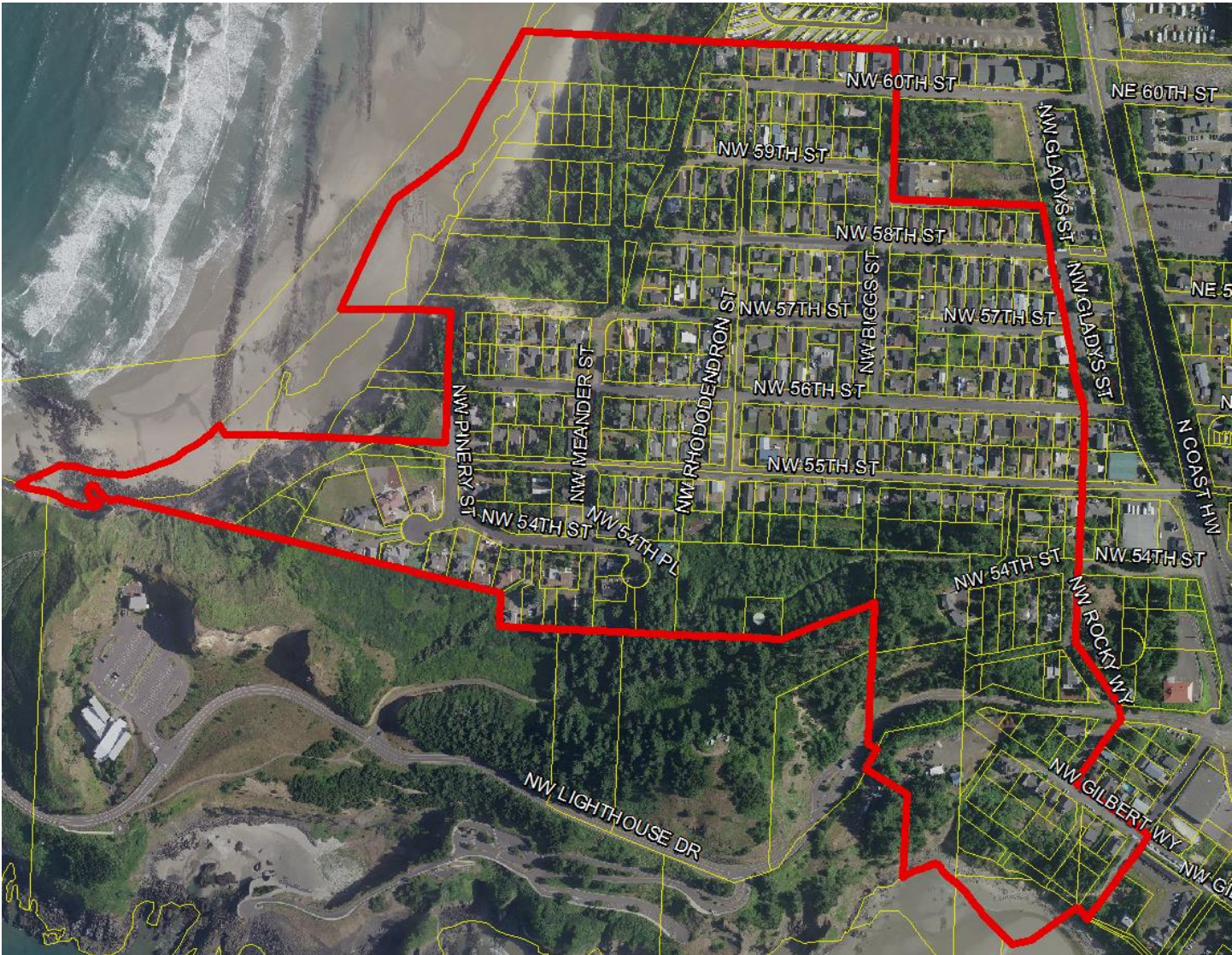
AMEN TERESA D TSTEE &
EARLE ROBERT M TSTEE
3684 FELTON ST S
SALEM; OR 97302

R-1 & R-2 Zone Notification Areas:

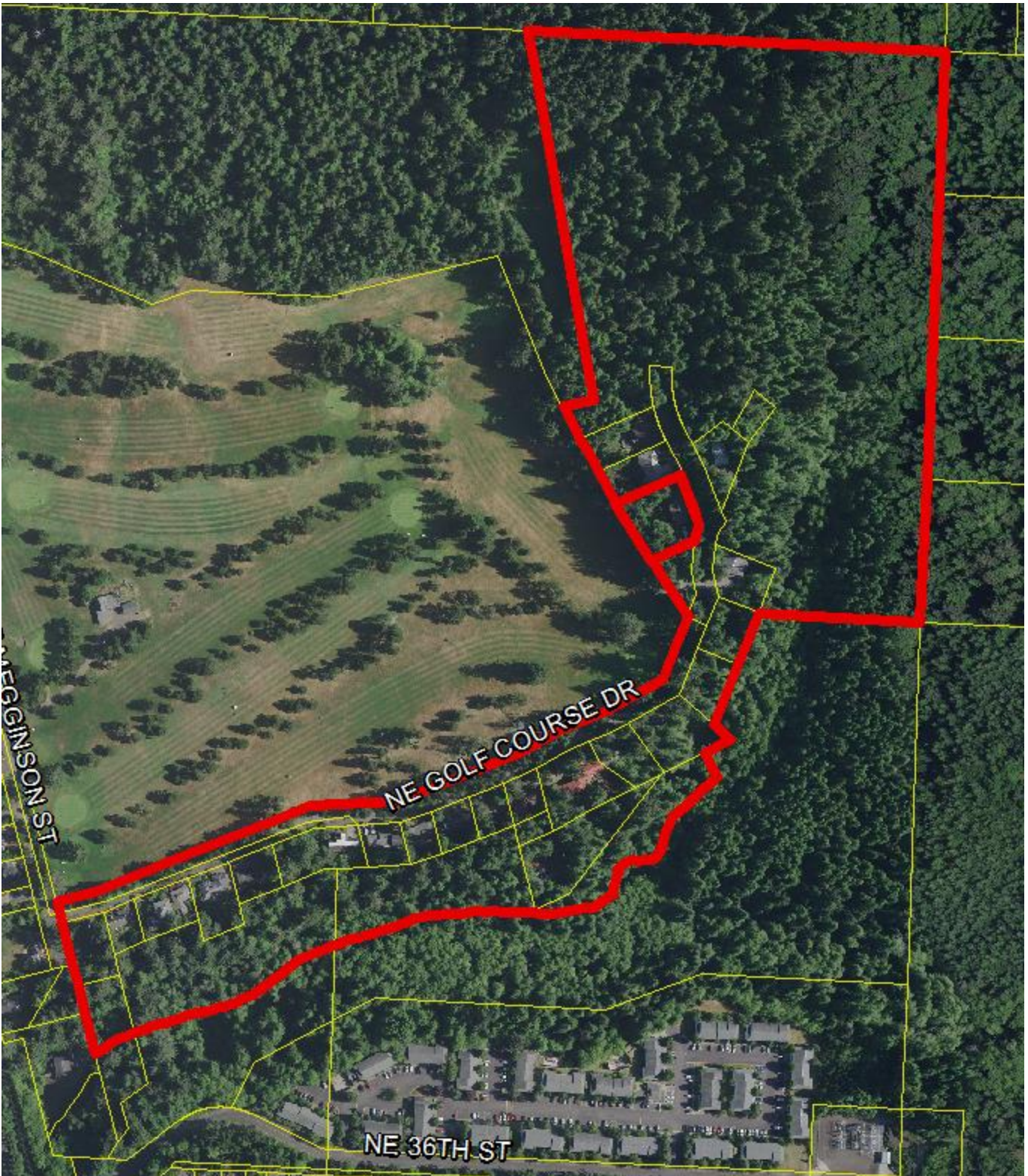










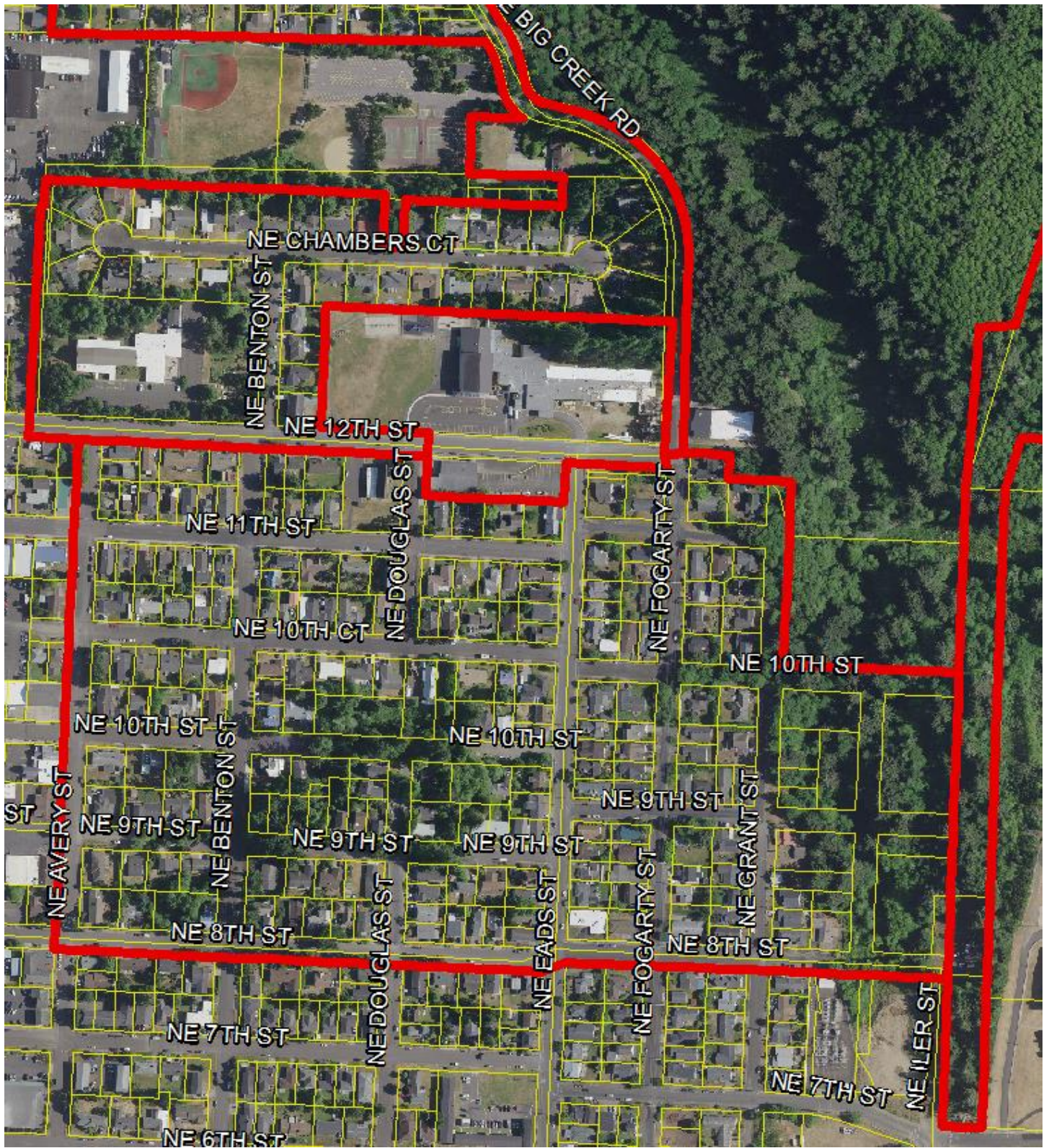


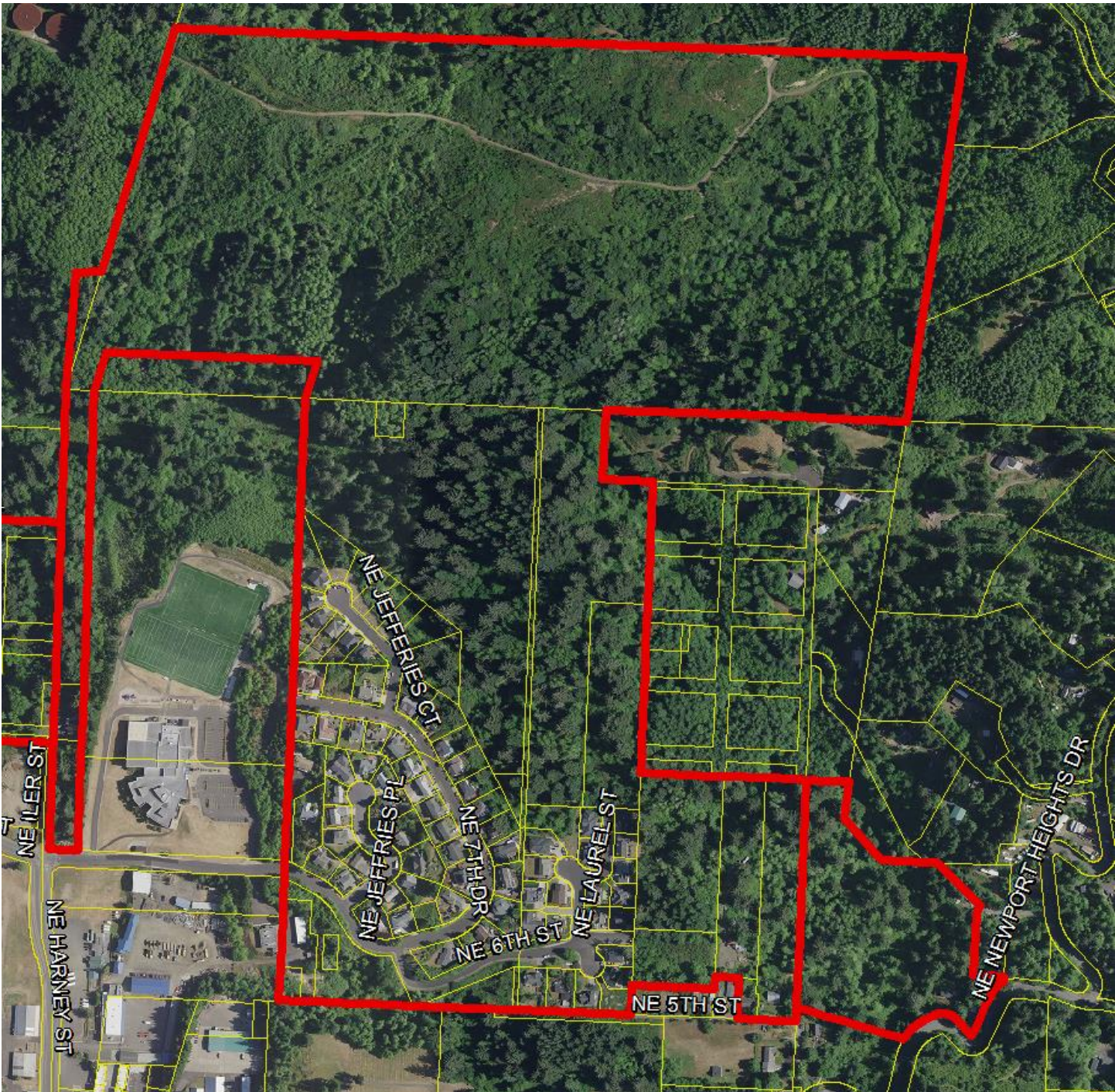




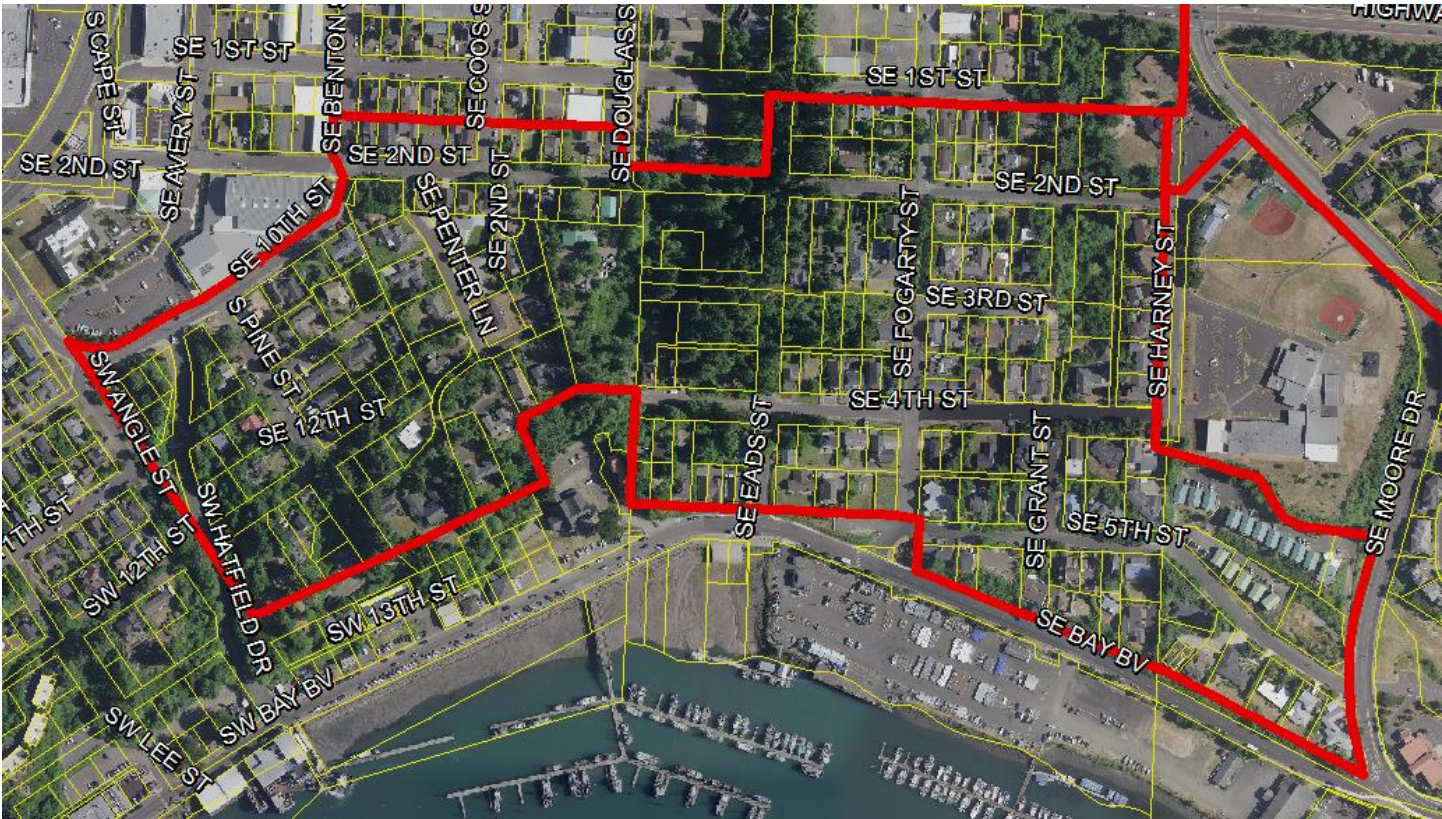




















NW Natural
ATTN: Dave Sanders
1405 SW Hwy 101
Lincoln City, OR 97367

Charter Communications
ATTN: Keith Kaminski
355 NE 1st St
Newport OR 97365

CenturyLink
ATTN: Corky Fallin
740 State St
Salem OR 97301

Central Lincoln PUD
ATTN: Randy Grove
PO Box 1126
Newport OR 97365

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DLCD Coastal Services Center
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Joseph Lease
Building Official

Rob Murphy
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Clare Paul
Public Works

Beth Young
Associate Planner

Jason Malloy
Police Chief

Mike Murzynsky
Finance Director

Laura Kimberly
Library

Michael Cavanaugh
Parks & Rec

Spencer Nebel
City Manager

Chris Janigo
Public Works

EXHIBIT 'A'
(Affected Agencies)

(4-Z-20)

Sherry Marineau

From: Dean Sawyer
Sent: Friday, April 09, 2021 1:05 PM
To: Derrick Tokos; Sherry Marineau
Subject: Fw: Contact Us - Web Form

Please add this to the Planning Commission hearing.

Dean Sawyer
Mayor of Newport
169 SW Coast Hwy
Newport, OR 97365
d.sawyer@newportoregon.gov

From:
Sent: Thursday, April 8, 2021 8:02 PM
To: City Council
Subject: Contact Us - Web Form

[WARNING] This message comes from an external organization. Be careful of embedded links.

City of Newport, OR :: Contact Us - Web Form

The following information was submitted on 4/8/2021 at 8:02:26 PM

To: City Council
Name: Shannon Nottestad

Subject: draft code amendments

Message: I support HB 2001, and the City of Newport's draft code amendments that would implement the legislation locally. The amended code would allow for the innovation in housing we need in order to address one of the most pressing problems we face as a city and a community. It supports the 2040 Vision goals that were developed based on public input. We need to make sure our children, in particular, have decent, stable shelter, and others who are most vulnerable to housing insecurity. Thank you for the opportunity to comment.

Sherri Marineau

From: Derrick Tokos
Sent: Friday, April 09, 2021 3:19 PM
To: 'Linda Shubert'
Cc: Sherri Marineau
Subject: RE: To Derrick Tokos and the Newport Planning Commission:

Hi Linda... we will pass your comments along to the Planning Commission for its consideration.

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

From: Linda Shubert
Sent: Friday, April 9, 2021 3:14 PM
To: Derrick Tokos <D.Tokos@NewportOregon.gov>
Subject: To Derrick Tokos and the Newport Planning Commission:

[WARNING] This message comes from an external organization. Be careful of embedded links.

To Derrick Tokos and the Newport Planning Commission

In Newport our roads are older, narrow, and often clogged with more and more traffic. Many of our roads already have unfilled potholes. Our local neighborhoods are overrun with tourists who are staying here in residential areas in vacation rentals that are often nothing more than unacknowledged hotels with customers coming in and out, while the rental profits are leaving the City, the County, and the State. Now, there is a suggestion to further increase housing density by changing the current zoning in R1 and R2 neighborhoods to allow for additional housing to be built on lots that already have a home or 2 on them. Many R2 properties are already “duplexes”, homes with smaller attached rental units, similar to mother-in-law quarters or guest units. If they don't already have them it's usually not feasible to add these units to the existing residences. Plus, most R-1 homes are already on small lots and off-street parking is already being utilized. To call this plan hare-brained is not polite, but this is NOT a good solution to the current housing issue and will only serve to make Newport less livable in the future.

Linda Shubert, PhD
Newport resident

Sent from my iPad

Newport needs more affordable housing

Newport is an amazing place to call home. It's also becoming out of reach for many residents to live here because of the high cost of housing.

In response to the statewide need for housing, the Oregon Legislature passed House Bill 2001 in 2019, supported by a coalition of housing advocates (including Habitat for Humanity and 1000 Friends of Oregon). The bill was designed to ensure that our communities allow a diverse range of housing options that meet the needs of residents of all incomes. Under the new law, cities with over 10,000 residents need to allow duplexes on all lots in residential zones.

As the city of Newport considers how to implement the new law, they are demonstrating a commitment to affordable housing by looking at options that go beyond the bare minimum and include new allowances for groups of smaller cottage homes — an affordable housing type that is currently not allowed under the city's land use code. Housing unaffordability affects our whole community. Many of our neighbors have to make tough choices every month between having a place to call home and other essential needs like food or medical care. The HB 2001 code amendments that the Newport Planning Commission is considering will address some of Newport's housing challenges and create a more inclusive community for generations to come.

Habitat for Humanity of Lincoln County works toward our vision by building strength, stability and self-reliance in partnership with families in need of decent and affordable housing. Habitat homeowners help build their own homes alongside volunteers and pay an affordable mortgage. HB 2001 will allow an organization like ours to build more affordable homes in our community. Because land value is one of the

greatest costs in building homes for our neighbors, finding creative ways to share those costs allows our work to have greater impact and create a stronger Lincoln County.

It's not just homes built by Habitat Lincoln County that will benefit Newport residents. Duplexes and clusters of cottage homes are inherently more affordable for everyone. According to the 2019 Lincoln County Housing Action Plan, 46 percent of households spend more than 30 percent of their income on housing (federally classified as being rent burdened) and 22 percent spend more than 50 percent of their income on housing (classified as extremely rent burdened). Many households in Newport have a member over 60 years of age, and our neighbors who want to downsize and find smaller homes are struggling to find ways to remain in the community. At the same time, over 60 percent of the homes in Newport are the most expensive housing type — single-family homes. Increasing the supply of duplexes and cottage clusters would allow more residents to find homes that meet their needs.

On Monday, April 12, the Newport Planning Commission is discussing Newport's implementation of HB 2001, and residents are invited to comment by submitting written testimony by noon on Monday to Community Development Director, Derrick Tokos at d.tokos@newportoregon.gov. You can also testify at the 7 p.m. meeting online through video conference (or in person at city hall, which has limited capacity due to COVID) by contacting Derrick. We encourage residents to make their voices heard to support solutions to housing in Newport.

Lucinda Taylor is the executive director of Habitat for Humanity of Lincoln County.

BIPARTISANSHIP IS NOT LIKELY

President Biden says he is fighting for "bipartisanship" and "unity," where liberals and conservatives think and fight for the same things. The last time that happened was during World War II. Usually liberals and conservatives think differently of what our nation needs.

President Biden has a questionable policy on our southern border where mature foreign adults and their children are housed, fed and checked that they are not sick drug users or sexlers.

This is all done for liberal votes when they all become citizens and vote, and it is also why liberals fought Mr. Trump when he wanted to build a wall along our southern border.

Thomas J Adams
Newport

INCREASED DENSITY COMING TO NEWPORT

There are two important policy options that need your input by April 12, when the next meeting of the Newport Planning commission will take place.

1. How many dwelling units should we allow on what is now an R-1 zoned lot? Oregon House Bill 2001 mandates at least two. The city of Newport has the option to allow up to three (note: old-fashioned property owners can still choose to have only one). See policy alternatives 1 and 2 on page 12 of the draft revision document (tinyurl.com/rpb2ak38). I support option 2 (maximum of two units). While doubling the unit density will obviously increase noise, traffic and parking congestion, tripling unit

density is just flat out cruel. Forget the expectation that you or your parents or kids could age in place with things on the street pretty much staying the same. That's gone. If you're intending to stay put, however, doubling is better than tripling. Unless you are an investor looking to tear down and rebuild in a beach town for an expected profit.

2. Should a developer get to count public street parking spaces for private use? I say no. The revisions contain a magical-thinking type scheme to allow R-1 developers to "count" on-street public parking spaces to meet the code's requirement for private off-street parking spaces. Under HB 2001, a duplex needs only two on-site parking spaces. HB 2001 allows but does not require cities to "incentivize" high-

density development by letting developers use public street parking to get around the on-site requirement. Let's do the math. Most of us drive. Typically, there are at least two cars per housing unit. If the lot contains the maximum number of dwelling units (e.g., three under option 1), and the minimum number of on-site parking spaces (e.g. one) this could mean up to two to six cars needing a place to park overnight on the street for each R-1 zoned lot. This translates to less parking for visitors and emergency responders, and in neighborhoods lacking sidewalks, a much heightened risk for pedestrians being hit, especially the elderly and children. Just say no.

Rose Jade
Newport

VIEWPOINT

Develop a regional project to meet future water needs in Lincoln County

My involvement with water supply projects in Lincoln County (including Newport's Big Creek Dam #2) began in the mid-1960s and continued into the early 2000s. I think Newport needs to steer clear of a new and larger dam on Big Creek and to work with the rest of Lincoln County to develop a regional project for future water supplies.

A new larger dam on Big Creek, in addition to being a mistake, would essentially kill the possibility of a more responsible regional solution. It's clear that water supply solutions can require large sums of money, and if spent on a project intended for only one part of the region, the other parts of the region will have to finance their own project(s). Separate projects will not only result in a considerably greater total construction and operation cost, but also greater environmental impacts.

An argument for Newport to replace Big Creek #2 dam with a new dam is that it has been declared to be unsafe and

likely to fail completely in a seismic event. Safety is normally measured by the threat to the lives of people located in the potential flood zone of the suddenly released reservoir. Dams that present this risk (there are many) are required to have a plan to warn and evacuate people in the event of a failing dam. The Big Creek dam is unique in that everybody potentially in the flood path of a dam failure is also in the potential path of a tsunami from the seismic event. Therefore, the alarm to evacuate is the seismic event — which can't fail to alarm everyone! It's the best possible alarm I can think of to notify all those that need to evacuate.

However, I believe the information that has been used to evaluate how the dam would behave in a seismic event (that it would fail completely) does not accurately reflect the fact that the foundation under the center of the dam was improved by a core trench excavation to remove the soft soils. That

trench was then filled with the same embankment materials used for constructing the rest of the dam. My understanding is that none of the test holes drilled for the most recent evaluation of the dam's safety were located to show this aspect of the dam construction. If this is actually the case, the present safety evaluation can't predict the dam's behavior. At a minimum, the evaluation should be performed using an accurate representation of the dam's construction and foundation conditions.

The important role for the existing dam in the event of a major seismic event is to survive to the extent that, with the aid of immediate repairs, it retains enough of the reservoir to serve as a restricted water supply during the city's restorative recovery period. A proper safety evaluation would help determine whether some action less than a dam replacement is possible to meet this goal.

There's also safety concerns relating to observed leakage. I believe

Newport has to improve their monitoring of the dam and attend to this kind of issue as normal maintenance. All dams leak, and all dam owners need a regular monitoring program to know if changes in the leakage or embankment condition indicate the need for maintenance. This kind of issue should not be allowed to suddenly become a reason to replace the dam.

Building a larger replacement dam on Big Creek would only aggravate the safety issue by placing even more developed area in the potential failure flood path. The fact that it would be a new dam built to today's standards won't change regulatory agency's safety concerns for downstream residents.

Please Newport, start the responsible process of working with Lincoln City and other water purveyors in the county to find and develop a regional water project to meet growing water needs.

Jim Fuller is a resident of Newport.



Sherry Marineau

From: Derrick Tokos
Sent: Tuesday, April 06, 2021 11:35 AM
To: Sherry Marineau
Subject: FW: Citizen Involvement Advisory Committee Application Information Session - April 9, 2021 3:30 pm
Attachments: ATT00001.txt

Please add to Planning Commission regular session agenda.

Thanks,

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

From: opn-bounces@lists.uoregon.edu <opn-bounces@lists.uoregon.edu> **On Behalf Of** Greene, Kirstin
Sent: Tuesday, April 6, 2021 11:31 AM
To: 'Planners throughout Oregon' <opn@lists.uoregon.edu>
Subject: OPN: Citizen Involvement Advisory Committee Application Information Session - April 9, 2021 3:30 pm

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Hi Planners,

Please help spread the word!

Though the state's Citizen Involvement Advisory Committee (CIAC) is limited to two practicing planners ("no more than two city, county or state elected officials or professional planners shall be appointed to the committee"...), please send this message to students and other community members who might be interested in learning more about the state's Citizen Involvement Advisory Committee. The committee meets four to six times per year.

Following Governor Brown's lead, we are trying to empanel a CIAC that as best as possible reflects the breadth of diversity in Oregon's communities.

Please find more information on the vacancies, terms and other information here:

[Department of Land Conservation and Development : Citizen Involvement Advisory Committee : About DLCD : State of Oregon](#)

Application form is here:

For those interested, we are holding an information session this Friday at 3:30 pm.

Applications are due April 18 at midnight.

Topic: CIAC Recruitment Information Session

Time: April 9, 2021 03:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

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Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



January 11, 2021 Work Session

- Initial Review of Land Use Code Amendments to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards (Carried over from 12-13-20 work session).

January 11, 2021 Regular Session

- Organizational Meeting (Elect Chair and Vice-Chair)

January 25, 2021 Work Session

- Discuss Central Lincoln PUD Comments on City's Draft Small Cell Wireless ROW Regulations
- File 5-Z-20 Second Review of Adjustments to Large Wireless and Other Telecommunications Land Use Standards. Will include Provisions for Small Wireless Facilities Outside of the Right-of-Way

January 25, 2021 Regular Session

- File 5-Z-20 Initiate Large Wireless and Other Telecommunications Land Use Standard Legislative Amendments. Will include Provisions for Small Wireless Facilities Outside of the Right-of-Way

February 8, 2021 Work Session

- File 1-CP-17, Review Results from Nov/Jan TSP Outreach, Next Steps
- Second Review of Land Use Code Amendments to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards
- Goal Setting Discussion for FY 2021/2022

February 8, 2021 Regular Session

- Initiate Legislative Process to Amend Land Use Regulations to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards

February 22, 2021 Work Session (Cancelled)

February 22, 2021 Regular Session

- Hearing File 1-SV-21, Vacate a Portion of SW 2nd Street between SW Angle and US 101 (continued to 3/8)

March 8, 2021 Work Session

- Review Council Goals for FY 2021 / 2022
- Concepts for Distribution of Affordable Housing CET Funds

March 8, 2021 Regular Session

- Continued Hearing File 1-SV-21, Vacate a Portion of SW 2nd St between SW Angle and US 101

March 22, 2021 Work Session

- Results of Transportation System Plan Regulatory Review (Tech Memo #3)
- Initial Discussion about Code Options for Lifting Restrictions on the Operation of Food Carts (Council Goal)
- Citizen Proposal to Amend W-2 Zoning to Allow Personal Service Uses (e.g. Real Estate Offices) Subject to Conditional Use Approval

March 22, 2021 Regular Session

- Hearing on File 5-Z-20, Amending NMC Chapter 14 for Large Wireless and Other Telecommunications Land Use Standards, including provisions for small wireless outside ROWs (firm)

Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



April 12, 2021

Work Session

- Yaquina Bay Estuary Management Plan Update (Presentation/Discussion)
- Review Initial Draft of Code Amendments Related to Operation of Food Trucks & Food Carts
- KPFF Assessment of Beach Accesses for Resiliency Retrofit (Informational)

April 12, 2021

Regular Session

- Hearing on File 4-Z-20 Implementing HB 2001 Duplex, Townhouse, and Cottage Cluster Standards

April 26, 2021

Work Session

- Overview of Upcoming May Prioritization Round of TSP Outreach
- Initial Review of Draft Revisions to Transportation Standards in NMC Chapters 13 and 14 Related to Transportation System Plan Update

April 26, 2021

Regular Session

- File 1-NB-21/2-CUP-21, Design Review Hearing on Hallmark's Whaler Motel Expansion
- File 1-NCU-21, Expansion of Non-Conforming Mobile Home Park from 14 to 16 Spaces (4263 S Coast Hwy)
- File 2-NCU-21, Expansion of Non-Conforming Natural Gas Facility (1702 SE Bay Blvd)

May 3, 2021

Special Joint Commission/City Council Work Session

- Transportation System Plan Project Prioritization, Transportation Standards, 2nd Round Public Outreach

May 10, 2021

Work Session/Regular Session Cancelled

- Regular Session to be Held if Second Hearing on HB 2001 Duplex, Townhouse, and Cottage Cluster Standards

May 24, 2021

Work Session

- Status Update SB / US 101 Corridor Refinement Plan
- Review DLCDCity Evaluation of Beach Access Points Prioritized for Resiliency Retrofit
- Second Review of Draft Code Amendments Related to Food Trucks & Carts

May 24, 2021

Regular Session

- Initiate Legislative Process to Amend the Newport Zoning Ordinance Related to Food Cart

June 14, 2021

Work Session

- Second Review of Draft Revisions to Transportation Standards in NMC Chapters 13 and 14 Related to Transportation System Plan Update
- Review TGM Grant Application to Update Land Use Regulations along US 101/20 Corridor and Develop Business Façade Improvement Program to Complement Recommendations in the TSP (App Due in July)
- Land Use, Building, and Urban Renewal Bill Summary from 2021 Legislative Session (may bump to July)

June 14, 2021

Regular Session

- TBD

June 28, 2021

Work Session/Regular Session Cancelled