

Staff Report
In SUPPORT of ADOPTION of
Ordinance No. 145 & 146

PAPA 24-01 & PAPA 24-02

Report Date:	November 25, 2024
Planning Commission Hearing:	December 2, 2024
Department Files:	PAPA 24-01 & PAPA 24-02
Applicant:	City of Westfir
Proposal:	Legislative Text Amendments to Westfir Development Code
DLCD Notice:	October 23, 2024
Published Notice:	November 10, 2024; November 21, 2024

I. PROPOSAL

These legislative text amendments proposed to accomplish the following:

- 1- Permit Manufactured Dwelling Parks as an outright permitted (housing) use in the Community Residential Zone.
- 2- Permit Manufactured Dwelling Parks as an outright permitted (housing) use in the High Density Residential Zone (R-3).
- 3- Adopts development standards for MDPs.
- 4- Revises or adopts new definitions related to MDPs.
- 5- Remove references to number of dogs allowed in Community Residential Zone and remove commercial pet kennels as a permitted use in the R-1, R-2, and R-3 Zones. Dogs and pets are still permitted in Westfir. The removal is to make clear that pets can only be raised for non-commercial purposes.
- 6- Removes design standards for manufactured homes located on a single-family lot, to comply with HB 4064.
- 7- Creates standards for “Public” zone. Zoning Map contains lands zoned “Public,” but there are no corresponding standards for uses in this zone. The amendments create basic development standards and lot standards for public uses (such as fire stations, city hall, critical infrastructure, etc.)
- 8- While not a text amendment, included in this application is the formal adoption of the Housing Needs Analysis (HNA) completed by Cascadia Partners in 2023. The HNA and text amendments will be adopted via ordinance consistent with the Westfir Charter. This action is under the city file # PAPA 24-02.
- 9- Related to the adoption of the HNA, the Westfir Comprehensive Plan must also be amended to include and reference the HNA as an element of Westfir’s Goal 10 Housing program. This action is under city file # PAPA24-01.

II. BACKGROUND INFORMATION

Housing Needs Analysis

Population growth is the primary factor that influences a city's housing needs and demand. Westfir has experienced a slight population decline, with 260 residents as of 2021. Over the past two decades, Westfir has grown more slowly compared to Lane County. The Portland State University (PSU) Population Research Center estimates that Westfir will add 76 new residents over the next 20 years (2021–2041).

According to the findings of the Housing Needs Analysis (HNA), Westfir has 53 acres of land available to build new housing. This is enough land to meet Westfir's 20-year housing land supply needs. Approximately 59% of this land is within the Community Residential (CR) and Single-Family Residential (R-1) zones.

The HNA found that median home values and sales prices are out of reach for many middle- and lower-income households. The Median Family Income (MFI) for Westfir is \$44,453. At the time the HNA report was written, there were zero current for-sale listings of homes affordable to households earning between 80% and 120% of the MFI.

Of the housing units built in Westfir over the past 20 years, all have been single-family detached homes. No townhomes or multifamily units were built in the last 22 years. This indicates that Westfir must plan for the development of a wider variety of housing types to meet current and future housing needs. Westfir can begin to address this issue by permitting Manufactured Dwelling Parks (MDPs) as an outright use in the High-Density Residential Zone (R-3). Amendments to the Westfir Development Code are necessary to include MDPs as a permitted use in Westfir, as they are currently not listed as a permitted use anywhere in the city.

Oregon state law, ORS 197.480, Planning for Parks, requires jurisdictions to allow MDPs as a permitted use on buildable lands within urban growth boundaries. Currently, Westfir is in violation of this law; these amendments aim to address that. Per state law, MDPs must be permitted in zones with residential densities of six to 12 units per acre. In Westfir, this corresponds to the High-Density Residential (R-3) zone. These amendments do not authorize the construction of MDPs in the R-3 zone but simply allow them if market conditions make their development feasible.

As part of these amendments, the Westfir City Council is also taking formal action to adopt the HNA completed by Cascadia Partners, dated June 2023. The HNA will be adopted by ordinance and incorporated into Westfir's Comprehensive Plan as a component of the residential element and Goal 10.

Public Uses Zone

A continuing problem Westfir faced was that the Westfir Zoning Map included properties zoned Public, but there was no corresponding section in the Westfir Development Code governing development in that zone. These amendments address that issue. Included in the text amendments is the creation of a new subsection of Chapter 12 of the Westfir Development Code. The new Public (X) standards will be integrated into the existing Parks, Recreation, and Open Space chapter. The new Public (X) section will be Chapter 12A. This new Chapter 12A will include numerous permitted public uses and public structures essential to city government and public safety. Development of new uses in Chapter 12A will be subject to Site Plan Review conducted by the Westfir Planning Commission. Minimal and basic lot standards will be introduced, and off-street parking will be handled on a case-by-case basis for each new use or structure, ensuring that the off-street parking requirements align with the specific needs of the use or structure.

Dogs

Remove references to number of dogs allowed in Community Residential Zone and remove commercial pet kennels as a permitted use in the R-1, R-2, and R-3 Zones. Dogs and pets are still permitted in Westfir. The removal is to make clear that pets can only be raised for non-commercial purposes.

Manufactured Homes

A change in state law now prohibits standards placed on manufactured homes that are not also applied to regular stick-built single-family homes. What this means is that Westfir's design standards for manufactured homes are now unlawful and will be removed. The only remaining standard for manufactured homes is that they must meet the thermal envelope requirements of the building code. By virtue of this requirement, many older manufactured homes will naturally be excluded from being placed in Westfir, as typically only newer and modern manufactured homes are able to meet thermal envelope standards.

III. APPLICABLE APPROVAL CRITERIA & FINDINGS OF FACT

Chapter 24 Amendments

[...]

24.2.0 Initiation of Amendments. An amendment to the text of this Code or to the zoning map and/or to the Comprehensive Plan map or text may be initiated by:

A. Motion of the Planning Commission

B. Motion of the City Council

FINDING: The proposed text amendments were initiated by the Westfir City Council at its July 1, 2024 meeting.

Chapter 24.4.0 Action by the Planning Commission

A. Upon filing application for an amendment as described in Section 23.3.0, or upon motion of the City Council or Planning Commission for the initiation of an amendment, the matter shall automatically be referred to the Planning Commission and a public hearing shall be held on the matter for which notice shall be given as provided in Chapter 3. In open meeting, the Planning Commission shall recommend the approval or disapproval of the amendment. The recommendation shall be reported to the City Council by filing the recommendation with the City Recorder. No further action need be taken by the City Council.

B. The report and recommendation of the Planning Commission shall be made within 90 days after the filing of the application; provided that such time limit may be extended upon the mutual agreement of the parties having an interest in the proceedings. Failure of the commission to report within 90 days shall be deemed a recommendation of approval.

FINDING: The Westfir Planning Commission held a public hearing on PAPA 24-01 & PAPA 24-02 on December 2, 2024. After hearing public testimony, the Westfir Planning Commission closed the public hearing and entered deliberations. Westfir Planning Commission passed a motion to recommend approval of PAPA 24-01 & PAPA 24-02 onto Westfir City Council for final action and adoption.

Action by the City Council.

A. Hearing before City Council. Upon receipt of the report of recommendation from the Planning Commission, or upon the expiration of the 90-day period, a public hearing is automatically set for the next regular City Council meeting following the receipt of the report; provided, however, that the Council may, by motion, set the date of such public hearing at such other time or at such other place it desires, or may decline to proceed further with the proposed zone change or amendment. Notice of the public hearing shall be given as provided in Section 3.2.5.

B. At the conclusion of the public hearing, the Council may enact a Code granting the zone change or amendment, or may make any changes the Council deems appropriate to the proposed zone change or amendment, or may decline to adopt the zone change or amendment. The Council should seek to render its decision within 60 days after the receipt of the report and recommendation of the Planning Commission or the expiration of the 90-day decision period in Section 24.4.0(B).

C. If the Council proposes to adopt an amendment that is substantially altered from the recommendation of the Planning Commission, the Council may refer the

amendment back to the Commission for report and recommendation. The Commission shall consider the referral within 30 days of receipt.

D. Except as set forth herein, in order for the City Council to adopt a Code for an amendment to this Code, Comprehensive Plan document and/or map, findings must be made and adopted as a part of the Code that are adequate to support the amendment proposal. It must be found that the amendment complies with and conforms to the Comprehensive Plan goals, policies, and generalized land use map.

FINDING: City Council held a public hearing to receive and deliberate on the Planning Commission’s recommendation on December 11, 2024.

24.7.0 Standards for Granting Approval.

A. The proposed zone/district change is in conformance with the Comprehensive Plan and will not have a significantly adverse effect upon adjoining lands and uses.

FINDING: To address approval criterion (A), staff turn to a review and discussion of relevant portions of the Westfir Comprehensive Plan.

A. Citizen Involvement Strategy (Statewide Planning Goal 1)

Policy 1.2: Conduct public hearings for plan adoption as provided for in the Oregon Revised Statutes and applicable City ordinances.

Policy 1.3: Adopt Comprehensive Plan revisions by ordinance of the City and Lane County.

Policy 1.6: Involve the Citizens Advisory Council when the City initiates any change or update, including Periodic Review, to the Comprehensive Plan text or diagram. Involve the Planning Commission in all other types of changes or updates.

FINDING: PAPA 24-01 and PAPA 24-02 are consistent with Policy 1.2, 1.3, and 1.6, of the Westfir Comprehensive Plan because the Westfir Planning Commission is holding a public hearing on the proposed amendments and once final, the amendments will be duly adopted via ordinance. There is no longer a Citizens Advisory Council.

B. Land Use Strategy (Statewide Planning Goal 2)

Policy 2.3: Provide for factory-constructed housing units to be integrated into the housing inventory as provided for in the zoning ordinance.

FINDING: Policy 2.3 directs that factory-constructed, which manufactured homes are, be integrated into Westfir’s housing stock.

J. Housing Strategy (Statewide Planning Goal 10)

Policy 10.3: At such time that 2000 Census of Population and Housing data becomes available, the City Council will assess low-income housing needs and programs that may fulfill these needs.

FINDING: It is unknown if City Council ever assessed the 2000 Census of Population and Housing data to assess low-income housing needs, but they have the opportunity to do so now. One of the primary drivers of permitting MDPs is to permit housing types for lower-income households. PAPA 24-01 and PAPA 24-02 accomplish this.

Policy 10.6: Through land use policies of the Comprehensive Plan, provide a balanced inventory of developable residential lands to accommodate anticipated housing needs that offer housing choices and development flexibility.

FINDING: Inclusion of MDP as a permitted use in the R-3 and CR zones provides an alternative housing type that may be more affordable and flexible for Westfir residents to obtain.

Policy 10.7: Integrate manufactured housing and multi-family units into the Westfir housing inventory through development guidance and zoning administration to broaden community housing choice.

FINDING: Policy 10.7 is perhaps the most applicable and relevant housing policy for the inclusion of MDP in Westfir. This policy directs Westfir to integrate, through zoning administration, manufactured housing units into the community to broaden housing choice. PAPA 24-01 and PAPA 24-02 do precisely that.

B. A determination of why the area is not usable as presently planned and zoned, which may establish a basis for revision of the Comprehensive Plan, precedent to consideration of the zone/district change.

FINDING: This criterion is not directly applicable to PAPA 24-01 or PAPA 24-02. The amendments do not deal with any areas of Westfir that are not usable as planned and zoned. However, the areas zoned Public (X) can arguably be said to be not usable because there are no corresponding development standards in the WDC for which development proposal must conform to. A portion of these amendments fix that issue. The remainder of the amendments seek to include a new housing type as a permitted use in Westfir and to perform general clean-up of the WDC.

C. The uses and density that will be allowed by the change can be served through the orderly and efficient extension of key urban services and are consistent with the principles of compact and sequential growth.

FINDING: Per state law, MDPs must be permitted in zones that contain a density between 6–12 dwelling units per acre. Westfir does not have clearly established densities for each of its zoning districts, but this density can be accommodated in the R-3 and CR zones in Westfir. The amendment to permit MDPs in the R-3 and CR zones does not mean that they will necessarily be constructed any time soon, or ever, rather, Westfir is just making MDPs a permitted housing type consistent with state law. Any development proposal for a MDP will have to be able to show adequate provision and efficient extension of key urban services, such as water, sewer, and transportation facilities.

IV. CONCLUSION

Staff recommend Planning Commission recommend approval of PAPA 24-01 and PAPA 24-02 onto City Council for final action.

Motions available to the Planning Commission:

1. Recommend denial to the City Council.
2. Recommend approval to the City Council.
3. Continue the public hearing to a date certain to consider applications further (staff can advise options with respect to a continuance).

V. EXHIBITS

Exhibit A to Staff Report – Redlined Amendments to WDC

Exhibit B to Staff Report – Redlined Amendments to WCP

Exhibit C to Staff Report – Housing Needs Analysis Report

Draft ordinances will be prepared for City Council consideration ahead of the City Council public hearing and the staff report will be turned into the official Findings of Fact document supporting the decision of the City Council.