

**PORT ORFORD PLANNING COMMISSION AGENDA**  
**GABLE CHAMBERS, PORT ORFORD CITY HALL**  
**REGULAR MEETING**  
**Tuesday, January 14<sup>th</sup>, 2024, 3:30 PM**

**If unable to join in person; please join the meeting from your computer, tablet or smartphone.**

<https://meet.goto.com/614019677>

**You can also dial in using your phone.**

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

United States: [+1 \(571\) 317-3166](tel:+15713173166)

**Access Code: 614-019-677**

1. Call to Order
2. Chair Comments - Resignation of Cory Aschauer
3. Minutes December 10<sup>th</sup>, 2024 (pg. 2-5)
4. Public Comments (On Agenda Items Only)
5. Planning Matters: DLCDC Grant Items for Discussion: Topics for discussion are highlighted in blue in the draft code. (pg. 6-9 + Attachment)
  - A. In 1-R (17.12.010 B. Outright use) & 2-R (17.12.020 B. Outright use): Private stable where the building site is one acre or more. Change to be Conditional Use or Remove.
  - B. In 1-R (17.12.010 B. Outright use): Residential Care Facility. Change to Conditional Use or Remove.
  - C. In 4-C (17.12.030) B. Outright use: Wholesale, trucking, and storage establishment. Replace “and” with “or”.
  - D. In Chapter 17.33 Site plan review modifications a the role of site plan review in the Battle Rock (10 -MU) zone.
6. Discussion Items
  - A. Planning clearances approved since the last meeting
  - B. Chapter 15.08.010 Set Back Requirements
7. Other Business
  - A. City Planner Comments
  - B. Planning Commission Comments
8. Public Considerations
9. Future Meetings
  - A. February 11<sup>th</sup> @ 3:30
10. Adjourn

## *Item 4: Minutes for the December 10<sup>th</sup> 2024 Planning Commission Meeting*

---

**Cit City of Port Orford  
Planning Commission Meeting Minutes  
In the Gable Chambers / Virtual participants  
Tuesday, December 10<sup>th</sup>, 2024 at 3:30 P.M.**

<b>Commission Member</b>	<b>Present</b>	<b>City Staff</b>	<b>Present</b>
<i>Chariman Greg Thelen (GT)</i>	Present	<i>Joseph Harrison, Planning Tech. (JH)</i>	Present
<i>Comm Jerry Boydston (PB)</i>	Present	<i>Crystal Shoji, City Planning Director (CS)</i>	Virtual
<i>Comm Sara Lovendahl (SL)</i>	Present		
<i>Comm Carol Lawton (CL)</i>	Present		
<i>Comm Cory Aschauer (CA)</i>	Excused		

*The minutes were prepared using the video available at:  
<https://www.youtube.com/watch?v=CIIO8mm5VHk>*

- 1. (0:01) Call to Order**
  - A. Chair Thelen called to order this Meeting of the Planning Commission on **December 10<sup>th</sup>**, 2024, at **(3:40)** p.m. with a roll call showing all members are present.
- 2. (0:01) Chair Comments**
  - A. New Commissioner Cory Aschauer (CA) could not make it today, she is excused. The Planning Commission welcomes her as a new member.
- 3. (0:02) October 8<sup>th</sup> Minutes**
  - A. Commissioner CL motions to approve minutes from October 8<sup>th</sup>,2024
  - B. Commissioner SL seconds the motion to approve from October 8<sup>th</sup>,2024
  - C. Vote: Motion carries unanimously among present members 4-0-1 @ 3:41

*Chairman Thelen Yes                      Commissioner Head Yes    Commissioner Lawton  
Yes Commissioner Boydston Yes    Commissioner Aschauer    Excused*

4. **(0:02) November 12<sup>th</sup> Minutes**
- A. Commissioner CL motions to approve minutes from November 12<sup>th</sup>,2024
  - B. Commissioner SL seconds the motion to approve from November 12<sup>th</sup>,2024
  - C. Vote: Motion carries unanimously among present members 4-0-1 @ 3:41

***Chairman Thelen Yes Commissioner Head Yes Commissioner Lawton Yes Commissioner Boydston Yes Commissioner Aschauer Excused***

5. **(0:02) Public Comments (On Agenda Items Only)**
- A. None
6. **(0:02-1:35) Planning Matters DLCD Grant Update:** Senior Planner CS & Chairman GT state the Department of Land Conservation and Development (DLCD) public hearing will be in February for the Planning Commission and in April for the City Council. The Commission then reviews the most recent proposed code updates – a full version of the discussed list can be found at:

<http://portorford.org/wp-content/uploads/2024/12/2024-DRAFT-Ongoing-Consolidated-Code-Updates-for-12-10-24-1-1.pdf>

<http://portorford.org/wp-content/uploads/2024/12/2024-DRAFT-Ongoing-Consolidated-Code-Updates-for-12-10-24-1-1.pdf>

- A. **(0:03-1:05) Main topics** of discussion were; Restrictions on ADU's (land size, housing type, ect.), Conditional Uses in the various zones, and Definitions.
- B. **(1:05-1:27) Site plan review:** Section 17.33.020 Large Structures in Battle Rock Mixed Use Zone will be replaced with a general Site Plan Review for all zones on projects with a footprint over 2000 sqft. The Planning Commission discusses enforcement and inter-agency responsibilities with Curry County.
- C. **(1:27-1:28) Other** – Discussed during Main topics.

7. **(1:35-1:40) Discussion Items**
- A. **Planning clearances that have been approved since the last meeting**
- i. Planning Clearances Approved since the last meeting: Demo permit on an Idaho St. property and two additional in process.
  - ii. CUP 2023-02 Have reported the progress on the project. They have completed the demolition of the accessory structure and submitted a tentative PLAT; which was the minimum requirement for not needing to file for an extension as per condition 5.
- B. **Application for appointment: Greg Thelen**
- i. Commissioner CL motions to approve Greg Thelen’s application for appointment
  - ii. Commissioner SL seconds the motion to approve GT's application for an appointment
  - iii. Vote: Motion carries unanimously among present members 4-0-1 @ 3:41

*Chairman Thelen Yes                      Commissioner Head Yes      Commissioner Lawton  
Yes Commissioner Boydston Yes      Commissioner Aschauer      Excused*

8. **(1:40) Other Business**
- A. **City Planner Comments – None**
- B. **Planning Commission Comments - None**
9. **(1:40) Public Considerations - None**
10. **(1:41) Future Meetings**
- A. **January 14<sup>th</sup> @ 3:30**

- 11. (1:42) Adjourn
  - A. Seeing no other business Chair GT adjourns the meeting at @ 5:22 pm

12. Attest:

\_\_\_\_\_  
Chair, Greg Thelen

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Recorder, Joseph Harrison

\_\_\_\_\_  
Date

## *Item 6: Ongoing Housing Code Updates for Planning Matters: DLCD Grant Items for Discussion*

---

The full ongoing code revisions is available for download as a .zip file at:

<http://portorford.org/wp-content/uploads/2025/01/2025-DRAFT-Ongoing-Consolidated-Code-Updates-for-1-14-25.zip>

<http://portorford.org/wp-content/uploads/2025/01/2025-DRAFT-Ongoing-Consolidated-Code-Updates-for-1-14-25.zip>

## *Item 6: Paperwork for Planning Commission review regarding Residential homes and facilities.*

---

### SPECIAL RESIDENCES

**197.660 Definitions.** As used in ORS 197.660 to 197.670, 215.213, 215.263, 215.283, 215.284 and 443.422:

(1) “Residential facility” means a residential care, residential training or residential treatment facility, as those terms are defined in ORS 443.400, that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

(2) “Residential home” means a residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

(3) “Zoning requirement” means any standard, criteria, condition, review procedure, permit requirement or other requirement adopted by a city or county under the authority of ORS chapter 215 or 227 that applies to the approval or siting of a residential facility or residential home. A zoning requirement does not include a state or local health, safety, building, occupancy or fire code requirement. [1989 c.564 §2; 1991 c.801 §6; 2001 c.900 §47; 2005 c.22 §145; 2009 c.595 §174]

**197.663 Legislative findings.** The Legislative Assembly finds and declares that:

(1) It is the policy of this state that persons with disabilities and elderly persons are entitled to live as normally as possible within communities and should not be excluded from communities because their disability or age requires them to live in groups;

(2) There is a growing need for residential homes and residential facilities to provide quality care and protection for persons with disabilities and elderly persons and to prevent inappropriate placement of such persons in state institutions and nursing homes;

(3) It is often difficult to site and establish residential homes and residential facilities in the communities of this state;

(4) To meet the growing need for residential homes and residential facilities, it is the policy of this state that residential homes and residential facilities shall be considered a residential use of property for zoning purposes; and

(5) It is the policy of this state to integrate residential facilities into the communities of this state. The objective of integration cannot be accomplished if residential facilities are concentrated in any one area. [1989 c.564 §3; 2007 c.70 §54]

**197.665 Locations of residential homes.** (1) Residential homes shall be a permitted use in:

(a) Any residential zone, including a residential zone which allows a single-family dwelling; and

(b) Any commercial zone which allows a single-family dwelling.

(2) A city or county may not impose any zoning requirement on the establishment and maintenance of a residential home in a zone described in subsection (1) of this section that is more restrictive than a zoning requirement imposed on a single-family dwelling in the same zone.

(3) A city or county may:

(a) Allow a residential home in an existing dwelling in any area zoned for farm use, including an exclusive farm use zone established under ORS 215.203;

(b) Impose zoning requirements on the establishment of a residential home in areas described in paragraph (a) of this subsection, provided that these requirements are no more restrictive than those imposed on other nonfarm single-family dwellings in the same zone; and

(c) Allow a division of land for a residential home in an exclusive farm use zone only as described in ORS 215.263 (9). [1989 c.564 §4; 2001 c.704 §5]

**197.667 Location of residential facility; application and supporting documentation.** (1) A residential facility shall be a permitted use in any zone where multifamily residential uses are a permitted use.

(2) A residential facility shall be a conditional use in any zone where multifamily residential uses are a conditional use.

(3) A city or county may allow a residential facility in a residential zone other than those zones described in subsections (1) and (2) of this section, including a zone where a single-family dwelling is allowed.

(4) A city or county may require an applicant proposing to site a residential facility within its jurisdiction to supply the city or county with a copy of the entire application and supporting documentation for state licensing of the facility, except for information which is exempt from public disclosure under ORS 192.311 to 192.478. However, cities and counties shall not require independent proof of the same conditions that have been required by the Department of Human Services under ORS 418.205 to 418.327 for licensing of a residential facility. [1989 c.564 §5; 1991 c.801 §8; 2001 c.900 §48; 2003 c.86 §15]

**197.670 Zoning requirements and prohibitions for residential homes and residential facilities.** (1) As of October 3, 1989, no city or county shall:

(a) Deny an application for the siting of a residential home in a residential or commercial zone described in ORS 197.665 (1).



(b) Deny an application for the siting of a residential facility in a zone where multifamily residential uses are allowed, unless the city or county has adopted a siting procedure which implements the requirements of ORS 197.667.

(2) Every city and county shall amend its zoning ordinance to comply with ORS 197.660 to 197.667 as part of periodic land use plan review occurring after January 1, 1990. Nothing in this section prohibits a city or county from amending its zoning ordinance prior to periodic review. [1989 c.564 §6]

**197.675** [1989 c.964 §4; repealed by 2001 c.613 §1]