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CITY OF JEFFERSON
City Council & Planning Commission
Joint Worksession
September 7, 2023
6:30pm

RULES OF CONDUCT FOR PUBLIC MEETINGS

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting.

The above listed meeting will be held in person at City Hall and virtually on Zoom. Masks are optional. To join the meeting on a PC, laptop, or other device, click the link and enter the password provided.
<https://us06web.zoom.us/j/85801901841?pwd=RXc1T29vSVh6Y2FsODFFQzBwQWpCZz09>

To join by phone/audio, dial (253) 215 8782 and enter the same password.

Meeting ID: 858 0190 1841 Passcode: 518260

Further accommodation requests should be made to City Hall in advance of the meeting. Meeting materials are available on the City's website: jeffersonoregon.org, or can be provided by other means upon request. Additional information may be obtained by contacting City Hall.

AGENDA

- I. CALL TO ORDER/FLAG SALUTE**
- II. JOINT WORKSESSION TOPICS**
 - A. Jefferson Development Code Review & Discussion on Potential Amendments
- III. APPROVAL OF ACCOUNTS PAYABLE – 1st half of September 2023**
- IV. VISITORS**
- V. ADJOURNMENT**

Posted: August 31, 2023
Sarah Cook
City Manager/Recorder

Equal Opportunity Employer & Provider

MEMORANDUM

TO: City of Jefferson City Council and Planning Commission

FROM: Scott Whyte, Contract City Planner, Mid-Willamette Valley Council of Governments

DATE: September 1, 2023

RE: Staff omnibus code amendment proposal (Jefferson Development Code) in response to State statute changes (effective or to become effective) via land use bills passed by the Oregon State Legislature during the 2022 and 2023 sessions.

I. Summary Issue.

Certain land use bills passed by the Oregon State Legislature during the 2022 and 2023 sessions preempt the ability to administer and enforce specific city code standards found in Jefferson Development Code. Also, certain land use bills have introduced new land use descriptions, terminology, and regulations that the Jefferson Development Code does not address. Code updates are recommended by staff accordingly.

II. Staff Omnibus Code Amendment Proposal – Comments and Recommendation

Staff refer to Exhibit A of this memorandum, titled *2023 Land Use Legislation Report*, dated August 25, 2023, prepared by the State Department of Land Conservation and Development (DLCD). In response to the DLCD report, city staff observe the need to change certain provisions of the Jefferson Development Code. Not all bills shown to the DLCD memo apply to Jefferson. To this memo, city staff focuses comments and recommendations to recently adopted land use bills that are applicable to Jefferson.

HB 4064 – Siting Manufactured Homes and Prefabricated Structures (from 2022 session).

Staff Comment: See Exhibit B of this memo for full description of this bill (Enrolled version). Below is a key provision in Section 197.314 of Oregon Revised Statutes. House Bill (HB) 4064, adopted in the 2022 legislative session, changed ORS 197.314(subsection 4) to read as follows:

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

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

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

Staff Recommendation: Change Section 12.60.070 of the Jefferson Development Code, titled *Manufactured homes outside manufactured/mobile home parks*, as follows:

- a. Remove all standards specific to manufactured homes and replace with standard requiring certification from manufacturer as (b) of ORS 197.314(4) describes.
- b. Review residential design standards in 12.20.060 (R zones) and “design of single-unit dwellings” in 12.30.150 (MU zones). Clarify how these standards are applicable to all single-unit dwellings, including manufactured dwellings.
- c. Review current Jefferson Development Code definitions shown for “manufacture home” and “mobile home” to ensure consistency with State statute definitions; update as necessary.

HB 2001 – Oregon Housing Needs Analysis (from 2023 session).

Staff Comment: This bill is different from the bill adopted in year 2019 (with same “HB 2001” number). HB 2001 (from 2023 session) creates several new provisions in ORS 197.286 to 197.314, related to the methodology for conducting Housing Needs Analysis. Rulemaking is expected to follow in 2024.

Staff Recommendation: Apply for a future grant via DLCDC (date TBD) to fund Housing Need Analysis. After securing funds and refining scope of work with hired land use consultant (grant funded) appoint Technical Advisory Committee and initiate legislative proceedings (an amendment to the Jefferson Comprehensive Plan). Through committee recommendation, subsequent hearings and eventual adoption, the city would produce a new 20-year forecast for housing needs with goals, policies, and strategies for implementation.

HB 3395 – Housing Omnibus Bill (from 2023 session).

Staff Comments: See attached DLCDC summary. This bill requires cities between 2,500 – 10,000 residents to adopt ordinances allowing duplexes on any lot zoned for residential use that allow single family detached housing by June 30, 2025. In part, Jefferson Ordinance No. 728 (adopted earlier this year) changed duplex from a conditional use listed in the R-1 zone, to a use permitted outright (like that for single-family detached). Certain code changes remain necessary for full statutory compliance. Also, staff observe HB 3395 to introduce new land use descriptions, terminology, and regulations that Jefferson Development Code does not address.

Staff Recommendation: As part of same omnibus code amendment proposal, in review of HB 3395:

- a. Change certain development standards that pertain to duplex that are different from single-family detached (e.g., in Section 12.20.020, lower two-family dwelling minimum lot size from 8,000 square feet to 6,000 square feet, for consistency with minimum shown for single-family dwelling).
- b. Add use description to table in 12.12.040 (under “C” column, for Commercial zone) and Section 12.30.030 (MU zones) to allow “Residential structures subject to an affordable housing covenant as provided in ORS 456.270 to 456.295 (pertaining to state affordable housing criteria); similarly, to “C” column add “Mixed use structures with ground floor commercial units and residential units subject to an affordable housing covenant as provided in ORS 456.270 to 456.295.”
- c. Review Municipal Code for consistency with bill provisions that require local governments to approve emergency shelters subject to certain conditions and operated by a local government, non-profit, religious corporation, or housing authority located on any property within the UGB.

- d. Add use description to table in 12.12.040 (under “R-1”, “R-2” and “R-3” columns, for residential zones) to allow “Single Room Occupancy” as new definition (via HB 3395) “A residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.” Add reference to ORS 197.286 to 197.314. for density provisions.

HB 2889 – Oregon Housing Needs Analysis Recommendations (from 2023 session).

Staff Comment / Recommendation: No action is necessary now. Future city HNA (via legislative amendment, date TBD) to apply new methodology this bill describes (associated with HB2001, above).

HB 2898 – Extending Time for Siting Recreational Vehicles as Shelter (from 2023 session).

Staff Comment / Recommendation: No action necessary. Bill extends time identified in prior bill (HB 2898) for siting RV on lot made uninhabitable, primarily due to 2020 wildfires.

HB 2984 – Commercial to Residential Conversions Exemptions (from 2023 session).

Staff Comment / Recommendation: No action necessary. City of Jefferson is below population threshold (population of 10,000 or greater) as this bill describes.

HB 3442 – Allowing Affordable Housing in Hazard Areas (from 2023 session).

Staff Comment / Recommendation: No action necessary. City of Jefferson not within locational threshold (within 10 miles of Pacific Ocean).

HB 3197 – Limits Clear and Objective Requirements (from 2023 session).

Staff Comment / Recommendation: According to ORS 197.307(4) *...a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing...* Staff recommends removal of code provisions that are not clear & objective (via same omnibus amendment proposal). Staff recommends a separate future code amendment (TBD) for a comprehensive set of clear and objective design standards introduced to the Development Code.

III. Exhibits

A: Memo from the Department of Land Conservation and Development (DLCD) dated August 25, 2023, titled *2023 Land Use Legislation Report*.

B: Enrolled copy of HB 4064 pertaining to prefabricated structures in all residential zones (from 2022).

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ADAPTIVE BROADBAND							
8173	ADAPTIVE BROADBAND	OCTOBER 202	CITY PHONES & INTERNET	09/01/2023	367.06	.00	
8173	ADAPTIVE BROADBAND	OCTOBER 202	CITY PHONES & INTERNET	09/01/2023	63.92	.00	
8173	ADAPTIVE BROADBAND	OCTOBER 202	CITY PHONES & INTERNET	09/01/2023	119.51	.00	
8173	ADAPTIVE BROADBAND	OCTOBER 202	CITY PHONES & INTERNET	09/01/2023	119.51	.00	
8173	ADAPTIVE BROADBAND	OCTOBER 202	Conser Hs Alarm	09/01/2023	20.00	.00	
Total ADAPTIVE BROADBAND:					690.00	.00	
Airgas USA, LLC							
6902	Airgas USA, LLC	9141397695	CHLORINE	08/24/2023	1,121.92	.00	
Total Airgas USA, LLC:					1,121.92	.00	
BUCK'S SANITARY SERVICE							
810	BUCK'S SANITARY SERVICE	240905	Rent Monthly-Standard Unit	08/31/2023	55.12	.00	
810	BUCK'S SANITARY SERVICE	240905		08/31/2023	55.13	.00	
Total BUCK'S SANITARY SERVICE:					110.25	.00	
MARION COUNTY, SHERIFF OF							
3710	MARION COUNTY, SHERIFF OF	104186	Monthly Law Enforcement Svc	08/23/2023	23,549.98	.00	
Total MARION COUNTY, SHERIFF OF:					23,549.98	.00	
MID-WILLAMETTE VALLEY COUNCIL							
3890	MID-WILLAMETTE VALLEY COU	2727	Contract Planning Services	07/31/2023	241.84	.00	
3890	MID-WILLAMETTE VALLEY COU	2727	Contract Planning Service	07/31/2023	241.84	.00	
3890	MID-WILLAMETTE VALLEY COU	2727	Contract Planning Service	07/31/2023	241.84	.00	
3890	MID-WILLAMETTE VALLEY COU	2727	Contract Planning Service	07/31/2023	241.84	.00	
Total MID-WILLAMETTE VALLEY COUNCIL:					967.36	.00	
NW NATURAL							
4230	NW NATURAL	AUGUST 2023	NATURAL GAS USAGE - GENER	08/17/2023	16.61	.00	
Total NW NATURAL:					16.61	.00	
PEAK INTERNET							
4990	PEAK INTERNET	SEPT 2023	HOSTED EMAIL	09/01/2023	35.00	.00	
Total PEAK INTERNET:					35.00	.00	
POSTMASTER							
5180	POSTMASTER	AUGUST 2023	LIBRARY PO BOX 1068	08/22/2023	332.00	.00	
Total POSTMASTER:					332.00	.00	
QUALITY CODE PUBLISHING							
5310	QUALITY CODE PUBLISHING	GC0011653	ORD CODIFICATION	08/30/2023	2,951.00	.00	
Total QUALITY CODE PUBLISHING:					2,951.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
QUILL CORPORATION							
5340	QUILL CORPORATION	34187931	Paper	08/22/2023	12.17	.00	
5340	QUILL CORPORATION	34187931		08/22/2023	12.16	.00	
5340	QUILL CORPORATION	34187931		08/22/2023	12.16	.00	
5340	QUILL CORPORATION	34188662	Office/Kitchen/Toiletries	08/22/2023	110.54	.00	
Total QUILL CORPORATION:					147.03	.00	
Sonsray Machinery LLC							
8040	Sonsray Machinery LLC	PSO095749-1	SOLENOID VALVE	08/31/2023	60.03	.00	
8040	Sonsray Machinery LLC	PSO095749-1		08/31/2023	60.03	.00	
8040	Sonsray Machinery LLC	PSO095749-1		08/31/2023	13.34	.00	
Total Sonsray Machinery LLC:					133.40	.00	
Ultrex							
7178	Ultrex	INV134892	Copy Count Maint.	08/31/2023	76.39	.00	
Total Ultrex:					76.39	.00	
Grand Totals:					30,130.94	.00	

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only unpaid invoices included.

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
Total 10:						27,380.59	.00	27,380.59	
Total 14:						395.92	.00	395.92	
Total 21:						255.18	.00	255.18	
Total 23:						1,610.58	.00	1,610.58	
Total 24:						488.67	.00	488.67	
Total :						30,130.94	.00	30,130.94	
Grand Totals:						30,130.94	.00	30,130.94	

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
Grand Totals:	30,130.94	.00	30,130.94

Summary by General Ledger Posting Period

GL Posting Period	Debit	Credit	Net
Grand Totals:	30,130.94	.00	