

**CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 22-442**

**AN ORDINANCE REGULATING THE IMPACTS OF SHORT-TERM RENTALS
WITHIN THE CITY OF ROCKAWAY BEACH AND CREATING A NEW CODE
CHAPTER 113**

RECITALS:

1. The City Council is concerned for the health and welfare of the residents of Rockaway Beach and find that short-term vacation rentals can impact residents' enjoyment of the City and their property.
2. The City Council is also concerned with the health and welfare of visitors to the City that may stay in a private home acting as a short-term vacation rental.
3. In order to balance the interests of neighbors, vacationers, and vacation rental owners, the City Council finds that this ordinance strikes the correct balance and directs the implementation of this ordinance to also take into account the proper balance between these interests.

Now, therefore, the City of Rockaway Beach ordains as follows:

Section 1. The City of Rockaway Beach Code of Ordinances is hereby amended to add a new Chapter 113 as follows:

CHAPTER 113: SHORT-TERM RENTALS

§ 113.01 Definitions.

Dwelling Unit. A building or portion thereof which contains separate living facilities, including provisions for sleeping, eating, cooking and sanitation. A dwelling unit is evidenced by one or more of the following features: 1) refrigeration and cooking capabilities, 2) a sink intended for meal preparation, not including a wet-bar, 3) a dishwashing machine, 4) a separate and distinct entrance door, or 5) a separate utility meter.

Condominium. A building or complex containing a number of individually owned apartments or houses which share a common point of access.

Local Agent. Any Person who has been contracted by the owner and has full authority to act on the owner's behalf.

Off-Street Parking. A parking space designated to the dwelling unit not located in the public right of way or street and located within the property lines of the licensed property.

Owner. Any person who, alone or jointly, has title to or an ownership interest in any dwelling unit to be used as a short-term rental.

Overnight. A stay at a short-term rental that lasts for the duration of the evening/night.

Person. Every natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

Rental Unit. A single dwelling unit that provides complete and independent living facilities.

Renter. A person or group of persons renting a dwelling unit for a period of less than thirty (30) consecutive days.

Short-Term Rental. - The use of a residential dwelling unit by any person or group of persons entitled to occupy the dwelling unit for rent for a period of less than thirty (30) consecutive days.

Short-Term Rental License. A permit to operate a short-term rental in accordance with this Chapter. The licensing year is July 1 to June 30 of the following year and the fee of which is not subject to proration.

§ 113.02 Short-Term Rental License Application and Application Procedures.

(A) Eligibility to apply for license. A property owner who holds title or a recorded land sale contract to a property with a dwelling unit may apply for a short-term rental license. A license application shall not be accepted or processed until fines related to any violation of the City Code related to the subject property are paid in full. A license application shall not be accepted or processed until all corrective actions related to any violation of the City Code related to the subject property are completed to the City's satisfaction. No person shall occupy, use, operate or manage, or offer or negotiate to use, lease or rent, a dwelling unit for short-term rental unless issued a short-term rental license by the City.

(B) Application. An application packet for a short-term rental license shall be completed and submitted to the City by the owner of the dwelling unit on forms provided by the City. If the dwelling unit is owned by a corporation or other entity, legal documentation, acceptable to the City, detailing the names of all persons with any ownership interest in the entity shall be submitted with the application. At the time of application, an application fee as determined by resolution of the City Council shall be paid to the City. Incomplete application packets shall not be accepted or processed. After one resubmittal, all additional resubmittals for the same property shall require payment of additional application fees. Failure of the owner to supply complete information for the short-term rental application process within 30 days of the initial application submission shall result in the expiration of the application. Applicants can request in writing for a one time only 30-day extension after receiving communication of an incomplete application.

(C) Separate Licenses; Non-Transferability. Each dwelling unit shall have a separate short-term rental license. More than one license may be issued for dwelling units on a single property. The short-term rental license is issued to the owner and does not transfer with the sale or conveyance of the property. All short-term rental license holders must report to the City any change of ownership of their short-term rental, in whatever form, before the transfer of ownership.

(D) License Renewals. All short-term rental licenses must apply for renewal annually for the period of one year from July 1 of the current year to June 30 of the following year. Renewals will be issued so long as all requirements in this Chapter continue to be met, a renewal

application is submitted, and applicable fees are paid. If the owner is out of compliance with the provisions of this Chapter or other City Code regulation or requirement related to the licensed property, the City will not renew the license and the property shall no longer be used as a short-term rental. A license shall not be renewed if fines related to a violation of this Chapter or Transient Lodging Taxes related to the licensed property are outstanding. A license shall not be renewed until all corrective actions related to any violation of the City Code related to the licensed property are completed to the City's satisfaction.

§ 113.03 Application and License Fees.

An annual license fee of \$250 is due prior to issuance of a short-term rental license or renewal. By Council resolution, the City Council shall establish an application fee, a renewal application fee, and any other appropriate administrative charges for the implementation and operation of this Chapter.

§ 113.04 Short-Term Rental Standards.

Owners shall cause each rental unit to meet the following standards:

(A) House Number. Each rental unit must have either a house number or address identifier visible from the street.

(B) On-line Database. The owner or local agent shall provide and maintain with the city either an email address or a contact telephone number for the owner or local agent. The city shall make this information publicly available through an on-line database. The contact information of all owners and local agents shall be kept current with the City.

(C) Identification Sign. The owner or local agent shall provide and maintain a sign which lists the short-term rental license number, email address and a contact telephone number for the owner or local agent. Such signage shall be visible from the street, legible from 10 feet away and shall be no smaller than 93.5 square inches nor larger than 154 square inches. The contact information of all owners and local agents shall be kept current with the City. If the rental unit is within a condominium, the Identification Sign shall be placed on the main entrance door of the unit and be visible to other building occupants.

(D) Parking. Each dwelling unit must provide the minimum off-street parking spaces shown in the chart below, based upon the date the building was constructed or legally converted to its current use. Parking spaces shall measure no smaller than 9' x 18' each. Such spaces shall not be blocked and shall be available to people using the short-term rental at all times. Location and design of parking spaces shall comply with all applicable City standards. Spaces in a garage may count but they must be available for the renter to park in at all times the rental unit is rented. Trailers for boats and all-terrain vehicles may be allowed, but must fit within an off-street parking space allocated to the rental unit used by the owner of the trailer. Renters shall not block nearby driveways or designated fire lanes. A parking plan map and notice, identifying the number and location of parking spaces, shall be posted in a conspicuous place within each short-term rental. Language shall be included in the notice that parking shall not, under any circumstances, hinder the path of any emergency vehicle or block neighboring driveways and that renters may be cited and fined if this requirement is not satisfied. A diagram of the parking

plan and map shall be required as part of a license application. The maximum number of parking spaces available to the renter shall be conveyed to each renter before the visit.

| Date constructed or legally converted | Number of spaces required |
|---------------------------------------|------------------------------------|
| Prior to 7/30/1974 | No off-street parking requirements |
| 7/30/1974 – 3/24/1980 | One off-Street per dwelling unit |
| On and after 3/25/1980 | Two off-Street per dwelling unit |

(E) Garbage. During periods of rental unit occupancy, the owner shall provide adequate covered and secured garbage containers in conformance with all related guidelines established by the City. Cans must be secured to prevent animals from knocking them over or getting into them. All garbage must fit within the can and cannot overflow. Owner shall provide the City with evidence that the dwelling unit receives garbage service with each application. Garbage shall be removed a minimum of once per week. The owner or local agent shall notify renters that all garbage must be kept in the secured containers provided for that purpose. No garbage or rubbish may be permitted to leak from containers or vehicles or be strewn upon or scattered over the streets, sidewalks, or other public ways of the city.

(F) Noise. Renters shall not create or cause noise that is offensive to a person of ordinary sensibilities located on the property line of the licensed property between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends.

(G) RVs and Other Temporary Shelters. No recreational vehicle is permitted to be used as a short-term rental unless the recreational vehicle or temporary shelter has been properly permitted as a dwelling unit in the RMD zone. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited or used in conjunction with a short-term rental.

(H) Owner and Local Agent Responsibilities. The owner or local agent shall be able to respond via phone within 30-minutes to complaints and other issues and be able to access the short-term rental. Once a complaint or issue is reported by phone or email, the owner or local agent shall immediately make direct contact with the renter or appropriate entity by phone to resolve the reported problem. If the problem cannot be resolved or an immediate resolution is not achieved by phone, the owner or local agent shall make an in-person visit to the short-term rental to rectify the situation within 30-minutes. The owner or local agent shall maintain a telephone number listed within the rental unit and at the City by which to be reached 24 hours a day, 7 days a week, year-round.

(I) Proof of Liability Insurance Coverage. Owner shall provide the City with proof of liability insurance covering the licensed property. The liability insurance coverage shall remain active and in effect during the entire time that the property is licensed as a short-term rental.

(J) Emergency Information. The Owner shall post in the dwelling unit information to assist renters in dealing with natural disasters, power outages and other emergencies. The City shall list in the short-term rental license application the minimum information and equipment to be provided by the owner in each dwelling unit.

§ 113.05 Violations and Penalties.

It is a violation of this Chapter for any person so required to fail or refuse to apply for a license, or operate without a license as required in this Chapter. Any person who violates any provisions of this Chapter is subject to a civil penalty of up to five hundred dollars (\$500) per violation, with each day of a continuing violation constituting a separate violation. The third violation within any consecutive twelve (12) month period shall result in revocation of the short-term rental license for twelve (12) months, after which time the owner may reapply for a new license

Revocation of a short-term rental license shall not constitute a waiver of short-term rental fees and taxes due at the time of revocation.

Section 2. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 3. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council 8/10/22
2nd reading by the Rockaway Beach City Council 8/10/22

Adopted and Approved by the Rockaway Beach City Council 8/10/22


Susan Wilson, Mayor.

| City Council | Aye/Nay |
|----------------|---------|
| Mary McGinnis | X/ |
| Tom Martine | X/ |
| Kristine Hayes | / |
| Terry Walhood | X/ |
| Penny Cheek | X/ |

Attest:

Luke Shepard, City Manager



Organization Assessment & Staffing Study



Martin Chaw
Senior Project Manager

May 14, 2020; 5:30pm
Council Workshop

About FCS Group



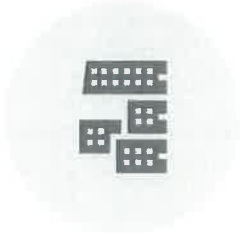
- Management consulting
- Utility management and rate setting
- Long-term financial planning and analysis
- Economic services

Scope of Work

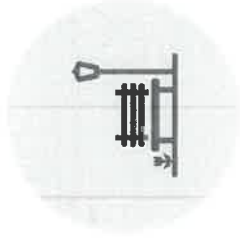
- Evaluate workforce and its alignment to needs of the community.
- Interview City staff and management.
- Interjurisdictional survey:
 - » Job duties.
 - » Organizational structures.
 - » Level of staffing.

| | |
|---|------------------------|
| ✓ | North Bend |
| ✓ | Port Townsend |
| ✓ | Snohomish |
| ✓ | Yelm (did not respond) |

Study Findings and Conclusions



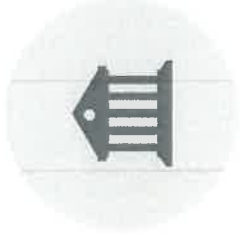
**Invest in Local Economy
and Development of
Downtown.**



**Maintain existing City
assets (streets, parks and
utilities).**



**Support Delivery of
Capital Improvements.**



**Support City
Operations and
Employee Experience.**



**Enhance Public
Engagement.**



Invest in Local Economy & Development of Downtown

Strategy: Retain, attract and grow downtown businesses and improve communication of City projects and events.

- **Recommendation:**
 - » +1.0FTE Economic Development and Marketing Coordinator.
 - » +1.0FTE Associate Planner.
 - » +1.0FTE GIS Technician.
- **Benefit:**
 - » Support retention of existing businesses.
 - » Support recruitment of new business including Hotel facility.
 - » Support development of downtown.

Maintain Existing Assets (streets/parks/utilities)

Strategy: Maintain and improve existing City assets instead of building new facilities.

- **Recommendation:**
 - » +2.0FTE Public Works Supervisors (for Streets/Parks and Utilities).
 - » +2.0FTE Public Works Maintenance (Streets, Parks and Utilities).
 - » +2.0FTE Reclass PW Tech III to include Utility Operator-in-Training.
- **Benefit:**
 - » Improved support and coordination of field crews.
 - » Succession planning for highly technical positions.
 - » Grow and develop City staff.
 - » Improved level of services to the community.



Support Delivery of Capital Improvement Projects

Strategy: Construct CIP (especially Transportation projects) needed to attract new businesses and support city growth.

- **Recommendation:**
 - » Reclass 1.0FTE City Engr/Asst PW Director to City Engineer/Capital Projects Manager.
 - » +1.0 Engineer Technician – Plan Review.
 - » +1.0 Engineer Technician – Field Inspections.
- **Benefit:**
 - » Keep pace with City growth.
 - » Support City economic development.
 - » Support completion of CIP.
 - » Additional focus on grant funding as a source for projects.



Support City Operations and Grants Writing/Administration

Strategy: Support staff and their ability to deliver services to the community within an enhanced overall employee experience.

- **Recommendation:**
 - » +1.0FTE Human Resources Manager.
 - » +1.0FTE Finance Manager.
 - » +1.0FTE Accounting Specialist.
 - » +1.0FTE City Clerk.
- **Benefit:**
 - » Improved support of daily operations and administration of grants and contracts.
 - » Support department's ability to deliver services to the community.
 - » Increased focus on employee retention and development.

Retain Technical Expertise

Strategy: Enhance Public Engagement and Improve Communications.

- **Recommendation:**
 - » Reclass 1.0FTE Admin Assistant to Assistant to Administrator/Communications Specialist.
 - » +1.0FTE Code Enforcement Officer.
- **Benefit:**
 - » Improve communication to City residents and businesses.
 - » Support Strategic Planning efforts.
 - » Coordinate efficient resolve to property issues.

Conclusion and Next Steps

- **Framework for addressing needs and priorities identified by city employees and WSU community survey.**
- **Focuses on building infrastructure capacity and adding staff resources to retain and support existing business, grow / build downtown and economic core, and maintain existing city assets.**
- **City Administrator and Mayor identify timing of when new positions will be hired or change in positions for service delivery.**
 - » Through biennial budget setting, City Council authorizes staffing and benefit budget allocation to deliver levels of service.

Thank you!
Questions?

Martin Chaw, Sr. Project Manager

425.274.2853

martinc@fcsgroup.com

www.fcsgroup.com



May 1, 2020

City of Stanwood
Jennifer Ferguson, City Administrator
20220 270th Street NW
Stanwood, WA 98292

Subject: City of Stanwood Staffing Assessment

Dear Jennifer:

The attached report presents our findings, conclusions and recommendations on the city-wide staffing assessment that we have performed.

We appreciate the contributions from City staff and management to this study process. It has been a pleasure working with the City team. We look forward to the opportunity to work with you again in the future.

Yours very truly,



Martin Chaw
Project Manager

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I. EXECUTIVE SUMMARY

The City engaged FCS GROUP in June 2019 to evaluate its workforce and its alignment to needs of the community. This engagement included:

- Interviewing City management and staff;
- Conducting an inter-jurisdictional comparison of job duties for similar position titles;
- Comparing and contrasting organizational structures to neighboring and other communities that have similar contracted public safety services;
- Identifying cities experiencing or currently undergoing a similar rate of growth; and
- Evaluating City level of staffing to ensure alignment with current as well as future community level of service (LOS) needs.

Concurrent with our analysis, the City contracted with Washington State University to conduct a citizen's satisfaction survey to determine the quality of services received and to identify gaps and opportunities to improve the services residents were receiving. The results of our work, along with the results from the community survey, presents a comprehensive and detailed evaluation of the needs facing the City. Using this information, City leadership can outline an informed and thoughtful pathway to manage and grow the City's workforce to meet the community's needs.

This report provides highlights and key findings from these bodies of work and outlines a strategic workforce assessment plan to align the City's organizational structure, the size and make up of its workforce, to meet the needs of the community as identified by the citizen's survey, City Management and staff, and Mayor and City Council's vision.

STUDY FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

The following outlines the findings, conclusions and recommendations of this study as well as those of the community survey:

Community survey

In general, Stanwood residents expressed priorities in the following areas:

- Economic development/business retention and recruitment – the community expressed need to support and retain existing businesses and attract new businesses, and in particular hotel/lodging, full-service restaurants, and outdoor recreation services.
- Parks, trails and open space – the community expressed a desire to enhance existing park assets and to enhance waterfront park and trails that can be used for multiple activities. The community rated as a lower priority new parks that are dedicated to a single sport. The community expressed a strong desire for parks and recreation programs but the scope of these programs have yet to be determined. As the vision and scope of these services develop, it will need to be supported by full-time City staff and dedicated parks and recreation programs.

- **Transportation and Infrastructure Improvements** - – The community expressed need to focus on transportation and street improvements to ensure traffic capacity does not further impact the community, create better intersections and enhance the main street corridor.
- **Communication** – the community survey identified a need to enhance the City’s website and improve the content. Specific needs included using multi-faceted ways to better inform residents of current City events and projects and to attract new businesses to locate in the City.

City Staff Interviews Feedback

In general, City staff and management expressed priorities in the following areas:

Parks and Public Works

- **Additional Parks and Street maintenance staff**, with additional staffing needed regardless of any new level or change in service.
- **Additional two (2) Public Works Supervisors** to provide adequate oversight in the areas of all public works maintenance divisions.
- **Reclass City Engineer/Assistant Public Works Director** position to provide capital projects strategic planning and oversight rather than day to day operations and personnel management.
- **Add Engineering Technicians** to support plan review and inspections of both public and private development once the projects have completed the plan development process.
- **Add water and wastewater operator in training positions**, by modifying the Public Works Tech III position to better define a pathway for certification and advancement in these technical, skilled positions.
- **Parks and recreation program staff** to be determined as needs are identified with community input and parks are developed.

Economic/Business Development

- **Add Economic Development Coordinator** position to focus on business retention and recruitment efforts, along with coordination for the City’s tourism and marketing initiative: Discover Stanwood Camano

Development and Planning Services

- **Complete the GIS needs assessment** to determine staffing needs for future mapping and GIS functions
- **Add Code Compliance Officer** to focus on enhanced responses to non-compliance with city code and regulations

Administrative and Support Services

- **Add Human Resource position** to focus on employee retention, recruitment, and labor relations, as well as enhance the overall employee experience.
- **Reclass Administrative Assistant** to an Assistant to the Administrator position to focus on the city communications and public engagement initiatives, website content management, support multi-faceted public engagement programs, pursuing grant opportunities and special projects under the direction of the City Administrator.

- Add City Clerk position to focus on the elevated level of public records request and compliance with OPMA and develop a much needed records management system for all departments to utilize.
- Add new finance staff to focus on contract management, internal controls and added oversight on the accounting functions associated with capital investments and grant funding sources.

II. STAFFING ANALYSIS

About the City of Stanwood

The City of Stanwood (City) is the northernmost city in Snohomish County and is the only community servicing Camano Island, which is located directly west of the City. The City operates under a mayor-council form of government with a strong mayor. The Mayor serves as the City's chief executive officer and the Council serves as the municipal legislature. City services are currently provided by 31.0 FTEs and includes the following departments: Community Development, Public Works, Finance/City Clerk, and City Administration. Police and Fire services are contracted out to Snohomish County and the North County Regional Fire Authority, respectively. Library services are contracted out to the Sno-Isle library system. The City contracts out for City Attorney and legal services with Snohomish Law Office.

The City's residential population totals 7,070, an increase of 13% since 2010 making it one of the fastest growing communities in Snohomish County. This compares to Everett (+9%), Edmonds (+6%), Lynnwood (+11%), Marysville (+13%), and Monroe (+13%)¹. A major challenge in the near future for the City will be developing and maintaining its parks and park facilities. There is a strong community preference for focusing on transportation improvements, developing trail systems to create connectivity from one end of the City to the other as well as a regional connection. Other major City initiatives include designing and constructing a new Civic Campus for Police, City Hall and Council Chambers; continuing to improve the City's business climate and investment in tourism; and updating the City's Comprehensive Plan and Shoreline Master Plan.

Organizational Structure

The City employs 31.6 FTEs. Municipal services are provided under five separate departments each of which report to the City Administrator.

Exhibit 1 below presents the City's current organizational chart and Table 1 summarizes each City department budget and services. The current organizational chart only defines functions that the city departments provide and does not identify positions or reporting structure within the organization. There are missing functions within the current org chart, as well.

¹ Source: WA State Office of Financial Management, Population Data.

Exhibit 1
City of Stanwood Current Organizational Chart

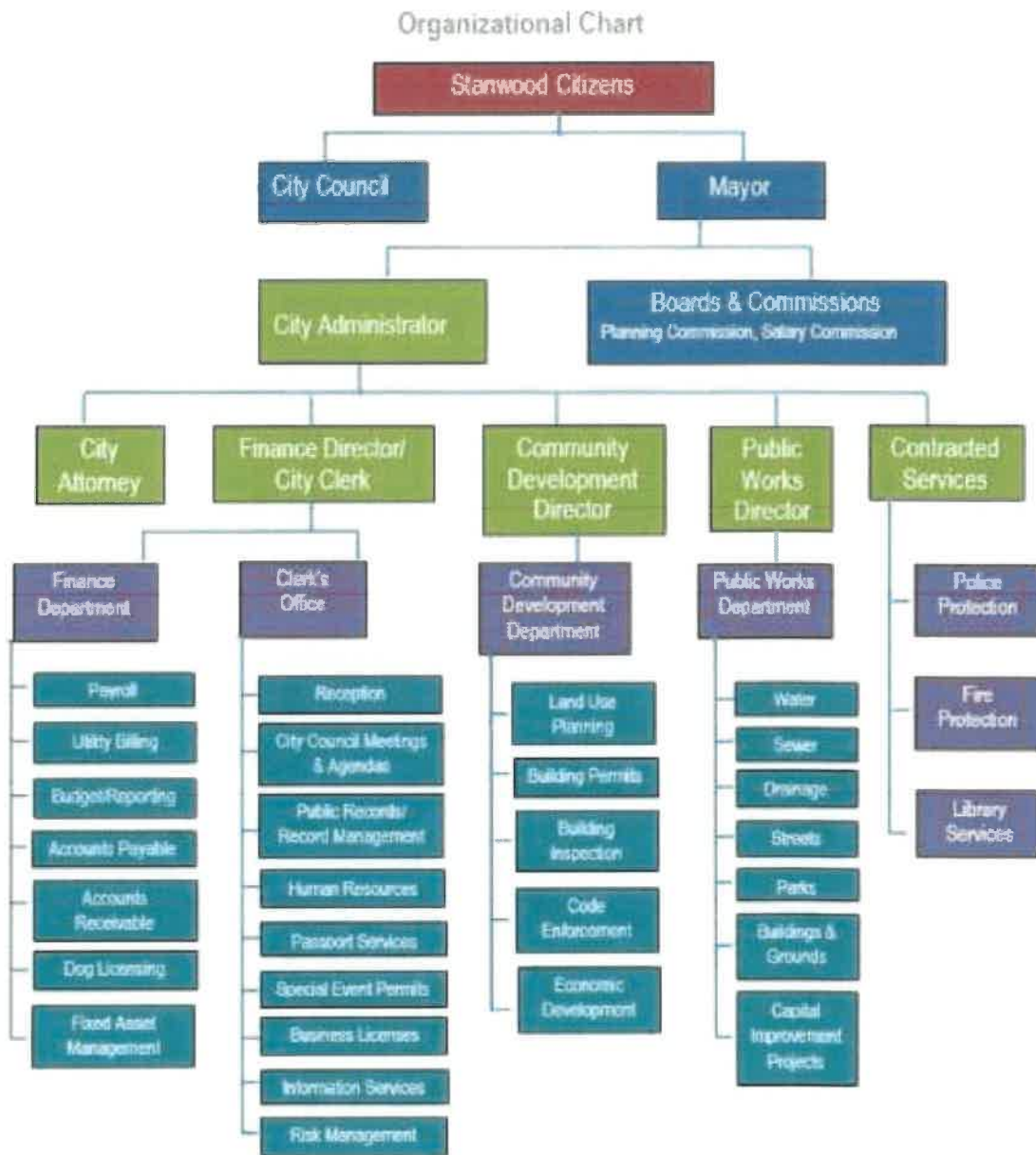


Table 1: 2020 City of Stanwood Departmental Budget and FTEs²

| Department | Duties | 2020 Annual Budget | Authorized FTEs |
|---------------------------------|---|-----------------------|-----------------|
| City Administrator | Providing organizational vision and leadership. The department handles all economic development initiatives, including tourism, marketing and city communications. The City Administrator oversees all personnel and day-to-day operations of the City | Split in funds | 1.0 |
| Finance / City Clerk | Prepares the citywide budget and financial statements, accounts payables/receivables, payroll, insurance/risk management, utility billing, cash, debt and investment management, information technology, grant administration, internal controls. Clerk responsibilities include preparing the council agenda, legal notices, maintain records of ordinances, resolutions, contracts and public records requests | \$353,000 | 5.25 |
| Police – Records Clerk | See Police Services below | | 2.0 |
| Police – Patrol Contract | Law enforcement services are provided in partnership with the Snohomish County Sheriff's Office. This service is provided as part of a stand-alone law enforcement contract but allows the City to maintain its own police department identity and benefit from a friendly small town police atmosphere backed up the by the vast resources of the County law enforcement agency . | \$1,900,000 | 0.0 |
| Community Development | The Community Development Department provides current planning (permitting, licensing and building services), long range planning (comprehensive planning, municipal code amendments, shoreline master planning, and flood plain management), and Parks and Arts (park planning and development). | \$814,000 | 6.0 |
| Public Works | Public Works divisions Maintain the city's streets, utility infrastructure, parks, trails and buildings and facilities which include city hall, public works shop, maintenance shop, wastewater treatment plant, water treatment plant, sewer lift stations, well houses, library, police and fire stations. | \$5,971,000 | 17.75 |

² Source: City of Stanwood 2019-2020 biennial budget.

Community Survey

In 2019, the City contracted with Washington State University to conduct a citizen’s satisfaction survey. A detailed questionnaire was sent to a random selection of households in the City of Stanwood and the greater Stanwood and Camano Island area utilized an on-line survey feature to offer feedback. This questionnaire asked respondents to rate their satisfaction with the level of city services received and their opinions on the local economy and general business climate. The following major themes were derived from the survey including suggestions for improvement from WSU.

Table 2: WSU Community Survey Major Themes and Suggestions for Improvement

Economic Development

| Major Themes | Suggestions for Improvement |
|--|---|
| <ul style="list-style-type: none"> Majority of respondents would like to see more hotels and lodging options for visiting relatives and family friends. Would like to see more full-service restaurants and more businesses that cater to outdoor recreation City does not do a good job retaining existing businesses or recruiting new businesses City does not have a vibrant downtown with a majority of respondents indicating that they complete their shopping outside of Stanwood. | <ul style="list-style-type: none"> Utilize online resources to attract and recruit new businesses. Continue efforts to address business recruitment and retention including evaluating strategies utilized by other communities to recruit and retain businesses. Consider establishing a main street program from WA State that is designed to help communities revitalize their economies. Conduct a hotel/lodging feasibility study as planned. This study will evaluate strategies for recruiting more of these businesses to the City. |

Communication and Outreach

| Major Themes | Suggestions for Improvement |
|--|---|
| <ul style="list-style-type: none"> The majority of respondents have not visited the City’s websites in the past 12 months (discoverstandwoodcamano.com or ci.stanwood.wa.us) and may therefore be unaware of current events in the City. Of the respondents that did visit the City’s website, the majority used the website to primarily learn more about the City and to learn about events in the City. Other reasons respondents used the website include finding contact information for City officials or finding information on public meetings. Majority of respondents had limited knowledge of the City’s Transportation Benefit District or the projects funded by the TBD. | <ul style="list-style-type: none"> Use multiple channels to communicate with residents and to improve awareness of current city activities, projects and services available. Redesign the City of Stanwood and Discover Stanwood Camano Websites to enhance user friendliness and visual appeal. Develop a strategy for social media-based communication to drive individuals to the City’s website. |

Parks and Recreation

| Major Themes | Suggestions for Improvement |
|--|--|
| <ul style="list-style-type: none"> The City should focus on improving existing parks and amenities as they rated the condition of the city’s parks as average. Respondents stated that they would like to see more waterfront parks and more hiking and biking trails and improved existing water parks and trails Respondents stated that their lowest priority were for developing more baseball/softball fields and developing more basketball courts. | <ul style="list-style-type: none"> Develop new waterfront parks and trails and multi-use facilities. Once new facilities are developed, it will be important to ensure funding for on-going maintenance and upkeep. Enhance existing parks and communicate the amenities available to the public. Focus on completing existing parks and trails and not add new parks to the system. |

For more information, please refer to the Washington State University extension survey that was completed for the City of Stanwood.

Inter-jurisdictional Workforce Comparison

Our workforce assessment included a workforce survey of neighboring communities similar in size and scope to Stanwood. The surveyed cities include: North Bend, Port Townsend, and Snohomish. We also surveyed the City of Yelm; however, Yelm never responded to our repeated attempts to contact them and were therefore excluded from this comparison. These cities were selected in conjunction with the City of Stanwood administration as these cities shared characteristics similar to Stanwood - ie, fast growing communities of similar population, demands on public services and similar park land. Each of these cities contract out its fire services with the exception of the City of Port Townsend

Our survey included requesting job descriptions and duties for all positions. We then prepared a comparison of the job titles and general job duties.

Themes that emerged from our comparative survey include:

Table 3: Inter-jurisdictional Workforce Comparison

Major Themes

- **Stanwood does not have dedicated staffing in the area of Human Resources.** For example, the City of Port Townsend employs a Human Resources Manager, Human Resources Specialist, and a Payroll/Benefits Administrator. Having dedicated staff will ensure these areas receive the appropriate level of attention. In particular, having a dedicated staffing in the area of human resources can help support City staff as well as protect the City from risk and enhance the overall experience of a Stanwood employee.
- **Stanwood does not have dedicated staffing in the area of economic development.** For example, the City of North Bend has a Special Events and Visitors Information Coordinator and an Economic Development Manager and the City of Snohomish has an Economic Development and Communications Manager. Having dedicated staff will ensure these areas receive the appropriate level of attention. In particular, having dedicated staffing in the area of economic development can support business retention and recruitment and promote the City and work towards building a more vibrant downtown.
- **Stanwood does not have dedicated staffing for public engagement and communications.** For example, the City of Snohomish includes a dedicated Communications Manager who's responsibility is to Oversees content and updates to city's external website, social media, and community television channel, oversee the production of the City of Snohomish Quarterly magazine, oversees external and internal messaging to citizens, community groups, media, external organizations, general public and city employees and assists other City departments with communications needs.
- **Stanwood should consider having a maintenance operations supervisor each in the areas of Streets/Parks and Utilities.** For example, the City of Port Townsend has a Public Works Operations Manager – Water Resources, Public Works Operations Manager – Streets/Sewer/Storm and a Public Works Operations Manager – Wastewater. While Stanwood has Lead Maintenance Workers, these positions do not have supervisory responsibility. Having supervisory positions can help ensure field staff operations are coordinated and resources are deployed efficiently. In addition, if there are any workload management issues, these can be delegated appropriately to the supervisors for coordination and resolution and thereby reducing the amount of time wasted to a minimum.
- **Stanwood should consider creating an Operator in Training classification for its Water Treatment Plant Operator and Wastewater Treatment Plant Operator classifications.** This classification will provide a clearer career path for its Operators and systematize the training and expectations of its Operators.
- **Stanwood should consider revising its Public Works management structure so that there is an ability to apply greater management focus on the planning and execution of its CIP program and project management.** As the City of Stanwood continues to grow, it will be important that its CIP program is supported with the proper level of management focus and that the needs of the CIP does not become foreshadowed with daily operational needs.

The following table provides a comparison of job titles by function. The job titles were derived from current job descriptions that were provided by each jurisdiction.

Table 4: Inter-jurisdictional Job Titles Comparison

| Function | Stanwood | North Bend | Port Townsend | Snohomish |
|------------------------|---|---|---|--|
| Administration | <ul style="list-style-type: none"> City Administrator | <ul style="list-style-type: none"> City Administrator Administrative Assistant City Clerk Deputy City Clerk | <ul style="list-style-type: none"> City Manager City Clerk Deputy City Clerk Exec. Assistant to City Manager | <ul style="list-style-type: none"> City Administrator City Clerk / HR Economic Development and Communications Manager |
| Fire / EMS | <ul style="list-style-type: none"> Contracted - North County RFA | <ul style="list-style-type: none"> Contracted - Eastside Fire & Rescue | <ul style="list-style-type: none"> Contracted - E. Jefferson Fire and Rescue | <ul style="list-style-type: none"> Contracted - Fire District #4 |
| Finance | <ul style="list-style-type: none"> Finance Director/City Clerk Senior Accountant Accounting Clerk Accounting Specialist Admin Asst-Finance | <ul style="list-style-type: none"> Finance Director / Assistant City Administrator Accounting Assistant Business License & Tax Coordinator Payroll Officer Utilities Coordinator | <ul style="list-style-type: none"> Finance Director Accountant Finance Manager Finance Specialist Finance Tech II Finance Tech III Purchasing/Contracts Specialist | <ul style="list-style-type: none"> Finance Director Senior Accountant Accounting Technician I Accounting Technician II Office and Utilities Billing Technician Utility Clerk I Utility Clerk II |
| Human Resources | | | <ul style="list-style-type: none"> HR Manager HR Specialist Payroll and Benefits Administrator | |
| Information Technology | | | <ul style="list-style-type: none"> IT Network Administrator IT Technical Support | |
| Library | | | <ul style="list-style-type: none"> Director Library Manager - Public & Technical Services Library Manager - Youth Services Library Associate Library Assistant Library Assistant Substitute Library Courier Library Page | |
| Legal | | | <ul style="list-style-type: none"> City Attorney Prosecuting Attorney Legal Assistant/Deputy Clerk Legal Assistant | |
| Parks and Recreation | | <ul style="list-style-type: none"> PW Lead Parks Technician | <ul style="list-style-type: none"> Director Operations Manager - Parks Aquatics Recreation Aide Lifeguard, Swim Instructor Fitness Instructor Assistant Swim Team Coach Head Swim Team Coach Aquatics Program Supervisor Head Lifeguard I Head Lifeguard II | |

| Function | Stanwood | North Bend | Port Townsend | Snohomish |
|------------------------------------|--|---|---|---|
| Planning and Community Development | <ul style="list-style-type: none"> Community Development Director Building Official Permit Specialist Planner Senior Planner <ul style="list-style-type: none"> Admin Asst | <ul style="list-style-type: none"> Community Development Director Associate Planner Building Inspector & Code Enforcement Officer Building Official CAD / GIS Technician Economic Development Manager and Planner Long Range Planner / GIS Office Coordinator / Permit Technician Senior Planner | <ul style="list-style-type: none"> Planning Director Assistant Planner Associate Planner Building Inspector Building Official Code Compliance Officer Land Use Specialist Permit Tech Planning Manager Senior Planner | <ul style="list-style-type: none"> Associate Planner Building/Fire Official Permit Coordinator |
| Police Staffing | <ul style="list-style-type: none"> Police Records Clerk | <ul style="list-style-type: none"> No positions | <ul style="list-style-type: none"> Chief of Police Deputy Police Chief Exec. Assistant to Chief of Police Community Services Officer Police Clerk Police Officer Sergeant Reserve Police Officers | <ul style="list-style-type: none"> Senior Records Clerk Records Clerk |
| Public Works | <ul style="list-style-type: none"> Public Works Lead Public Works Lead-Water PW Tech I - Water PW Tech II - Water PW Tech I - Wastewater PW Tech II - Wastewater PW Tech I & PW Tech II WTPO I WTPO II WWTPO I WWTPO II WWTPO Lead Public Works Director City Engineer/Asst Public Works Director Admin Asst-PW Seasonal Maintenance | <ul style="list-style-type: none"> Mechanic Water System Operator PW Maintenance Worker PW Seasonal Maintenance Worker PW Streets Lead Technician Wastewater Treatment Plant Lead Operator II WWTP Plant Manager Wastewater Treatment Plant Operator in Training | <ul style="list-style-type: none"> Civil Engineer – Engr in Training GIS Coordinator Project Accounting Specialist PW Admin. Assistant PW Inspector PW/Engineering Support Specialist III PW/Engineering Support Specialist II Mechanic Lead Equipment Operator PW Operations Manager - Water Resources PW Operations Manager - Streets/Sewer/Storm PW Operations Manager WW/Bio Crew Chief Lead Equipment Operator Equipment Operator Maintenance Worker | <ul style="list-style-type: none"> Mechanic Division Lead Senior Maintenance Worker Maintenance Worker I Maintenance Worker II Senior Water Treatment Plant Operator Water Quality Control Specialist Water Treatment Plant Operator Senior WWTP Operator WWTP Laboratory Technician/Plant Operator |

Employee Comments

Our workforce assessment included a survey of the City’s management team and on-site interviews with the City’s employees by job classification. The management team survey was sent in early July 2019 and the on-site interviews were held over a two-day period during the latter half of July. For the interviews, where there were multiple employees holding the same job classification, those were held in a group setting, otherwise all interviews were conducted in a one-on-one setting. The following table summarizes our findings, conclusions and recommendations.

Table 5: Employee Comments and Suggestions for Improvement

Parks, Streets and Utility Maintenance and Operations

| Major Themes | Suggestions for Improvement |
|---|--|
| <ul style="list-style-type: none"> City staffing is not keeping pace with the changes in the community. Specifically, the City’s maintenance staff is not sufficiently sized to keep pace with maintaining city parks, streets and utility assets. As a result, maintenance duties are prioritized and programs are not properly staffed, placing the city’s assets at risk and potentially increasing the cost of maintenance in the long-term. | <ul style="list-style-type: none"> Consider additional Parks and Streets maintenance staff to service and maintain these visible city assets. |
| <ul style="list-style-type: none"> City staff expressed frustration that they are not able to operate as efficiently as they may be able to due to a shortage of vehicles. For example, employees must carpool and get dropped off at job sites. When work is completed at these sites, employees must call and wait for a ride to their next job site or to return to the shop. Rides might not come immediately as the driver may be in process of completing their work and is not able to immediately leave. This waiting is inefficient and results in wasted time. | <ul style="list-style-type: none"> Assess and purchase additional vehicles needed so that staff can travel to job sites relatively efficiently and minimize the amount of time waiting. While the City has a vehicle and equipment replacement plan, the City should take this as an opportunity to strategically evaluate its overall needs and to revise/expand this plan for any additional vehicles or equipment that may be needed. |
| <ul style="list-style-type: none"> City staff expressed frustration with using equipment that is old and not functioning optimally. This results in machinery breakdowns that either must be repaired on site or returned to the shop for repairs. This downtime is inefficient and results in wasted time. | |
| <ul style="list-style-type: none"> City supervisory staff are not sufficient to provide proper oversight of individuals and teams. As a result, existing work teams are not operating as optimally as they could be. | <ul style="list-style-type: none"> Consider adding two new Public Works Supervisors (one for Parks & Streets and one for Utilities) to provide oversight of public works maintenance daily operations. |

Core Support Duties

| Major Themes | Suggestions for Improvement |
|---|---|
| <ul style="list-style-type: none"> Critical city functions such as Human Resources, Communications and Economic Development are not addressed with dedicated employees. Rather these functions are being provided by employees with other job duties or the City Administrator. As a result, these critical functions of the City may not be receiving the level of attention that is required. | <ul style="list-style-type: none"> Consider adding a Human Resources manager, a Communications Specialist or Assistant to the Administrator, and an Economic Development coordinator to provide dedicated support to these key functions. |
| <ul style="list-style-type: none"> City finance staffing is insufficient. For example, staff time is focused on key duties of daily financial operations and the City is unable to provide proper support to the accounting and management of contracts. With the acceptance of more grants, the City should expect greater opportunities for single audits by the State Auditor’s Office and the need for staff to collate, organize and provide this information as needed to the Auditor. | <ul style="list-style-type: none"> Consider adding an Accounting staff to support the City’s monitoring of contracts, accounting of grants, and respond to and support audits, improve financial procedures and financial reporting. |
| <ul style="list-style-type: none"> City management and strategic oversight of capital projects construction and planning is insufficient. This insufficiency results | <ul style="list-style-type: none"> Consider adding a CIP Manager to support the citywide facilities, infrastructure, and parks and trails development projects and the overall execution of the City’s CIP. New and enhanced efforts to seek grants are the responsibility of the grant program manager. |

in public works management focusing more time on the day to day operations of the Public Works department and less time to focus on the long-term, strategic capital construction needs of the City.

Workforce - Historical and Forecast

The following table summarizes the City’s historical 2008-2019 FTEs and how it has changed relative to the City’s residential population growth. As shown in the following table, the City’s FTEs have decreased over time from 43.2FTEs in 2008 to 31.0FTEs in 2019. Over this same period, the City’s residential population has increased by 19.3% from 5,885 residents to 7,070 residents. This divergence has resulted in a decline in the number of City FTEs per 1,000 population from 7.3FTEs to 4.5FTEs in 2019. According to the City’s 2015 comprehensive plan, the city’s residential population is estimated to increase by about 2.6% annually and reach 11,080 residents by the year 2035³. Assuming this annual rate of growth, with no changes in the number of City FTEs, in the next five years the number of City FTEs per 1,000 population will continue to decline to 3.8FTEs by the year 2024, as shown in table 7 below.

Table 6: Historical FTEs vs Residential Population Growth

| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|----------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| FTEs | 43.2 | 41.1 | 33.3 | 30.3 | 31.3 | 24.8 | 26.9 | 25.9 | 25.9 | 26.6 | 28.6 | 31.6 |
| Residential Pop | 5,885 | 6,073 | 6,231 | 6,220 | 6,300 | 6,340 | 6,530 | 6,585 | 6,635 | 6,785 | 6,835 | 7,020 |
| # FTEs per 1,000 pop | 7.3 | 6.8 | 5.3 | 4.9 | 5.0 | 3.9 | 4.1 | 3.9 | 3.9 | 3.9 | 4.2 | 4.5 |

Sources of information: City of Stanwood records, WA State OFM April 1, 2019 population estimates. At this writing WA State OFM 2020 population estimates not yet available.

Table 7: Current FTEs (with No Growth) vs Current and Forecasted 2024 Residential Population

| | 2020 | 2024 |
|----------------------|-------|-------|
| FTEs | 31.6 | 31.6 |
| Population | 7,573 | 8,383 |
| # FTEs per 1,000 pop | 4.2 | 3.8 |

Sources of information: City of Stanwood Comprehensive Plan.

As the City of Stanwood grows, it will be important that its staffing grows commensurately and, at a minimum, does not fall below its 2019 level of service to the community and preferably begin to increase this level of service. The following table outlines the proposed reclassification of existing FTEs and new FTEs to address the service level needs discussed above.

³ City of Stanwood Comprehensive Plan, page H-8.

Table 8: Proposed New or Reclassification of Existing Positions to Maintain and Meet Level of Service Needs

| Function | New Positions | Longer Term Considerations |
|--------------------------------|---|--|
| Mayor & Administration | -Economic Dev. & Marketing Coordinator -Human Resource Manager -City Clerk -Assistant to Administrator /Communications Specialist (Admin Assist) | |
| Finance & Information Services | -Finance Manager -Accounting Specialist | -IT Services with SnoCo |
| Parks and Recreation | | -Recreation Programming when Parks develop |
| Community Development | -Associate Planner -Code Enforcement Officer -GIS Technician | -GIS Services with SnoCo |
| Police | -Police Officer | -Police Services with SnoCo |
| Public Works | -City Engineer/Capital Projects Manager (City Engr/Asst PW Dir) -Engineering Technician-Plan Review -Public Works Supervisor -Public Works supervisor -Public Works Tech III (OIT) | -PT Seasonal workers vs FT Maint. Staff |

(Reclassified positions)
New positions

With these proposed changes, the City will be able to begin addressing the staffing and service needs as identified in the WSU community survey and in the interviews with City management and staff. If the City were to make the proposed changes, within the next five years, the City’s FTE levels per 1,000 population will return to approximately 2010 levels.

Table 9: Current and Proposed FTEs vs Forecasted 2024 Residential Population

| | 2020 | 2024 |
|---------------------------|-------|-------|
| Current and Proposed FTEs | 31.6 | 47.6 |
| Population | 7,573 | 8,383 |
| # FTEs per 1,000 pop | 4.2 | 5.7 |

While adding these new positions will increase the City’s number of FTEs per 1,000 population, it will likely remain towards the lower end as compared to surveyed communities as the number of FTEs and residential population levels will grow over time.

Table 10: Current FTEs per 1,000 Population – Surveyed Cities

| | North Bend | Snohomish | Port Townsend |
|----------------------|------------|-----------|---------------|
| FTEs | 47.2 | 45 | 109.2 |
| 2019 Resid Pop | 6,965 | 10,200 | 9,610 |
| # FTEs per 1,000 pop | 6.8 | 4.4 | 11.4 |

Source: WA State OFM Population data; at this writing 2020 population estimates not yet available.

III. SUMMARY

As the City’s population increases and the demands upon its services becomes more diverse, it should take this opportunity to evaluate its current organizational structure and ensure its resources are efficiently aligned to meet the needs of the community. Included in the report appendix are the City’s current city-wide organizational chart; organizational charts for the surveyed communities; and proposed long-term organizational and functional charts for the City of Stanwood, reflecting the suggested service level changes and the additional positions discussed above.

By making these changes, the City would be able to build organizational capacity through a series of reclassifications and strategically timed new positions to address the needs as identified in the WSU survey and the employee interviews. The updated organizational structure and staffing plan includes all positions and classifications. As the demand for levels of services changes, positions would be active or inactive. Funding for salary and benefits would be allocated and controlled by the biennial budget approved by the City Council.

Table 11: Proposed Overall Staffing Schedule

| City of Stanwood - Organizational Staffing Schedule | | | |
|---|---------------------------|----------------------|--------------------|
| Position Title | Overall Staffing Schedule | May 2020 | |
| | | Active or Recruiting | Inactive or Vacant |
| City Administrator | 1.00 | 1.00 | 0.00 |

| | | | |
|--|--------------|--------------|--------------|
| Assistant to Administrator/Communications Specialist | 1.00 | 1.00 | 0.00 |
| Human Resource Manager | 1.00 | 1.00 | 0.00 |
| Administration | 3.00 | 3.00 | 0.00 |
| City Clerk | 1.00 | 0.00 | 1.00 |
| Deputy City Clerk I | 1.00 | 1.00 | 0.00 |
| City Clerk | 2.00 | 1.00 | 1.00 |
| Finance Director | 1.00 | 0.00 | 1.00 |
| Finance Manager | 1.00 | 1.00 | 0.00 |
| Senior Accountant | 1.00 | 0.00 | 1.00 |
| Accounting Specialist | 2.00 | 1.00 | 1.00 |
| Accounting Clerk | 1.00 | 1.00 | 0.00 |
| Administrative Assistant | 1.00 | 1.00 | 0.00 |
| Finance | 7.00 | 4.00 | 3.00 |
| Economic Development & Marketing Coordinator | 1.00 | 0.00 | 1.00 |
| Economic Development | 1.00 | 0.00 | 1.00 |
| Community Development Director | 1.00 | 1.00 | 0.00 |
| Sr Planner | 1.56 | 1.56 | 0.00 |
| Planner | 1.00 | 1.00 | 0.00 |
| Associate Planner | 1.00 | 0.00 | 1.00 |
| GIS Technician | 1.00 | 0.00 | 1.00 |
| Building Official | 1.00 | 1.00 | 0.00 |
| Permit Specialist I | 1.00 | 0.00 | 1.00 |
| Code Enforcement Officer | 1.00 | 0.00 | 1.00 |
| Community Development | 8.56 | 4.56 | 4.00 |
| Police Records Clerk | 2.00 | 2.00 | 0.00 |
| Police Dept | 2.00 | 2.00 | 0.00 |
| Public Works Director | 1.00 | 1.00 | 0.00 |
| Administrative Assistant | 1.00 | 1.00 | 0.00 |
| City Engineer/Capital Projects Manager | 1.00 | 1.00 | 0.00 |
| Engineering Technician | 2.00 | 1.00 | 1.00 |
| Public Works Superintendent | 2.00 | 0.00 | 2.00 |
| Public Works Lead | 2.00 | 2.00 | 0.00 |
| WWTP Lead | 1.00 | 1.00 | 0.00 |
| Public Works Tech I | 2.00 | 2.00 | 0.00 |
| Public Works Tech II | 5.00 | 4.00 | 1.00 |
| Public Works Tech III (OIT) | 2.00 | 0.00 | 2.00 |
| Water Treatment Plant Oper I | 2.00 | 2.00 | 0.00 |
| Water Treatment Plant Oper II | 1.00 | 0.00 | 1.00 |
| WWTP Operator I | 1.00 | 1.00 | 0.00 |
| WWTP Operator II | 1.00 | 1.00 | 0.00 |
| Public Works | 24.00 | 17.00 | 7.00 |
| Staffing Totals | 47.56 | 31.56 | 16.00 |

Staffing Plan Implementation & Next Steps

The new staffing plan is designed to be flexible and allow the Mayor and City Administrator the ability to utilize approved positions within the adopted budgets for salaries and benefits in a more efficient manner. To implement, staff will bring a salary plan resolution to the City Council for consideration. Staffing changes are anticipated to position the City for long-term recovery from the COVID 19 Pandemic, so that we may invest in our local economy. We have talent and skills in our existing staff that will be best utilized in alternative positions, through reclassification, as well as desperately need to activate new positions to fill gaps needed to support the organization and strategic efforts for service delivery to the community.

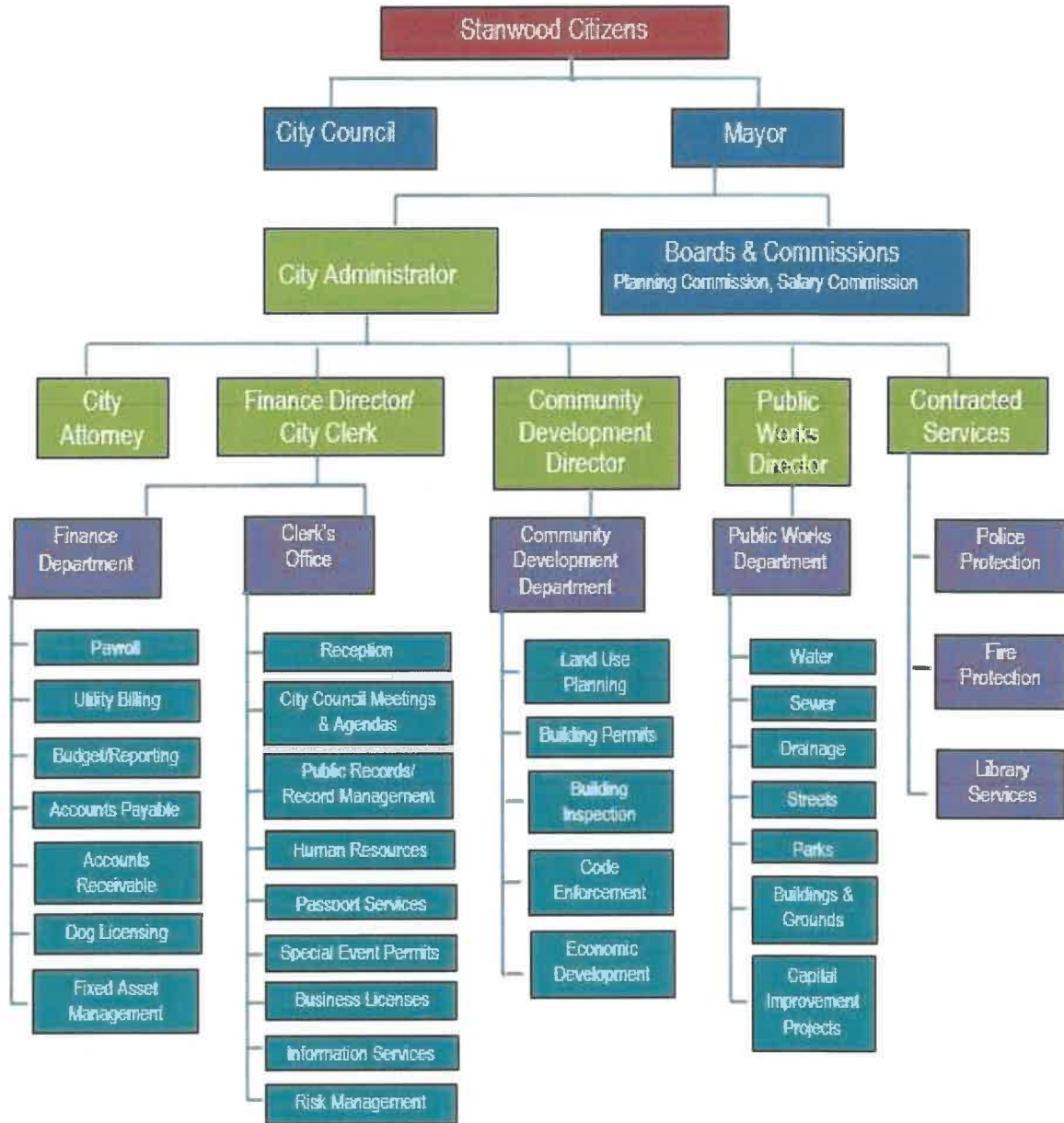
APPENDIX 1

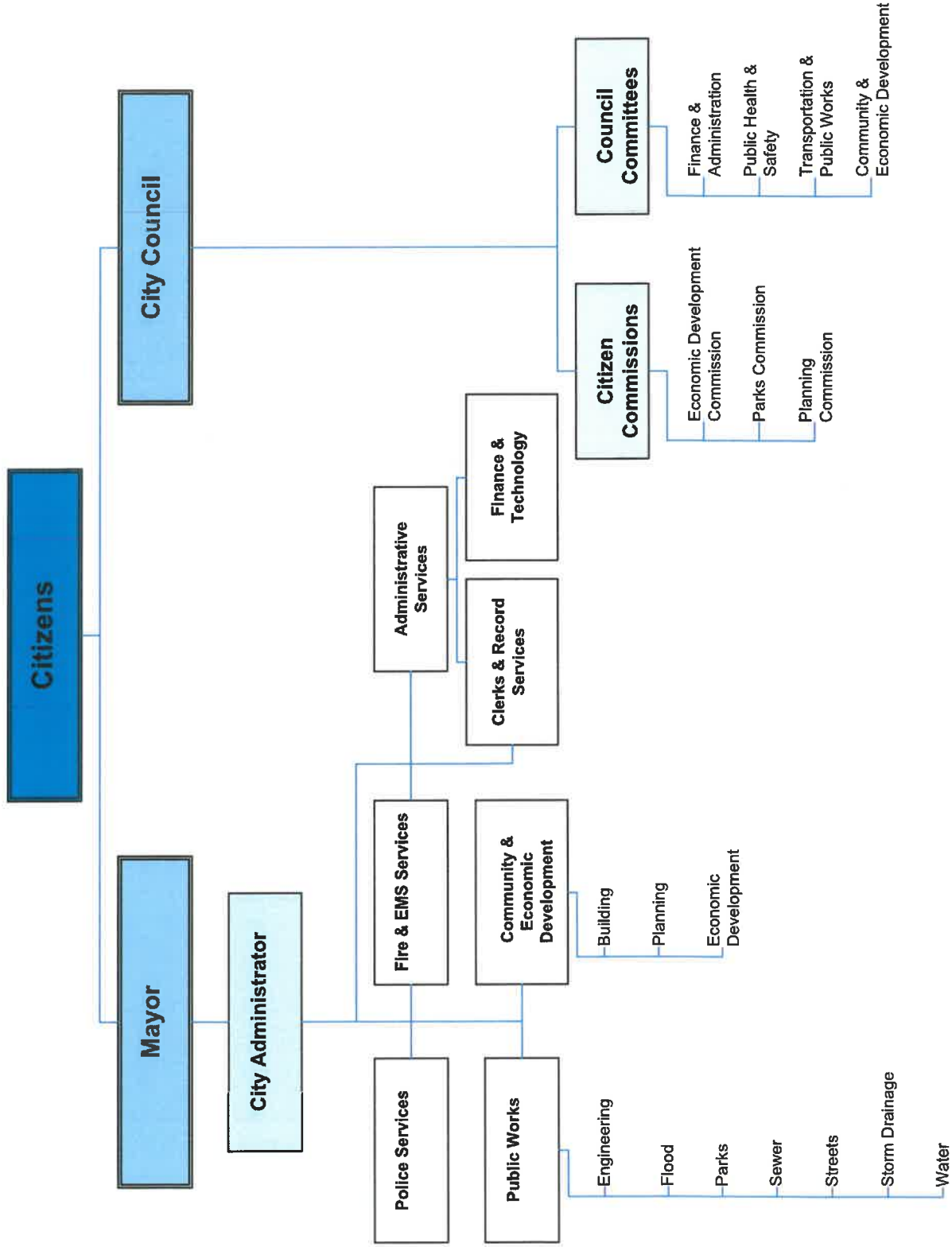
Current organizational charts

- City of Stanwood
- City of North Bend
- City of Port Townsend
- City of Snohomish

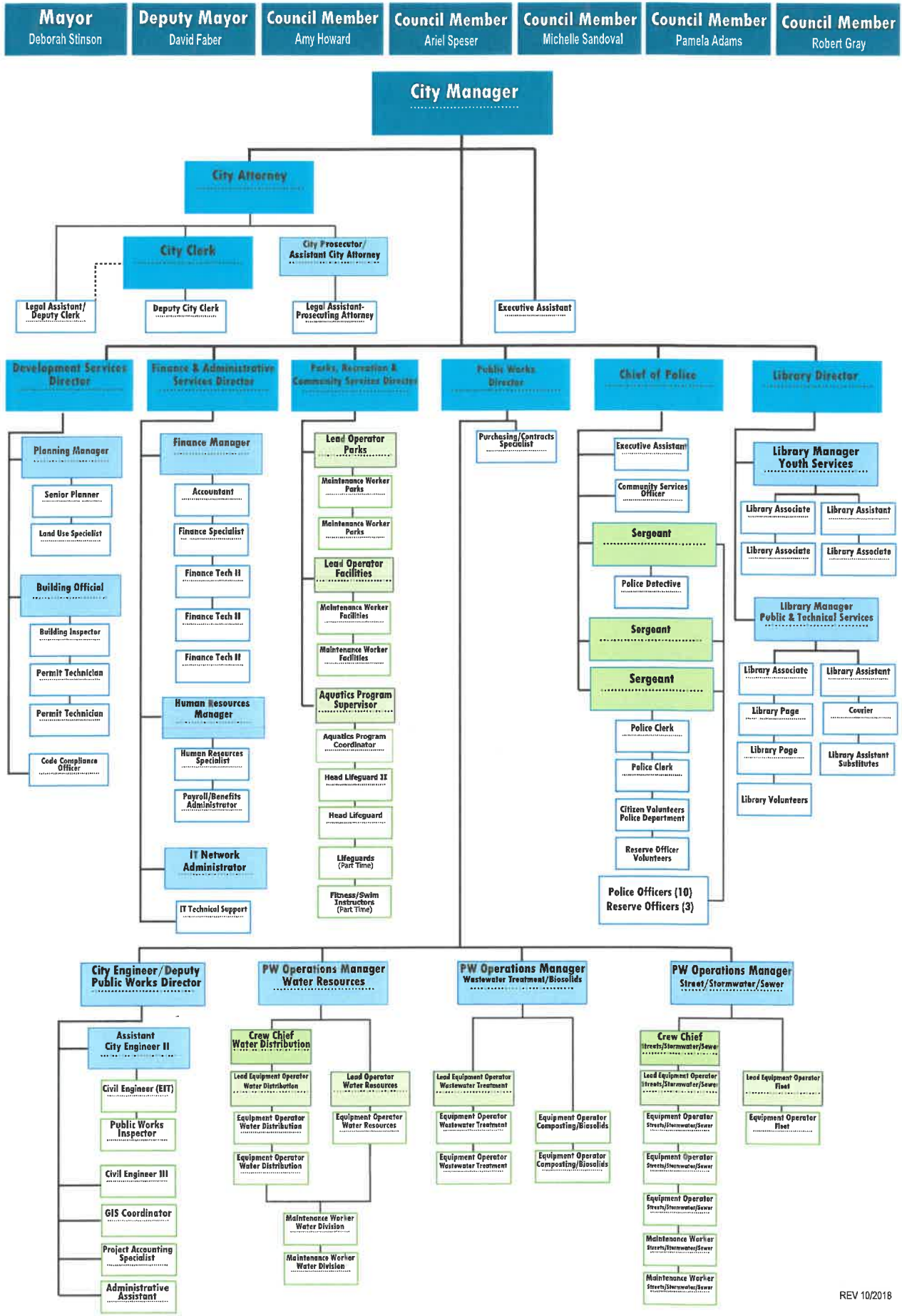
Source: excerpted from City budget documents

Organizational Chart





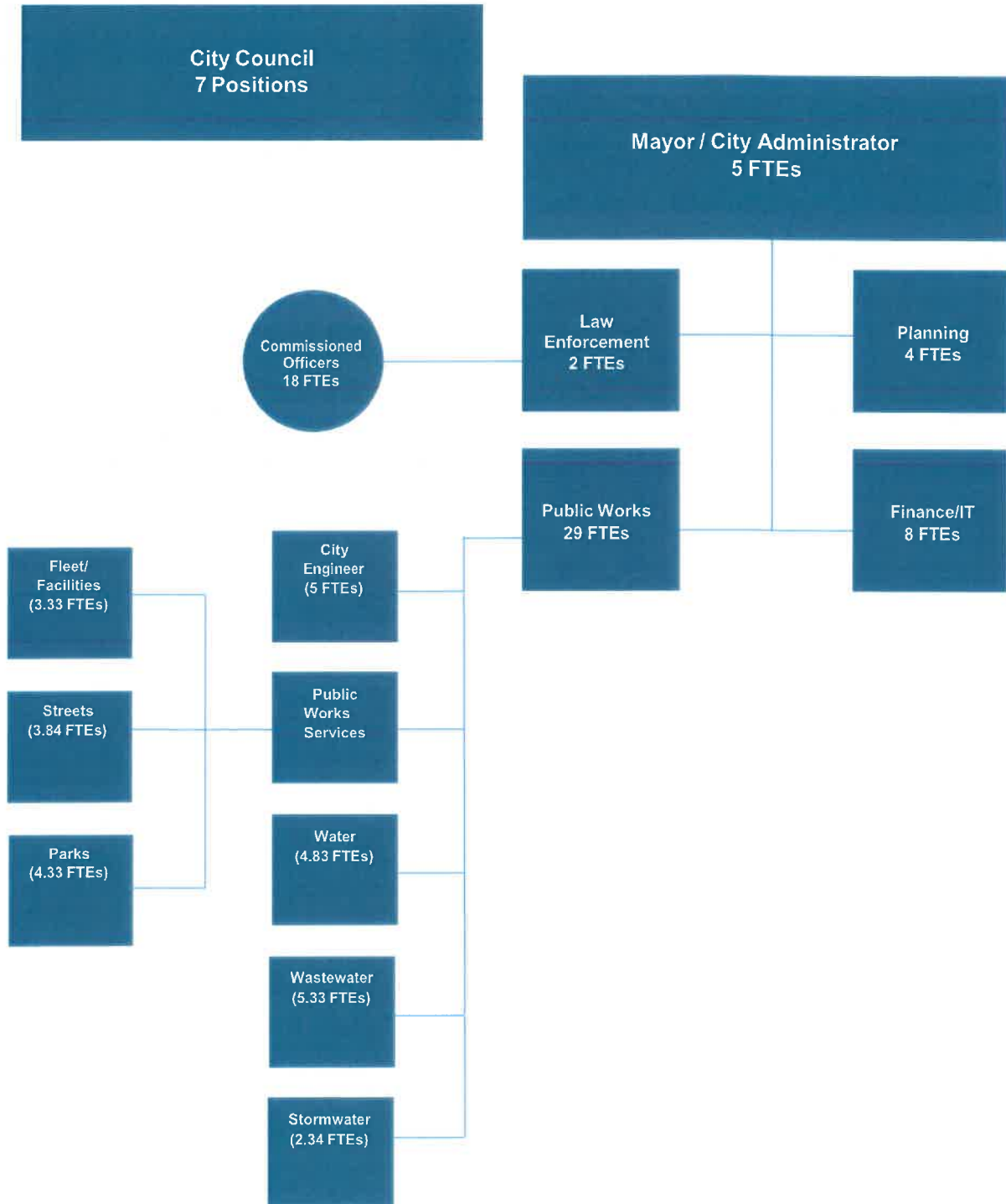
CITIZENS OF PORT TOWNSEND



REV 10/2018

City Organization Chart

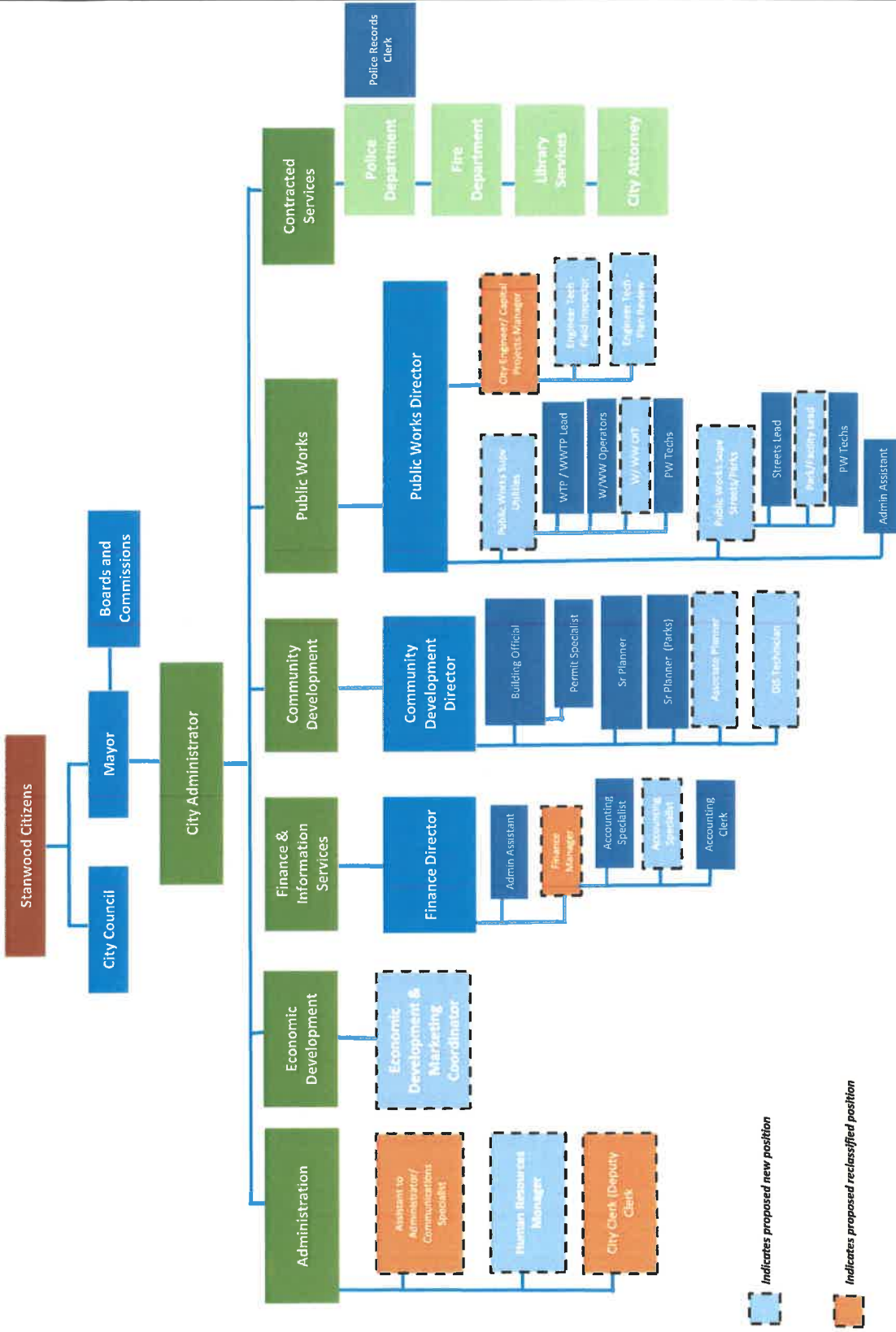
Citizens of the City of Snohomish



APPENDIX 2

City of Stanwood revised long-term organizational and functional charts

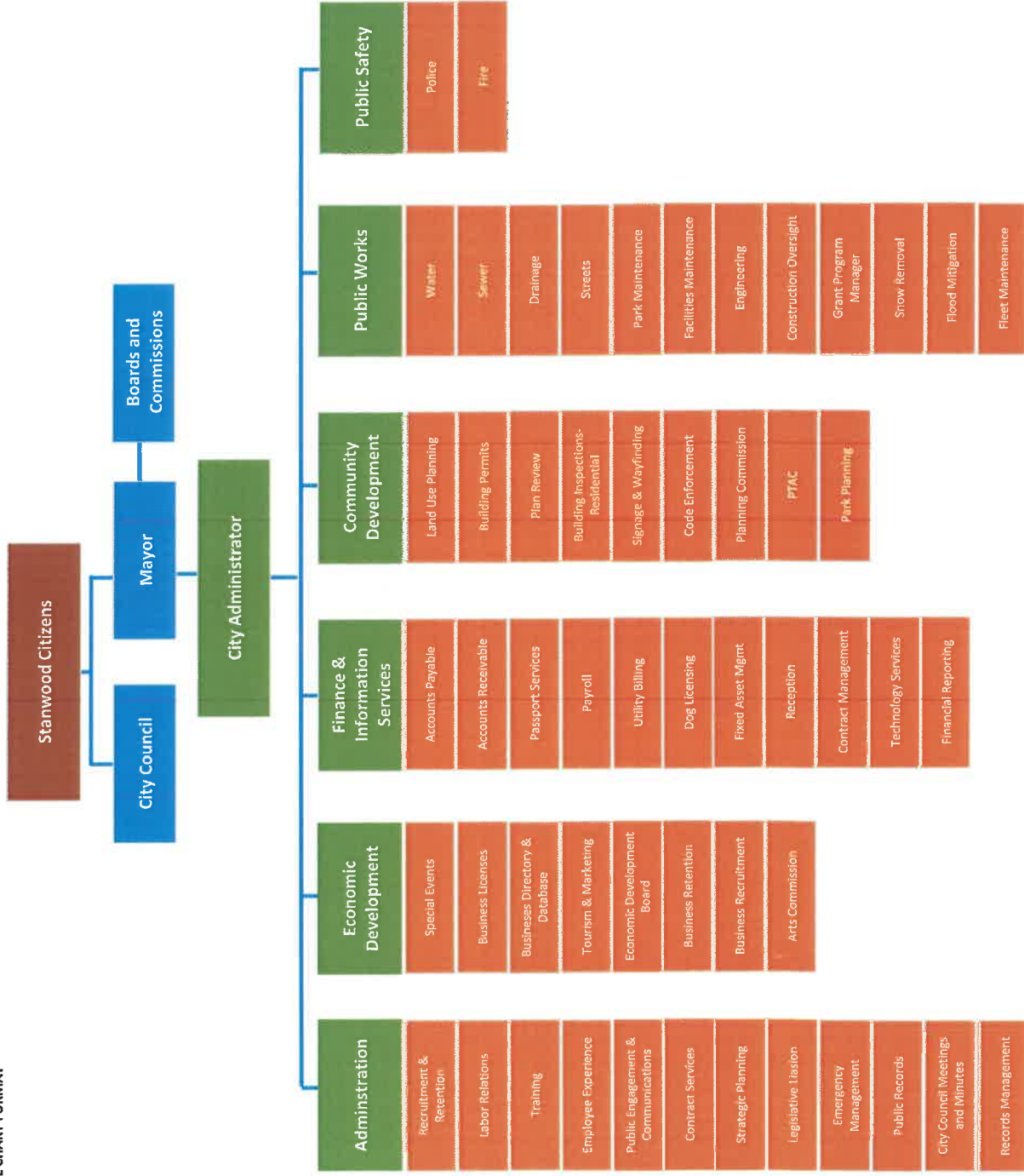
ORGANIZATIONAL CHART FORMAT



Indicates proposed new position

Indicates proposed reclassified position

FUNCTIONAL ORGANIZATIONAL CHART FORMAT



City of Sweet Home Housing Needs Analysis



December 2022



Acknowledgements

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Sweet Home City Council

Greg Mahler, Mayor
Diane Gerson, President
Susan Coleman
Lisa Gourley
Dylan Richards
Angelia Sanchez
Dave Trask

Sweet Home Planning Commission

Jeffrey Parker, Chair
Jamie Melcher
Eva Journey
Greg Korn
Greg Stephens
David Lowman
Henry Wolthuis
Dave Trask

Sweet Home Staff

Blair Larsen
Angela Clegg

Department of Land Conservation and Development

Josh LeBombard, Southern Oregon Regional Representative
Sean Edging, Housing Planner

Consultant Team

3J Consulting
Scott Fregonese
Julia Reisemann
Natalie Knowles

FCS GROUP

Todd Chase
Tim Wood



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Introduction

The Sweet Home Housing Needs Analysis (HNA) is intended to serve as a basis for the City of Sweet Home to document new information regarding the city's Buildable Land Inventory (BLI), population and employment trends, and development policies aimed at providing adequate land within the urban growth boundary (UGB) to accommodate the next 20 years of population growth.

Oregon Regulatory Requirements

The passage of the Oregon Land Use Planning Act of 1974 (ORS Chapter 197) established the Land Conservation and Development Commission (LCDC) and the Department of Land Conservation and Development (DLCD). The Act required the Commission to develop and adopt a set of statewide planning goals. Goal 10 addresses housing in Oregon and provides guidelines for local governments to follow in developing their local comprehensive land use plans and implementing policies.

At a minimum, local housing policies must meet the applicable requirements of Goal 10 and the statutes and administrative rules that implement it (ORS 197.295 to 197.314, ORS 197.475 to 197.490, and OAR 600-008).¹ Goal 10 requires incorporated cities to complete an inventory of buildable residential lands. Goal 10 also requires cities to encourage the numbers of housing units in price and rent ranges commensurate with the financial capabilities of its households. Goal 10 defines needed housing types as "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 UGB 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." ORS 197.303 defines needed housing types:

- (a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy.
- (b) Government assisted housing.²
- (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.
- (e) Housing for farmworkers.

¹ ORS 197.296 only applies to cities with populations over 25,000.

² Government assisted housing can be any housing type listed in ORS 197.303 (a), (c), or (d).

Methodology

A recommended approach to conducting a housing needs analysis is described in *Planning for Residential Growth: A Workbook for Oregon's Urban Areas*, the Department of Land Conservation and Development's guidebook on local housing needs studies. As described in the workbook, the specific steps in the housing needs analysis are:

1. Project the number of new housing units needed in the next 20 years.
2. Identify relevant national, state, and local demographic and economic trends and factors that may affect the 20-year projection of structure type mix.
3. Describe the demographic characteristics of the population and, if possible, the housing trends that relate to demand for different types of housing.
4. Determine the types of housing that are likely to be affordable to the projected households based on household income.
5. Determine the needed housing mix and density ranges for each plan designation and the average needed net density for all structure types.
6. Estimate the number of additional needed units by structure type.

Process

The HNA process was initiated at a kickoff management of City staff and the consultant in January 2022. PMT members continued to meet on regular basis over the course of the project to track progress on key tasks and deadlines, identify unanticipated issues and develop alternative approaches as needed.

The Planning Commission acted as the advisory committee for the HNA project. The advisory committee met three times in this capacity throughout the course of the project. The advisory committee reviewed and provided comments on key materials and made recommendations related to housing implementation policies.

- At meeting #1 in May 2022, the advisory committee viewed a presentation of demographic and housing trends in Oregon, Linn County, and the City of Sweet Home.
- At meeting #2 in September 2022, the advisory committee viewed a presentation on the Residential Buildable Land Inventory and Residential Land Need Analysis.
- Meeting #3 **Scheduled for December 1st, 2022**

All advisory committee meetings were advertised and open to the public.

Report Organization

This report provides the technical basis of findings that support proposed housing policy recommendations and subsequent actions that the city will take to update its Comprehensive

Plan and Development Code. Each section of this report provides current data, assumptions and results that comprise all findings and conclusions:

I. Introduction.

II. Housing Need Projection: provides a demographic overview and summary of market trends influencing housing growth in Sweet Home.

III. Buildable Land Inventory: identifies vacant, partially vacant, and redevelopable residential land within the Sweet Home UGB, and accounts for constraints to get to a final determination of capacity to meet 20-year needs.

IV. Land Sufficiency Analysis: this section compares expected land demand to vacant land supply to meet housing mix and densities described in the HNA.

V. Findings and Recommendations highlights key findings and draft housing policy recommendations.

Housing Need Projection

Methodology

The methodology for projecting housing needs within the Sweet Home UGB includes consideration of demographic and socio-economic trends, housing market characteristics and long-range population growth projections.

Regional (Linn County) and local (City or UGB) population, households, income and market characteristics are described in this memorandum using data provided by the U.S. Census Bureau (Census and American Community Survey), the U.S. Department of Housing and Urban Development (HUD), Oregon Department of Housing and Community Services (OHCS), Portland State University (PSU) and the City of Sweet Home. Where trends or long-range projections are provided by an identified data source, this analysis includes extrapolations or interpolations of the data to arrive at a base year (2022 estimate) and forecast year (2042 projection). The result of this forecast translates population growth into households and households into housing need by dwelling type, tenancy (owner vs. renter) and affordability level.

Demographic and Socio-Economics

Population

The City of Sweet Home attained a record-high population of 9,415 people in 2020. Linn County population is currently estimated at 127,320 year-round residents. In the last twenty years, the population in Sweet Home has grown more slowly than the Linn County average (**Exhibit 1**).

Exhibit 1: Population Trends (1990-2020)

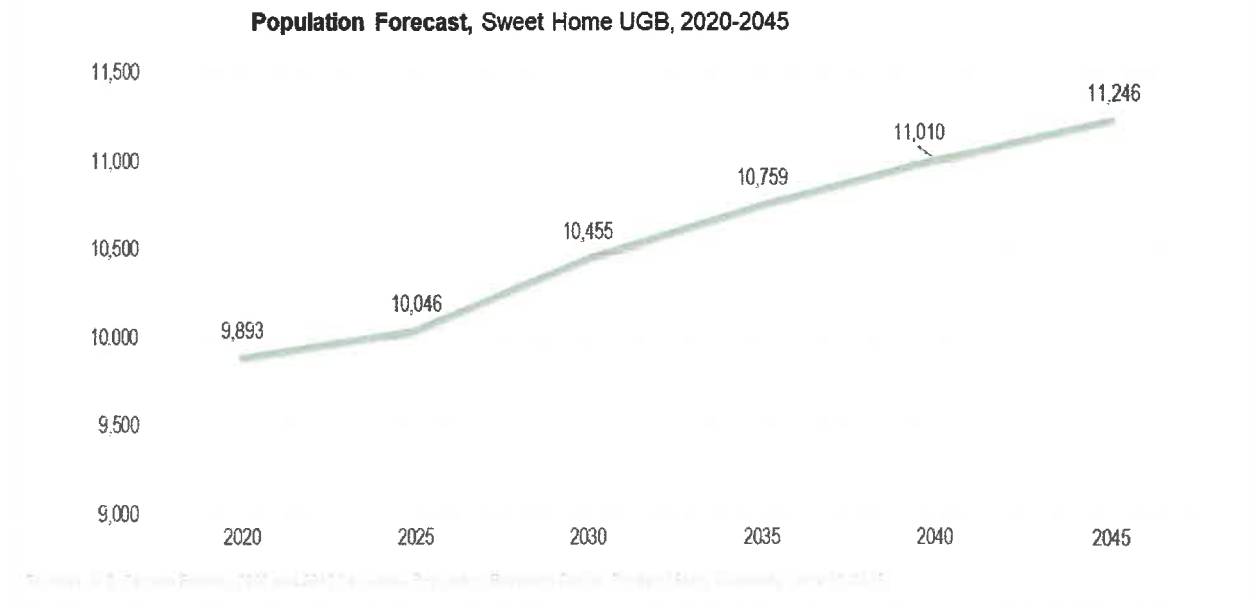
| Population Estimates, Linn County and City of Sweet Home , 1990-2020 | | | | | CAGR |
|--|--------|---------|---------|---------|-----------|
| | 1990 | 2000 | 2010 | 2020 | 2000-2020 |
| Linn County | 91,227 | 103,069 | 116,672 | 127,320 | 1.06% |
| City of Sweet Home | 6,850 | 8,016 | 8,925 | 9,415 | 0.81% |

Sources : Population Research Center, Portland State University, April 15, 2020

U.S. Census Bureau, PL94-171 redistricting data files.

Long-range population forecasts prepared by PSU anticipate that 1,720 new residents will be added to the Sweet Home Urban Growth Boundary (UGB) over the next 20 years. This equates to a projected annual average growth rate (CAGR) of 0.76% for the city (see **Exhibit 2**).

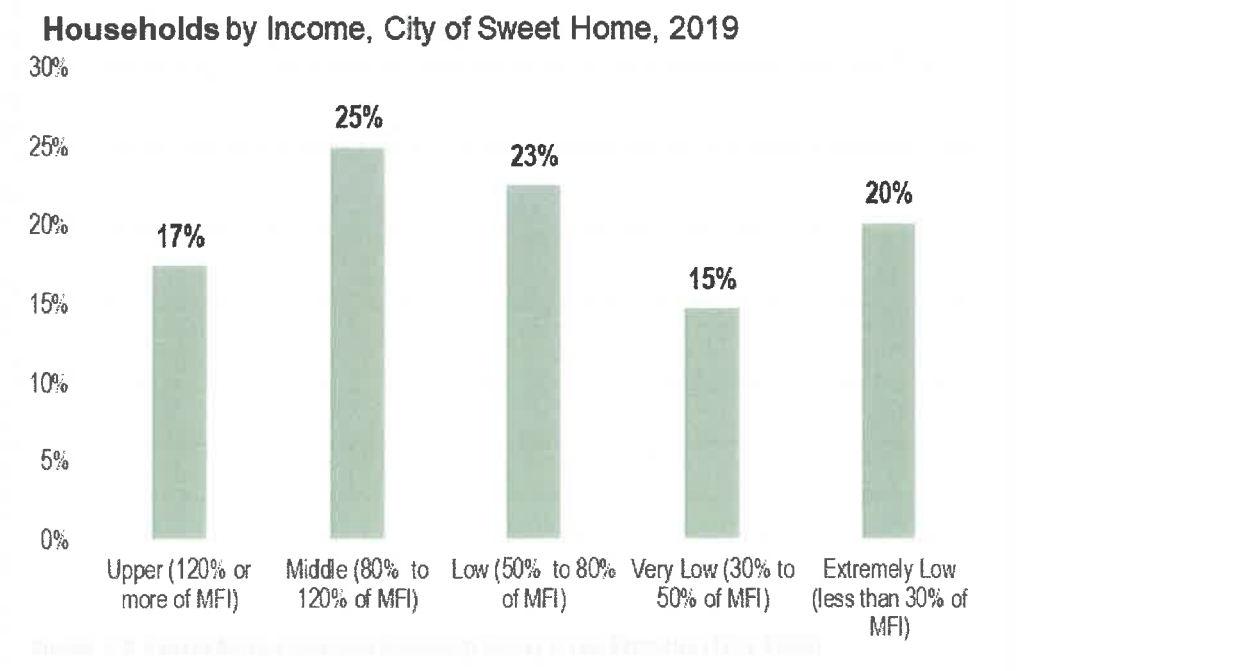
Exhibit 2: Population Projections (2020-2045)



Socio-economic Characteristics

In 2020, the median family income (MFI) in Linn County was \$64,500. As shown below in **Exhibit 3**, income is relatively evenly distributed with 17% of households making more than \$77,400, 25% of households making between \$77,400 and \$51,600, 23% of households making between \$51,600 and \$32,250, 15% of households making between \$32,250 and \$19,350 and 20% of households making less than \$19,350.

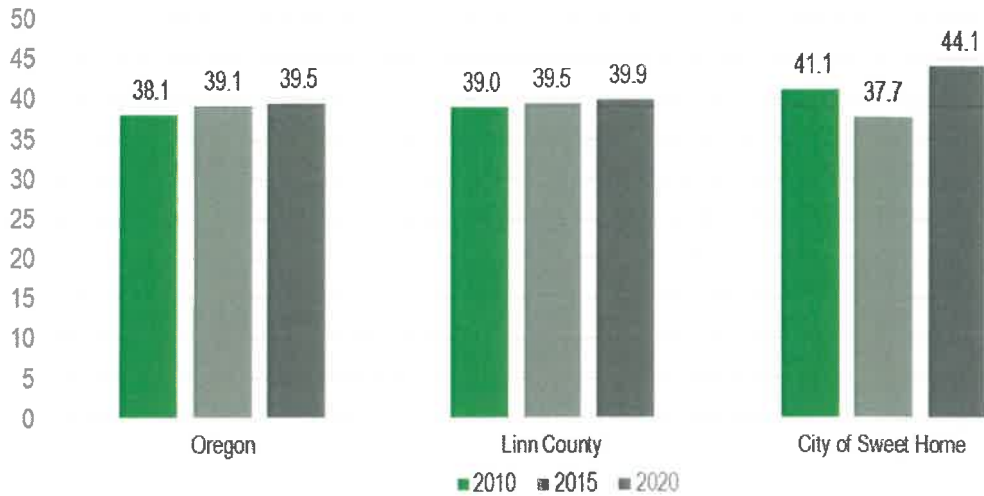
Exhibit 3: Households by Income Level, 2015-2019



The median age in Sweet Home (44.1) is above the Linn County average (39.6) and is also below the statewide average (Exhibit 4).

Exhibit 4: Median Age, 2010-2019

Median Age, 2010, 2015 and 2020



Source: U.S. Census Bureau, American Community Survey 5-Year Estimates (Table S01002)

Average household size in Sweet Home has fluctuated slightly over the last two decades, ranging between 2.72 and 2.41 residents per household. In 2020, there were 2.59 residents per household, slightly above the statewide average of 2.49 and below the countywide average of 2.6 (Exhibit 5).

Exhibit 5: City of Sweet Home Average Household Size 2010-2020

Average Household Size



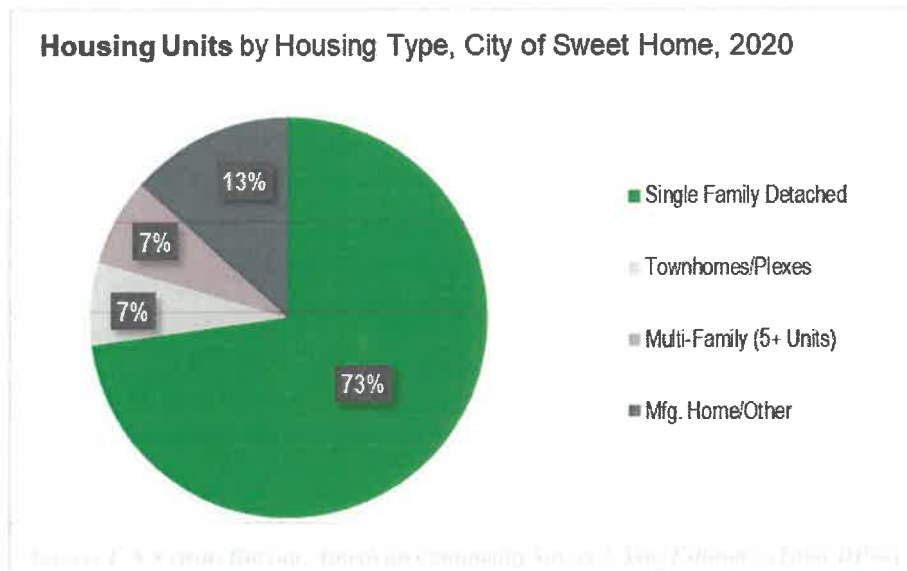
Source: U.S. Census Bureau, American Community Survey 5-Year Estimates (Table S01001)

Housing Inventory and Tenancy

Local housing inventory and tenancy sheds light on housing conditions and market demand preferences. In 2020, there were 4,137 housing units in Sweet Home of which 3,935 units were classified as occupied and 202 units were vacant.

Like most cities in Oregon, single-family detached housing is the most prevalent housing type representing 73% of the housing stock. The remaining inventory in Sweet Home includes mobile homes (13%), multifamily (7%), and townhomes and plexes (7%), as shown in **Exhibit 6**.

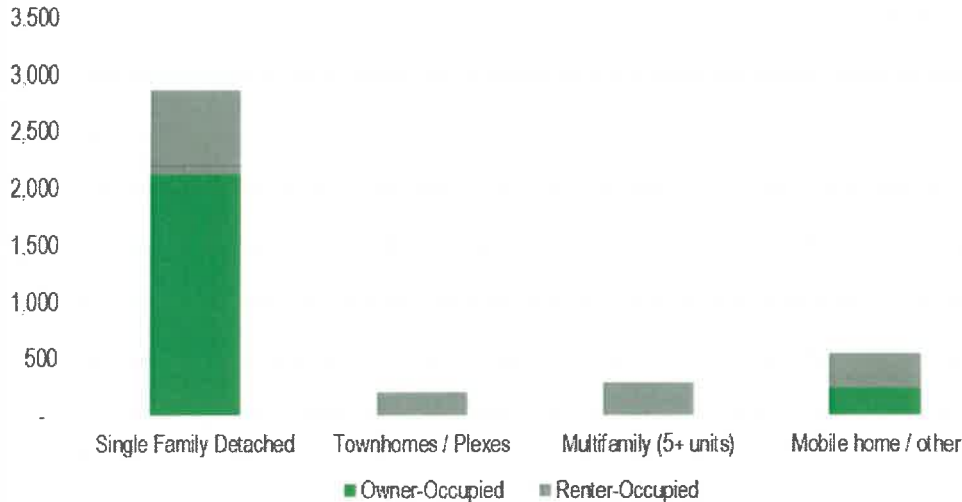
Exhibit 6: Existing Housing Inventory, 2020, City of Sweet Home



Owner-occupied housing units represent 60% of the occupied housing inventory while renter-occupied units account for the other 40% of the inventory (**Exhibit 7**). Ownership is most prevalent among single-family detached and manufactured housing types while renters are more likely to favor townhomes, plexes, and multifamily units.

Exhibit 7: Existing Housing Tenancy, 2020, City of Sweet Home

Housing Unit by Housing Type and Tenure City of Sweet Home 2020



Source: U.S. Census Bureau, American Community Survey, 5-Year Estimates, Table B2502

Housing Market Characteristics

To help gauge housing attainability in Sweet Home, FCS GROUP examined current median family income (MFI) levels using U.S. Housing and Urban Development (HUD) guidelines. By applying the assumptions shown in **Exhibit 8** below, based on the 2020 median family income (MFI) for Linn County (\$64,500), using HUD guidelines for upper middle households earning 80% of the MFI, a 4-person family should be able to afford monthly rents at \$1,290.

Exhibit 8: Housing Affordability Analysis Assumptions

| Assumptions | | |
|-------------------------------------|--------|------------------|
| Interest Rate (conventional) | 4.50% | |
| Downpayment | 5% | |
| Mortgage duration (Years) | 30 | |
| Income Affordability Target Level % | 30% | of median income |
| Property Taxes | 0.0125 | % of sales price |
| Mortgage Insurance | 0.0085 | % of loan amt. |
| Home Insurance | 0.0029 | % of sales price |

The rents shown in **Exhibit 9** are considered “attainable” if 30% of household income is allocated to housing.

Exhibit 9: Sweet Home Affordable Housing Analysis

| Linn County Median Family Income Level (2019)* | \$64,500 | |
|---|------------------|------------------|
| Qualifying Income Level: Renters | Lower-end | Upper-End |
| Upper (120% or more of MFI) | \$77,400 | or more |
| Middle (80% to 120% of MFI) | \$51,600 | \$77,400 |
| Low (50% to 80% of MFI) | \$32,250 | \$51,600 |
| Very Low (30% to 50% of MFI) | \$19,350 | \$32,250 |
| Extremely Low (less than 30% of MFI) | \$19,350 | or less |
| Attainable Monthly Housing Cost: Renters (@30% of income | Lower-end | Upper-End |
| Upper (120% or more of MFI) | \$1,935 | or more |
| Middle (80% to 120% of MFI) | \$1,290 | \$1,935 |
| Low (50% to 80% of MFI) | \$806 | \$1,290 |
| Very Low (30% to 50% of MFI) | \$484 | \$806 |
| Extremely Low (less than 30% of MFI) | \$484 | or less |

Monthly housing costs are much higher for homeowners than renters due to added costs associated with insurance and taxes. If 30% of income is allocated to mortgage interest and principal, using the assumptions stated on Exhibit 8 above, the expected housing cost for owners at 80% MFI level is \$1,744, which should be sufficient to afford a home priced at \$265,000 (Exhibit 10). Unfortunately for households at 80% or below MFI, there are few homes listed for sale at attainable price levels.

Exhibit 10: Sweet Home Affordable Housing Analysis: Homeowners

| Linn County Median Family Income Level (2019)* | \$64,500 | |
|---|------------------|------------------|
| HUD Qualifying Income Level | Lower-end | Upper-End |
| Upper (120% or more of MFI) | \$77,400 | or more |
| Middle (80% to 120% of MFI) | \$51,600 | \$77,400 |
| Low (50% to 80% of MFI) | \$32,250 | \$51,600 |
| Very Low (30% to 50% of MFI) | \$19,350 | \$32,250 |
| Extremely Low (less than 30% of MFI) | \$19,350 | or less |
| Supportable Housing Price: Mortgage Principal & Interest | Lower-end | Upper-End |
| Upper (120% or more of MFI) | \$397,000 | or more |
| Middle (80% to 120% of MFI) | \$265,000 | \$397,000 |
| Low (50% to 80% of MFI) | \$165,000 | \$265,000 |
| Very Low (30% to 50% of MFI) | \$99,000 | \$165,000 |
| Extremely Low (less than 30% of MFI) | \$99,000 | or less |
| Monthly Housing Costs for Owners: PIT & Insurance** | Lower-end | Upper-End |
| Upper (120% or more of MFI) | \$2,616 | or more |
| Middle (80% to 120% of MFI) | \$1,744 | \$2,616 |
| Low (50% to 80% of MFI) | \$1,089 | \$1,744 |
| Very Low (30% to 50% of MFI) | \$653 | \$1,089 |
| Extremely Low (less than 30% of MFI) | \$653 | or less |
| Min. Required Income Level: Owners | Lower-end | Upper-End |
| Upper (120% or more of MFI) | \$104,628 | or more |
| Middle (80% to 120% of MFI) | \$69,775 | \$104,628 |
| Low (50% to 80% of MFI) | \$43,566 | \$69,775 |
| Very Low (30% to 50% of MFI) | \$26,140 | \$43,566 |
| Extremely Low (less than 30% of MFI) | \$26,140 | or less |

Sweet Home home values have increased significantly in recent years. As indicated in **Exhibit 11**, median home values in Sweet Home increased to \$348,000 in March 2022, an annual increase of 19.4% over the past two years. Other cities in the region have experienced similar housing cost increases.

Exhibit 11: Zillow Home Value Price Index in Select Markets

| | Mar-20 | Mar-21 | Mar-22 | Annual Change % |
|---------------|-----------|-----------|-----------|-----------------|
| Sweet Home | \$244,000 | \$283,000 | \$348,000 | 19.4% |
| Lebanon | \$277,000 | \$315,000 | \$387,000 | 18.2% |
| Brownsville | \$300,000 | \$346,000 | \$420,000 | 18.3% |
| Albany | \$304,000 | \$338,000 | \$414,000 | 16.7% |
| Junction City | \$333,000 | \$373,000 | \$447,000 | 15.9% |

Source: Zillow.com; analysis by FCS Group 4/18/22

Housing Needs

Summary of Housing Needs

Based on the population projections described earlier and most current household size estimates of 2.59 people per household, the total net new housing need within the Sweet Home UGB is forecasted over the next 20 years is approximately 691 housing units plus 16 people living in group quarters (see **Exhibit 12**). This baseline housing need forecast assumes that the current share of group quarters population (includes people residing in congregate care facilities and housing shelters) and housing vacancy rates remain constant.

Exhibit 12: Sweet Home Housing Needs Forecast

| | 2022 Est. | 2042 forecast | Change |
|--|-----------|---------------|--------|
| City of Sweet Home UGB Population | 9,968 | 11,688 | 1,720 |
| Less Group Quarters (1%) | 95 | 111 | 16 |
| Pop in Households | 9,873 | 11,577 | 1,703 |
| Avg. Household Size | 2.59 | 2.59 | |
| Households (year round) | 3,812 | 4,470 | 658 |
| Vacancy and Seasonal Housing Assumption | 4.9% | 4.9% | 34 |
| Growth-related Housing Demand (dwelling units) | 4,008 | 4,699 | 691 |

Housing Demand by Dwelling Type and Tenancy

This baseline housing need forecast is generally consistent with the observed mix of housing types in Sweet Home. Additional housing forecast scenarios may be considered during the planning process to anticipate impacts of new policy objectives, such as:

- Local policies aimed at incentivizing mixed-use development in the downtown area.
- Ability to provide adequate infrastructure (water, sewer, and road capacity) to create new planned unit developments or single-family subdivisions.

- Changes in low density land use designations to create additional opportunities for middle housing types, such as duplexes and townhomes.

The baseline housing forecast predicts a range in the demand for housing types to address market preferences. The housing demand forecast includes: 503 single-family detached homes (such as small lot and standard lot subdivisions); 46 townhomes/duplexes; 49 multifamily units (apartments); and 93 manufactured housing units or cottage homes

Exhibit 13: Sweet Home Housing Need by Tenure & Housing Type

| | Owner-Occupied Dwelling Units | Renter-Occupied Dwelling Units | Vacancy Assumption | Total Dwelling Units |
|-------------------------------------|-------------------------------|--------------------------------|--------------------|----------------------|
| Housing Tenure Distribution: | 397 | 261 | 34 | 691 |
| Housing Type Distribution | | | | |
| Single Family Detached | 356 | 125 | 22 | 503 |
| Townhomes / Plexes | - | 35 | 11 | 46 |
| Multi family (5+ units) | - | 49 | 0 | 49 |
| Mfg. home/other | 41 | 51 | 0 | 93 |
| Total | 397 | 261 | 34 | 691 |

In addition, it is anticipated that there will also be the need to accommodate approximately 16 people in some form of group quarters housing (such as seminary/student housing, congregate care, in-patient care, etc.).

Exhibit 14 identifies that housing products that are most consistent with the projected housing need for Sweet Home.

Exhibit 14: Projected Housing Demand by Income Level, Sweet Home

| Housing Type | Owner-Occupied Dwellings | Renter-Occupied Dwellings | Total Dwelling Units | Attainable Housing Products |
|-----------------------------------|--------------------------|---------------------------|----------------------|---------------------------------------|
| Upper (120% or more of MFI) | 292 | 46 | 338 | Standard Homes |
| Upper Middle (80% to 120% of MFI) | 83 | 36 | 119 | Cottage Homes, Townhomes, Apartments |
| Lower Middle (50% to 80% of MFI) | 42 | 77 | 119 | Townhomes, Mfgd. Homes, Plexes, Apts. |
| Low (less than 50% of MFI) | 0 | 38 | 38 | Govt. Assisted Apts. & ADUs |
| Very Low (less than 30% of MFI) | 0 | 77 | 77 | Govt. Assisted Apts. & ADUs |
| Total | 417 | 274 | 691 | |

This housing needs forecast for Sweet Home will be refined during the planning process with input from the City, Advisory Committee, and the public at large.

Buildable Land Inventory

In accordance with OAR 660-008-0005 (2), an estimate of buildable land inventory (BLI) within Sweet Home's Urban Growth Boundary (UGB) has been created to determine the amount of land available to meet housing needs. The BLI analysis uses the most current Geographic Information Systems (GIS) data available for the Sweet Home UGB.

BUILDABLE LAND INVENTORY METHODOLOGY

The objective of the BLI is to determine the amount of developable land available for future residential housing development within the UGB. The steps taken to perform this analysis are as follows:

1. Calculate gross acres by plan designation, including classifications for fully vacant, partially-vacant parcels, and development potential. This step entails "clipping" all of the tax lots that are bisected by the current UGB to eliminate land outside current UGB from consideration for development at this time. City staff input was provided to provide a level of quality assurance to review output is consistent with OAR 660-008-0005(2).
2. Calculate gross buildable acres by plan designation by subtracting land that is constrained from future development, such as such as existing public right-of-way, parks and open space, open water, steep slopes, and floodplains. The analysis excludes any wetlands but treats locally significant wetlands as approved via Oregon's local wetlands inventory as its own entity.
3. Calculate net buildable acres by plan designation, by subtracting future public facilities such as roads, schools and parks from gross buildable acres.
4. Determine total net buildable acres by plan designation by taking into account potential redevelopment locations and mixed-use development opportunity areas.

The detailed steps used to create the land inventory are described below.

Residential Land Base

The residential land base reflects current Sweet Home Comprehensive Plan land use designations. Properties that are within the residential land base include the following base zone classifications:

Residential Zoning Categories

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Residential/Industrial/Transition
- Central Commercial
- Highway Commercial
- Neighborhood Commercial

-
- RR-1
 - RR-2.5

These classifications have been kept consistent throughout the analysis.

The City does have multiple sites that have conflicting zoning and comprehensive plan categories. A tax lot might be identified residential under zoning and as industrial in the comprehensive plan.

Sweet Home Buildable Land Categories HNA

The next step in the BLI analysis includes classifying each tax lot (parcel) into one of the following categories. In some cases, tax lots had to be split to accompany different plan classifications. Split tax lots are treated as individual and might go into any of the categories described below.

Vacant land: Properties with no structures or have buildings with very little value. For purpose of the BLI, residential lands with improvement value less than \$10,000 are considered vacant. These lands were also subjected to review using satellite imagery via Google Earth; and if the land is in a committed use such as a parking lot, an assessment has been made to determine if it is to be classified as vacant, part vacant or developed.

Partially vacant land: Properties that are occupied by a use (e.g., a home or building structure with value over \$10,000) but have enough land to be subdivided without the need for rezoning. This determination is made using tax assessor records and satellite imagery. For Single Family lots, it is assumed that ¼ acre (10,890 sq. ft.) is retained by each existing home, and the remainder is included in the part vacant land inventory. For non-single family uses aerial imagery was used to determine the size of the unused portion.

Redevelopment Potential: Occupied properties with a higher land value than the on-site structure. Properties must be at least 20,000sqft to be considered of interest for redevelopment.

Developed: Properties unlikely to yield additional residential development for one of two reasons: they possess existing structures at densities that are unlikely to redevelop over the planning period; or they include parcels with zoning designations that do not permit housing development.

Other: Properties which are regarded as unlikely to be developed because they are restricted by existing uses such as: public parks, schools, ballfields, roads and public right-of-way (ROW); common areas held by Homeowners Associations, cemeteries, power substations, and constrained by more than 85% of its area.

These tax lot classifications were validated using satellite imagery, street view, and assessor records. Preliminary results were refined based on City staff and public input received during the Housing Needs Analysis (HNA) planning process.

Development Constraints

The BLI methodology for identifying and removing development constraints is consistent with state guidance on buildable land inventories per OAR 660-008-0005(2) as well as 660-038-0070. By definition, the BLI is intended to include land that is “suitable, available, and necessary for

residential.” “Buildable Land” includes residential designated land within the UGB, including vacant, part vacant and land that is likely to be redeveloped; and suitable, available and necessary for residential uses. Public-owned land is generally not considered to be available for new growth unless the underlying zoning permits it. One exception is a large site north of the rail tracks by 18th Avenue. The County opened the site up for development. It is currently identified as recreational commercial.

It should be noted that “available” does not mean that the land is presently on the market. It is assumed in this analysis that such land is expected to come on the market within the 20-year timeframe of this study. Land is considered to be “suitable for new development” unless it is:

- Severely constrained by natural hazards as determined by the Statewide Planning Goal 7;
- Subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;
- Has slopes of 25 percent or more;
- Is within the 100-year flood plain; or
- Cannot be provided or served with public facilities

Based on state guidelines and data provided by the City of Sweet Home, the following constraints have been deducted from the residential lands inventory.

- Open water of at least one-half acre in size.
- Land within the 100-year floodplains.
- Land with slopes greater than 25%.
- Parks.
- Significant local wetlands via the States approved Local Wetland Inventory are treated on their own.

Sweet Home’s Comprehensive Plan has multiple policies regarding the protection of natural and hazardous land³. Besides the protection of steep slopes, larger water bodies and 100-year floodplain. In addition, the plan excludes any land characterized by high ground water and ponding, land subject to mud and debris flow, and natural drainage channels. In leu of GIS data specific to these concerns, this analysis will not address the specific natural resource policies as pointed out in Sweet Home’s Comprehensive Plan.

Residential Buildable Land Inventory Results

A summary of the land base by plan designation is provided in **Exhibit 15**. The findings indicate there is a total of 2,077 acres zoned for residential uses in Sweet Home, including 1,504 gross developed acres and 427 gross vacant acres.

³ Comprehensive Plan. Page 6
https://www.sweethomeor.gov/sites/default/files/fileattachments/community_and_economic_development/page/1461/sh_comprehensive_plan_2010_201408151818255696.pdf

Exhibit 15: Residential Land Base by Zone Designation, Sweet Home

| Zone Designation | Developed | Other | Vacant | Total |
|-----------------------------------|-------------|------------|------------|--------------|
| Central Commercial | 26 | 4 | 3 | 33 |
| Highway Commercial | 218 | 18 | 17 | 253 |
| Neighborhood Commercial | 0 | 0 | 0 | 0 |
| Residential/Industrial/Transition | 45 | 2 | 3 | 49 |
| High Density Residential | 200 | 7 | 49 | 256 |
| Medium Density Residential | 36 | 4 | 28 | 69 |
| Low Density Residential | 964 | 108 | 320 | 1392 |
| RR-1 | 13 | 0 | 7 | 21 |
| RR-2.5 | 2 | 3 | 0 | 5 |
| Total | 1504 | 146 | 427 | 2,077 |

Source: Sweet Home Buildable Land Inventory; 3J Consulting

Other Environmental constraints (slopes, floodplains, wetlands, etc.) are removed from gross vacant acres. Results summarized in **Exhibit 16** indicate that after accounting for development constraints, Sweet Home has 343 acres of vacant buildable residential land.

Exhibit 16: Vacant Land by Zone Designation, Sweet Home

| Zone Designation | Vacant Constrained | Buildable Vacant |
|-----------------------------------|--------------------|------------------|
| Central Commercial | 3 | 0 |
| Highway Commercial | 17 | 1 |
| Neighborhood Commercial | 0 | 0 |
| Residential/Industrial/Transition | 3 | 0 |
| High Density Residential | 49 | 15 |
| Medium Density Residential | 28 | 0 |
| Low Density Residential | 320 | 66 |
| RR-1 | 7 | 1 |
| RR-2.5 | 0 | 0 |
| Total | 427 | 84 |

Source: Sweet Home Buildable Land Inventory; 3J Consulting

In addition to vacant land, the BLI also includes partially-vacant and redevelopable land categories. As noted above, partially-vacant land includes properties that are occupied by a use (e.g., a home or building structure with value over \$10,000) with enough land to be subdivided without the need for rezoning. Properties with redevelopment potential are occupied properties with a higher land value than the on-site structure. Properties must be at least 20,000sqft to be considered of interest for redevelopment. After removing environmental constraints there are 349 part-vacant acres that could be subdivided for development and 29 acres with redevelopment potential, as shown in **Exhibit 17**.

Exhibit 17: Part-Vacant Buildable Land and Future Public Facilities Allowance, Sweet Home

| Zone Designation | Partial Vacant | Redevelopment |
|-----------------------------------|----------------|---------------|
| Central Commercial | - | 2 |
| Highway Commercial | 39 | 20 |
| Neighborhood Commercial | - | 0 |
| Residential/Industrial/Transition | 23 | 1 |
| High Density Residential | 19 | 0 |
| Medium Density Residential | 8 | 0 |
| Low Density Residential | 249 | 6 |
| RR-1 | 11 | 0 |
| RR-2.5 | 1 | 0 |
| Total | 349 | 29 |

Source: Sweet Home Buildable Land Inventory; 3J Consulting

Total Developable Residential Land

Exhibit 18 shows the combination of net developable vacant and net vacant in Sweet Home. The final deduction to the BLI, includes a 25% allowance for future public facilities and future right-of-way. Sweet Home has a buildable land inventory of 254 acres of Low Density land, 28 acres of Medium Density land, and 34 acres of High Density land. Conclusions regarding the sufficiency of this buildable land inventory will be drawn in the next chapter.

Exhibit 18: Net Buildable Vacant and Vacant Residential Land, Sweet Home

| Zone Designation | Buildable Vacant | Public Facilities | Net Vacant |
|-----------------------------------|------------------|-------------------|------------|
| Central Commercial | 2 | 1 | 2 |
| Highway Commercial | 16 | 4 | 12 |
| Neighborhood Commercial | 0 | 0 | 0 |
| Residential/Industrial/Transition | 3 | 1 | 2 |
| High Density Residential | 34 | 9 | 26 |
| Medium Density Residential | 28 | 7 | 21 |
| Low Density Residential | 254 | 63 | 190 |
| RR-1 | 6 | 2 | 5 |
| RR-2.5 | 0 | 0 | 0 |
| Total | 343 | 86 | 257 |

Source: Sweet Home Buildable Land Inventory; 3J Consulting

Buildable Land by Lot Size

Exhibits 19 and 20 show vacant and part-vacant land broken down by lot size. This is an important consideration given that, for example, a planned unit development yielding dozens of housing units can only occur on a relatively large, contiguous piece of land. The figures below show acreage figures prior to the 25% allowance for public facilities.

Exhibit 19 indicates that over 47 percent of buildable vacant land (162 acres) is on lots of more than ten acres. The remaining 53 percent of vacant developable land is more equally distributed between lots of five to ten acres (70 acres) and lots of less than five acres (50 acres). The large majority of vacant lots (82%) are less than one acre.

Exhibit 19: Vacant Buildable Land by Lot Size, Sweet Home

| Zone Designation | <1 acre | | 1 - 5 acres | | 5 - 10 acres | | >=10 acres | |
|-----------------------------------|-----------|------------|-------------|-----------|--------------|-----------|------------|-----------|
| | Acres | Lots | Acres | Lots | Acres | Lots | Acres | Lots |
| Buildable Vacant | | | | | | | | |
| Central Commercial | 2 | 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| Highway Commercial | 10 | 36 | 5 | 4 | 0 | 0 | 0 | 0 |
| Neighborhood Commercial | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Residential/Industrial/Transition | 1 | 5 | 1 | 1 | 0 | 0 | 0 | 0 |
| High Density Residential | 3 | 22 | 2 | 2 | 0 | 0 | 29 | 2 |
| Medium Density Residential | 5 | 18 | 2 | 1 | 6 | 1 | 15 | 1 |
| Low Density Residential | 40 | 159 | 32 | 19 | 63 | 11 | 118 | 10 |
| RR-1 | 0 | 3 | 6 | 3 | 0 | 0 | 0 | 0 |
| RR-2.5 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 62 | 251 | 50 | 30 | 70 | 12 | 162 | 13 |

Source: Sweet Home Buildable Land Inventory; 3J Consulting

Exhibit 20 shows that approximately half of buildable part-vacant land (170 acres) is on lots of between 1-5 acres. Approximately 58 percent of part-vacant lots are less than one acre.

Exhibit 20: Part Vacant Buildable Land by Lot Size, Sweet Home

| Zone Designation | <1 acre | | 1 - 5 acres | | 5 - 10 acres | | >=10 acres | |
|-----------------------------------|-----------|------------|-------------|------------|--------------|----------|------------|----------|
| | Acres | Lots | Acres | Lots | Acres | Lots | Acres | Lots |
| Buildable Part Vacant | | | | | | | | |
| Central Commercial | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Highway Commercial | 5 | 9 | 15 | 12 | 4 | 1 | 15 | 2 |
| Neighborhood Commercial | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Residential/Industrial/Transition | 6 | 12 | 17 | 11 | 0 | 0 | 0 | 0 |
| High Density Residential | 6 | 14 | 13 | 10 | 0 | 0 | 0 | 0 |
| Medium Density Residential | 1 | 2 | 7 | 4 | 0 | 0 | 0 | 0 |
| Low Density Residential | 65 | 157 | 106 | 85 | 40 | 7 | 38 | 3 |
| RR-1 | 0 | 0 | 11 | 7 | 0 | 0 | 0 | 0 |
| RR-2.5 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 |
| Total | 83 | 194 | 170 | 130 | 44 | 8 | 53 | 5 |

Source: Sweet Home Buildable Land Inventory; 3J Consulting

Exhibits 21 and 22 illustrate an estimate of residential buildable land inventory (BLI) within Sweet Home to determine the amount of land available to meet housing needs.

Exhibit 21: Sweet Home Buildable Land Inventory – Comprehensive Plan

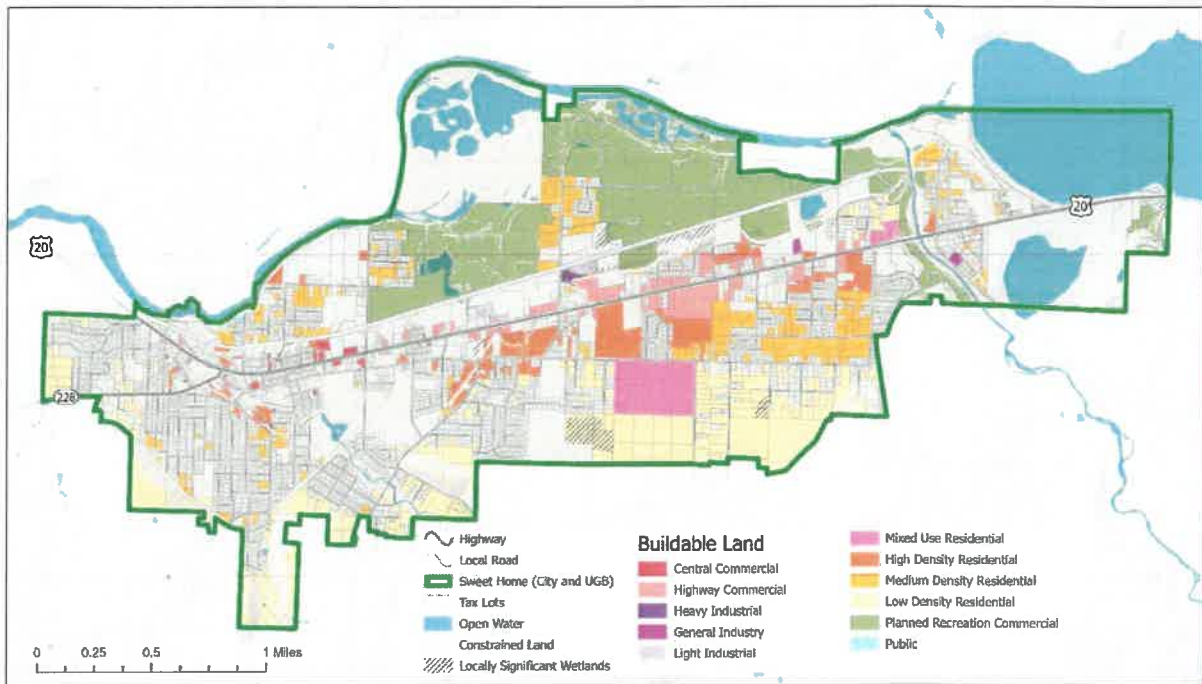
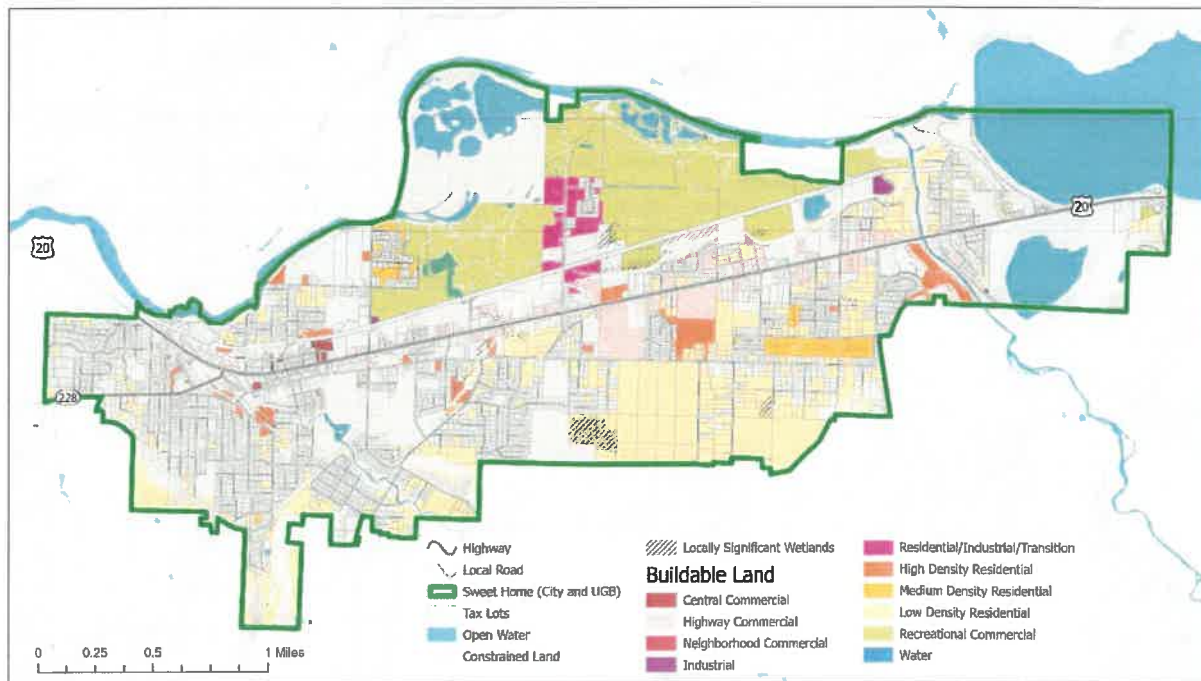


Exhibit 22: Sweet Home Buildable Land Inventory – Zoning



Residential Land Need Analysis

This Memorandum summarizes the housing-related land needs forecast for long-range planning purposes. The housing land needs forecast represents a 20-year forecast from 2022 through year 2042 for the Sweet Home Urban Growth Boundary (UGB). These technical findings are consistent with State of Oregon requirements for determining housing needs per Oregon land use planning Goals 10 and 14, OAR Chapter 660, Division 8, and applicable provision of *ORS 197.296 to 197.314 and 197.475 to 197.490*.

Methodology

The methodology for projecting housing land needs within the Sweet Home Urban Growth Boundary (UGB) builds upon the housing needs projection that was described in our prior Memorandum dated September 7, 2022. **Exhibit 23** identifies the housing types that are most consistent with the projected housing need for Sweet Home.

Exhibit 23: Projected 20-year Housing Needs Forecast, Sweet Home UGB

| | Dwelling Units |
|----------------------------------|----------------|
| Housing Type Distribution | |
| Single Family Detached | 460 |
| Townhomes / Plexes | 42 |
| Multi family (5+ units) | 45 |
| Mfg. home/cottages | 85 |
| Total | 632 |

This Memorandum compares the 20-year residential land needs (demand) relative to the residential buildable land inventory (BLI) that was developed by 3J Consulting. This provides a means of reconciling housing land demand with buildable land supply within the Sweet Home UGB. The evaluation of UGB land requirements to accommodate the planned housing need included three steps.

Step 1 takes into account the forecasted number of dwelling units by housing type, including single family detached, townhomes, plexes, multifamily and manufactured homes as well as group quarters population (see Exhibit 1).

Step 2 considers the amount of land required to accommodate the future housing demand based on the expected average development density for each general housing type (see **Exhibit 24**).

Step 3 includes a comparison (reconciliation) between the land need determined in Step 2 and the residential buildable land inventory presented in Section 3 of the HNA.

Housing Need Forecast

As discussed above, the forecasted housing need to address the baseline population growth forecast for Sweet Home is a total of 632 housing units. The expected distribution of baseline housing demand documented in the HNA includes:

- » Single Family Detached: 460 dwellings (including standard lot and small lot single family detached housing)

- » Manufactured homes and/or Cottage housing clusters: 85 dwellings
- » Townhomes and Plexes: 42 dwelling units
- » Multifamily: 45 dwelling units (includes apartments and condominiums with 5+ units per structure as well as group quarters units).

Residential Land Need Summary

The second step in the reconciliation of land needs estimates the amount of net buildable land area required to address projected housing growth forecast. This step applies average density assumptions based on local experience (dwellings per acre) to each of the general residential development categories listed in Step 1 to arrive at a total residential land need forecast.

As shown in **Exhibit 24**, the forecasted housing need of 632 total dwelling units is expected to require at least 135 net acres of buildable land area. The next step in the analysis includes adjusting the net land area to gross land area to account for future public facilities (25% factor used to account for roads, utilities, and easements). This results in a total buildable land need of 169 acres for planned residential growth.

Exhibit 24: Sweet Home Residential Classifications and Density Assumptions

| Dwelling Unit Type | 20-Year Dwelling Unit Demand | Applicable Plan Designation | Applicable Local Zones | Allowable Density (DU/Ac) | Avg. Development Density (DU/Ac) | Net Buildable Land Requirement | Gross Buildable Land Need* | % |
|------------------------|------------------------------|-----------------------------|-------------------------|---------------------------|----------------------------------|--------------------------------|----------------------------|-------------|
| Single Family Detached | 460 | LDR | RR-1, RR-2.5, LDR, R/VT | 1 to 5 | 4.0 | 115 | 144 | 73% |
| Mfd. Homes & Cottages | 85 | MDR | MDR | 3 to 10 | 6.5 | 13 | 16 | 13% |
| Townhomes / Plexes | 42 | MDR | MDR | 6 to 12 | 9.0 | 5 | 6 | 7% |
| Multifamily (5+ units) | 45 | CC, HC, NC, HDR | CC, HC, NC, HDR | 14 to 36 | 18.0 | 2 | 3 | 7% |
| Total | 632 | | | | | 135 | 169 | 100% |

Source: prior tables; and interpretation of current zoning code and housing development/market conditions.

* Assumes 25% of site area required for future public facilities, roads, easements, etc.

UGB Sufficiency Analysis

As indicated in **Exhibit 25**, Sweet Home Buildable Land Inventory (BLI) includes 599 acres of vacant land and 480 acres of part-vacant land for a total of 1,079 gross buildable land area (before deducting constraints and exempt uses). The BLI indicates that 158 acres of that land is constrained. Identified vacant land is in the rural residential, low, medium, and high-density residential categories as well as the commercial category which can include some residential uses.

Exhibit 25: Vacant Buildable Land Inventory by Comprehensive Plan Land Use Designation, Sweet Home

| Zoning Categories | Developed/ Other | Vacant | Part Vacant | Constrained | Total Buildable | Total |
|-----------------------------------|---------------------|------------|-------------|-------------|-----------------|--------------|
| Central Commercial | 30 | 2 | 0 | 0 | 2 | 32 |
| Highway Commercial | 236 | 16 | 39 | 1 | 54 | 290 |
| Neighborhood Commercial | 0 | 0 | 0 | 0 | 0 | 0 |
| Residential/Industrial/Transition | 46 | 3 | 23 | 0 | 26 | 72 |
| High Density Residential | 207 | 34 | 19 | 15 | 38 | 245 |
| Medium Density Residential | 40 | 28 | 8 | 0 | 36 | 76 |
| Low Density Residential | 1,072 | 254 | 249 | 66 | 437 | 1,509 |
| RR-1 | 13 | 6 | 11 | 1 | 16 | 29 |
| RR-2.5 | 5 | 0 | 1 | 0 | 1 | 6 |
| Total | 1,649 | 343 | 350 | 83 | 610 | 2,259 |

Source: Sweet Home Buildable Land Inventory August 16, 2022

Since the current UGB includes 610 acres of gross buildable land and the future residential land need forecast is for 169 acres, we can conclude that there is an overall residential land surplus of approximately 441 acres at this time **The BLI findings indicate that the existing amount of vacant and part vacant land within Sweet Home is generally sufficient to accommodate planned 20-year housing needs (Exhibit 26).**

Exhibit 26: Reconciliation of Land Inventory by Land Use Designation, Sweet Home

| Dwelling Unit Type | Applicable Zoning Designation | Gross Buildable Land Requirement | Current Buildable Land Inventory | Buildable Land Surplus (Deficit) |
|------------------------------|----------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Single Family Detached | LDR, MDR, R/VT, | 144 | 516 | 356 |
| Mfd. Homes & Cottages | RR-1, RR-2.5 | 16 | | |
| Townhomes/Plexes (2-4 units) | HDR, C | 6 | 94 | 85 |
| Multifamily (5+ units) | | 3 | | |
| Total | | 169 | 610 | 441 |

Source: prior tables; and interpretation of current zoning code and housing development/market conditions.

During the next phase of the HNA process the consultant team will work with City staff, public officials, and the community at large to identify new housing policies that would help preserve and enhance the housing inventory and optimize remaining buildable lands.

Findings and Recommendations

Key Findings

Sweet Home's population growth over the next 20 years will result in new households that will require additional housing. Key findings of the housing needs analysis include:

- Sweet Home's population is forecast to grow at 0.69% per year over the next two decades, adding approximately 1,571 new residents.
- Population growth will require the addition of 632 new dwelling units between 2022 and 2042.
- The forecasted housing mix that addresses 20-year demand is expected to consist of: 460 single-family detached homes, 42 townhomes/plexes, 45 multifamily housing units and 85 manufactured housing units.
- The share of those making 80% or less of the median family income level for Linn County (\$51,600) was 58% of Sweet Home's households in 2020.
- Over 1 in 4 renter households in Sweet Home are severely rent burdened with over 50% of their income going towards monthly housing costs.
- Net new housing needs over the next 20 years will require 169 acres of buildable residential land. Currently, the Sweet Home UGB includes 610 buildable acres across categories that allow residential development. The results of the housing needs analysis indicate that the current Sweet Home UGB is sufficient to accommodate future housing needs.

Housing Policy Recommendations

The purpose of the draft housing policy recommendations is to strengthen and renew the City of Sweet Home's intention to help foster development of a wide variety of housing to meet the needs of the community. Recommendations are intended to supplement or replace the existing housing policies contained within the Sweet Home Comprehensive Land Use Plan. Proposed additions are underlined, not deletions or modifications of current policies are recommended.

Residential Land Use Policies

1. Residential areas will offer a wide variety of housing types in locations best suited to each housing type.
2. Sweet Home will encourage rehabilitation or redevelopment of older residential areas.
3. The City encourages flexibility in design to promote safety, livability, and preservation of natural features.
4. Sweet Home establishes density recommendations in the Plan in order to maintain proper relationships between proposed public facilities, services, and population distribution.

-
5. The City will work with public and nonprofit organizations that provide affordable housing within the community.
 6. Schools and parks shall be distributed throughout the residential section of the community.
 7. Where nonresidential uses abut residential areas in the community, nonresidential uses shall be subject to special development standards.
 8. Efforts will be made to complete or connect existing sidewalks along routes to schools, parks, or commercial areas.
 9. Development of residential local streets, whenever possible, will increase connectivity within and between neighborhoods.
 10. The maximum net development densities (not including streets), in high density residential areas shall not exceed 35 multi-family dwelling units per acre, based on the standards for unit type.
 11. In medium-density residential areas, single-family dwellings and two-family dwellings on corner lots would be consistent with the prevailing character of developed areas and compatible with adjoining land use in undeveloped areas. In these areas, the maximum net density shall not exceed 9 dwelling units per acre.
 12. The maximum net density (not including streets) in low density residential areas shall not exceed 5.4 dwelling units per acre for single-family dwellings.
 13. Many of the hillside areas of Class II slope or less (25% slope or less) provide attractive sites for residential use. The City may enact special development standards governing hillside development on Class II slopes.
 14. Efforts will be made to extend trails, pedestrian ways, and bikeways through existing residential areas.
 15. To encourage connectivity and pedestrian access, residential blocks shall meet the development standards, except when topographical constraints make the standards impractical. When existing conditions or topography prevent a cross street, a pedestrian access way to connect streets should be considered as part of the development.
 16. Ensure the land use code includes “clear and objective” standards for housing development and does not have the effect of discouraging needed housing through unreasonable cost or delay or reducing the proposed housing density already allowed by zoning.
 17. Create a marketing campaign that increases awareness and participation with the federal solar tax credit to provide homeowners and renters assistance in upgrading their homes to be more energy efficient.
 18. Conduct a Fair Housing audit of the City’s development processes and Development Code. An audit would look at existing definitions, restrictions, standards that trigger conditional use permits, and disparate impacts of policies on protected classes.
 19. Identify areas of high priority for improving infrastructure to support new residential development, focusing on opportunities for new development in higher density zones. Particularly in areas with vacant land zoned for housing.
 20. Plan for a 20-year supply of suitable land for Sweet Home to meet housing needs through regular monitoring and adjustments of available residential land.
 21. Streamline the permitting process to reduce cost and delay of new housing units.

-
22. Promote the development of accessory dwelling units as a means to contribute to the overall housing stock and rental market.
 23. Identify public owned properties that could be used for affordable housing.
 24. Consider deferrals or waivers of SDCs for affordable housing developments.
 25. Monitor annually the number of total housing units, regulated affordable units, multifamily units, regulated affordable multifamily units and single family units, and regulated affordable single family units.
 26. Explore opportunities to remove undevelopable land from the buildable land inventory, including comprehensive plan amendments, rezoning and land exchanges.

Glossary

Accessory Dwelling Unit (ADU): A small living space located on the same lot as a single-family house.

Buildable Lands Inventory (BLI): An assessment of the capacity of land within the city's Urban Growth Boundary to accommodate forecasted housing and employment needs.

Buildable Residential Land: Includes land that is designated for residential development that is vacant and part-vacant and not constrained by existing buildings or environmental issues.

Constrained land: Land that is unavailable for future net new residential development based on one or more factors, such as environmental protections, public lands, floodplains, or steep slopes.

Cost Burdened: Defined by US Department of Housing and Urban Development (HUD) as households who spend over 30% of their income on housing.

Cottages: Small, single-level, detached units, often on their own lots and sometimes clustered around pockets of shared open space. A cottage is typically under 1,000 square feet in footprint.

Density: Defined by the number of housing units on one acre of land.

Development density: Expected number of dwelling units (per acre) based on current zoning designations.

Exempt Land: Land which is unavailable for development based on ownership (e.g., the city owns the land, and it is either a park or intended to be a park) or which is otherwise owned by a public entity and is not intended for housing (e.g., land owned by a port, school district, etc.).

Family: A group two or more people (one of whom is the householder) related by birth, marriage, or adoption and residing together.

High Density: Lots with the average density of 12+ dwelling units per acre. Best suited for multifamily housing such as apartments and condominiums.

Housing Needs Analysis (HNA): The Housing Needs Analysis consists of four distinct reports that analyze the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand going into 2040.

Housing Unit (or Dwelling Unit): A house, an apartment or other group of rooms, or a single room is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live and eat with any other person in the structure and there is direct access from the outside or common hall.

Household: Consists of all people that occupy a housing unit.

HUD: Acronym for US Department of Housing and Urban Development, the federal agency dedicated to strengthening and supporting the housing market.

Low Density: Lots with the average density of 3-4 dwelling units per acre. Best suited for family housing such as single-family detached homes.

Manufactured Housing: is a type of prefabricated home that is largely assembled of site and then transported to sites of use. The definition of the term in the United States is regulated by federal law (Code of Federal Regulations, 24 CFR 3280): "Manufactured homes are built as dwelling units of at least 320 square feet in size, usually with a permanent chassis to assure the initial and continued transportability of the home. The requirement to have a wheeled chassis permanently attached differentiates "manufactured housing" from other types of prefabricated homes, such as modular homes.

Manufactured Home Park (or manufactured home park): a local zoning designation that is specifically intended to address demand for this housing type. OAR chapter 813, division 007 is adopted to implement section 9, chapter 816, Oregon Laws 2009, and sections 2, 3 and 4, chapter 619, Oregon Laws 2005, as amended by sections 10 to 12, chapter 816, Oregon Laws 2009, and sections 19, and 21, chapter 503, Oregon Laws 2011 for the purpose of regulating manufactured dwelling parks.

Median Family Income (MFI): The median sum of the income of all family members 15 years and older living in the household. Families are groups of two or more people (one of whom is the householder) related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family.

Medium Density: Lots with the average density of 6-12 dwelling units per acre. Best suited for small lot housing such as single family attached, townhomes, plexes and cottages.

Mixed Use: Characterized as two or more residential, commercial, cultural, institutional, and/or industrial uses into one combined building or building(s) on the same parcel of land.

Multi-Family Housing: Stacked flats in a single buildings or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.

Oregon Administrative Rules (OAR): Administrative Rules are created by most agencies and some boards and commissions to implement and interpret their statutory authority (ORS 183.310(9)). Agencies may adopt, amend, repeal or renumber rules, permanently or temporarily. Every OAR uses the same numbering sequence of a three-digit chapter number followed by a three-digit division number and a four-digit rule number. For example, Oregon Administrative Rules, chapter 166, division 500, rule 0020 is cited as OAR 166-500-0020. (oregon.gov)

Part-vacant land: Unconstrained land that has some existing development but can be subdivided to allow for additional residential development.

Plexes and Apartments: Multiple units inside one structure on a single lot. Usually, each unit has its own entry.

Seasonal dwellings: These units are intended by the owner to be occupied during only certain seasons of the year. They are not anyone's usual residence. A seasonal unit may be used in more than one season; for example, for both summer and winter sports. Published counts of seasonal units also include housing units held for occupancy by migratory farm workers. While not currently intended for year-round use, most seasonal units could be used year-round.

Severely Cost Burdened: Defined US Department of Housing and Urban Development (HUD) as households who spend over 50% of their income on housing.

Single Family Attached: Dwelling units that are duplexes without a subdividing property line between the two to four housing units. “Attached” duplexes require a single building permit for both dwelling units. The “attached” units would be addressed with one numerical street address for the overall structure with separate alpha-numeric unit numbers for each dwelling.

Single Family Detached: Free standing residential building, unattached, containing separate bathing, kitchen, sanitary, and sleeping facilities designed to be occupied by not more than one family, not including manufactured and mobile homes.

Townhome (also known as duplexes, rowhouse, etc.): Attached housing units, each on a separate lot, and each with its own entry from a public or shared street or common area.

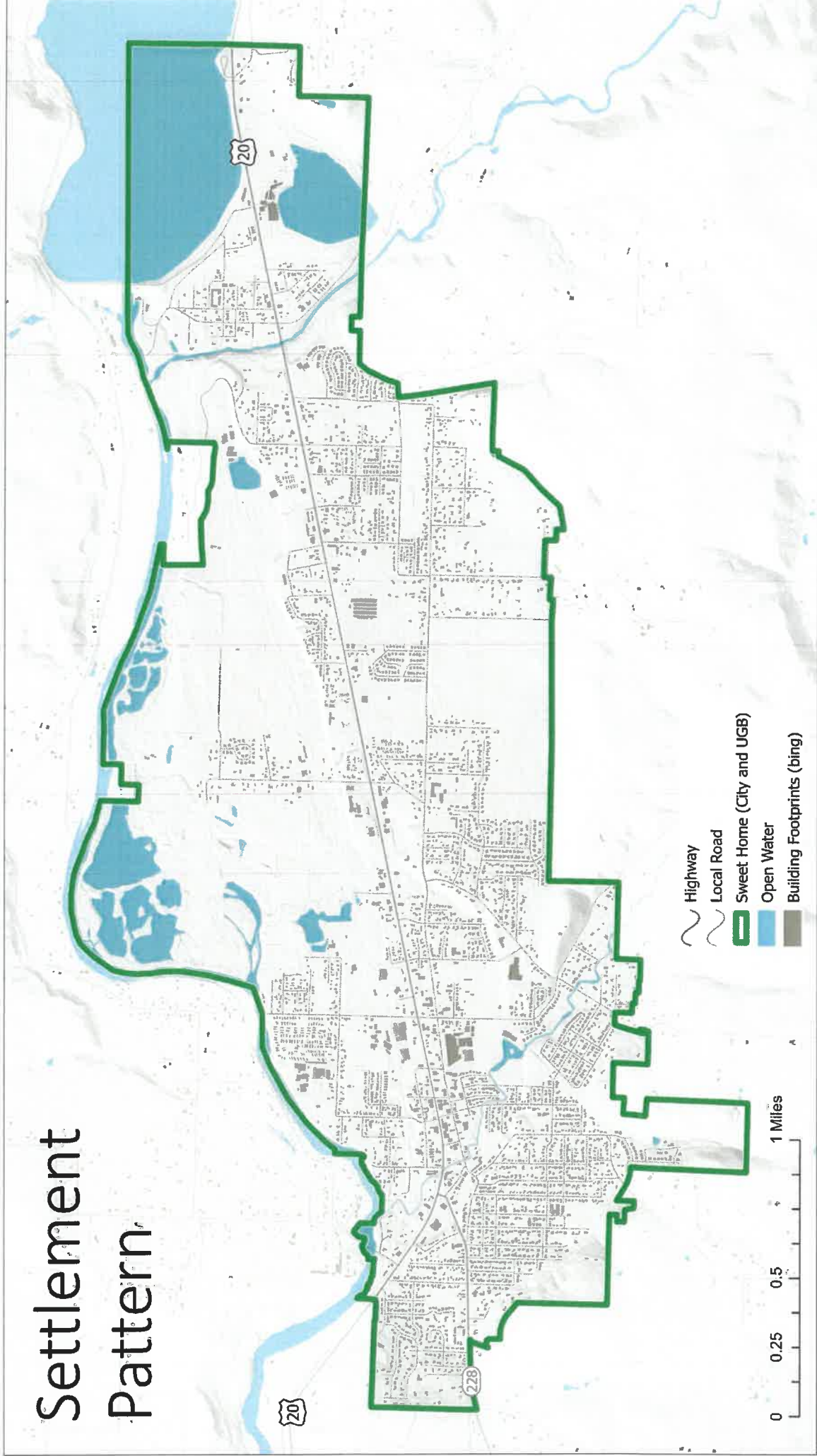
Urban Growth Boundary (UGB): Under Oregon law, each of the state’s cities and metropolitan areas has created an urban growth boundary around its perimeter – a land use planning line to control urban expansion onto farm and forest lands.

Vacant housing unit: A housing unit is vacant if no one is living in it at the time of enumeration unless its occupants are only temporarily absent. Units temporarily occupied at the time of enumeration entirely by people who have a usual residence elsewhere are also classified as vacant.

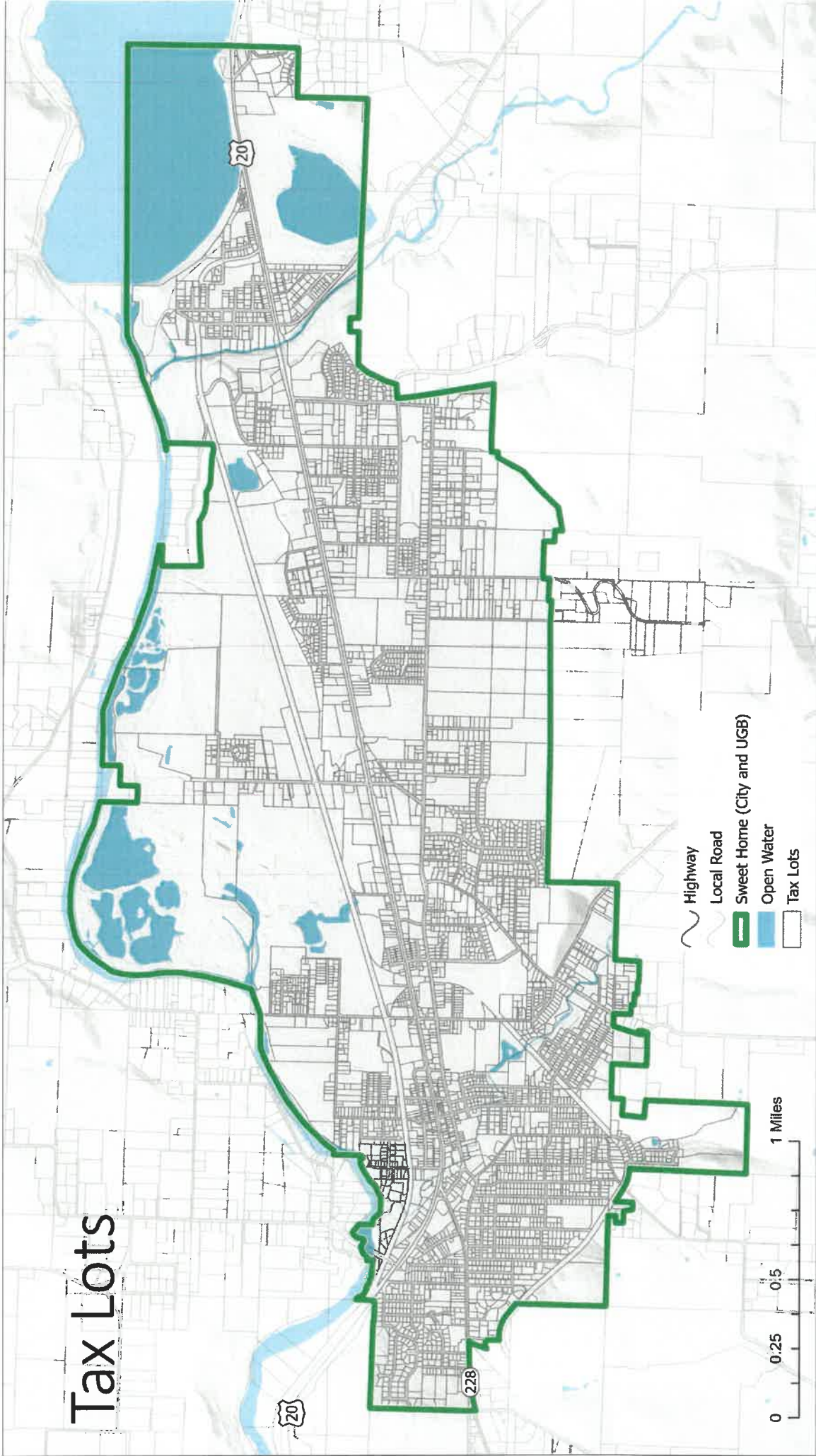
Vacant land: Vacant and part-vacant land identified within the local buildable land inventory that is not developed and unconstrained for future planned residential development.

Buildable Land Inventory

Settlement Pattern



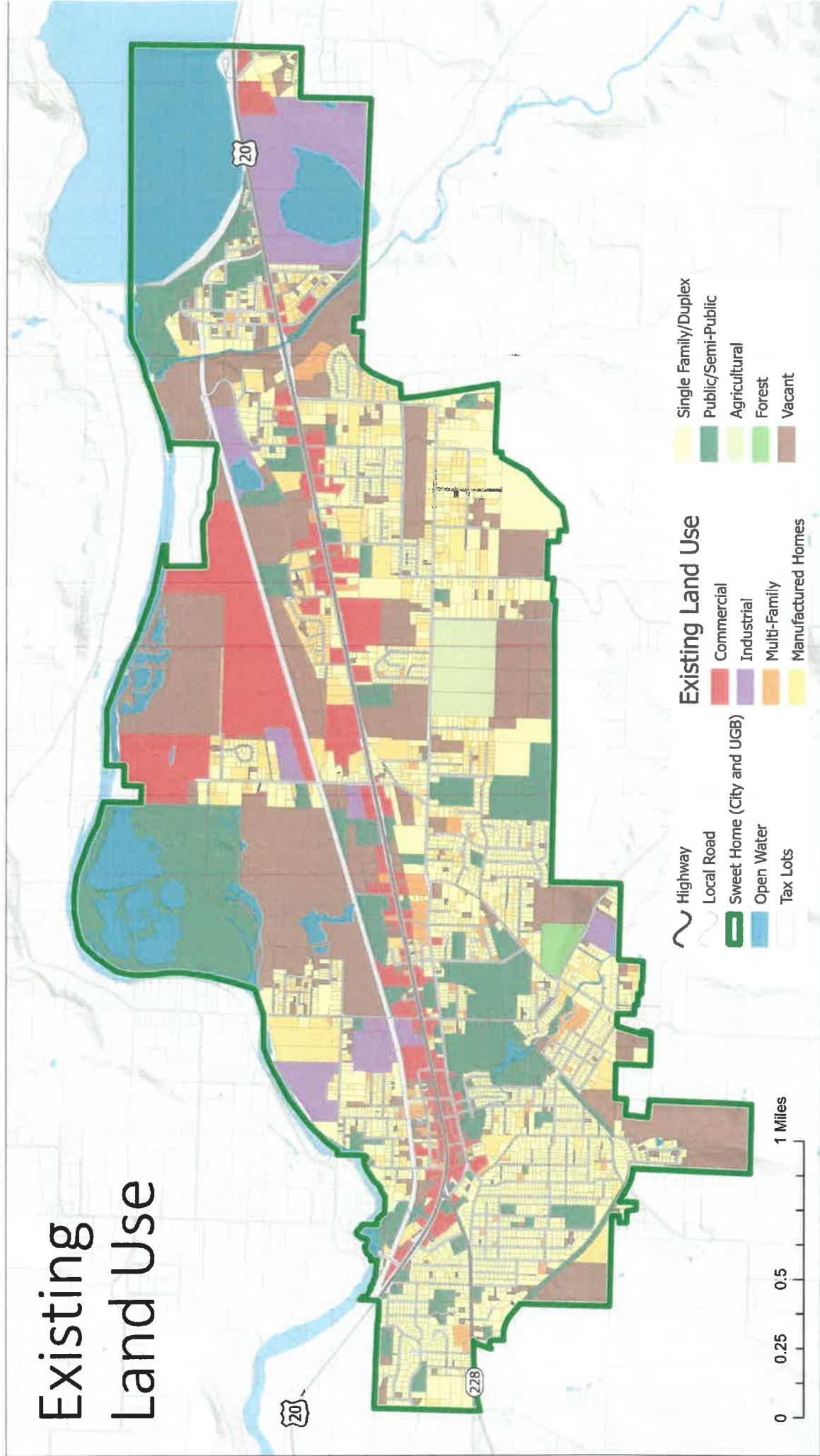
Tax Lots



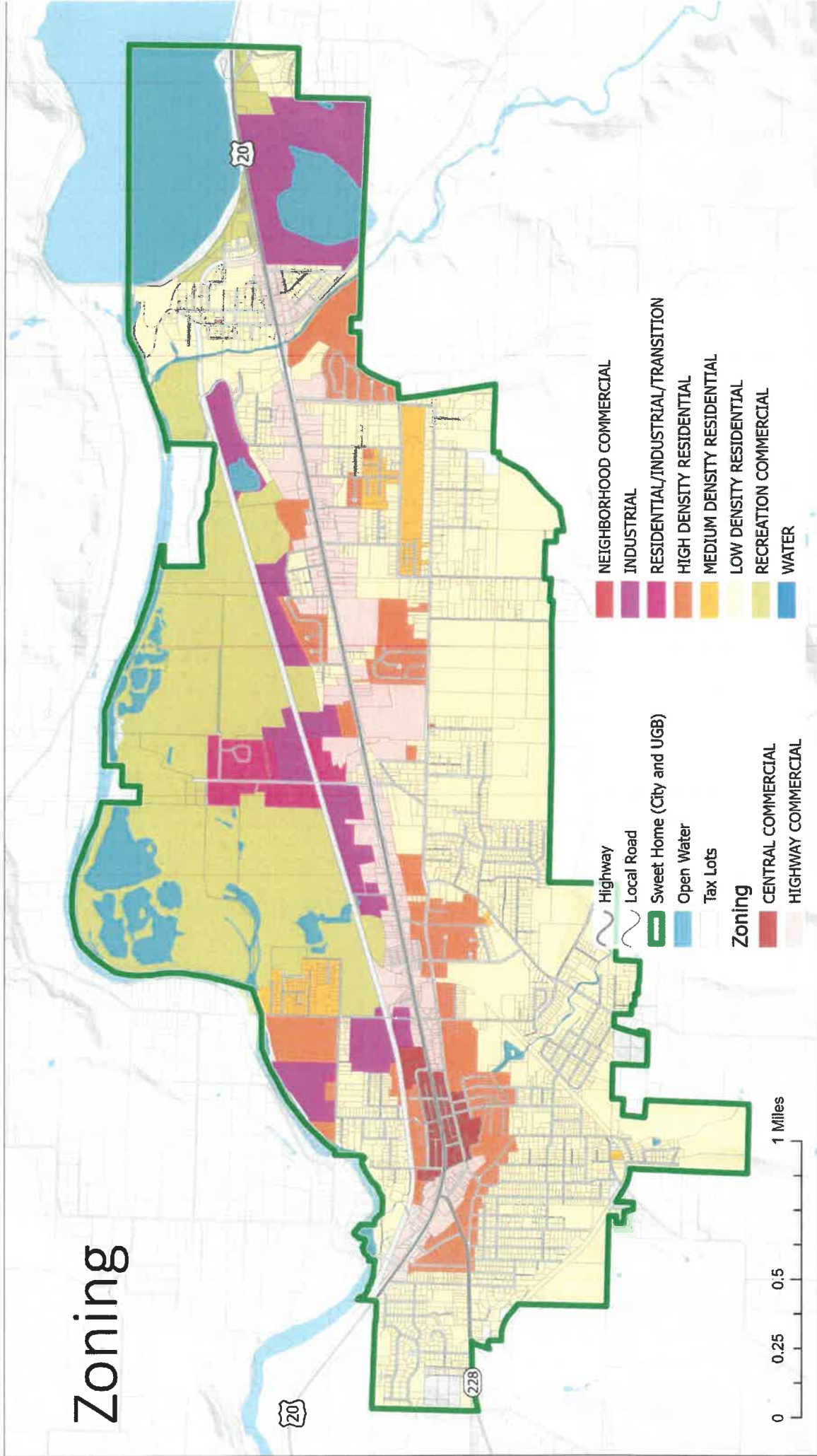
- Highway
- Local Road
- Sweet Home (City and UGB)
- Open Water
- Tax Lots

0 0.25 0.5 1 Miles

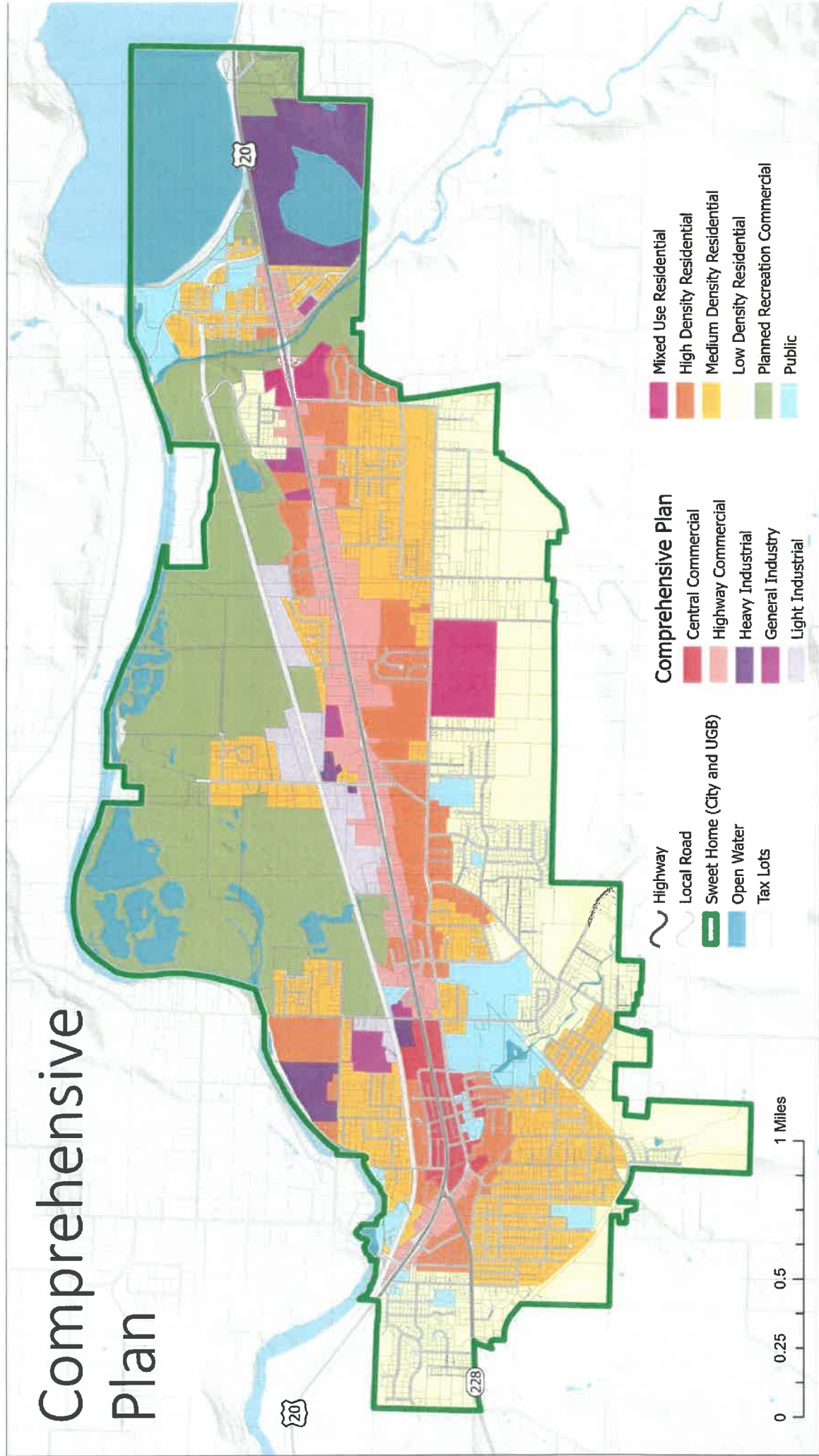
Existing Land Use



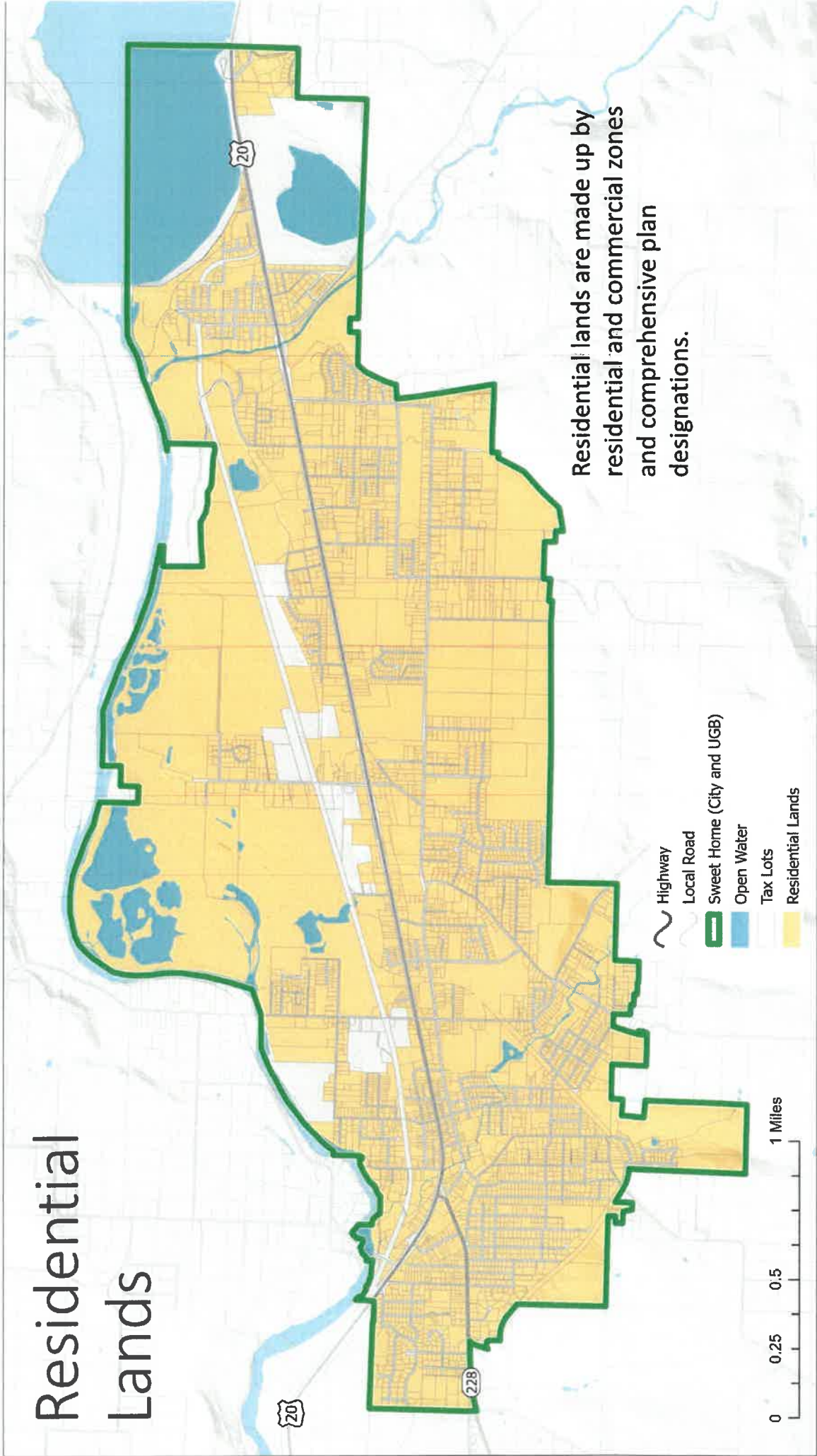
Zoning



Comprehensive Plan

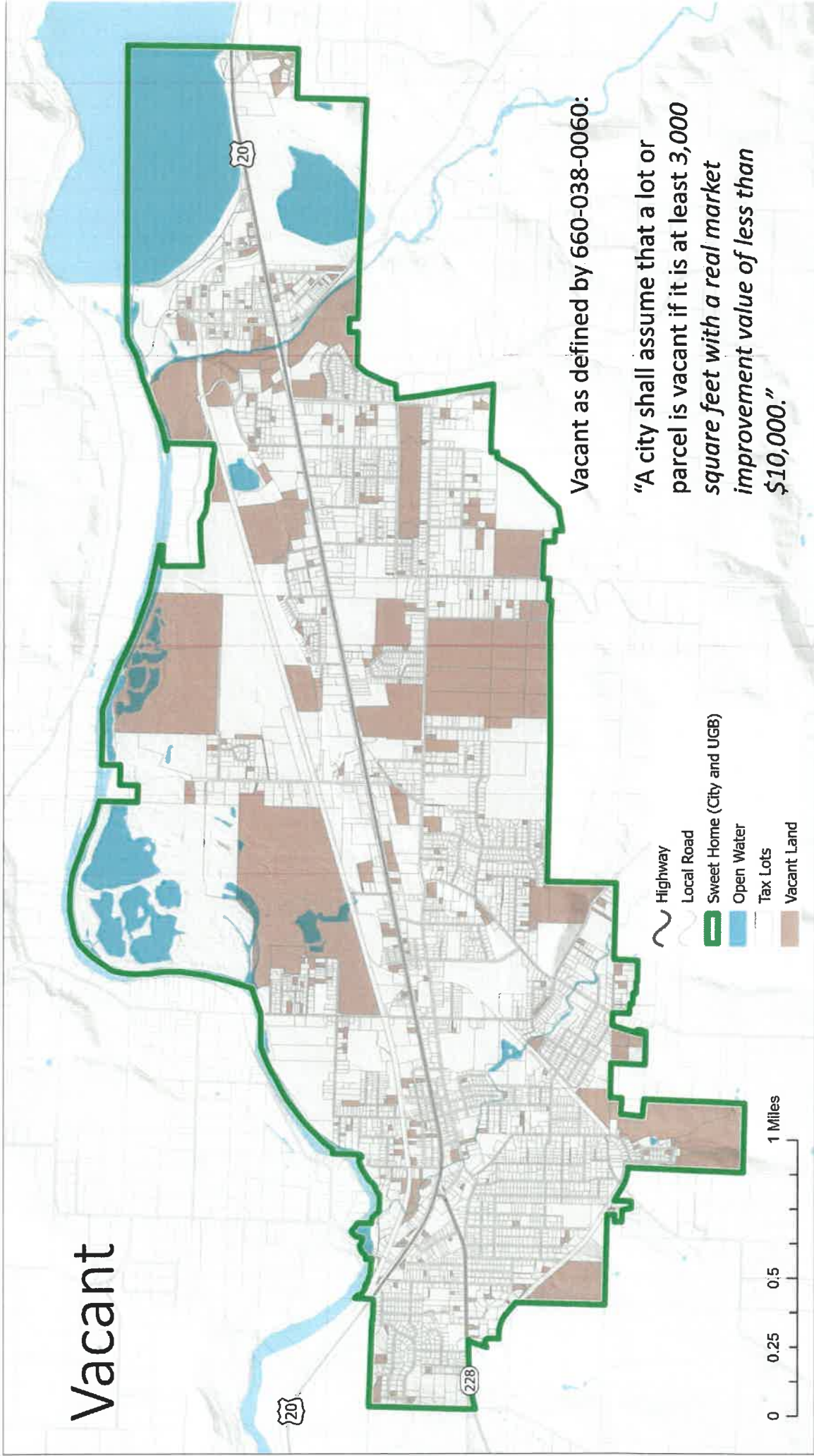


Residential Lands



Residential lands are made up by residential and commercial zones and comprehensive plan designations.

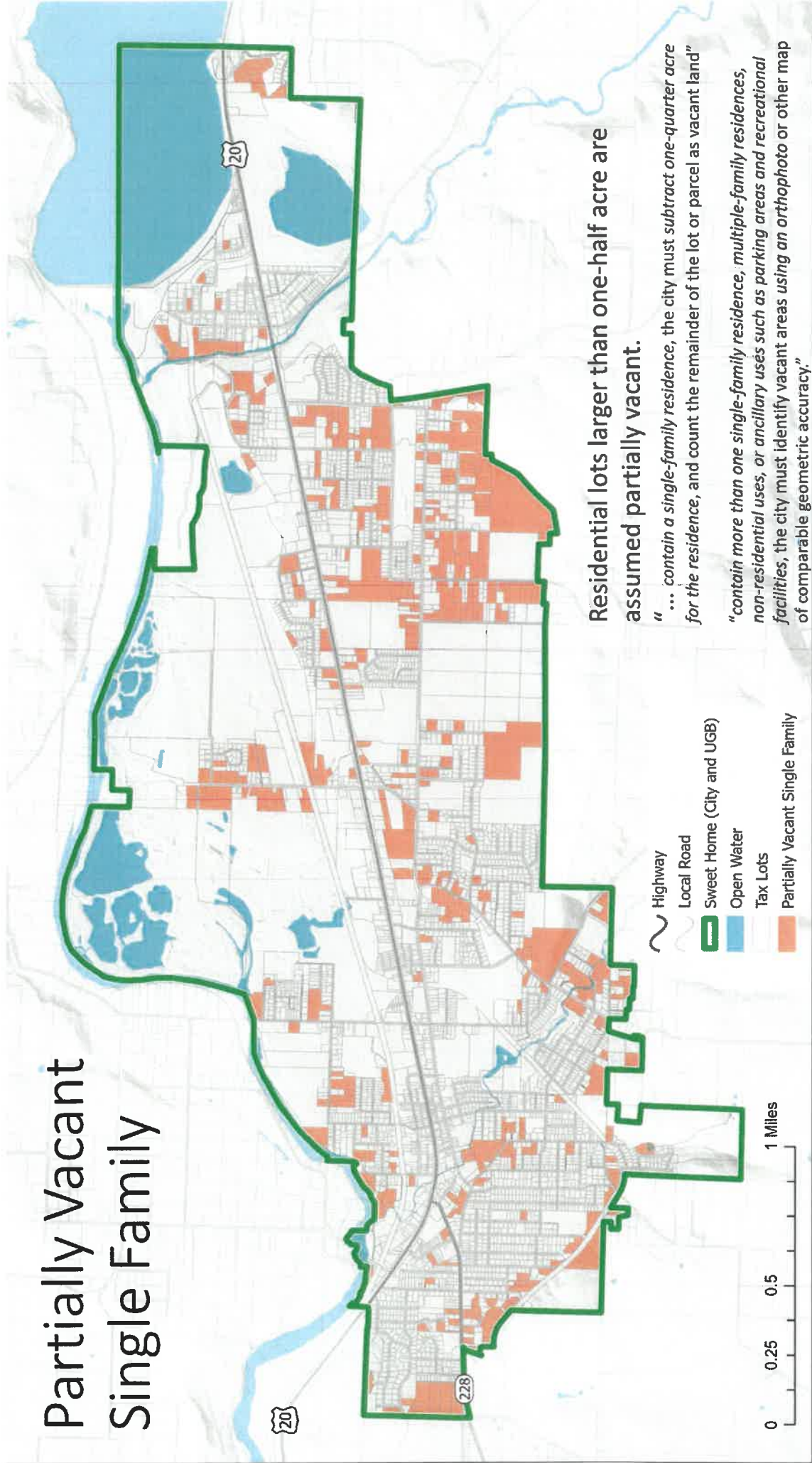
Vacant



Vacant as defined by 660-038-0060:

“A city shall assume that a lot or parcel is vacant if it is at least 3,000 square feet with a real market improvement value of less than \$10,000.”

Partially Vacant Single Family

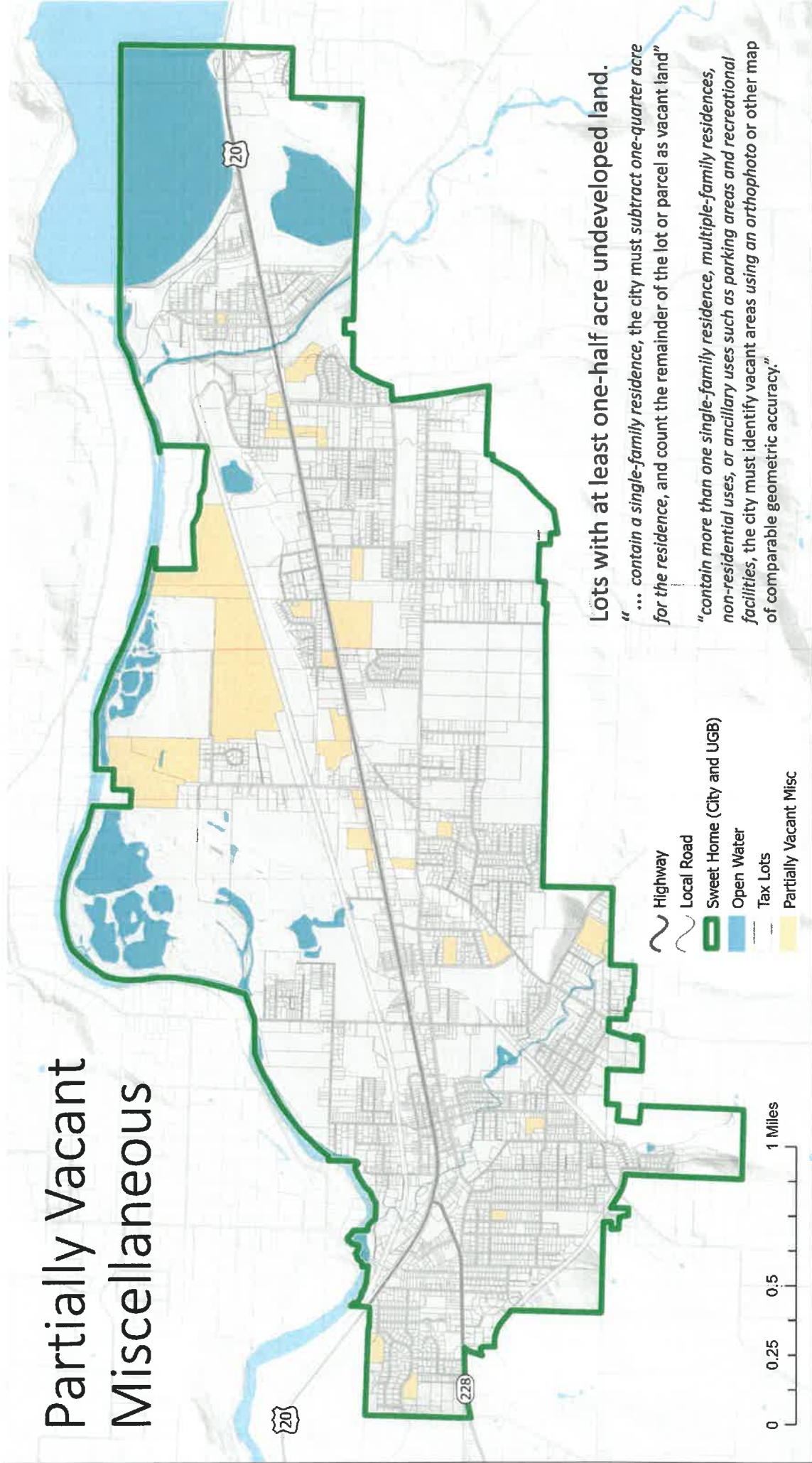


Residential lots larger than one-half acre are assumed partially vacant.

"... contain a single-family residence, the city must subtract one-quarter acre for the residence, and count the remainder of the lot or parcel as vacant land"

"contain more than one single-family residence, multiple-family residences, non-residential uses, or ancillary uses such as parking areas and recreational facilities, the city must identify vacant areas using an orthophoto or other map of comparable geometric accuracy."

Partially Vacant Miscellaneous



Lots with at least one-half acre undeveloped land.

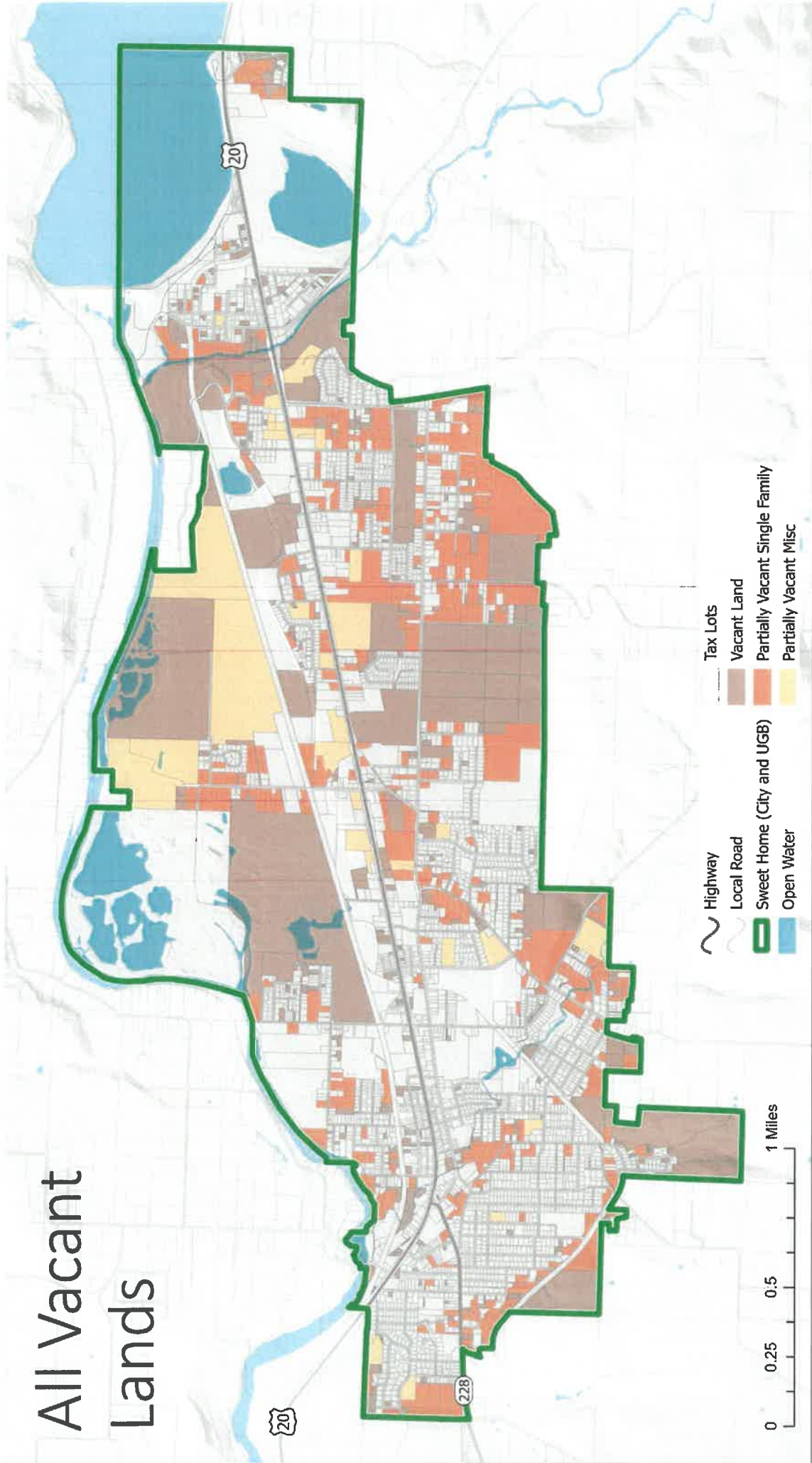
"... contain a single-family residence, the city must subtract one-quarter acre for the residence, and count the remainder of the lot or parcel as vacant land"

"contain more than one single-family residence, multiple-family residences, non-residential uses, or ancillary uses such as parking areas and recreational facilities, the city must identify vacant areas using an orthophoto or other map of comparable geometric accuracy."

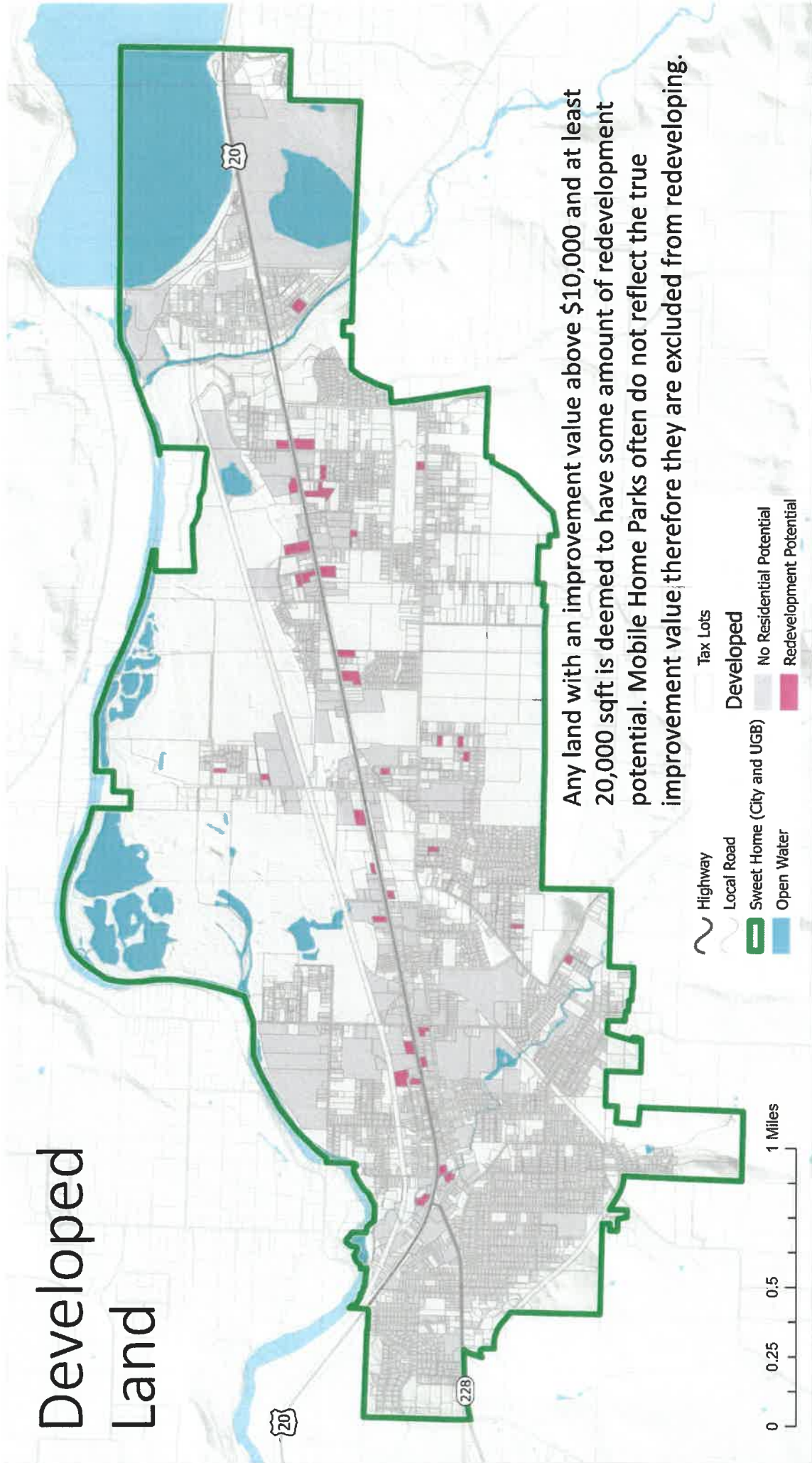
- Highway
- Local Road
- Sweet Home (City and UGB)
- Open Water
- Tax Lots
- Partially Vacant Misc

0 0.25 0.5 1 Miles

All Vacant Lands



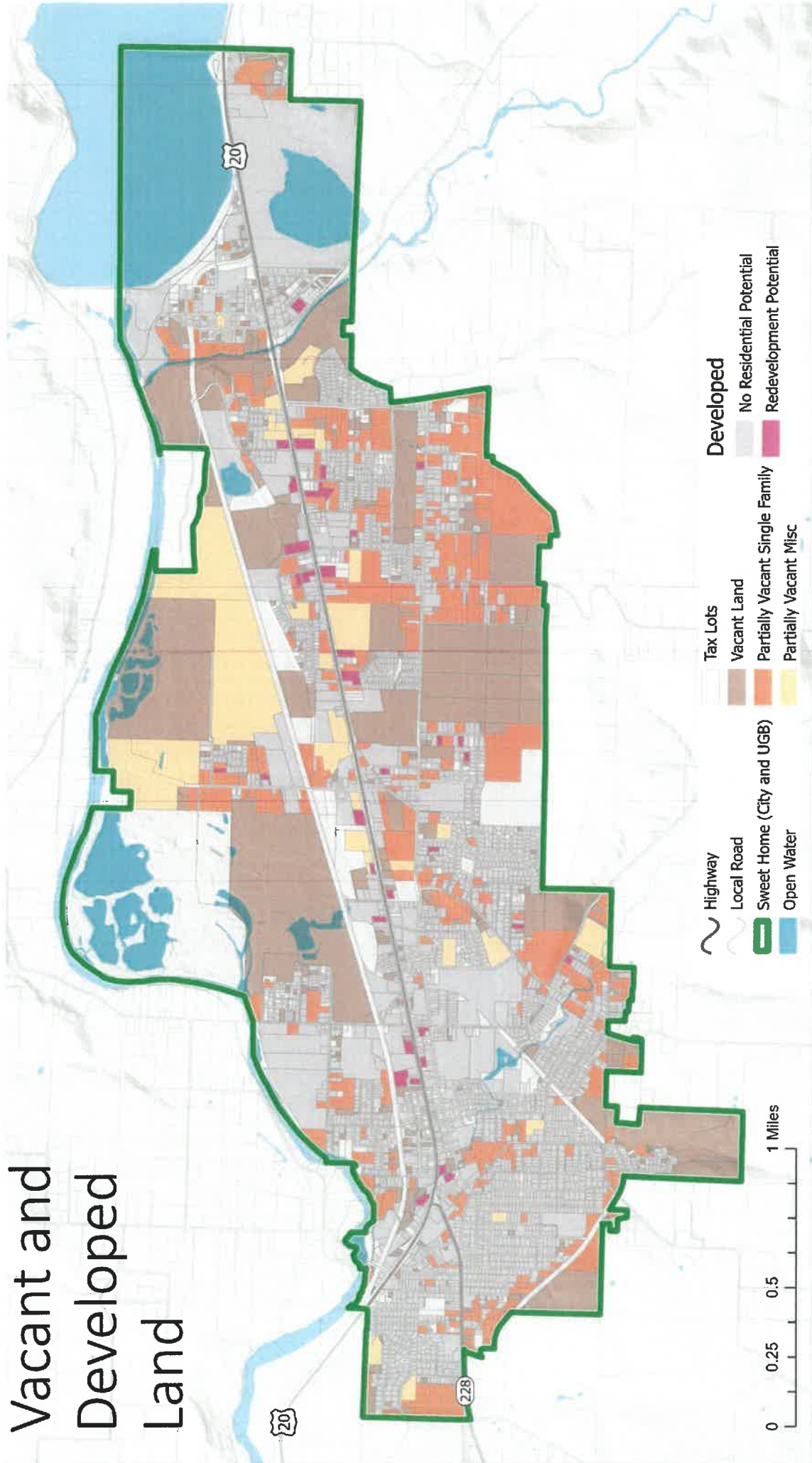
Developed Land



Any land with an improvement value above \$10,000 and at least 20,000 sqft is deemed to have some amount of redevelopment potential. Mobile Home Parks often do not reflect the true improvement value, therefore they are excluded from redeveloping.

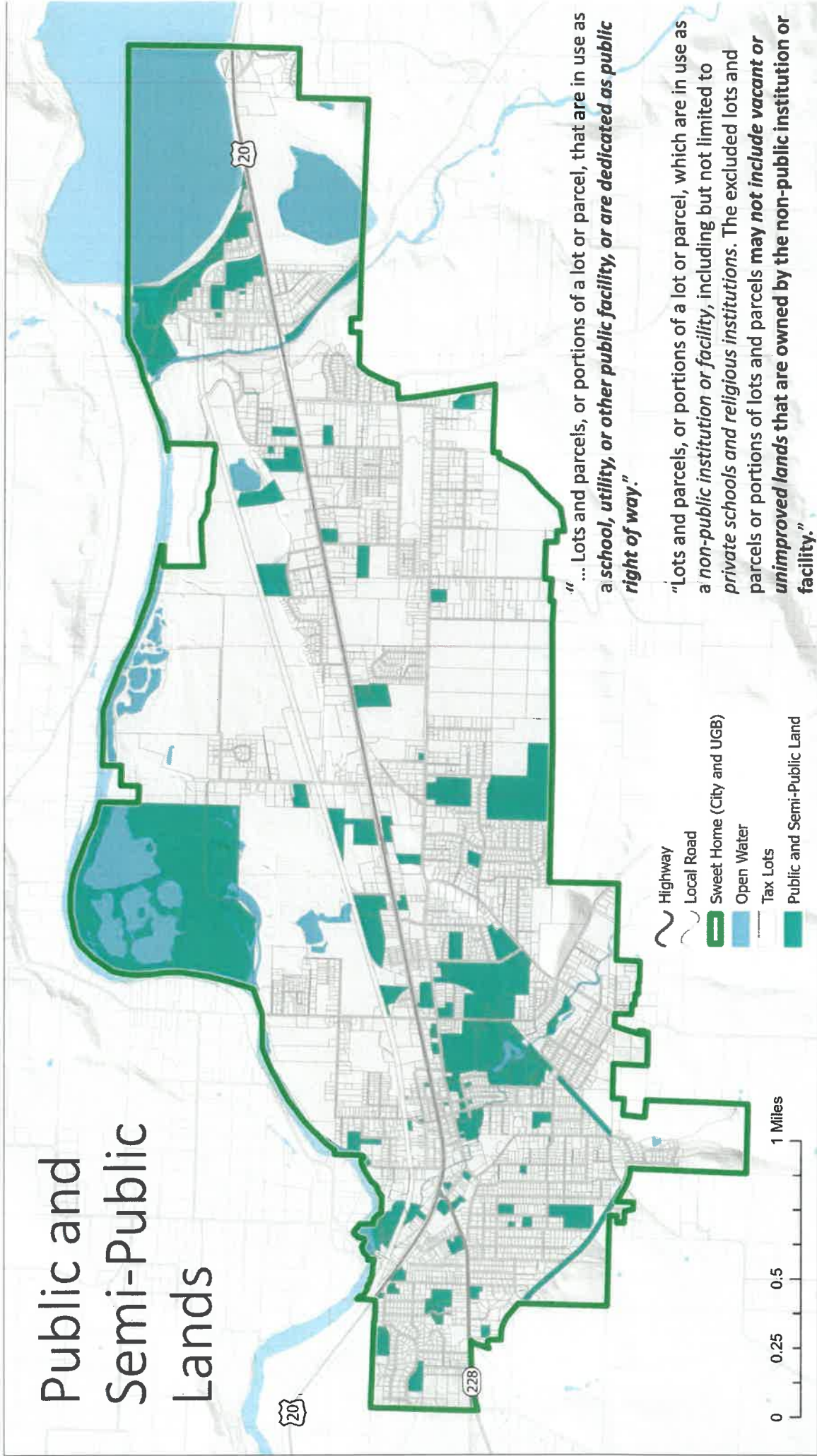
- Highway
- Local Road
- Sweet Home (City and UGB)
- Open Water
- Tax Lots
- Developed
- No Residential Potential
- Redevelopment Potential

Vacant and Developed Land



Constraining Factors

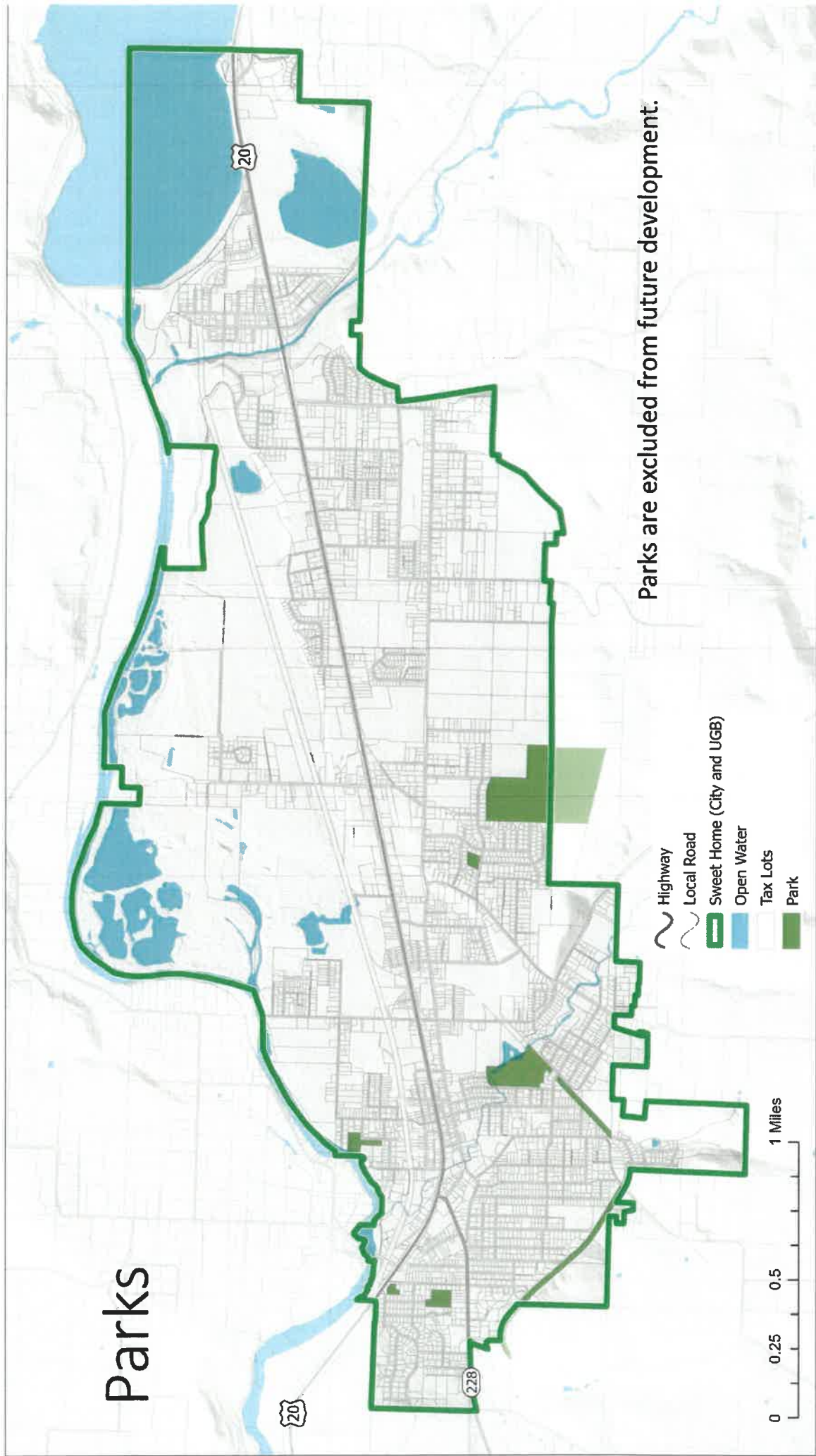
Public and Semi-Public Lands



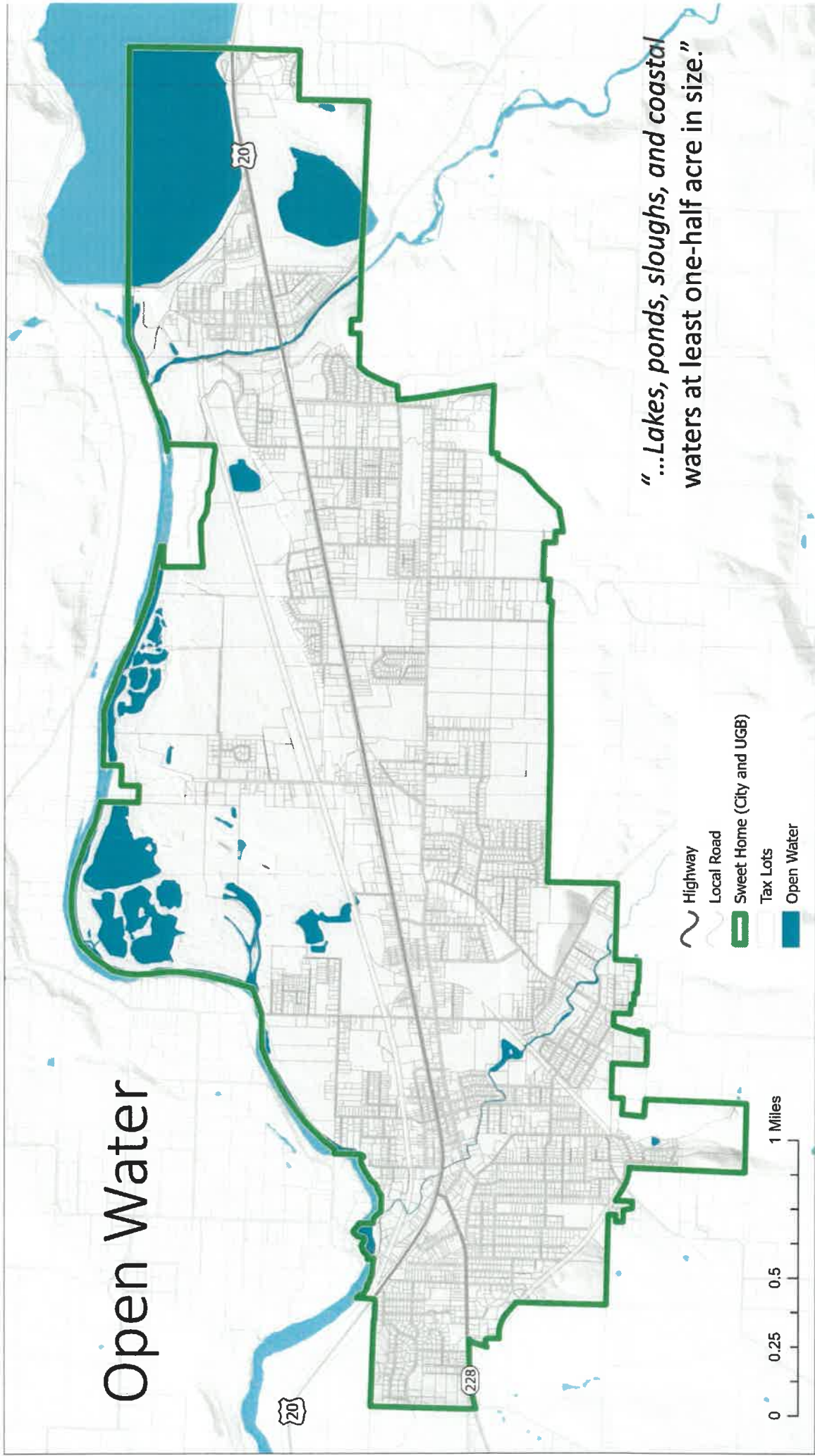
“ ... Lots and parcels, or portions of a lot or parcel, that are in use as a **school, utility, or other public facility, or are dedicated as public right of way.**”

“Lots and parcels, or portions of a lot or parcel, which are in use as a **non-public institution or facility, including but not limited to private schools and religious institutions.** The excluded lots and parcels or portions of lots and parcels may **not include vacant or unimproved lands that are owned by the non-public institution or facility.**”

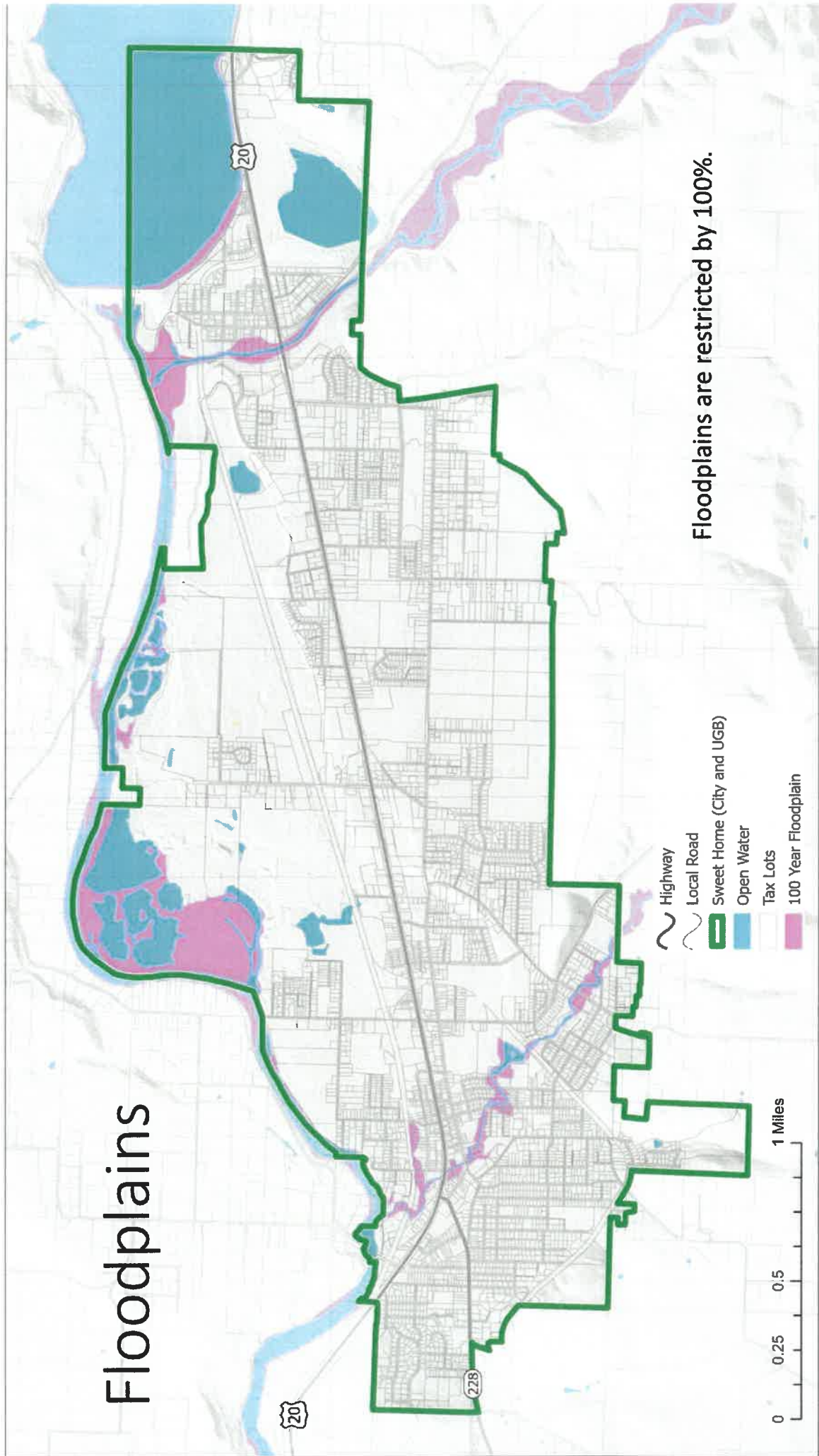
Parks



Open Water

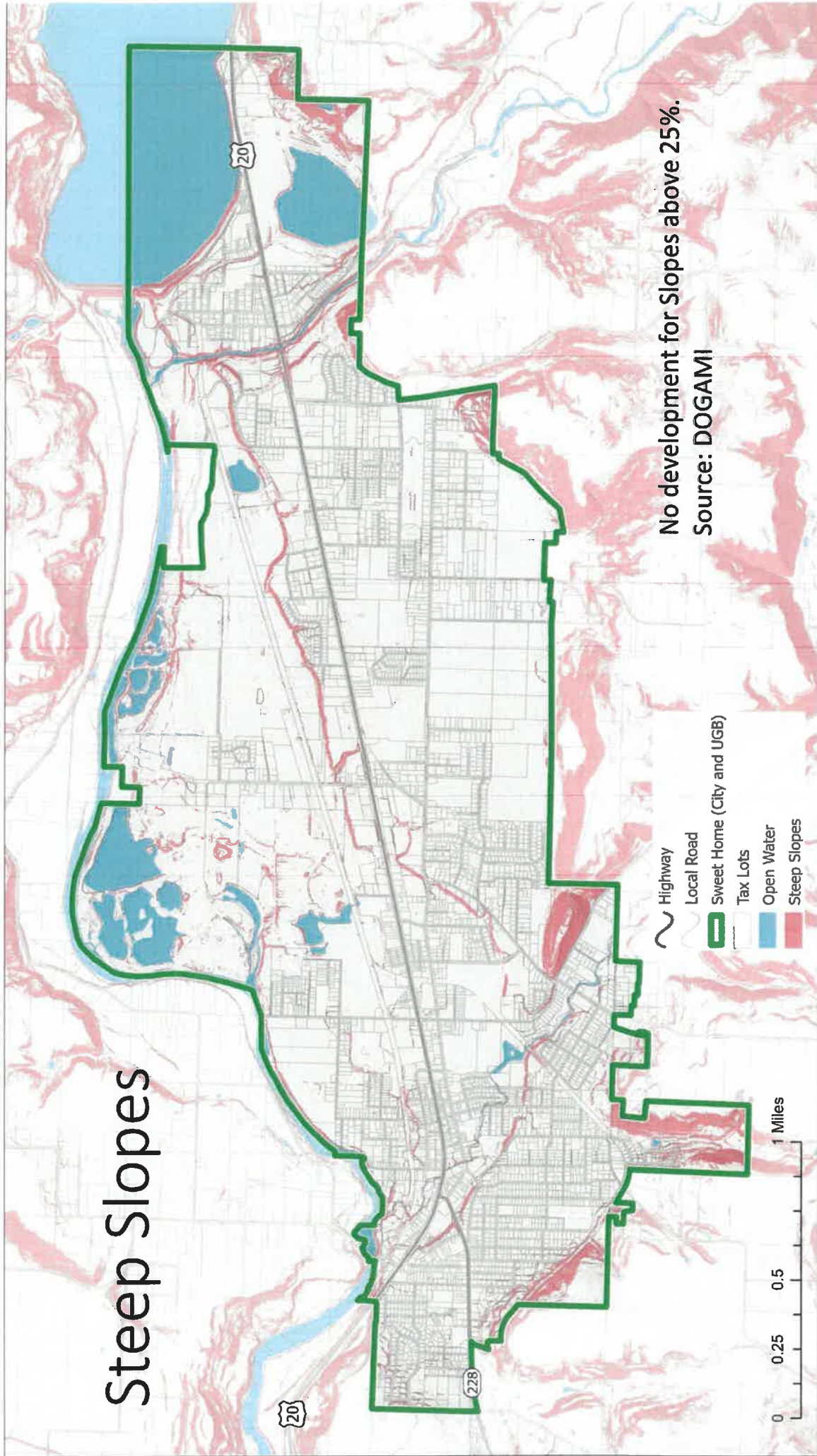


Floodplains



Floodplains are restricted by 100%.

Steep Slopes

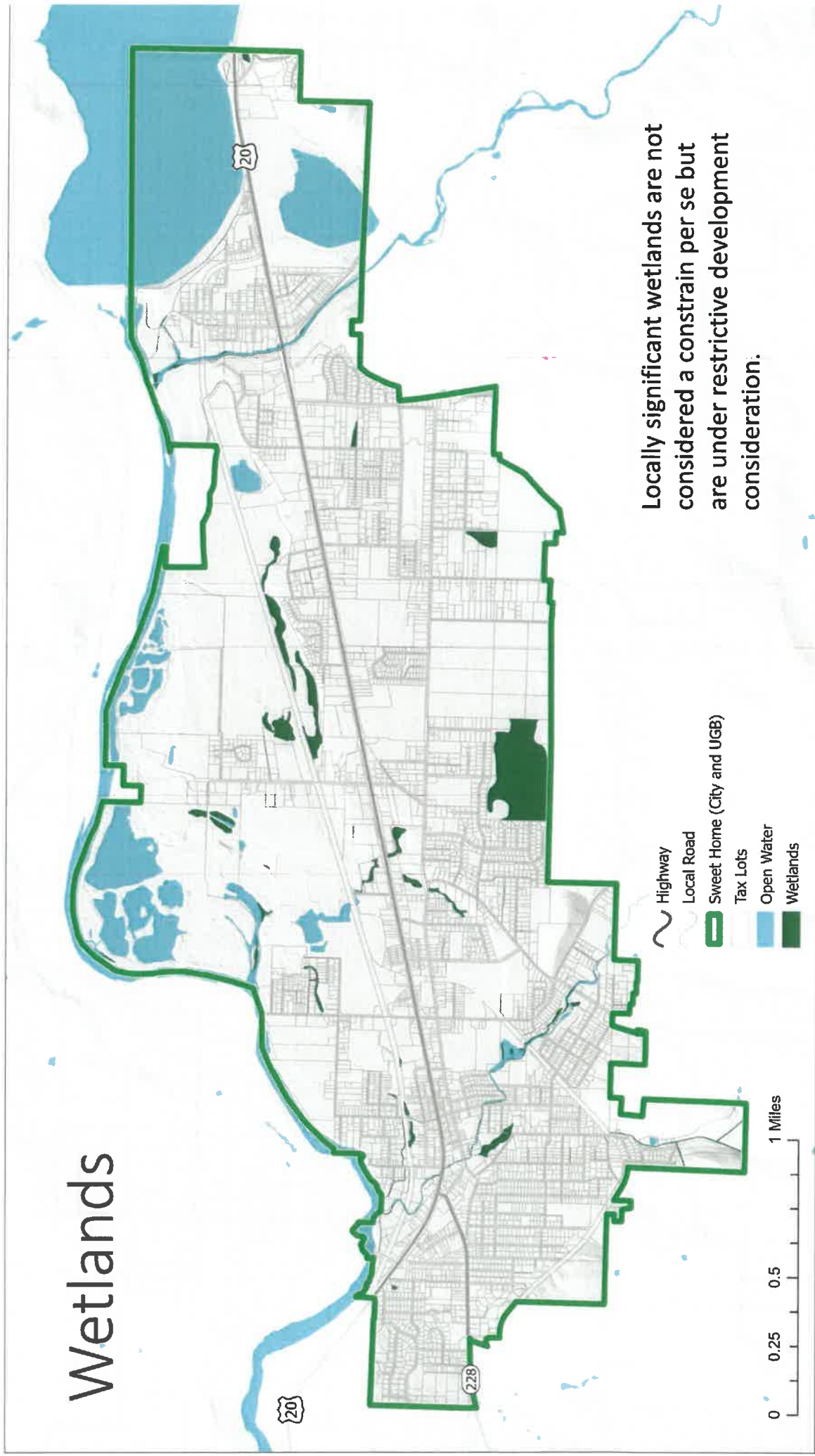


No development for Slopes above 25%.
Source: DOGAMI

- Highway
- Local Road
- Sweet Home (City and UGB)
- Tax Lots
- Open Water
- Steep Slopes

0 0.25 0.5 1 Miles

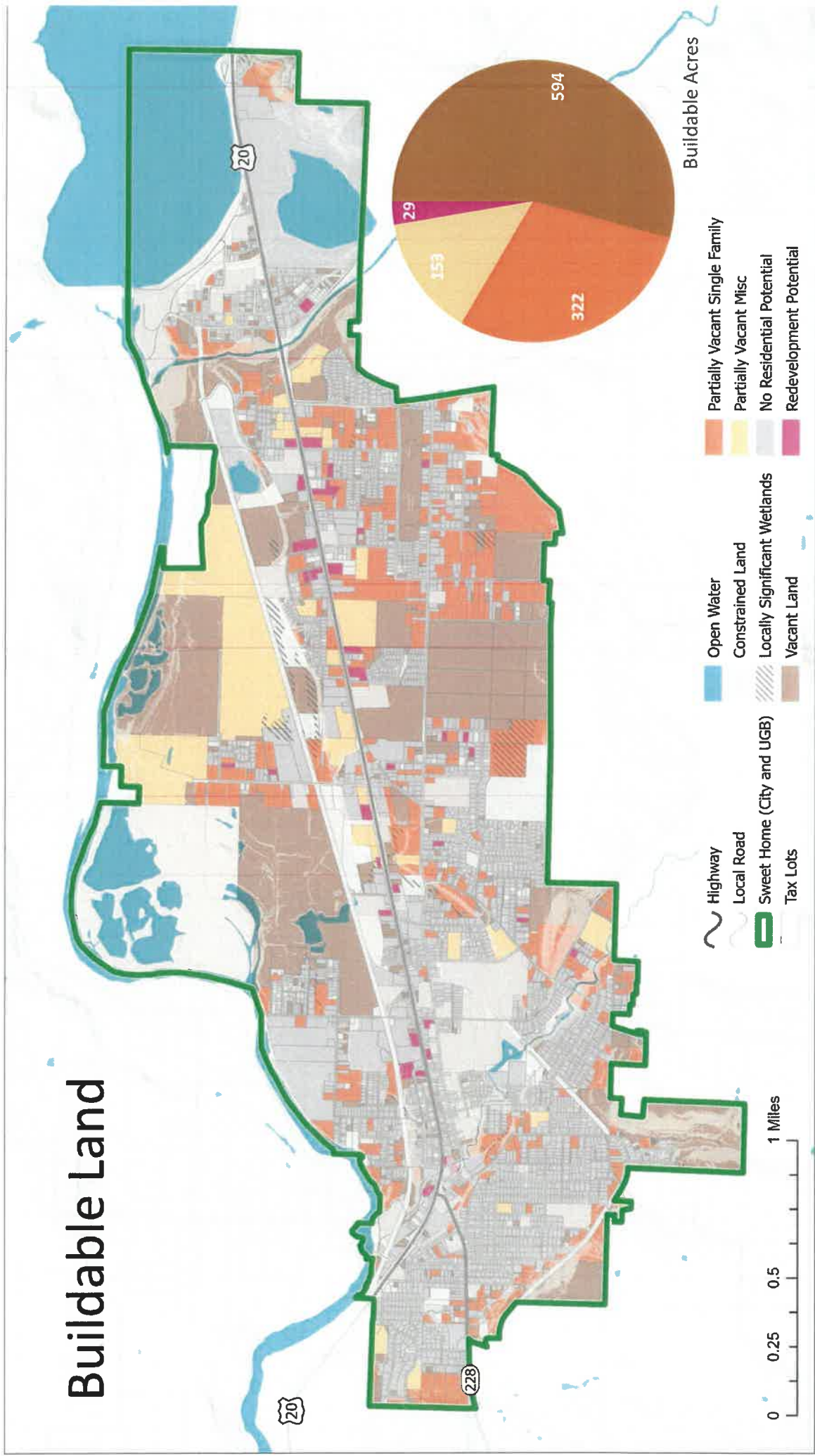
Wetlands



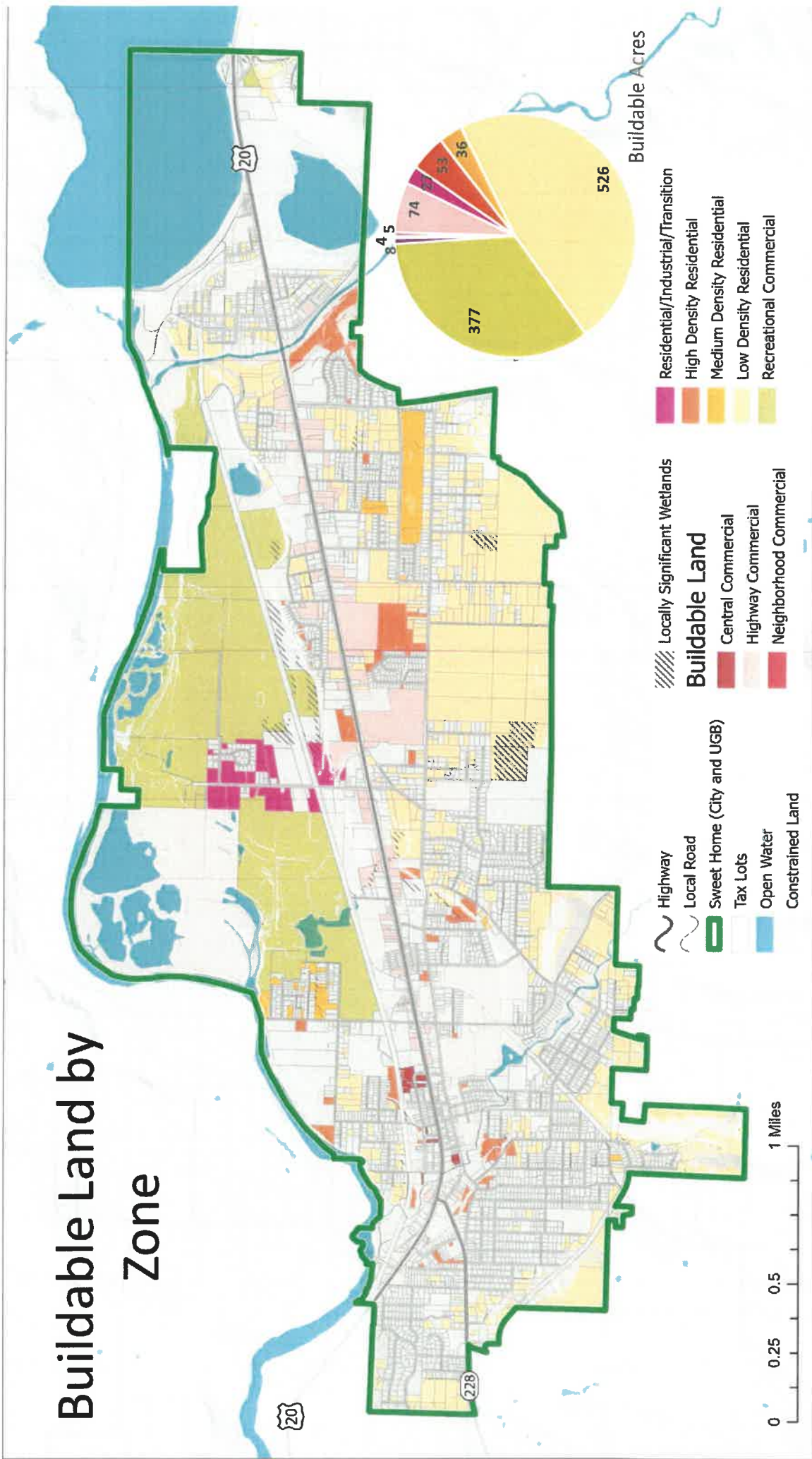
Locally significant wetlands are not considered a constrain per se but are under restrictive development consideration.

Buildable Land Supply

Buildable Land



Buildable Land by Zone





MODEL

LEAGUE OF OREGON CITIES

Model Rules of Procedure for Council Meetings

MARCH 2017





Model Rules of Procedure for Council Meetings

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Introduction

In Oregon, many city charters require a city council to establish rules of procedure for how council meetings will be governed, how appointments will be made and how council members are to interact with city employees. Although those charters direct the council to create rules, the charters don't provide substance or guidance on how to do so. The purpose of this guide is to provide cities with a starting point in creating their rules of procedure, where required by the city charter, or where a council so desires.

Establishing rules of procedure for council meetings has several benefits. First, it allows for meetings to be run in an efficient and consistent manner. Second, it allows for the council and residents to debate matters of public concern in a courteous and respectful manner that lessens the likelihood of discontent and friction. Third, rules provide guidance to council members on how they are to interact and engage with city employees and members of the public. Fourth, rules of procedure ensure continuity and stability during transition years when new members of the council are elected to office.

These model rules are intended to provide a starting point for a city council needing to adopt or update its council rules. Although comprehensive, they are not exhaustive, and council members should work together to identify areas in which rules are needed. Similarly, these model rules are not intended to be the definitive statement on what a council should adopt. City councils have a lot of discretion in determining how to conduct their business—and they should not feel constrained to adopt the rules as presented in this model, but rather to exercise their inherent discretion in crafting a set of rules that match their community's culture, needs and values.

Disclaimer

The League's Model Rules of Procedure for Council Meetings are not a substitute for legal advice. To ensure compliance with federal, state, and any applicable local charters or ordinances, city officials drafting rules of procedure for council meetings are advised to seek the advice of their city attorney.

CHAPTER 1 – General Governance

I. Rules of Procedure.

- A. Unless otherwise provided by charter, ordinance or these rules, the procedure for council meetings, and any subcommittee of a city council, shall be guided by Robert’s Rules of Order, 11th Edition.
- B. Members of the council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert’s Rules of Order when such points will obscure the issues before the council and confuse members of the public.
- C. Whenever these rules and Robert’s Rules of Order conflict, these rules shall govern.

II. Quorum. A quorum is required to conduct official city business.

- A. The members of the council are the city councilors and mayor. Fifty-percent plus one of the members of the council shall constitute a quorum. Vacancies in office do not count towards determining a quorum.¹
- D. In the event a quorum is not present, the members of council present shall adjourn the meeting.

III. Presiding Officer.

- A. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.
- B. In the mayor’s absence the president of the council [*Mayor Pro-Tem*] shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity
- C. If both the mayor and the president of the council [*Mayor Pro-Tem*] are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:
 - 1. The city recorder [*council secretary*] shall call the council to order and call the roll of the members.
 - 2. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.

¹ When drafting a quorum requirement, ensure it complies with the city charter, which should indicate what constitutes a quorum and whether the mayor counts towards the quorum requirement.

3. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
4. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.

IV. Other Elected and Appointed Officers.²

- A. City Recorder. The city recorder shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.
- B. City Manager [*City Administrator*]. The city manager [*city administrator*] is required to attend all meetings of the council and is permitted to participate in any discussion; however, the city manager [*city administrator*] has no authority to cast a vote in any decision rendered by the council.
- C. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion, either written or oral, on legal questions.

V. Agendas. The city manager [*city administrator*] shall prepare an agenda for every regular meeting, and, if requested by the presiding officer, for every special meeting.

- A. Agendas and informational material for meetings shall be distributed to the council at least three (3) days preceding the meeting.
- B. No council approval shall be required for an agenda of any meeting.
- C. The city manager [*city administrator*] may place routine items and items referred by staff on the agenda without council approval or action.
- D. The city manager [*city administrator*] may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.
- E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager [*city administrator*] at least one week prior to the meeting.³

² Only those offices provided for by charter or ordinance should appear in this section.

³ As an alternative, the council may wish to vote on whether a councilor's item will be placed on the agenda for a decision or further action.

VI. Order of Business. The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote:

1. Call to order.
2. Roll call.
3. Announcements/proclamations.
4. Reports of boards, commissions, committees, elected officials and city employees.
5. Public comment on items on the agenda (other than public hearings).
6. Consent agenda.
7. Items removed from the consent agenda.
8. Ordinances and resolutions.
9. Public hearings.
10. Appointments.
11. Public comment on items not on the agenda.
12. Adjournment.

A. Call to Order. The presiding chair shall call all meetings of the council to order. The call to order shall note the date, time and location of the meeting so that it may accurately be reflected in the minutes.

B. Roll Call. The city recorder [*council secretary*] shall conduct a roll call to determine which members of the council are present and which are absent.

1. The attendance shall be properly reflected in the minutes.
2. If roll call determines that a quorum is not present, the meeting shall be adjourned.

C. Announcements/Proclamations. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Proclamations are awards or recognition of individuals by the council.

D. Reports of Boards, Commissions, Committees, Elected Officials and City Employees. When necessary, reports can be given to the council by boards, commissions committees, elected officials and/or city employees.

1. When appropriate, reports to the council should include written materials which are provided to the council at least three days in advance of the meeting.
2. Oral reports to the council should generally not exceed 10 minutes in length.
3. The council may ask questions of the presenter upon conclusion of the report being given.

E. Public Comment

1. Two periods for public comment will be reserved for every regular meeting of the council. Each period shall not exceed a maximum of 30 minutes, unless a majority of councilors present vote to extend the time. Subject to the limitations contained in subsection H-5(e) of this section, the first period for public comment shall be limited to items placed on the agenda other than public hearings, and the second period of public comment shall be used to comment on any issue of city business, other than agenda items. The presiding officer may, unless a member of council objects, allow a person who desires to make comment on an item not on the agenda to speak during the first comment period.
2. Persons wishing to speak during public comment must sign the “speaker’s roster” with the person’s name and address and the topic upon which the person wishes to speak, not later than the call to order.
3. Members of the public may speak about any topic during the last period for public comment, except as provided in H-5(d) of this rule.
4. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
5. Speakers are limited to three minutes. Generally, the speakers will be called upon in the order in which they have signed in on the speaker’s roster. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their mailing address [or the ward in which they reside]. The presiding officer may allow additional persons to speak if they have not signed the speaker’s roster and sufficient time is left in the 30- minute period.

6. Should there be more speakers than can be heard for three minutes each during either of the 30-minute periods provided for public comment, the presiding officer may sort the requests to speak in order to afford the greatest opportunity for each topic to be heard.
 7. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
 8. Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize city-provided audio or visual equipment located in the council chambers as a part of their comment, but must provide the materials in a readable format to city staff prior to the meeting so that it may be installed on the city's equipment to avoid a delay or disruption of the meeting.
- F. Consent Agenda. In order to expedite the council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.
1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
 2. Any item on the consent agenda may be removed for separate consideration by any member of the council.
 3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of council must declare a conflict of interest.
- G. Ordinances and Resolutions – See [Chapter 3](#)
- H. Public Hearings Generally
1. A public hearing may be held on any matter upon majority vote of the council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
 2. Persons wishing to speak shall sign the “hearing roster” with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.

3. The city recorder [*council secretary*] shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the city, and may give their address [or identify the ward in which they reside.] All remarks shall be addressed to the council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:
 - a. Staff presentation (15 minutes total).
 - b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
 - c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
 - d. Other interested persons (3 minutes per person).
 - e. Questions of staff (No time limit).
 - f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).
6. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by city councilors should be to provide clarification or additional information on testimony provided.
8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the

approval of the council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the city recorder [*council secretary*] to note the numbers in the minutes.

9. At the end of public testimony and questions of staff, the council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the council shall have the opportunity to comment on or discuss testimony given during the public hearing.
10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the city recorder [*council secretary*] at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are *ex parte* contacts, and a councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.
11. Documents submitted to the city as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the city recorder pursuant to ORS 192.368(1).
 - I. Conduct of Hearings on Land Use Matters – See [Chapter 4](#)
 - J. Written Communications to Council.
 1. Unsolicited communications to the mayor and/or council concerning matters on the agenda shall be forwarded to the council in the agenda packet, but shall not be individually itemized on the agenda.

2. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.
3. The city manager [*city administrator*] may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the council, and making a recommendation for council action.

CHAPTER 2 – Meeting Time, Location and Frequency

- I. **Regular meetings.** The council shall meet every _____ evening, with the exception of designated holidays and/or council recesses.
 - A. Meetings shall begin at _____ p.m.
 - B. Meetings shall adjourn at _____ p.m., allowing one-hour increment extensions upon a majority vote of the council.

- II. **Special meetings.** Special meetings may be called by the presiding officer, by request of three members of the council, or by the city manager *[city administrator]*.
 - A. Notice of the special meeting shall be given to each member of the council, the city manager *[city administrator]*, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.
 - B. Notice of the special meeting shall be given to all members of the council and the city manager *[city administrator]* via telephone and email.
 - C. Special meetings shall be noticed in accordance with Oregon’s public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.

- III. **Emergency meetings.** Emergency meetings may be called by the presiding officer, by the request of three members of council, or by the city manager *[city administrator]*.
 - A. Notice of the emergency meeting shall be given to each member of the council, the city manager *[city administrator]*, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.
 - B. Notice of the emergency meeting shall be given to all members of council and the city manager *[city administrator]* via telephone and email.
 - C. Emergency meetings are those meetings called with less than 24 hours’ notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
 - D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

- IV. Executive Sessions.** Executive sessions may be called by the presiding officer, by the request of three members of council, by the city manager [*city administrator*] or by the city attorney.
- A. Only members of the council, the city manager [*city administrator*] and persons specifically invited by the city manager [*city administrator*] or the council shall be allowed to attend executive sessions.
- B. Representatives of recognized news media⁴ may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.
- V. Work Sessions.** Work sessions are permitted to present information to the council so that the council is prepared for regular or special meetings.
- A. All work sessions are subject to Oregon’s public meetings law and must be noticed accordingly.
- B. Work sessions are intended to allow for preliminary discussions, and the council is not permitted to take formal or final action on any matter at a work session.
- C. Work sessions are to be scheduled by the city manager [*city administrator*].
- D. The city manager [*city administrator*] is to invite any relevant staff to work sessions so that the sessions are as productive as possible.
- VI. Holidays.** In the event a regular meeting falls on a holiday recognized by the city, the regular meeting for that week shall be cancelled.
- VII. Council Recess.** The council shall be in recess, at a minimum, during the following dates each calendar year:⁵
- A. August 1 – August 31;
- B. The Monday before Thanksgiving and the Friday after Thanksgiving; and
- C. December 15 to January 1.
- VIII. Location.** Council meetings shall be held at city hall.
- A. In the event city hall is not available for a meeting, the council shall meet at a venue open to the public which is located within the jurisdictional limits of the city.

⁴ State law requires governing bodies to allow representatives of recognized news media to attend executive sessions except for labor negotiations and litigation where the news media is a party to the litigation. State law does not define the term news media and a decision whether such an individual should be permitted to attend an executive session must be made on a case by case basis.

⁵ Ensure that any recess is in compliance with the city charter. It is not uncommon for a charter to require that the council meet at least once a month.

- B. Training sessions may be held outside of the city’s jurisdictional limits, provided no deliberations toward a decision are made.
 - C. Interjurisdictional meetings may be held outside of the city’s jurisdictional limits, but should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.
 - D. No council meeting shall be held at any place where discrimination on the basis of an individuals’ race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.
- IX. Notice.** The city recorder [*council secretary*] shall provide notice of all meetings in accordance with Oregon’s public meeting law.
- X. Attendance.** Members of the council shall advise the city manager [*city administrator*] if they will be unable to attend any meetings. Under the charter, a council position becomes vacant if the member of council is absent from the city for more than 30 days without council permission or absent from all meetings of the council within a 60-day period.

CHAPTER 3 – Ordinances and Resolutions⁶

- I. Ordinances.** All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein.
- A. **Numbering.** The city recorder shall number all ordinances with a consecutive identification number during each calendar year, in the order of their introduction. Each number shall be followed by the last two digits of the year in which the ordinance was introduced.
- B. **Sponsorship.** Each ordinance shall note the name of the member(s) of the council introducing or sponsoring the ordinance.
- C. **Preparation and Introduction.**
1. All ordinances shall, before presentation to the council, have been approved by the city attorney, or the city attorney's designee.
 2. Ordinances shall be introduced by a member of the council. Except that, upon the request of the council, an ordinance may be introduced by the city manager [*city administrator*] or the city attorney, with a member of the council moving further action on such ordinance upon completion of the introduction.
 3. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.
- D. **Calendar of Ordinance.**
1. An ordinance is introduced for consideration by the council for presentation for first reading. After introduction, the council may direct that:
 - a. A public hearing on the ordinance be held;
 - b. Refer the ordinance to committee for review and recommendation;
 - c. Refer the ordinance to the city manager [*city administrator*] for further revision;
 - d. Pass the ordinance to a second reading; or
 - e. Reject the ordinance in whole or in part.

⁶ Many city charters prescribe the form and manner in which ordinances are adopted. Although council rules should address the process by which it will adopt resolutions and ordinances, it is important to ensure that the rules comply with the charter. Where the rules and the charter conflict, the charter provision prevails.

2. All ordinances when introduced for first reading shall be identified by title and number on a calendar of first reading and may be passed to a second reading as a group without further reference.
3. Except as otherwise provided by this section, on second reading all ordinances shall be placed by title and number on a calendar of second reading, and may be passed as a group, provided that the vote for the passage of the calendar is unanimous.
4. Should any member of the council object to any ordinance at time of second reading, that ordinance shall be removed from the calendar of second reading, and considered separately. Ordinances to be considered separately shall be ready by title only.
5. When the calendar of second reading or an ordinance which is to be considered separately is placed before the council for final passage, the city recorder [*council secretary*] shall call the roll and enter the ayes, nays and abstentions in the record.
6. All proposed amendments to an ordinance shall be in writing, and may be made by interlineation upon the ordinance.
7. No second reading of any ordinance shall occur at the meeting where it is introduced, except by suspension of this section of the rules, and no ordinance shall be passed at a single meeting, except by a unanimous vote for passage by all members of council present.
8. An affirmative vote of at least three members of the council shall be necessary to pass an ordinance.
9. When an ordinance is rejected by the council, and is not reconsidered as provided by these rules, neither the ordinance, nor any other ordinance which contains substantially the same provisions, shall be considered by the council for a period of not less than six months, unless at least three members of the council petition for early consideration.

II. Resolutions. All resolutions considered by and voted upon by the council shall adhere to the rules outlined herein.

- A. Numbering. The city recorder shall number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number shall be followed by the last two digits of the year in which the resolution was introduced.
- B. Sponsorship. Each resolution shall note the name of the member(s) of the council introducing or sponsoring the resolution.

C. Preparation and Introduction.

1. All resolutions shall, before presentation to the council, have been approved by the city attorney, or the city attorney's designee.
2. Resolutions shall be introduced by a member of the council. Except that, upon the request of the council, a resolution may be introduced by the city manager [*city administrator*] or the city attorney, with a member of the council moving further action on such resolution upon completion of the introduction.

D. Calendar of Resolution.

1. A resolution is introduced for consideration by the council for presentation for first reading. After introduction, the council may direct that:
 - a. A public hearing on the resolution be held;
 - b. Pass the resolution to a second reading; or
 - c. Reject the resolution in whole or in part.
2. All resolutions when introduced for first reading shall be identified by title and number on a calendar of first reading and may be passed to a second reading as a group without further reference.
3. Except as otherwise provided by this section, on second reading all resolutions shall be placed by title and number on a calendar of second reading, and may be passed as a group, provided that the vote for the passage of the calendar is unanimous.
4. Should any member of the council object to any resolution at time of second reading, that resolution shall be removed from the calendar of second reading, and considered separately. Resolutions to be considered separately shall be ready by title only.
5. When the calendar of second reading or a resolution which is to be considered separately is placed before the council for final passage, the city recorder [*council secretary*] shall call the roll and enter the ayes, nays and abstentions in the record.
6. All proposed amendments to a resolution shall be in writing, and may be made by interlineation upon the resolution.
7. A second reading of a resolution is permitted to occur at the meeting where it is introduced, and a resolution may be passed at a single meeting by a unanimous vote for passage by all members of the council present.

8. An affirmative vote of a majority of the council present shall be necessary to pass a resolution.
9. When a resolution is rejected by the council, and is not reconsidered as provided by these rules, neither the resolution, nor any other resolution which contains substantially the same provisions, shall be considered by the council for a period of not less than three months, unless at least three members of the council petition for early consideration.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings.

- A. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.
- B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the city recorder, it shall not be included in the record for the proceeding.
- C. No person may speak more than once without obtaining permission from the presiding officer.
- D. Upon being recognized by the presiding officer, any member of the council, the city manager [*city administrator*], planning director or the city attorney may question any person who testifies.
- E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.
- F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder shall note the numbers of such persons for the record in the minutes.

II. Quasi-Judicial Land Use Matters.

- A. Scope of Review. All appeals and council-initiated review in quasi-judicial land use proceedings shall be new (de novo) and shall be held on the record.
- B. Conflicts of Interest.
 1. A member of the council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:
 - a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the city charter.
 - b. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.
 2. Members of the council shall reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding.

If such contact impairs the member's impartiality, the member shall state this fact and abstain from participation in the matter.

- C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
1. The decision of the council shall be based on the applicable standards and criteria as set forth in the city's municipal code, the city's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
 2. The proponent, any opponents, and/or city staff may submit to the council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.
- D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:
1. Land Use Hearing Disclosure Statement. The city recorder [*council secretary*] shall read the land use hearing disclosure statement, which shall include:
 - a. A list of the applicable criteria;
 - b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 - c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
 - d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
 2. Call for ex parte contacts. The presiding officer shall inquire whether any member of the council has had ex parte contacts. Any member of the council announcing an ex parte contact shall state for the record the nature and content of the contact.
 3. Call for abstentions. The presiding officer shall inquire whether any member of the council must abstain from participating in the hearing due to a conflict of interest. Any member of the council announcing a conflict of interest shall state the nature of the conflict, and shall not participate in the proceeding,

unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

4. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.
5. Presentation of the Case.
 - a. Proponent's case. Twenty minutes total.
 - b. Persons in favor. Five minutes per person.
 - c. Persons opposed. Five minutes per person.
 - d. Other interested persons. Five minutes per person.
 - e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
6. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.
7. Deliberations. Deliberations shall immediately follow the hearing. The council may delay deliberations to a subsequent time certain.
8. Findings and Order. The council may approve or reject the proposal.
 - a. The council shall adopt findings to support its decision.
 - b. The council may incorporate findings proposed by the proponent, the opponent or staff in its decision.
- E. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

III. Legislative Land Use Matters.

- A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:
 1. Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
3. Presentation of the Case.
 - a. Proponent's case. Twenty minutes total.
 - b. Persons in favor. Five minutes per person.
 - c. Persons opposed. Five minutes per person.
 - d. Other interested persons. Five minutes per person.
4. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting⁷

- I. Motions.** All motions shall be distinctly worded.
- A. The following rules shall apply to motions:
1. If a motion does not receive a second, it dies.
 2. The council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
 3. Any motion shall be reduced to writing if requested by a member of the council.
 4. A motion to amend can be made to a motion that is on the floor and has been seconded.
 5. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
 6. A motion may be withdrawn by the mover at any time without the consent of the council.
 7. Amendments are voted on first, then the main motion if voted on as amended.
 8. A member of the council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
 9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.
 10. A motion that receives a tie vote fails.

⁷ Many councils adopt Robert's Rules of Order to govern motions and related matters. This model adopts Roberts Rules as a *guide* for procedural matters and sets out a simplified procedure for motions and voting. Under this model, where Robert's Rules conflict with the model rules, the model rules should prevail.

11. The presiding officer shall repeat the motion prior to a vote.
 12. A motion to adjourn cannot be amended.
- B. **Motion to Reconsider.** A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
1. No motion shall be made more than once.
 2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the council.
- II. Debate.** The following rules shall govern the debate of any item being discussed by the council:
- A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
 - B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.
 - C. The member of the council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.
- III. Public Comment.** The public shall be entitled to comment on all matters before the council that require a vote.
- A. Public comment shall occur after the matter up for vote has been presented by city staff and before the council takes any formal action on the matter.
 - B. Each member of the public is entitled to comment on the matter before the council for five minutes.
 - C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receives answers from the council or city staff.
 - D. Each person desiring to give public comments shall provide the council with his or her name and address prior to giving comment. This information shall be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
- IV. Voting.** The following rules shall apply to voting on matters before the council, unless amended in the manner outlined in [Chapter 4](#) of these Rules.⁸

⁸ City charters sometimes contain voting requirements. Any voting requirement must comply with the city charter.

- A. Reports. A majority of a quorum shall be required to approve or accept a report. However, no vote is required if the report is only for informational purposes.
- B. Consent Agenda. The unanimous vote of all members of the council present is required to approve the matters on a consent agenda.
- C. Resolutions. A majority of quorum shall be required to pass a resolution.
- D. An Ordinance Involving a Fee or Fine. An ordinance involving a fee or fine shall require a majority of the council to pass.
- E. An Ordinance Not Involving a Fee. An ordinance which does not involve a fee or a fine shall require a majority of a quorum to pass.
- F. Emergency Ordinance. An emergency ordinance shall require the unanimous vote of all members present.
- G. Budget. The budget shall require a majority of a quorum to pass.
- H. Franchise. A majority of a quorum shall be required to pass an ordinance granting a franchise.
- I. Suspension of Rules. A unanimous vote of all members of the council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the city's charter shall not be suspended or rescinded.
- J. All votes shall be recorded in the minutes.
- K. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.
- L. Effective date.
 - 1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.
 - 2. The following shall take effect immediately upon its passage:
 - a. Ordinances making appropriations and the annual tax levy;
 - b. Ordinances relative to local improvements and assessments; and
 - c. Emergency ordinances.

3. All other ordinances shall take effect _____ days⁹ after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.
4. The filing of a referendum petition shall suspend the effective date of an ordinance.

⁹ Ordinarily ordinances go into effect 30 days after passage. Check the city charter for effective date of ordinances.

CHAPTER 6 – Minutes

I. Generally.

- A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the city recorder [*council secretary*] in accordance with the appropriate record retention schedule.
- B. The minutes shall contain the following information:
 - 1. The date, time and place of the meeting;
 - 2. The members present;
 - 3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - 4. The results of all votes and the vote of each member by name;
 - 5. The substance of any discussion on any matter; and
 - 6. A reference to any document discussed at the meeting

II. Approval. The council shall approve all minutes of any meeting.

- A. All minutes shall be approved within ninety days of the meeting having occurred.
- B. The draft minutes shall be submitted to the council as part of the council's packet prior to the meeting where they will be discussed.
- C. Any member of the council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

CHAPTER 7 – Appointments

- I. **Appointments of City Staff.** The council appoints and can remove those positions identified in the city’s charter. All appointments require a majority vote of the entire council.
 - A. Reviews. Any person appointed by the council shall be subject to an annual review by the council.
 - B. Removals. All appointed persons may be removed by a majority vote of the entire council.
 - C. Interference. If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge’s exercise of judicial authority or discretion.
- II. **Appointments of Members to Boards, Commissions and/or Committees.**
 - A. Unless otherwise mandated by state law, the mayor shall appoint the members of any board, commission or committee authorized by the council.
 - B. Unless otherwise prohibited by the council, the mayor shall have the authority to create and appoint subcommittees of committees authorized by the council.
 - C. Removals. All appointed persons may be removed by the mayor.

CHAPTER 8 – Ethics, Decorum, Outside Statements

- I. **Ethics.** All members of the council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:
 - A. Disclosing confidential information.
 - B. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
 - C. Expressing an opinion contrary to the official position of the council without so saying.
 - D. Conducting themselves in a manner so as to bring discredit upon the government of the city.
- II. **Decorum.**
 - A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council.
 - B. Members of the council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
 - C. Members of the city staff and all other persons attending meetings shall observe the council's rules of proceedings and adhere to the same standards of decorum as members of council.
- III. **Statements to the Media and Other Organizations**
 - A. Representing City. If a member of the council, to include the mayor, appears as a representative of the city before another governmental agency, the media or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council.
 - B. Personal Opinions. If a member of the council, to include the mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

CHAPTER 9 – Interactions with Staff & City Attorney

- I. **Staff.** All members of the council shall respect the separation between the council's role and the city's manager's *[city administrator's]* responsibility by:
 - A. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager *[city administrator]*.
 - B. Refraining from actions that would undermine the authority of the city manager *[city administrator]* or a department head.
 - C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager *[city administrator]*.
 1. Questions from individual members of the council requiring significant time or resources (two hours or more) shall normally require approval of the council.
 2. Members of the council shall normally share any information obtained from staff with the entire council. This section is not intended to apply to questions by members of the council acting in their individual capacities rather than as members of the council, nor to questions regarding conflict of interest or similar issues particular to a member of the council.
- II. **City Attorney.** Council members may make requests to the city attorney for advice no more than once a month, so long as the request does not require more than two hours of the attorney's time. A councilor may make additional requests within a month or make a request that exceeds two hours with the concurrence of the majority of the council.

CHAPTER 10 – Censure [*and Removal*]¹⁰

- I. The council may enforce these rules and ensure compliance with city ordinances, charter and state laws applicable to governing bodies. If a member of council violates these rules, city ordinances, the city charter or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member with a public reprimand [*for removal as provided for in the city charter*].
- II. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

¹⁰ Some charters allow the council to remove the mayor or councilor from office for certain enumerated reasons following notice and a public hearing. Absent such a charter provision, it's likely that an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

CHAPTER 11 – Amendment and Repeal

- I. **Amendment.** These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.
 - A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - B. All amendments to these rules requires a majority vote.
 - C. Amended rules shall not go into effect until the meeting after the rule was approved.
- II. **Repeal.** These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.
 - A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.
 - B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - C. Any repeal and replacement of these rules requires a majority vote.
 - D. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.

ORDINANCE 07-403

AN ORDINANCE PROVIDING RULES AND PROCEDURES
FOR GOVERNING COUNCIL MEETINGS AND PUBLIC HEARINGS;
REPEALING ORDINANCE NO. 98-352 AND OTHER ORDINANCES
OR RESOLUTIONS IN CONFLICT

The City of Rockaway Beach ordains as follows:

WHEREAS the 2002 Charter of the City of Rockaway Beach requires an ordinance to prescribe rules to govern City Council meetings and proceedings, and

WHEREAS the City Council desires rules to insure orderly procedures in Council meetings and to insure the rights of all individuals in attendance, and

WHEREAS the rules and procedures for governing Council meetings and public hearings described in Ordinance 98-352 need to be updated;

NOW, THEREFORE, the City of rockaway Beach ordains as follows:

Section 1. AUTHORITY

- 1.1 The authority for the ordinance is the statement in Chapter IV, Section 14, Charter of the City of Rockaway Beach which states "The Council shall by ordinance prescribe rules to govern its meetings and proceedings."
- 1.2 These Council rules are to be supplementary and subordinate to the City Charter, the laws of the State of Oregon , and the United States of America.
- 1.3 The Council shall review these rules at least once every two years. Amendments shall be adopted by a majority vote of the full Council excluding the Mayor.

Section 2. MEETINGS AND WORKSHOPS

2.1 **Definition.** ORS 192.610 (5) states that a meeting means the convening of the governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. Council meetings and workshops are subject to Oregon Public Meetings Law, ORS 192.610-192.990.

- 2.2 **Regular Meetings.** The Council shall meet regularly {on the second and fourth Wednesdays of each} at least once a month on the second Wednesday at 6:00 p.m. within the City of Rockaway Beach. The meeting calendar shall be set by the Council each December for the following year.

2.2. A Mayor's Vote

The Mayor has no vote unless the voting members of the council are split evenly.

2.2. B Mayor's Functions:

1. Act as Chairperson of Council meetings and preside over deliberations of the Council.
2. Preserve order.
3. Enforce Council rules.
4. Determine the order of business before the Council.

2.3 Special Meetings The Mayor, or in the Mayor's absence, the president of the Council, may call a meeting at any time, or shall on written petition of three councilors, call a meeting at any time for the transaction of the business mentioned in the petition. 24 hours notice is required (ORS 192.640(3)). Written notice of a special meeting shall be given each member of the Council. The notice shall be served on each member personally, or if a councilor is not found, left at his or her place of residence. Written notice shall be posted at City Hall and the Post Office. Members of the media who have asked to be notified of meetings shall be notified in the usual manner.

2.3. A Council President.

Except in voting on questions before the council, the President shall function as Mayor when the Mayor is:

1. Absent from a Council meeting
2. Unable to function as Mayor

The President shall attempt to contact the Mayor, by the most expeditious means possible, if the President schedules a special meeting or executive session of the Council in the Mayor's absence. The intent would be to provide the Mayor with the opportunity to attend the meeting, if possible.

2.3 Emergency Meetings. In the case of an actual emergency, the Mayor, or in the Mayor's absence, the President of the Council, may call an emergency meeting on less than 24 hours notice. The minutes of the meeting shall describe the emergency

justifying less than 24 hours notice. (ORS 192.640(3) An attempt must be made to contact the media and other interested parties to inform them of the meeting. Such contacts may be by telephone, e-mail, or facsimile.

2.5 Public Hearings. The format for public hearings shall be established as a city policy subject to revision as state law requires.

2.6 Executive Sessions. Executive sessions may be held during regular or special meetings, or as stand alone meetings, so long as appropriate statutory limitations are met. Written notice shall be posted at City Hall and the Post Office. Members of the media who have asked to be notified of meetings shall be notified in the usual manner.

2.7 Continuation of a Meeting. Upon majority vote of the Council any meeting may be continued to a later date or time, provided that no continuation or adjournment shall be for a period longer than the next regular scheduled meeting.

2.8 Workshops. Workshops shall be held as needed to gather information and informally discuss specific issues or questions. The location, date, and time shall be determined at regular Council meetings. The public may attend workshops, but may not participate unless expressly asked.

2.9 Attendance by City Manager. The City Manager shall attend all Council meetings unless excused by the Council or the Mayor. Staff shall attend when requested by the City Manager.

Section 3. MECHANICS OF MEETINGS.

3.1 Quorum. The Mayor, or in his/her absence the president of the Council, shall call the meeting to order at the hour designated for the meeting. The city Charter defines a quorum as a majority of the Councilors (Section 14), **which means three (3) members of the Council, one of which may not be the mayor.** If a quorum is not present, the City Manager shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required. If the absent member or members do not appear after the notice, the *members present shall adjourn until a specific time or until the next regular meeting.*

3.2 Rules of Order. Unless otherwise provided by law or by these rules, the procedure for council meetings shall be governed by Robert's Rules of Order, Revised. The Council has an obligation to the citizens to be clear and simple in its procedures and in the consideration of questions coming before it. Therefore, the rules of procedure should be liberally construed to *that purpose. Councilors should avoid invoking the finer points of*

parliamentary rules that serve only to obscure the issues and arouse the suspicion of the audience at public meetings and the citizens in general. The Presiding Officer shall determine all points of order, subject to the right of any member to appeal to the Council.

- 3.3 **Agenda.** An agenda for each regular Council meeting shall be prepared by the City Manager. Council members may request that specific items be included on the agenda. The city Manager should be given enough time to do necessary research or prepare necessary reports to address the agenda items. Members of the public may request items of business according to city policy. Agendas for regular Council meetings shall be posted at City Hall and the Post Office at least 5 days prior to the meeting time. The Council shall consider at the meeting only matters that appear on the agenda for that meeting, except in the case of an emergency. The Council may discuss items added by a Council member at the meeting.
- 3.4 **Consent Calendar.** In order to make more efficient use of meeting time, the City Manager shall place minor administrative items, such as the approval of the order of business on the agenda, meeting minutes and financial reports, that are routine in nature and concerning which no debate is expected on a "consent calendar". Any item placed on the consent calendar shall be removed at the request of a Councilor prior to the time a vote is taken on the consent calendar. All remaining items on the consent calendar shall be disposed of by a single motion "to adopt the consent calendar," which shall not be debatable. Adoption of the consent calendar shall be by the affirmative vote of all Councilors present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item on the consent calendar shall be voted upon separately in the usual manner.
- 3.5 **Order of Business.** The order of business at regular Council meetings shall be as follows unless amended by the Council when adopting the consent calendar:

THE FOLLOWING SHOULD BE ALTERED AS
NEEDED OR DESIRED

- 1) Call to Order
- 2) Roll Call
- 3) Oaths of Office
- 4) Consent Calendar
- 5) Presentations, guests, and announcements
- 6) Public comment on non-agenda items
- 7) Public Works Department report
- 8) Public hearings

- 9) Old Business
- 10) New Business
- 11) Committee reports
- 12) City Manager report
- 13) Mayor and Councilor comments
- 14) Attorney's comments
- 15) Adjournment

3.6 Record of Proceedings. A written record, commonly called minutes, shall be kept of all meetings except Executive Sessions. (ORS 192.650). The minutes shall be prepared in a timely fashion, and shall be presented to the Council as soon as possible for review, amendment and approval. All motions made, seconded or not, shall be recorded. Whenever results of an election are announced at a meeting, the vote counts shall be recorded in the minutes. Approval of the minutes shall be the authentication required by Section 17 of the Charter. Executive Sessions shall be recorded on audio tape only; no written record shall be provided except as required by law. (ORS 192.650(2)) Audio tapes of any meetings other than Executive shall be retained for seven years.

3.7 Councilor Decorum. The Presiding Officer shall preserve decorum and decide all points of order, subject to appeal by a member of the Council. The Councilors shall help the Presiding Officer preserve decorum and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the lawful directions of the Presiding Officer or these Council Rules. Council members shall at all times conduct themselves in a manner appropriate to the dignity of their office.

3.8 Audience Decorum. Any person in the audience who makes personal, impertinent, slanderous remarks or who become boisterous while addressing the Council or attending a Council meeting or workshop may be removed from the room, after fair warning, if the Presiding Officer so directs. In case the Presiding Officer should fail to act, any Councilor may obtain the floor and move to require enforcement of this rule. Upon affirmative vote of the majority of the Council present, the person or persons shall be removed as if the Presiding Officer so directed.

3.9 Flags, Signs and Posters. No banners, flags, posters, placards or signs may be carried or placed within the city council chambers unless authorized by the Presiding Officer prior to the meeting. The Presiding Officer will only authorize use of these devices when it is determined that their use will not be visually nor audibly disruptive to the meeting.

3.10 Permission to Video Tape Meetings. Requests to video tape a meeting shall be made 24 hours in advance. The video taping shall be from a fixed location.

3.11 Speaking by Council Members and City Manager.

3.11.A. Councilors, the City Manager and staff shall be recognized by the Presiding Officer before speaking, unless bringing up a point of order. Upon recognition by the Presiding Officer the Council member or City Manager shall speak and confine his or her remarks to the matter at hand.

3.11.B A Council member desiring to question a city employee shall address the questions to the City Manager who shall be entitled to either answer the inquiry or designate a staff member to do so.

3.12 Speaking by Members of the Audience.

3.12.A. Non-Agenda Items. A member of the audience desiring to address the Council shall raise a hand and wait to be recognized by the Presiding Officer. If the presiding officer determines that such item is appropriate for discussion. The council shall be polled to determine if they, too, agree. If a quorum of members present agree to discuss the item proposed, the presiding officer may establish a time period and limit discussion to 10 minutes. After recognition, the person's name and address shall be stated for the record. All remarks and questions shall be addressed to the Presiding Officer and not to any individual Councilor, staff member or other person unless authorized by the Presiding Officer. No person shall enter into discussion without being recognized by the Presiding Officer. A member of the audience addressing the Council shall be limited to five minutes unless further time is granted by the Presiding Officer.

3.12.B Agenda Items. The members of the audience shall have the opportunity to address the Council on an agenda item when that item is reached in the meeting. A member of the audience desiring to address the Council shall raise a hand and wait to be recognized by the Presiding Officer. After recognition, the person's name and address shall be stated for the record and the remarks shall be limited to the question under discussion. All remarks and questions shall be addressed to the Presiding Officer and not to any individual Councilor, staff member or other person. Non member of the audience shall comment or enter into discussion without being recognized by the Presiding Officer. A member of the audience addressing the Council shall be limited to five minutes unless further time is granted by the Presiding Officer. No member of the audience shall be allowed to speak more than once upon any one subject until every other member

of the audience choosing to speak has spoken. After a motion has been made and seconded no more public comment will be allowed.

3.13 Decisions. The Council shall not make a decision on any item that affects the public, or any individual member of the public, unless the item is on the posted agenda, except in the case where an emergency is declared.

3.14 Voting Generally

3.14.A. The vote on every motion shall be taken by roll call. Members shall not explain their votes during roll call. Names of voters in favor and against shall be entered in full upon the record. Any member of the Council may change his or her vote prior to the next order of business.

3.14.B. An affirmative vote of the majority of the full council eligible to vote shall be required to adopt ordinances, order appropriations, authorize loans, fill vacancies on the Council, further reconsider a motion, or amend this Rules Ordinance.

3.14.C. An affirmative vote of the majority of the Council present eligible to vote shall be required to adopt the consent calendar, adopt resolutions, and pass any motion before the Council other than those referred to above.

3.14.D. An affirmative vote of two-thirds of the Council present shall be required in the event of an emergency.

3.14.E. Any other question before the Council may be decided by general agreement unless a motion is requested by any member of the Council.

3.15 Duty to Vote. When a question is taken, every member of the Council eligible to vote shall vote unless a Councilor states a valid reason to abstain or has a direct conflict of interest.

3.16 Reconsideration of Actions Taken. A Councilor who voted with the majority may move for a reconsideration of an action at the same or the next following regular meeting. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the Council eligible to vote.

3.17 News Media. The provisions of this ordinance shall not be construed to prevent news media representatives from performing their duties so long

as the manner of performance is not unreasonably disruptive of the meeting. Any member of the news media which would like to receive copies of agendas or minutes of Council meetings shall request such copies in writing. There may be a charge for such copies.

3.18 Standing Committees/Commissions/Boards.

3.18.A The Budget Committee, as required by state law, shall be a standing committee. It shall be subject to Local Budget Law, ORS 294.311-294.565.

3.18.B The Planning Commission, required by state law, shall be a standing commission. It is subject to City Ordinance and any other ordinances and resolutions which may amend it.

3.18.C. There are no standing boards.

3.19 Ad Hoc and Advisory Committees.

3.19.A. The Council may establish ad hoc and/or advisory committees as needed. Each such committee shall be established by ordinance or resolution for a specific purpose. It shall have a deadline to accomplish its purpose and shall be considered dissolved when its purpose is accomplished. If such a committee needs additional time to complete its purpose it shall request additional time from the Council. A Councilor may serve as liaison to a committee, but may not chair or vote.

3.19.B At the first meeting of such a committee the members shall select a Chairperson, select a Secretary, and set a meeting schedule. Written minutes of meetings should be delivered to City Hall within two weeks of each meeting or before the next meeting if scheduled for less than two weeks. It shall be the responsibility of each committee Secretary to see that notice is posted of each meeting at City Hall and the Post Office. The Secretary may ask City staff to do a posting.

3.19.C. All meetings held by such committees are subject to the Oregon Public Meetings Law ORS 192.610-192.990.

3.20 Appointing and Dissolving Committees, Commissions or Boards

The Council may appoint and dissolve committees, commissions or boards as needed at their discretion.


Section 4. **Ethics.** Councilors are advised to be familiar with the ethics law, ORS Chapter 244. Each Councilor shall be provided a copy of the current publication, "A Guide for Public Officials", published by the Oregon Government Standards and Practices Commission.

Section 5. **Severability.** The invalidity of a section or subsection of this ordinance shall not affect the validity of the remaining sections or subsections.

ADOPTED by the City Council this 24th day of October, 2007 by the following vote:

| CITY COUNCIL ROCKAWAY BEACH, OREGON | Aye | Nay | Absent/Abstain |
|--|-------------|-------------|------------------|
| <u>May</u> | <u>X</u> | <u> </u> | <u> / </u> |
| <u>Daugherty</u> | <u>X</u> | <u> </u> | <u> / </u> |
| <u>McFarlane</u> | <u> </u> | <u>X</u> | <u> / </u> |
| <u>Swanson</u> | <u>X</u> | <u> </u> | <u> / </u> |
| <u>Watts</u> | <u>X</u> | <u> </u> | <u> / </u> |


John Williams, Interim City Manager

ATTEST:

Lisa Phipps, Mayor

