

**City of Rainier
Planning Commission Meeting
May 22, 2023
6 p.m.
Rainier City Hall**

Chair Erin O’Connell called the meeting to order at 6:04 p.m.

Commissioners Present: Erin O’Connell, Nick Gratzner, Nina Pogue and Jan Rich

Commissioners Absent: Dena Nordstrom

City Staff Present: City Recorder Sarah Blodgett, City Administrator W. Scott Jorgensen and City Planner Skip Urling

Visitor Comments: There were no visitor comments at this time.

Consider Approval of the Consent Agenda: Consider Approval of the March 20, 2023 and April 17, 2023 Regular Planning Commission Meeting Minutes—Commissioner Nina Pogue moved to approve the March 20, 2023 minutes. That motion was seconded by O’Connell and adopted unanimously. Commissioner Nic Gratzner moved to approve the April 17, 2023 minutes. That motion was seconded and adopted unanimously.

New Business

- a. Public Hearing on Ordinance 1091—To Amend the Rainier Municipal Code Chapters 2.15, 17.10, 17.15, 17.20, 18.05, 18.15, 18.20, 18.25, 18.30 and 18.150—There were no conflicts, ex parte contacts or biases declared by commissioners. City Planner Skip Urling provided a summary of the staff report. He said the ordinance meets all applicable criteria and will result in improvements being made to the city’s current regulations. Urling recommends forwarding the ordinance to the city council. City Administrator W. Scott Jorgensen said the provisions of the ordinance should serve to streamline many of the city’s land use processes. O’Connell opened the public hearing at 6:25 p.m. No proponents or opponents offered public testimony on the ordinance. O’Connell closed the public hearing at 6:26 p.m. Pogue moved to forward Ordinance 1091 to the city council and recommend its passage. That motion was seconded by Gratzner and adopted unanimously.
- b. Cottage Housing—Jorgensen said the materials in the meeting packet included a portion of code from the City of Vernonia relating to cottage cluster housing. Gratzner said it was still his preference that the city have more land available for single family houses. Commissioners agreed by consensus to have Jorgensen find examples of communities with cottage neighborhoods and report back at the next meeting.

Old Business

- a. RVs—Jorgensen said he and Urling had a prior conversation about RVs as temporary housing. The related materials in the meeting packet were from the city of Clatskanie’s code. Jorgensen said he’s been by the RV park there and it seems to have pretty good standards. After a discussion, commissioners agreed by consensus to not pursue any further action regarding RVs.
- b. UGB Update—Jorgensen and Urling met earlier in the day with representatives of

DLCD and the Columbia County planning department. The city has done as much work as it can on this issue without incurring additional costs. Jorgensen and Urling had also attended a DLCD meeting about upcoming technical assistance grant opportunities. Those application materials should be made public at the beginning of June. Jorgensen said he plans to pursue it.

O'Connell adjourned the meeting at 7:34 p.m.

Erin O'Connell, Chair

Sarah Blodgett, City Recorder

ORDINANCE NO. 1093

AN ORDINANCE ADDING A NEW CHAPTER TO TITLE 17 OF THE RAINIER MUNICIPAL CODE ESTABLISHING RULES AND REGULATIONS FOR PLANNED UNIT DEVELOPMENTS AS AN ALTERNATIVE METHOD OF SUBDIVIDING OR DEVELOPING PROPERTY FOR RESIDENTIAL USE

WHEREAS, the city recognizes that physical features of the land within the city limits provide significant challenges which impede needed development of land for residential uses.

WHEREAS, the city seeks to add flexibility to its subdivision review processes to better facilitate the development of much-needed housing; and

WHEREAS, it was determined by city staff that adding a planned unit development process to the code would be in the City's best interest, and

WHEREAS, the City Planning Commission held a duly notified meeting on _____ at 6 p.m. in the Rainier City Hall, and

WHEREAS, the City of Rainier Planning Commission after said hearing concluded to recommend approval of the text amendments to the Rainier City Council; and

WHEREAS, the Rainier City Council held a duly noticed public hearing on XX and found that after due consideration of all the evidence in the record, that they agreed with the recommendation forwarded by the Rainier Planning Commission; and

WHEREAS, the Rainier City Council has considered findings of compliance criteria and law applicable to the proposal.

Section 1. Purpose. The purpose of this chapter is to provide a more desirable environment through the application of flexible and diversified land development standards following an overall comprehensive site development plan. This is intended to provide for developments incorporating a single type or variety of housing types and related uses, which are planned and developed as a unit. Such developments may consist of individual lots or of common buildings sites. Commonly-owned land which is an essential and major element of the plan should be related to and preserve the long-term value of the homes and other improvements.

Section 2. Permitted Building and Uses.

The following buildings and uses may be permitted as hereinafter provided. Buildings and uses may be permitted either singly or in combination provided the overall density of the planned development does not exceed the density of the zoning district as provided by Section 3.

A. Single-family detached and attached dwellings.

- B. Duplexes, triplexes, courtyard cottages and multifamily dwellings.
- C. Accessory buildings and uses.
- D. Buildings or uses listed as permitted outright or conditionally in the zone on which the planned development is located. Drive-throughs are prohibited.

Section 3. Development Standards.

- A. Minimum Site Size. Planned unit developments shall be established only on parcels of land which are suitable for the proposed development and are no smaller than the minimum lot size established in the zoning district.
- B. Open Space. In all PUDs at least 40% of the total area shall be devoted to open space. Up to 25% of this open space may be utilized privately by individual owners or users of the planned development; however, at least 75% of this area shall be common or shared open space.
- C. Density. The density of the planned development shall not exceed the density of the zone in which it is located. Where PUD standards differ from standards found elsewhere in zoning and/or subdivision codes, the more stringent requirement shall apply.
- D. Subdivision Lot Sizes. Minimum area, width, depth and frontage requirements for subdivision lots in a planned unit development may be less than the minimums set forth elsewhere in the municipal code, provided that the overall density is in conformance with this section and the lots conform to the approved preliminary development plan.
- E. Off-Street Parking. Parking areas shall conform to all provisions of Chapter 18.105.
- F. Signs. All signs of any type within a planned unit development are subject to review and approval of the Planning Commission. The Commission shall consider each sign on its merits based on its aesthetic impact on the area, potential traffic hazards, potential violation of property and privacy rights of adjoining property owners and need for said sign.
- G. Setbacks and Yard Requirements. No structure shall be located closer than 20 feet from any public street within a planned unit development unless otherwise approved by the Planning Commission. Other setbacks are to be determined by the Planning Commission where they are considered essential to the public health, safety or welfare. These setbacks required by the Planning Commission shall be recorded as part of the protective covenants as required by Section 4.A.9.
- H. Height Limits. Height limits for structures in a planned unit development are the same as in the zoning district, except that the Planning Commission may further limit heights when necessary for the maintenance of the public health, safety or welfare.
- I. Streets, Sidewalks and Roads. Necessary streets, sidewalks, and roads within the planned unit development shall be constructed to City standards and dedicated to the public. See Chapter

17.30 for applicable standards. A private roadway, or a private road network, may be permitted if adequate provisions for access and circulation have been provided in accordance with Chapter 17.30 and facilities have been approved and installed in accordance with Chapter 17.30.

1. Pursuant to subsection M, the Planning Commission may adjust Chapter 17.30 standards through the PUD process.

J. Dedication and Maintenance of Facilities. The Planning Commission or, on appeal, the City Council, may as a condition of approval for a planned unit development require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:

1. Recreation Facilities. The Planning Commission or City Commission, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners or residents of the development.

2. Common Areas. Whenever a common area is provided, the Planning Commission or City Council may require that an association of owners or tenants be created into a non-profit corporation under the laws of the State of Oregon, which shall adopt such articles of incorporation and by-laws and impose such declaration of covenants and restrictions on such common areas that are acceptable to the Planning Commission. Said association shall be formed and continued for the purpose of maintaining such common area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said common area for the purposes intended. The period of existence of such association shall be not less than 20 years and it shall continue thereafter and until a majority vote of the members shall terminate it.

3. Easements. Easements necessary to the orderly extension of public utilities may be required as a condition of approval.

K. Approvals. Prior to Planning Commission (or City Council approval upon appeal), written consent for the development shall be received from the City-appointed Engineer, Fire District Chief, and any other department or agency (i.e., County Sanitarian, DEQ, ODOT, Division of Health, ODF&W, DSL, DLCD, etc.) that can demonstrate that they have legal authority or jurisdiction over the proposal (or part(s) of the proposal).

L. Other Requirements. The Planning Commission may establish additional requirements which it deems necessary to assure that any development conforms to the purpose and intent of this section.

M. Adjustments. When consistent with subsection K the Planning Commission may approve adjustments to Code standards through the PUD review process set forth in Section 4.B.1. In such cases, the applicant need not address variance procedures that apply to non-PUD development proposals.

Section 4. Procedure-Preliminary Development Plan

A. The applicant shall submit 10 copies of a preliminary development plan to the Planning Commission prior to formal application for approval. This plan and any written statements shall contain at least the following information:

1. Proposed land uses and densities.
2. Location, dimensions and heights of structures.
3. Plan of open or common spaces.
4. Map showing existing structures and features of site and topography, wetlands and water features.
5. Proposed method of utilities service and drainage.
6. Road and circulation plan, including off-street parking areas.
7. Relation of the proposed development to the surrounding area and the Comprehensive Plan.
8. Lot layout if applicable.
9. A schedule, if it is proposed that the final development plan will be executed in phases, including the schedule for providing public infrastructure improvements for all proposed phases.
10. Information deemed necessary by the City Planner and Public Works Superintendent.
11. Required application fee.

B. Applications for planned unit development preliminary approval shall be reviewed by the Planning Commission using a Type III procedure as specified in Section 18.160.040. The Planning Commission shall determine whether the proposal conforms to Section 3 of this ordinance. In addition, in considering the plan, the Planning Commission shall seek to determine that:

1. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure (if any) from the standard Code requirements.
2. Resulting development will be consistent with the Comprehensive Plan provisions and zoning objectives of the area.
3. The proposed development will be in substantial harmony with the surrounding area. If phasing is proposed, mitigation of impacts may be limited to those impacts associated with an individual phase at the time the phase is approved.

4. The plan can be completed within a reasonable period of time.
 5. The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area based on a traffic impact study consistent with Section 17.30.160. A traffic study will be valid for four years from the notice of decision, otherwise, a new traffic study shall be required to address unanticipated traffic impacts. However, the Transportation Planning Rule (OAR 660-012-060) does not apply to PUD applications that involve uses permitted outright or conditionally in the base zone. If phasing is proposed, mitigation of impacts may be limited to those impacts associated with an individual phase at the time the phase is approved.
 7. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.
- C. The Planning Commission shall notify the applicant whether the foregoing provisions have been satisfied and, if not, whether they can be satisfied with further plan revision(s).

Section 5. Procedure-Final Development Plan.

- A. Within one year after preliminary approval or modified approval of a preliminary development plan, the applicant shall, at the next regularly scheduled meeting, file with the Planning Commission a final plan for the entire development or, when submission in phases has been authorized, for the first unit of the development. The final plan shall conform in all major respects with the approved preliminary development. The final plan shall include all information included in the preliminary plan, plus the following:
1. Contour map of the site showing at least two-foot contour intervals.
 2. Grading plan for the site showing future contours if existing grade is to be changed more than two feet.
 3. Existing and proposed utility lines (water, storm and sanitary sewer, gas, power, etc.).
 4. Preliminary subdivision plat meeting the requirements of Section 17.10.020 if property is to be subdivided.
 5. Location and dimensions of pedestrian ways, roads, common open spaces, recreation areas and parks.
 6. Location, dimensions and arrangement of automobile off-street parking spaces including width of aisles, spaces and other design criteria.
 7. Preliminary architectural plans and elevations of typical structures.
 8. Preliminary planting and landscaping plan for the site.

9. The applicant shall also submit drafts of appropriate deed restrictions or protective covenants to provide for the maintenance of common areas and to assure that the objectives of the planned unit development shall be followed.

B. Upon receipt of the final development plan, the Planning Commission shall examine such plan and determine whether it conforms to all applicable criteria and standards, and whether it conforms in all substantial respects to the previously-approved preliminary development plan; or the Commission shall require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to ensure conformity to the applicable criteria and standards. In so doing, the Planning Commission may permit the applicant to revise the plan and resubmit it as a final development plan within 60 days.

C. After final development plan approval by the Planning Commission, the planned development application will be sent to the City Council for consideration and final approval. A Type III review procedure shall be used. If the PUD is a residential subdivision or institutional use allowed in the base zone, with no RV, or campground amenities, review by the City Council is not required; however, final subdivision plat approval in accordance with Sections 17.10.120 and 130 is required.

Section 6. Adherence to Approved Plan and Modification Thereof.

A. Grading permits and building permits in a planned unit development shall be issued only on the basis of the approved final development plan. Any substantial changes in the approved plan shall be submitted to the Planning Commission for processing in accordance with Section 17.10.080.

B. A performance bond may be required, in an amount to be determined by the Public Works Superintendent, to ensure that a development proposal is completed as approved and within the agreed-upon time limits.

C. An applicant is entitled to rely on land use regulations in effect on the date its preliminary development plan was initially submitted, pursuant to ORS 227.178(3), when seeking approval of a final development plan so long as the applicable preliminary development plan is in effect when the final development plan is submitted. At its option, an applicant may request that a final development plan be subject to the land use regulations in effect on the date its final development plan is initially submitted.

NOW, THEREFORE, the City of Rainier ordains as follows:

1. The above recitals are true and correct and incorporated herein by this reference.
2. The City of Rainier Municipal Code is amended to add a new Chapter regarding Planned Unit Developments to Title 17 Subdivisions.
3. In support of the above amendment to the Municipal Code, the Rainier City Council hereby adopts the Findings of Facts and Conclusions of Law in the (date) City Planner Staff Report dated ----, any additional findings and conclusions established by the Planning Commission, together with its attached addendums and correspondence.

4. The effective date of this Ordinance shall be thirty (30) dates after approval, in accordance with the City Charter and other applicable laws.

Passed by the City of Rainier council and approved by the mayor on the ____ day of _____, 202_.

Attested:

BY: _____
Jerry Cole, Mayor

BY: _____
Scott Jorgensen, City Administrator

DRAFT

June 12, 2023

To: Rainier Planning Commission

From: Skip Urling, City Planner

Re: Proposed Planned Unit Development Ordinance

Attached is a proposed ordinance that would add planned unit developments (PUD) as another method of subdividing or otherwise developing property for residential uses. The intent of PUDs is to provide developers with additional flexibility when designing a project when the subject property contains environmental constraints, such as steep slopes, wetlands, other water bodies providing important wildlife habitat, and floodplains. Simply put, it allows the developer to achieve the same level of density on the property as the underlying zoning district permits, but in clusters or smaller lots on that portion of the property which is not constrained. In return, the developer must provide open space and/or recreational amenities within the site boundaries as a part of the project design. Essentially, the constrained areas remain unimpacted and preserved, yet the developer receives credit for the development density rights those areas would ordinarily offer. PUDs are a mechanism commonly used by local governments.

The proposed ordinance focuses on residential development in which opportunities are in short supply in Rainier. One of the contributing factors to this shortage is the availability of developable land, predominantly, but not exclusively, because of the topography. It is our goal that adding flexibility to the development regulations, that there would be added interest by the development community to approach projects more aggressively resulting in an increase in residential inventory to provide more and varied opportunities for current and future residents of the city. The standards for development are spelled out in Section 3

The regulatory review process is two-pronged and would employ a Type III process, meaning the Planning Commission would be the decision making body, with appeal opportunity to the City Council. Applicants would submit a preliminary development plan which conveys the conceptual intent of the project for initial Planning Commission review. Section 4 of the ordinance spells out the required items to be shown on the plan and described in a written document. After receiving preliminary approval the applicant would submit a final development plan reflecting any changes resulting from feedback from, or conditions of approval imposed, by the Planning Commission. The final development plan would provide more detail about existing conditions and the various components of the development proposal; the requirements are itemized in Section 5. Note that if the project includes subdividing the site a final plat will be required after the required infrastructure and site amenities are constructed and approved.. Note

further that phasing the development is permitted, with the caveat that there is a reasonable, but agreed to finite period of time, to complete the project.

Should you have any questions or wish to discuss the concept of a PUD process or sections of the proposed ordinance prior to the planning commission meeting, please call me at 360.431.5117.

Additional Recommendations from Columbia County Housing Implementation Plan:

- Permit duplexes and/or two-unit townhouses in R-1 zones
- Reduce minimum lot size for duplexes and/or two-unit townhouses in R-3 zoning from 8,000 to 5,000 square feet
- Reduce minimum lot size for triplexes and/or three-unit townhouses in R-3 zoning from 11,000 to 7,000 square feet



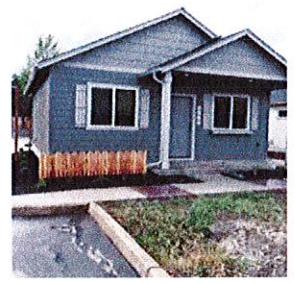
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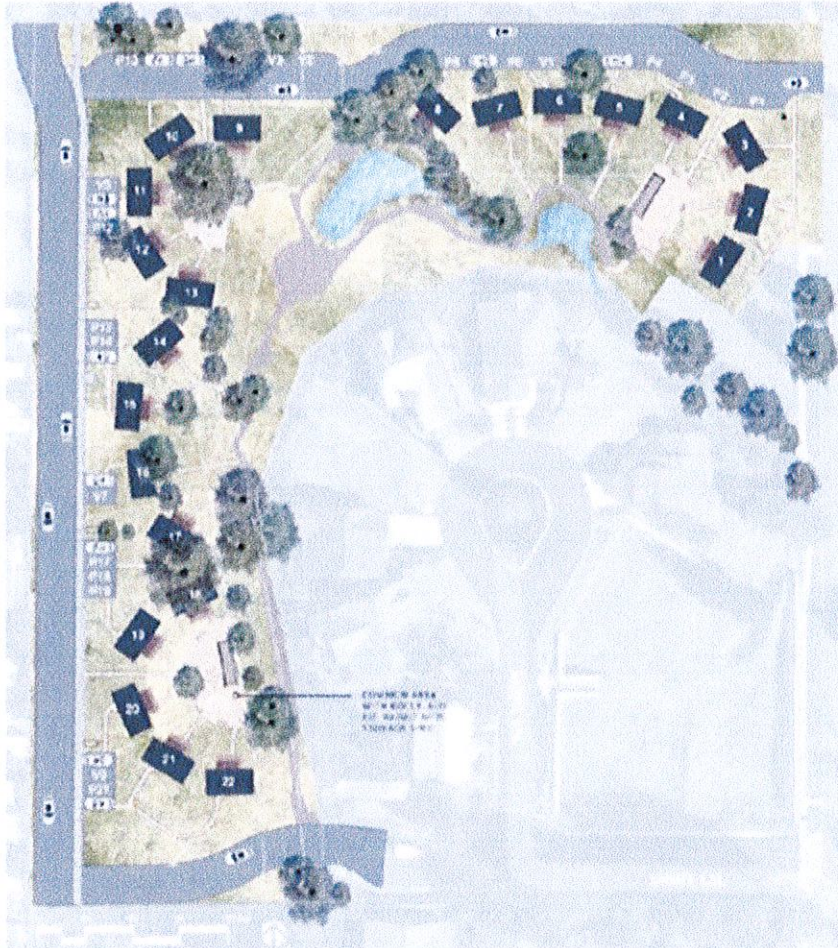


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- Pond
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Pricing

According to [Tree Hugger](#), pricing is \$249,000 USD which includes land, connection to city utilities, etc. Median price for a home in the area is \$400,000 USD, so it is not an inexpensive neighborhood.

Open House/Learn More

Welcome to The Hiatus, a one-of-kind cottage community located in Southeast Bend. The Hiatus consists of a community of 500-square-foot cottages built in the “small/tiny house” design style. On the inside, these cottages are built with the highest quality fixtures and surfaces, with a focus on livable design. On the outside, community is key, with a network of paths, living ponds and gardens, as well as bocce courts and cozy fire pits.

From 12 – 4PM every Thursday – Saturday @ 61311 Benham Rd. Bend, OR 97702



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WITH A BUILT-IN SENSE OF COMMUNITY

CLASSIC STREET COTTAGES

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[Our Cottages](#)

Welcome to the Classic Street Cottages, a new one-of-a-kind neighborhood on the Oregon Coast — located 1 ½ hour-drive from Portland, and just a few-minutes-walk from the village center of Manzanita and a sandy seven-mile-long ocean shore. The first phase of this neighborhood of 32 cottage-style homes is now under construction. Designed by award-winning Ross Chapin Architects, the community features modestly sized homes nestled around a series of garden courtyards called 'pocket neighborhoods'.



See Our Cottages

Types of Cottages

While most new developments have streets of garage doors and homes oriented to their back yards, the houses at CSC have room-sized covered porches facing a garden courtyard or a quiet walkable street. The houses at CSC are designed for privacy and placed so that no neighboring window peers into another. Layers of 'personal space'—perennial hedge, low fence, private yard, covered porch—separate the interior space from the more public commons. Private rooms are located farther back or on the second floor away from the activity, and every house has a private backyard or deck.

[All](#)[Cabin](#)[Egret](#)[Erin](#)[Hilltop](#)

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See What You Can Do

Local Attractions & Activities

Selecting a place to call home isn't just about the structure you live in, it's also about the activities, attractions and events that give you a connection to your community and make you proud of your hometown.



Beach

The quaint, seaside community is situated along seven miles of pristine shoreline perfect for surfing, boogie boarding, camping, horseback riding, fishing, kayaking, kite-flying, beach combing, whale watching and sunset viewing.



Wine and Dine

Fine food and wine is also characteristic of Manzanita, which is home to the Nehalem Bay Winery and dozens of tasty restaurants, bakeries, coffee shops and delis. Manzanita also offers a taste of culture with many art studios and galleries.



Golfing

The Manzanita Golf Course exploits the town's natural beauty with a nine-hole layout that is constructed on a beautiful hillside overlooking the ocean.



Hiking

On the north end of town the striking Neah-Kah-Nie Mountain plunges into the ocean and offers a mountainside trail, featuring breathtaking 360-degree views of the Oregon coastline.

Hurry! Available **Lots**

PHASE 1

Classic Street Cottages have been designed to bring neighbors together and create a sense of community. The first phase of this neighborhood of 32 cottage-style homes is now complete and sold.

PHASE 2

Classic Street Cottages is a simpler way of life that engenders a sense of community and encourages neighbors to congregate. With 28 homes to go, phase two will begin shortly.

PHASE 3

Phase 3 of Classic Street Cottages Homes coming soon, building to begin January of 2017.



Download Plan Lots As PDF (<http://cdn.classicstreetcottages.com/images/CSC%20Site%20Plans%20150311.pdf>)

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- Jonathon Doe -
Web Designer

