



City of Manzanita

## **COUNCIL ORDINANCE No. 26-02**

### **AN ORDINANCE OF THE CITY OF MANZANITA, OREGON AMENDING ORDINANCE NO. 95-4, THE MANZANITA ZONING ORDINANCE, TO REVISE TOWNHOUSE DEVELOPMENT STANDARDS IN THE MH-1 ZONE TO ENSURE CONSISTENCY WITH STATE LAW**

**WHEREAS**, the City of Manzanita adopted Ordinance No. 95-4 establishing zoning regulations consistent with the Comprehensive Plan; and

**WHEREAS**, the City adopted Ordinance No. 25-04 to implement middle housing requirements consistent with state law; and

**WHEREAS**, a provision of Ordinance No. 95-4 limiting townhouse structures in the MH-1 zone to two attached dwellings was identified as requiring revision to ensure consistency with applicable state statutes and administrative rules governing middle housing; and

**WHEREAS**, the City initiated a legislative amendment to address this provision and ensure compliance with state law; and

**WHEREAS**, the City provided notice to the Oregon Department of Land Conservation and Development in accordance with ORS 197.610; and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on April 13, 2026, and recommended approval of the proposed amendment; and

**WHEREAS**, the City Council has conducted a public hearing in accordance with applicable law; and

**WHEREAS**, the City Council finds that the proposed amendment is consistent with the Comprehensive Plan, applicable provisions of the Manzanita Zoning Ordinance, and state law, and is necessary to ensure continued compliance with middle housing requirements.

**Now, Therefore, the City of Manzanita Does Ordain as Follows:**

#### **Section 1. Amendment**

Section 4.165.2.b of Ordinance No. 95-4 (Manzanita Zoning Ordinance) is hereby amended to read as follows:

#### **Section 4.165 Townhouse Standards**

## 2. Numerical Standards

b. Maximum number of townhouses in a townhouse development:

- i. In MH-1: Four (4)
- ii. In MH-2 and MH-3: Four (4)

All other provisions of Section 4.165 shall remain unchanged.

## Section 2. Findings

The City Council adopts the findings contained in the staff report dated March 11, 2026, as support for this decision, including but not limited to findings related to:

- Consistency with the Comprehensive Plan
- Compliance with applicable state statutes and administrative rules governing middle housing
- Promotion of clarity and predictability in the zoning ordinance

## Section 3. Severability

If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

## Section 4. Effective Date

This Ordinance shall take effect thirty (30) days after its adoption.

Read the first time on May 6, 2026 and moved to second reading by UNANIMOUS vote of the City Council.

Read the second time and adopted by the City Council on 6/3/26

Signed by the Mayor on 6/3/26

  
Kathryn Stock, Mayor

ATTEST:

  
Nancy Jones, Clerk of the Council, Pro  
Tem