



# Final Action Plan (Task 4.2)

## Bay City Code Evaluation and Update

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TO Bay City Mayor David McCall and City Council  
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CC: Bay City Code Evaluation Project Management Team (PMT)

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### 1. INTRODUCTION

#### Project Overview

The goal of the Bay City Transportation and Growth Management (TGM) Code Assistance Project is to make recommendations for updating the City's land use regulations, including Bay City Development Ordinance #374 (also referred to as either "Development Ordinance" or "code" in this Action Plan) and the Bay City Comprehensive Plan, in order to help the City remove barriers to creating a vibrant, multimodal community. This goal is consistent with the mission, goals, and objectives of the TGM program and "smart growth" principles. Key principals of the TGM program include, but are not limited to:

- Create communities composed of vibrant neighborhoods and lively centers linked by accessible transportation.
- Save public and private costs with compact land development patterns and well-connected transportation networks.
- Provide transportation choices to support communities with the balanced and interconnected transportation networks necessary for mobility, equity, and economic growth.

To learn more about the program's mission, goals, and objectives, see <https://www.oregon.gov/lcd/TGM/Documents/mission-goals-objectives.pdf>.

Project work has identified policy and regulatory provisions that are creating barriers to more fully achieving these objectives in Bay City. Housing availability and affordability are of particular concern for the community. Contributing to the challenges of building housing in Bay City is the expense of new infrastructure and lack of City tools to target infrastructure investment where it is most needed. To address these issues, a focus of the project work is on transportation-related policies, requirements, standards, and tools.

To gauge the overall effectiveness and functionality of existing land use regulations as they apply citywide, the project began with discussions with City Staff and an evaluation of the Bay City Comprehensive Plan and the Development Ordinance. Specific project tasks entailed reviewing the City's street classifications in the 2010 City of Bay City Transportation Plan (Ordinance 647) and the requirements for development-related street improvements to ensure that the transportation system is optimally serving all users. This evaluation included revisiting proposed code amendments that were recommended as part of the Transportation Plan, but that have not been officially adopted or codified. Tools used for the evaluation included the *TGM Model Development Code and User's Guide for Small Cities - 3rd Edition* (Model Code) and other smart development principles and "best practices" implemented in similarly sized jurisdictions in Oregon, as well as the planning requirements in the Transportation Planning Rule (OAR 660-012).<sup>1</sup> The findings of the code audit are in the Evaluation Memorandum, an Attachment to this Action Plan.

## Action Plan Overview

This Action Plan outlines recommended policy and code amendments, including a description of where the amendments should occur and the rationale for the change. It does not provide adoption-ready code amendments; the development of adoptable code language could be a second phase of this TGM Code Assistance project.<sup>2</sup> The recommendations in this Action Plan are based on work done in previous project tasks conducted between January 2020 and February 2021, including the code evaluation, stakeholder interviews, discussions with City Staff, a virtual public workshop, and two work sessions with the Planning Commission. The Action Plan was last revised to reflect comments made at a March 5, 2021 joint City Council and Planning Commission work session.

## 2. ACTION PLAN

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### Comprehensive Plan Amendments

Bay City Comprehensive Plan policies generally support the objectives of this project; however, some minor modifications are recommended to strengthen the policy framework for proposed code amendments described in the following section. The suggested Comprehensive Plan amendments are characterized as follows:

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<sup>1</sup> For more information, see: <https://www.oregon.gov/lcd/TGM/Pages/Model-Code.aspx>

<sup>2</sup> Note: The second phase of the project will occur only after endorsement by the City Council and authorization by the TGM Program.

- Modify Town Center (North High Intensity zone) provisions to be more open to various types of commercial uses and a broader range of housing types.
- Make the policy language related to residential densities consistent with proposed code amendments (where needed).
- Revise policy language that emphasizes the need for “architectural control” to reduce level of regulations on architectural design. Based on community conversations and feedback during the project, regulating the character and design of buildings, such as requiring specific architectural features, was not identified as a high priority for Bay City.
- Modify transportation policies to emphasize multimodal facilities (i.e., a transportation network for all types of transportation, including pedestrians and cyclists) and connectivity in Bay City.

### **Bay City Development Ordinance Recommendations**

The code recommendations for the Bay City Development Ordinance are presented in Table 1. Recommendations are organized around the topic areas from the Evaluation Memorandum: Create a Vibrant Downtown; Residential Uses and Standards; Multimodal Transportation Facility; and Land Use and Review Procedures. For each heading there are a number of code modifications, as proposed in the Evaluation Memorandum or informed by public input. Each code recommendation includes a Development Ordinance citation, referencing the existing requirements, and comments to provide context for the recommendation. Comments include, but are not limited to, how the recommendations are consistent with TGM goals and objectives and how they reflect community feedback from stakeholder interviews, the community meeting and survey, and the Planning Commission and City Council work sessions. Proposed Development Ordinance amendments based on the updated Transportation Plan and compliance with the Transportation Planning Rule are found in the Evaluation Memorandum’s Attachment Table (“TPR Assessment”).

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Table 1. Action Plan Recommendations

RECOMMENDED AMENDMENTS & ACTIONS	DEVELOPMENT ORD. SECTION	COMMENTS
<b>Create A Vibrant Town Center</b> <sup>3</sup>		
<p><b>Allow Multi-Family Development</b>                      Revise permitted uses in the Town Center to include stand-alone multi-family development, such as small apartment complexes. Currently, residential uses are permitted only as part of mixed-use development. In order to preserve available commercial space, designate specific blocks in the core of the Town Center where only commercial on the ground floor is permitted.</p>	<p>Section 1.3</p>	<ul style="list-style-type: none"> <li>Residential development in the Town Center can encourage support for businesses in the area creating a “built in” customer base.</li> <li>The Bay City Comprehensive Plan supports this recommendation for the “central commercial portion of the City.” The Comprehensive Plan states: <i>“The uses here are intended to be those which are important to the daily life of the City, such as grocery stores, the post office, cafes, a tavern, shops, the City Hall, the park, church, and meeting halls. This is considered a good location for apartments, especially for elderly persons who could walk to the activities mentioned above.”</i></li> <li>Community members expressed concerns regarding potential loss of limited and valuable commercial space in the Town Center. In response, the PMT recommends the City designate specific blocks where only commercial space on the ground floor is permitted.</li> <li>80% of survey respondents agreed that, middle housing in the Town Center would help existing businesses and encourage more activity.</li> </ul>
<p><b>Encourage Multi-Family Development</b>                      To encourage more multi-family development in the Town Center, additional standards such as maximum lot coverage, density, and height requirements should be amended to avoid hindering development.</p>	<p>Section 1.4 and 1.406</p>	<p>There is community support for increasing housing options in Bay City; the listed items address specific barriers to multi-family development. Community members have raised concerns about increasing the maximum height of buildings. Some have noted that views of the bay from existing development may be blocked</p>

<sup>3</sup> The Town Center is defined by the North High Intensity (NHI) zone, which spans from Highway 101 to 6th Street and A Street to Portland Avenue, and borders the Moderate Intensity (MI) Zone.

RECOMMENDED AMENDMENTS & ACTIONS	DEVELOPMENT ORD. SECTION	COMMENTS
<p>Specific suggestions are:</p> <ul style="list-style-type: none"> <li>• Increase maximum height from 24 ft. or 30 ft. (30 ft. requires PC approval) to 36 feet to allow for 3-story development.</li> <li>• The maximum lot coverage permitted should be increased for the NHI zone to allow for more land to be developed, especially for mixed-use development. The HI zone permits maximum lot coverage of 50% for mixed-use development, and 75% for commercial, industrial, and non-residential uses. The Model Code recommends 90% lot coverage in a downtown zone, with no minimum lot area required.</li> <li>• Reduce minimum lot sizes in the NHI zone to promote more compact and multifamily development.</li> </ul>		<p>by taller buildings. The Bay City Fire Chief also noted that new fire suppression equipment would be needed to protect three-story buildings above 30 feet. However, the need for more housing and more affordable housing in the community is evident and more information and analysis is needed in order to make an informed decision on building heights. In the subsequent phase of the project, the City should discuss and review the potential for viewshed protection policies and how they relate to proposed height maximums.</p>
<p><b>Reduce barriers to permitting Eating and Drinking Establishments in the Town Center.</b> In the current code, where permitted, eating or drinking establishments must be small scale and intended for local or neighborhood use. Restaurants in conjunction with motels may be of a size necessary to accommodate the traveling public. The requirement may be limiting for these types of uses, especially in the NHI zone. Amend the standards to reduce the restrictions on eating and drinking establishments. Potential noise and traffic impacts can still be regulated through clear and objective standards.</p>	<p>Section 2.209</p>	<p>Eating and drinking establishments can contribute to a lively Town Center and provide more amenities for community members as well as be attractors for travelers.</p>
<p><b>Adopt more robust design standards</b> for the Town Center to encourage pedestrian-friendly development, including:</p>	<p>Section 3.1 -3.6, 3.704, 3.96</p>	<ul style="list-style-type: none"> <li>• A primary goal of the TGM Code Assistance program is to help small cities amend their development codes to achieve</li> </ul>

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<ul style="list-style-type: none"> <li>• Create a maximum front setback and reduce the minimum front setbacks, or establish build-to lines for buildings.</li> <li>• Prohibit parking between the building and street.</li> <li>• Require garages be setback from the front of the lot or accessed from the rear (or side, for a corner lot).</li> <li>• Orient building entrances toward the street and allow them to be no more than 25 feet from the street.</li> <li>• Establish a percentage of street-facing facades that must be covered in windows/glazing for commercial buildings.</li> <li>• Require weather protection (e.g., canopies and overhangs).</li> <li>• Clarify buffering and landscaping or fence screening standards to clearly define what constitutes buffering and under what conditions it is required.</li> </ul>		<p>a more pedestrian-oriented downtown area. A pedestrian-oriented area is an essential element of a vibrant downtown.</p> <ul style="list-style-type: none"> <li>• Many residents who participated in the project’s public involvement activities said they wish there were more to attract people to the downtown.</li> <li>• 77% of survey respondents said design standards are important for the downtown area.</li> </ul>
<p><b>Reevaluate the requirement for uses surrounding historic structures to be architecturally compatible</b> with existing historic structures. Section 1.403 requires that in the NHI zone, “<i>uses surrounding the historic structures must be architecturally compatible.</i>” The standard may not reflect the desires of the community and will need to be modified for residential development, where there needs to be an approval process that relies on clear and objective standards.</p>	<p>Section 1.403</p>	<ul style="list-style-type: none"> <li>• Numerous comments from community members suggested it is not important for the City to regulate architectural elements such as style, building materials, and color. Some comments suggested that existing buildings are not exemplary and should not be the basis for architectural design.</li> <li>• Survey responses showed weak support for architectural design requirements (i.e., color palate, building materials, etc.) – 44% of responses were neutral or showed that it was not needed.</li> </ul>

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<b><i>Residential Uses and Standards</i></b>		
<p><b>Adopt clear and objective standards for permitting housing</b>, consistent with state regulations. Many jurisdictions adopt a two-track development review system - a clear and objective track and a discretionary track - in order to have an unambiguous path to approval as well as a way to allow flexibility, where desired.</p>	<p>Section 1.4, 1.406, 1.5, 1.058, 1.6, 1.61, 2.1, 3.210, 3.3, 3.5, 3.6, 3.7, 3.701-3.704, 3.75, 3.751, 3.9,3.96,4.1-4.112,5.1- 5.107, Article 10, Article 11</p>	<p>Oregon Revised Statute (ORS) 197.307(4) requires that local governments adopt and apply clear and objective standards, conditions, and procedures regulating the development of "all housing." This is to ensure that communities do not use discretionary or subjective criteria to deny housing projects. Local standards, conditions, and procedures cannot discourage housing through unreasonable cost or delay.</p> <p>Currently, many of the City’s development standards for residential development have discretionary standards, which are not clear and objective (e.g., required buffers for single family development, and what type of development triggers certain land use applications). The recommendation is to reduce discretionary standards in general, and eliminate them from a “clear and objective” approval process for residential development.</p>
<p><b>Permit middle housing in the Moderate (MI) and Low Intensity (LI) zones</b> where there is sufficient infrastructure. Middle housing typically includes duplexes, triplexes, quadplexes, cottage clusters, and courtyard apartments.</p> <p>If middle housing is permitted in the MI and LI zones, certain siting standards in those zones may need to be modified to allow for middle housing. Potential modifications include:</p> <ul style="list-style-type: none"> <li>• <i>Density, Lot Size, and Maximum Coverage.</i> Current standards for density, lot size, and maximum lot coverage would create a significant barrier to developing middle housing as they are intended for primarily single family development</li> </ul>	<p>Section 1.3</p>	<ul style="list-style-type: none"> <li>• There is a need for housing in Bay City and generally for year-round residents in the North Coast. Many community members stressed the need for more housing and more affordable housing options in Bay City. Middle housing can provide a variety of house types to choose from, and the choices can often be more affordable than single family homes.</li> <li>• This recommendation can have significant implications for infrastructure capacity and planning in Bay City.</li> <li>• There were mixed reviews from the community.             <ul style="list-style-type: none"> <li>○ 29% of survey respondents supported allowing middle housing in the MI zone.</li> <li>○ There was interest in using regulations to get more affordable housing.</li> </ul> </li> </ul>



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<p>today. In the LI zone the existing minimum lot sizes are consistent with those typically seen outside city limits. The minimum lot size for new development (subdivision, partitions, or planned development) in the LI zone is 40,000 square feet. For existing lots, the minimum lot size is 20,000 square feet. These are exceptionally large lots for a city zone; the requirement should be reduced to allow for development at a town-scale density.</p> <ul style="list-style-type: none"> <li>• <i>Setbacks.</i> Consider permitting zero lot lines for side yard setbacks to permit attached buildings, such as townhouses.</li> <li>• <i>Building Height.</i> For both the MI and LI zones, the maximum building height permitted is 24 feet. The height requirements should be modified to allow more flexibility for developing middle housing.</li> </ul>		<ul style="list-style-type: none"> <li>○ Some were concerned about infrastructure capacity to support additional housing units.</li> <li>• City Councilors and Planning Commissioners (herein referred to as City leaders) City leaders have concerns about increasing density outside of the downtown core. Concentrating density and activities in the downtown is consistent with TGM objectives. Phase II of the project will include an exploration of where middle housing types and modest increases in residential density would be appropriate in Bay City.</li> </ul>
<p><b>Revise onerous standards to encourage housing development.</b> The recommendations include:</p> <ul style="list-style-type: none"> <li>• <i>Planned Development.</i> Permit more flexibility for Planned Developments. Currently, the allowances for Planned Developments (PD) are very similar to the standard requirements (i.e., non-PD developments), which reduce flexibility of lot coverage, density, and size permitted. Allowing more flexibility through PD review can help accommodate large development (i.e., multi-family housing) and uses within it.</li> <li>• <i>Flag Lot Standards.</i> Flag lots are required to have 30 feet of street frontage with 10-foot buffers on</li> </ul>	<p>Section 3.701 and 5.107</p>	<p>Reducing some barriers to residential development, particularly multi-family development, may encourage more new housing Bay City. More intense development in areas already served by infrastructure maximizes efficiency in providing these services, as compared to expanding infrastructure, such as streets, into new areas.</p>

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<p>either side of access drives, where the Planning Commission may require screening. For flag lot access, a lower minimum lot width may be adequate to provide access. The existing buffering requirement should also be reviewed, as this may be an impediment to creating more opportunities for housing.</p> <ul style="list-style-type: none"> <li>• <b>Access.</b> For multi-family development, defined as residential development with more dwelling units than a duplex (greater than two dwelling units) in the Development Code, access is required to be routed to an existing or planned arterial. This access requirement should be removed so that multi-family development can be permitted on local streets, which is most of the streets in the MI and LI zones.</li> </ul>		
<p><b>Permit accessory dwelling units (ADU)</b> to allow more housing opportunities. Currently, ADUs are permitted outside city limits within the urban growth boundary (UGB). Permitting ADUs throughout the City can provide affordable housing options for some or short-term (vacation) rental opportunities.</p>	<p>Section 1.3</p>	<ul style="list-style-type: none"> <li>• Stakeholders were in favor of developing ADUs but feared that they may be used for tourists. Most stakeholders said they preferred that ADUs not be used for short-term rentals (e.g., Airbnb); however, some noted their benefit as additional income streams for owners.</li> <li>• 62% of survey respondents supported permitting ADUs in the City.</li> <li>• There were community concerns about ADUs and smaller living units and the implications they may have on outdoor storage.</li> <li>• There were also concerns about impacts on livability in existing neighborhoods.</li> <li>• City leaders expressed concerns about the potential rate of ADU development once permitted and the impact of ADU development on infrastructure demands, particularly water and sewer. Based on trends in other Oregon communities,</li> </ul>

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		the rate of ADU development is expected to be low. Policies and programs that plan for ADU development and potential impacts on infrastructure can be discussed in Phase II.
<p><b>Reduce size limitations on accessory structures</b> to allow larger structures to be detached instead of attached (garages) and allow permitted height for detached structures to have a higher maximum height. Currently the maximum height permitted of detached garages is 15 feet.</p>	Section 3.7	Based on anecdotal evidence from community members and City Staff, many households in Bay City have recreational vehicles (RVs) and wish to house them in their garages (accessory structures). However, the current standards do not allow a height that could accommodate RVs.
<b>Multimodal Transportation Facilities</b>		
<p><b>Modify vehicle and bicycle parking requirements.</b> The recommendations are:</p> <ul style="list-style-type: none"> <li>• <i>Bicycle Parking.</i> Add provisions requiring bicycle parking for certain uses (e.g., multi-family, commercial, institutional). Specific recommendations for multi-family development, commercial, industrial, and other non-residential uses were proposed as part of the Transportation System Plan update.</li> <li>• <i>Vehicle Parking.</i> Modify minimum parking requirements for various uses to promote more efficient use of land. Certain uses – single family homes, duplexes, group living, hotels, bulk retail, public assembly, schools, banks, and manufacturing – all have vehicle parking standards higher than those recommended in the Model Code. Recommend amending those</li> </ul>	Section 3.5 and Section 3.6	<p>The proposed recommendations support TGM principals, such as planning for appropriately sited, designed, and managed local, regional, and state transportation facilities and services that support the movement of goods and provide for services.</p> <p>Community comments related to vehicle parking indicated that there are no issues finding adequate parking in the Town Center. There were also comments wanting to maintain parking in close proximity to commercial establishments. Specific recommendations regarding modifying parking requirements in Bay City were not discussed in detail with community members. Additional community discussion will be needed to determine specific modifications, in particular with regards to items listed under “additional vehicle parking standards.”</p> <p>Bicycle parking standards were not specifically discussed with the community. The Evaluation Memorandum examines the recommendations from the Transportation Plan and agrees with the recommendations to add bicycle parking and design requirements to the City's parking standards. A recommended</p>

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<p>standards to be consistent with the Model Code or with current best practices.</p> <ul style="list-style-type: none"> <li>• <i>Additional Vehicle Parking Standards.</i> Other recommendations related to parking are:                             <ul style="list-style-type: none"> <li>○ Allowing complete exemption from minimum parking requirements in the Town Center.</li> <li>○ Adopt maximum number of spaces permitted to avoid unnecessary consumption of land for parking.</li> <li>○ Adopt provisions allowing shared parking.</li> </ul> </li> </ul>		<p>number of required bicycle spaces based on the type of use proposed is included in the Evaluation Memorandum and will need to be reviewed as part of Phase 2.</p>
<p><b>Develop standards for bike and pedestrian infrastructure and connectivity</b> to develop a robust and connected multimodal network.</p> <ul style="list-style-type: none"> <li>• Determine where bicycle and pedestrian facilities are needed and allocate the needed right-of-way through public dedications or other allocation measures.</li> <li>• Given the status of bicycle and pedestrian improvements in the City, consider prioritizing key areas (i.e., Town Center) for the improvements. Consider programs that could fund this approach.</li> <li>• Create connectivity requirements for bicycle and pedestrian facilities to ensure future development extends and improves streets consistent with City standards and provides improvements for non-motorized (bicycle and pedestrian) travel, where appropriate.</li> <li>• Where appropriate, consider requiring sidewalks on both sizes of local streets, with exceptions. The</li> </ul>	<p>No existing standards in the Development Ordinance.</p>	<ul style="list-style-type: none"> <li>• The recommendations support TGM goals and objectives, such as increasing:</li> <li>• Travel choices, especially for vulnerable citizens underserved communities and</li> <li>• Safe and convenient walking, biking, and public transportation opportunities to support a healthy, active lifestyle.</li> <li>• The Evaluation Memorandum (Attachment Table) recommends the City consider developing and adopting a new code section establishing standards for pedestrian and bicycle circulation for site development in the existing land division provisions and, potentially, a new site development section.</li> <li>• Community comments include, but are not limited to:                             <ul style="list-style-type: none"> <li>○ Not every street has capabilities for safe biking and walking; some of the main arteries should be prioritized.</li> </ul> </li> </ul>

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<p>City should consider requiring sidewalks on both sides of a Local Street, as well as planter strips and street trees. Where topography or other natural hazards limit the opportunity for a full street section, or the full street design is cost prohibitive, the City could require sidewalks on one side of the street. The circumstances under which sidewalks would not be required on both sides of the street should be quantifiable and codified (e.g., slopes over 15%, dead-end streets shorter than 500 feet).</p> <ul style="list-style-type: none"> <li>• This recommendation would require a modification to Transportation Plan Figure 2-4, the Local Street cross-section that shows a sidewalk on only one side of the street.</li> <li>• The Development Ordinance modification would clarify sidewalk requirements to ensure that pedestrian needs would be accommodated through future development permitting.</li> </ul>		<ul style="list-style-type: none"> <li>○ Target areas for bike/pedestrian facilities are the Town Center (80% of survey responses) and near Al Griffin Park (58% of survey responses).</li> <li>○ Trails in the downtown area are already planned; it is important to preserve and build the trail system.</li> <li>○ Streets should be safer for families.</li> <li>○ City has strict street improvement requirements.</li> <li>○ 65% of survey respondents support bike/pedestrian facilities on both sides of the road.</li> </ul> <ul style="list-style-type: none"> <li>• Comments from City leaders generally support the idea of having sidewalks on both sides of the road, but also note that they do not have to be required throughout town, especially where there are existing streets.</li> </ul>
<p><b>Transportation Plan Local Street Functional Classifications.</b> Street standards should be included in the City's land division provisions (Article 5) consistent with the standards in the Transportation Plan. Consider modifying the existing cross-section standards to provide more options to better accommodate all roadway users (e.g., cyclists, pedestrians, and motor vehicles). Continue community conversation regarding the appropriate ways to repurpose existing right-of-way widths for bicycles and pedestrians in the Town Center.</p>	<p>No existing standards in the Development Ordinance.</p>	<ul style="list-style-type: none"> <li>• Public conversations did not focus on roadway width or specifically on the Transportation Plan cross-sections. There was discussion and favorable comments regarding improving conditions for pedestrians and bicyclist in the Town Center and providing better access to the park. Options for restriping overly wide rights-of-way had some community support.</li> </ul>

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<p><b>Require a Traffic Impact Analysis (TIA)</b><sup>4</sup> for development applications of a certain size to ensure there will not be adverse impacts on the City’s transportation system. If adverse impacts are anticipated based on the analysis, the City could require multimodal and transportation-demand-management-based mitigation measures to reduce the impacts.</p>	<p>No existing requirements in the Development Ordinance.</p>	<ul style="list-style-type: none"> <li>• Recommendation based on City Staff comments. TIAs ensure that the planned transportation system can support the proposed development, or that necessary improvements are constructed as a part of development in Bay City.</li> <li>• The proposed change supports TGM principals to plan land uses                             <ul style="list-style-type: none"> <li>○ Appropriately sited, designed, and managed local, regional, and state transportation facilities and services that support the movement of goods and provide for services.</li> </ul> </li> </ul>
<p><b><i>Land Use Review Procedures</i></b></p>		
<p><b>Incorporate applicable adopted ordinances</b> into the Development Ordinance – #374.</p> <p>Incorporate or reference the following ordinances:</p> <ul style="list-style-type: none"> <li>• Ord. 333, Quasi-Judicial Land Use Procedures</li> <li>• Ord. 376, Special Assessment Procedure (for Local Improvement Districts)</li> <li>• Ord. 377, Special Assessment Deferral Procedure (for Senior Citizens)</li> <li>• Ord. 600, Street Vacation Procedure</li> <li>• Ord. 641, Cutting of Trees</li> <li>• Ord 617, Substandard Streets</li> <li>• Ord 647, Transportation System Plan</li> <li>• Ord. 652, City Planning Commission</li> <li>• Ord. 684, Flood Protection</li> </ul>	<p>Incorporate or reference the listed ordinances in Ord. 374.</p>	<p>Based on staff comments and discussion with those familiar with developing in Bay City. The city has a reputation as being a hard place to develop. The recommendations to combine all development-related ordinances could simplify land use applications for both the applicant and City Staff.</p> <p>Note: The listed ordinances will need to be assessed for their relationship with land use and development permitting in Bay City. Not all standards in the ordinances mentioned will be appropriate to merge with the Development Ordinance. Certain detailed standards, such as engineering specifications and standards for roads, should be reference in the Development Ordinance, but should not be part of the codified land use code.</p>

<sup>4</sup> A Traffic Impact Analysis is a study that assesses the adequacy of the existing or future transportation infrastructure to accommodate additional trips generated by a proposed development.

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<p><b>Revise the Development Ordinance structure</b> to have a more logical flow and simplify or clarify descriptions of certain procedural or other requirements. See more information in Action Plan Table 2.</p>	All Sections	<p>Based on staff comments and discussion with those who are familiar with developing land in Bay City. Bay City has a reputation as being a hard place to develop. Reorganizing the Development Ordinance is a major step in streamlining and clarifying the development process.</p>
<p><b>Clarify land use procedures and requirements for applications.</b> It is difficult to determine which reviews are applicable to land use applications. Consider allowing applications that do not require significant discretion to be a staff decision, rather than a Planning Commission hearing.</p>	Section 3.95, Section 3.96, Article 4, Section 5.101, Section 6.060, Section 8.060, Article 10, and Article 12	<p>Discussions with City Staff, Planning Commission, and stakeholders identified deficiencies and gaps in the City's land use review procedures that need to be improved. The recommendations reflect standard procedural requirements in the Model Code and/or in use in other Oregon jurisdictions.</p> <ul style="list-style-type: none"> <li>City leaders expressed a willingness to shift certain land use decisions from Planning Commission to Planning Director decisions.</li> </ul>
<p><b>Require Pre-application Conferences</b> for larger applications to establish application requirements and engage outside agencies (e.g., local transit authority) early in the process.</p>	No existing standard in the Development Ordinance. Proposed location of standard shown in Table 2.	<ul style="list-style-type: none"> <li>Recommendations prompted by comments from City Staff and individuals familiar with the development process in Bay City.</li> <li>One stakeholder suggested notice to the local Transportation District be included in the City's process of land use approvals.</li> </ul>
<p><b>Modify conditional use requirements</b> to allow for a longer time period between approval and construction and make revocation based on non-compliance, not based on a new (complaint-driven) public hearing.</p>	Section 2.1 – 2.310 (Article 2)	<p>Proposed changes will reduce the chances of the CUP decision expiring before the use can be constructed and will minimize the discretion in allowing conditional uses to continue.</p>
<p><b>Digitize natural hazard and environmental constraints maps</b> for Bay City.</p>	N/A	<p>The natural hazard and environmental constraints maps should continue to be separate from the Bay City Development Ordinance. However, digitizing them will significantly simplify land use review by allowing applicants and the City to have a</p>

RECOMMENDED AMENDMENTS & ACTIONS	DEVELOPMENT ORD. SECTION	COMMENTS
		<p>basic understanding of natural hazards and environmental constraints on a site early in the land use approval process.</p>
<p><b>Fee-in-lieu Program.</b> As part of a subdivision or site plan review processes, infrastructure improvements may be required to bring infrastructure up to City transportation standards. Explore the feasibility of instituting a process by which staff can determine whether to require the construction of the necessary improvements or to require a fee-in-lieu of construction.</p>	<p>No existing provision in the Development Ordinance.</p>	<ul style="list-style-type: none"> <li>• This approach was not discussed in depth with community members. The issue was included in the Evaluation Memorandum to address a City Staff request to explore how street improvement requirements could be implemented when it is not feasible or desirable to require physical improvements at the time of development approval.</li> <li>• Both community members and City leaders expressed the desire to allocate street improvements or associated fees related to bicycle and pedestrian street improvements closer to higher trafficked areas, such as near the parks in the Town Center. This approach can be explored in Phase II.</li> <li>• This potential change in policy would necessitate an amendment to the Development Ordinance to create the process, including requiring non-remonstrance agreements (e.g., owner agrees not to object to the formation of a local improvement district in the future) and the conditions under which the City will accept fee-in-lieu. It is likely that the desired approach will require a legal assessment.</li> <li>• Typical conditions for a fee-in-lieu include: the street is unlikely to be extended; the improvement would conflict with an adopted capital improvement plan; or the improvement would create a potential safety hazard to motorists or pedestrians.</li> </ul>



A recommendation in the Evaluation Memorandum is to “clarify and simplify the City’s land use procedures.” Underlying issues include the observation that the Development Ordinance organization is not intuitive, and the content is not complete, given that ordinances adopted after Development Ordinance #374 have not been integrated. The City’s development requirements may be better understood and administered if the Development Ordinance was better organized. For example, Article 2 Conditional Uses, in particular, lists uses already included in Allowable Use Matrix (Section 1.3) and includes requirements that could otherwise be listed in Supplementary Provisions (Article 3). The lack of clear application procedures precludes Planning Director decisions, forcing most applications to be elevated to Planning Commission decisions.

The proposed reorganization of the Bay City Development Ordinance and where the existing sections will be moved are described in Table 2 below.

*Table 2. Development Ordinance Reorganization Recommendations*

<b>PROPOSED ORGANIZATION</b>	<b>DEVELOPMENT ORD. SECTIONS (EXISTING)</b>	<b>DISCUSSION</b>
<b>Article 1. General Provisions</b>	<ul style="list-style-type: none"> <li>Article 7 - Nonconforming Uses</li> <li>Article 11 - Miscellaneous Provisions</li> <li>Article 12 - Enforcement and Remedies</li> </ul>	A general provisions article can include standards that are broadly applicable and apply to the general use of the Development Ordinance. Currently, those standards are scattered throughout Ord. 374 and in 652.
<b>Article 2. Definitions and Uses</b>	<ul style="list-style-type: none"> <li>Section 1.3 - Allowable Uses</li> <li>Section 3.97 - Temporary Uses</li> <li>Article 13 - Definitions</li> </ul>	Terms used to describe allowed uses in the Allowable Use Matrix (Section 1.3) are in Article 1, Section 1.3, which is the same “level” as the sections for each zone. Section 1.3 includes definitions, as well as standards related to specific uses. As part of the code reorganization in Phase 2, all terms used in the Development Ordinance, including those related to use types, should be placed in one Article.
<b>Article 3. Land Use Districts</b>	<ul style="list-style-type: none"> <li>Section 1.1 - 1.61, 1.8 - 1.910</li> </ul>	Currently, all the land use districts and overlays are in Article 1. Recommend keeping all the land use districts in the same article and extracting the overlay zones/special use districts into a separate article. The overlay zones and special use districts in Bay City are: Hazards Overlay Zone, Freshwater Wetland Overlay Zone, and Dredge Materials Disposal Site Protection Zone.
<b>Article 4. Overlay Zone/ Special Districts</b>	<ul style="list-style-type: none"> <li>Section 1.7, 1.750, 1.920</li> <li>Ord. 684 Flood Protection</li> </ul>	
<b>Article 5. General Development Standards</b>	<ul style="list-style-type: none"> <li>Section 3.1 - 3.9 Ord. 647 Transportation System Plan (references to standards and code recommendations, see</li> </ul>	Existing Article 3 is titled “supplementary provisions” and includes many common standards such as fencing, buffers, and parking requirements that could be considered “general” standards (new Article 5). Additionally,

PROPOSED ORGANIZATION	DEVELOPMENT ORD. SECTIONS (EXISTING)	DISCUSSION
	<p>Code Evaluation Attachment Table)</p> <ul style="list-style-type: none"> <li>• Ord. 617 Substandard Streets</li> <li>• Ord. 641 Cutting of Trees</li> </ul>	<p>transportation-related standards that are currently recommended in the adopted TSP (Ord. 647) should be incorporated into this section.</p>
<p><b>Article 6. Supplementary/ Special Development Standards</b></p>	<ul style="list-style-type: none"> <li>• Section 2.201 - 2.310</li> </ul>	<p>Existing Article 2 use-specific standards, such as those related to cottage industries and yurts, would be located in new Article 6.</p>
<p><b>Article 7. Review Procedures</b></p>	<ul style="list-style-type: none"> <li>• Section 2.105 and 2.2</li> <li>• Section 3.96</li> <li>• Article 4 - Information Required for Land use Planning Applications</li> <li>• Article 6 - Variances</li> <li>• Article 8 - Amendments</li> <li>• Article 10 - Public Deliberations and Hearings</li> <li>• Ord. 641 Cutting of Trees</li> </ul> <p>Reference:</p> <ul style="list-style-type: none"> <li>• Ord. 333 Quasi-Judicial Land Use Procedures</li> <li>• Ord. 376 Special Assessment Procedure (for Local Improvement Districts)</li> <li>• Ord. 377 Special Assessment Deferral Procedure (for Senior Citizens)</li> <li>• Ord. 652 - City Planning Commission</li> <li>• Ord. 684 Flood Protection</li> </ul>	<p>Currently, review procedures and requirements are scattered across various articles and ordinances. They can be compiled into one Article to help simplify and clarify various requirements for both applicants and staff. Proposed Pre-application Requirements and Procedures section would be in this Article.</p> <p>Article 7 will include a Quasi-Judicial Land Use Procedures section. The meeting procedures in Ordinance 333 (adopted in 1973) may be referenced, but approval authority and processes are expected to be largely replaced.</p>
<p><b>Article 8. Land Divisions</b></p>	<ul style="list-style-type: none"> <li>• Article 5 - Subdivision, Partitioning, Cluster and Planned Development</li> <li>• Ord. 600 Street Vacation</li> </ul>	<p>Standards related to dividing and developing land will be in this Article; procedural elements should be moved to Article 7. Additionally, certain transportation-related standards should be incorporated or referenced in new Article 8.</p>

PROPOSED ORGANIZATION	DEVELOPMENT ORD. SECTIONS (EXISTING)	DISCUSSION
	<ul style="list-style-type: none"> <li>• Ord. 617 Substandard Streets</li> <li>• Ord. 647 Transportation System Plan (references to standards and code recommendations, see Code Evaluation Attachment Table)</li> </ul>	
<p><b>Article 9. Appendices/Maps</b></p>	<ul style="list-style-type: none"> <li>• Pages 6 - 11 of Ord. 374</li> </ul>	

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### 3. LIST OF ATTACHMENTS

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- Attachment A.** Public Involvement Plan
- Attachment B.** Planning Commission Meeting # 1 Presentation
- Attachment C.** Evaluation Memorandum
- Attachment D.** Stakeholder Interview Summary
- Attachment E.** Community Meeting Summary
- Attachment F.** Virtual Public Workshop Summary
- Attachment G.** Planning Commission Work Session #1 Presentation

# **Attachment A**

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## **Public Involvement Plan**

# Bay City Code Evaluation and Update Public Involvement Plan

This Public Involvement Plan will guide the outreach and engagement efforts throughout the 2020-21 TGM Code Assistance Project Phase 1: Evaluation and Update of the Bay City Development Ordinance in Bay City, Oregon. If the Project continues, in Phase 2 the City will undertake the recommended code amendments from Phase 1. As planners, we look to those who live and work in the communities to identify the solutions that are needed and will be met with support by residents. Our job is to bring people together so that they can task us with taking their solutions and creating plans to implement them. With this in mind, our focus is to employ engagement techniques and outreach approaches that will provide meaningful involvement opportunities for all Bay City community members, regardless of race, ethnicity, national origin, gender, age, or income and providing those who lack formal organization or influence the opportunity to have meaningful impact.

A public involvement plan is by necessity flexible. As the Project evolves, the team will need to respond to opportunities and issues as they arise. This memo is organized around the Project scope tasks that include opportunities for public engagement.

## Public Involvement Goals

- **Inform:** Inform the community with timely, transparent and accurate information.
- **Consult:** Consult and involve the community in the identification, refinement and prioritization of policy changes needed to guide updates to the Bay City Development Ordinance. Ensure community members understand how decisions are made, that their concerns are heard, and they know how their feedback influenced decisions.
- **Partner:** Partner with city and agency representatives to ensure officials are engaged in the planning process and key decisions.
- **Reach:** Reach a diversity of stakeholders who reflect Bay City’s greater community.

## Key Contacts & Project Management Team

- City of Bay City Project Manager: Chance Steffey, PE, CWRE, [chance.steffey@gmail.com](mailto:chance.steffey@gmail.com), 541-480-0492
- ODOT Project Manager: Laura Buhl, AICP, CNU-A, [laura.buhl@state.or.us](mailto:laura.buhl@state.or.us), 971-375-3552

## Key Stakeholders

These stakeholders include builders, city staff responsible for development, citizen smart growth advocates, public transportation advocates, local business leaders, and representatives of elderly and low-income populations:

Cami Aufdermauer  
 Executive Director  
 Tillamook County Habitat for Humanity  
 (Elderly and Low-income Populations)

Angie Cherry  
 City of Bay City, Building and Planning  
 (Development Review for Planning)

Doug Pilant  
 General Manager  
 Tillamook County Transportation District  
 (Local Transportation System & Services)

Doug Brown  
 Rental property owner

Jack Scovel  
 (building developer)

Jody Daily  
 "Fencepost" — Headlight Herald  
 (Citizen Smart Growth Advocate)

Lexi Hampton  
 Resident/New Habitat Owner  
 (Affordable Housing Advocate)

## Bay City Community Demographics

The following demographic profile will help the City tailor outreach efforts to meet the needs of specific community groups. Bay City is a coastal town in Tillamook County that is north of the City of Tillamook. Approximately 1,514 people lived in Bay City in 2018.<sup>1</sup>

### *Race, Ethnicity, and Language*

According to 2018 US Census data, 5.7% of Bay City’s population speaks a language other than English at home. However, only 1.2% of the population self-identified as speaking English less than “very well.” One percent identified their primary language as Spanish. The 2018 Census noted that around 86% of Bay City residents identify as White, non-Hispanic. The second largest demographic are Hispanic or Latino residents who make up about 6 percent of Bay City’s population. The remainder is made up of around 1% Asian, 0.2% American Indian or Alaska Native, and around 7% representing two or more races.

Race/Ethnicity	Bay City	Tillamook County	Oregon
White	86.2%	84.5%	76.0%
Black or African American	0.0%	0.4%	1.8%
American Indian or Alaska Native	0.2%	0.7%	0.9%
Asian	1.2%	0.6%	4.2%
Native Hawaiian and other Pacific Islander	0.0%	0.5%	0.4%
Other race	0.0%	0.0%	0.2%
Two or more Races	6.7%	3.1%	3.7%
Hispanic or Latino (any race)	5.8%	10.3%	12.8%

<sup>1</sup> US Census Bureau Social Explorer. American Community Survey, 2014-2018.

### Age

In 2018, Bay City had an estimated median age of 47 which is considerably older than the Oregon median age of 39. Residents 65 and older make up approximately 22.2% of the population, which is lower than Tillamook County's 24.5%, but higher than Oregon's 16.7% and the nation's 15.2%.

Age	Bay City	Tillamook County	Oregon
Under 5 Years	4.0%	4.7%	5.7%
5 to 9 Years	7.2%	5.3%	5.9%
10 to 14 Years	4.6%	5.9%	6.0%
15 to 17 Years	3.4%	3.1%	3.6%
18 to 24 Years	4.8%	6.4%	8.9%
25 to 34 Years	10.9%	10.8%	14.0%
35 to 44 Years	10.0%	10.2%	13.2%
45 to 54 Years	14.8%	12.0%	12.6%
55 to 64 Years	18.0%	17.1%	13.3%
65 to 74 Years	13.1%	15.1%	10.1%
75 to 84 Years	6.3%	6.3%	4.6%
85 Years and Over	2.8%	3.1%	2.0%

### People with disabilities

Census data<sup>2</sup> indicate that 12 percent of Bay City residents under the age of 65 live with a disability. This is higher than the Oregon state average of 9 percent but comparable to the county average of 12 percent.

The most prevalent disability is ambulatory difficulty at 10.3%, followed by cognitive (8.9%), and independent living (8.1%). Other disabilities that impact public outreach include hearing and vision, at 4.5% and 3.6%, respectively.

People with Disabilities	Bay City	Tillamook County	Oregon
Under 5 years	0%	0%	0%
5-17 years	1%	2%	1%
18-34 years	2%	2%	2%
35-64 years	9%	8%	6%
65-74 years	4%	5%	3%
75 years and older	3%	5%	3%

### Income & Poverty

From 2014-2018, the median household income in Bay City was \$50,769, which is greater than the County average (\$47,500) and lower than the state average (\$59,393). Almost half (49%) of Bay City households earn less than \$50,000 per household.<sup>2</sup>

According to the 2014-2018 American Community Survey, 14.8% of Bay City residents are living under the poverty level, higher than both Tillamook County's (13.2%) and Oregon's (14.1%). Nearly 26% of

<sup>2</sup> US Census Bureau Social Explorer. American Community Survey, 2013-2017..



people under 18 live in poverty, as well as 11% of those 65 and older, higher than the state’s averages for those age groups of 18% and 8% respectively.

Household Income	Bay City	Tillamook County	Oregon
<\$25,000	26.4%	25.3%	19.8%
\$25,000-\$49,999	23.0%	26.0%	22.8%
\$50,000-\$74,999	18.3%	20.7%	18.4%
\$75,000-\$99,999	13.4%	11.5%	13.2%
>\$100,000	18.9%	16.6%	25.9%

### *Housing*

Census data indicate that a large portion (79%) of Bay City residents live in a single-family home, and a small percentage (5%) of Bay City residents occupy homes in buildings of two or more units. About one quarter (27%) of residents are renters and 73% are homeowners.

Houshold Type by Units in Structure	Bay City	Tillamook County	Oregon
1-unit structures	79%	73%	68%
2-or-more structures	5%	13%	24%
Mobile homes, other	16%	14%	8%

Tenure	Bay City	Tillamook County	Oregon
Owner	73.0%	69.1%	61.9%
Renter	27.0%	30.9%	38.1%

### *Demographic Implications for Public Involvement Plan*

Bay City’s demographic data indicate that there is not a significant population of limited English speaking people, therefore the City doesn’t find it necessary to translate materials or provide interpreters at community meetings. There is a significant population of residents over 65, who make up a majority of the disabled residents. The City will take steps to ensure handicap accessibility for meetings if meetings are held in person. The other significant finding is the percentage of the population under the poverty level.

With the COVID Pandemic, stakeholder meetings and other public meetings are planned to be held or available remotely. The City will endeavor to ensure that online platforms and Project materials will be compatible with mobile devices. Residents who do not have access to computers and/or the internet will be able to review hard copies of Project materials, upon request, at City Hall. To make sure comments can be collected from people reviewing the materials in person, the City will place the business card of a City Project contact in the same area where the materials will be located. Community members will be encouraged and welcome to submit comments or feedback to the City point of contact.

## Outreach Strategies

In order to reach as many community members as possible, the City's Project Manager will distribute Project information and advertisements for engagement opportunities across a variety of mediums, including:

### *Tillamook Headlight Herald*

The City's Project Manager will prepare and coordinate the advertisements and notices for community events in the community newspaper. Advertisements and Notices are submitted at least a week before publication.

### *Project Website*

A dedicated Project page has been developed on the Bay City website, <https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update> containing Project information, FAQ's, event notices, Project documents, and outreach results. This website will include contact information for the City's Project Manager that can answer questions or address concerns about the Project.

### *Project Email Newsletter*

An email contact list of those interested in the Project will be created through signup opportunities on the Project website and at community events. This list will be used to distribute Project information, advertise engagement opportunities, and share Project deliverables.

### *Printed Information*

The City's Project Manager or City Staff will print and distribute copies of Project information available, including, but not limited to, a Project FAQ sheet at City Hall. Notices of public meetings will be posted at the City Hall, Library, and Post Office.

## Public Involvement Tasks & COVID-19

The public involvement tasks within the Project scope of work, as described below, are designed to offer all Bay City community members the opportunity to participate meaningfully and be treated fairly throughout the planning process. Public input gathered through these tasks will form the basis of the Project's ultimate recommendations, and the Project Management Team (see "Decision Making Framework," below) is committed to full transparency both in sharing the input we received and acknowledging how it impacted our final deliverables.

In light of the ongoing COVID-19 pandemic, the Project team acknowledges that the types of participation that are included within this plan may need to be adjusted to meet public health recommendations. We are prepared to modify these tasks to allow for virtual and remote participation opportunities, and to choose venues that will allow for adequate social distancing for attendees, if it becomes possible to hold events in person.

### *Stakeholder Interviews*

The Project consultant, Angelo Planning Group, will conduct interviews with designated community stakeholders. The interviews will be conducted in 3 to 4 sessions with one to 3 stakeholders participating. A standardized list of questions will be prepared by the consultant and distributed to the

stakeholders prior to the interview. A copy of the Evaluation Memo prepared by the Angelo Planning Group will be provided to the stakeholder at least a week prior to the interviews.

### *Community Meeting*

Because of the COVID-19 pandemic, the community meeting will be held in an online format. The Community Meeting was originally intended to be held in person, so the Project Management Team will ensure that people without access to the internet have opportunity to learn about the Project and provide input. The meeting will include an overview of Project objectives, TGM objectives, the Project schedule, and next steps. At this meeting, the Project team will gather feedback from the public about their opinions and concerns as related to the Project, as well as ideas for potential improvements or changes to the Bay City Development Ordinance and/or Comprehensive Plan. This event will be widely advertised on the City's website, at City Hall, the Library and at the Post Office.

### *City Council and Planning Commission Meetings*

Bay City Planning Commission and City Council will have the opportunity to provide comment on the Project throughout the timeline at scheduled meeting and work sessions. The public will be able to provide testimony at meetings, in accordance with local and state law. Public Notices will be posted on the City website and at City Hall, the Library and the Post Office.

## Project Schedule & Specific Outreach Strategies by Task

Bay City Staff and the consultant team will work in close coordination to produce timely, accurate information about the Project and outreach opportunities. The preliminary schedule for public involvement is as follows:

- **June 2020 – Planning Commission meeting.** City planning staff will arrange Planning Commission meeting and distribute meeting materials. Consultant will create meeting materials and presentation.
- **June 2020 – Project website development.** Website content to be developed and published by City planning staff.
- **October 2020 – Stakeholder interviews.** Interviews to be arranged by City Project Manager and conducted by Consultant. City Project Manager will coordinate interviews 1 week prior to interviews. Consultant shall prepare standardized questions for interviews and submit to PMT 1 week prior to interviews. Consultant shall prepare evaluation memo and submit to PMT at least 2 weeks prior to interviews. City Project Manager shall distribute the evaluation memo to the stakeholders for review 1 week prior to interviews. Consultant will provide interview summary notes.
- **November/December 2020 – Community meeting and virtual meeting.** City Project Manager and staff will advertise the meetings via newspaper notice, the Project website, email newsletter, and printed flyers at least two weeks ahead of the event date. Consultant will create meeting materials, with support from City staff.
- **November/December 2020 – Planning Commission Work Session.** City Project Manager and staff will arrange Planning Commission work session and distribute meeting materials at least 1 week prior to the meeting. City Project Manager shall advertise on City's homepage, and send out notices to contacts registered to receive notifications at least 2 weeks prior to the meeting.

Public Notices will be posted at the City Hall, Library, and Post Office 1 week prior to meeting. Consultant will create meeting materials and presentation and submit 2 weeks prior to meeting.

- **December/January 2020 – Joint City Council and Planning Commission Work Session.** City Project Manager and staff will arrange City Council and Planning Commission work session and distribute meeting materials at least one week prior to the meeting. City Project Manager shall advertise on city’s homepage, and send out notices to contacts registered to received notifications at least 2 weeks prior to the meeting. Public Notices will be posted at the City Hall, Library, and Post Office 1 week prior to meeting. Consultant will create meeting materials and presentation at least 2 weeks prior to meeting.
- **January/February 2020 – City Council Meeting.** City Project Manager and staff will arrange City Council meeting and distribute meeting materials at least one week prior to meeting. City Project Manager shall advertise on city’s homepage, and send out notices to contacts registered to received notifications at least 2 weeks prior to the meeting. Public Notices will be posted at the City Hall, Library, and Post Office 1 week prior to meeting. Consultant will create meeting materials and presentation and submit 2 weeks prior to meeting.

## Decision Making Framework

**Project Management Team** - A Project Management Team (PMT), comprising a City Project Manager, Agency Project Manager, and Consultant, shall provide overall guidance for the Project. State Contacts, consisting of the Region 2 TGM Planner from ODOT and the North Coast Regional Representative from DLCDC, will provide additional assistance, guidance, and review to the PMT. The PMT will produce meeting materials, outreach materials, and draft deliverables.

**Bay City Planning Commission** – The Bay City Planning Commission will review and provide feedback on the Project deliverables at key milestones throughout the Project.

**Bay City City Council** – Bay City City Council will review and provide feedback on the Project deliverables at key milestones throughout the Project. Upon completion of the Final Action Plan, City Council will determine whether to proceed to Phase 2 of the Project.

# **Attachment B**

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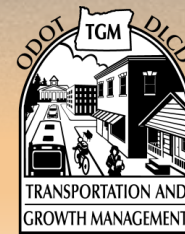
## **Planning Commission Meeting #1 Presentation**





*City of*  
**BAY CITY**  
Code Evaluation and Update

PLANNING COMMISSION  
MEETING - JUNE 18, 2020



# Meeting Agenda



- Project Background
- Project Objectives
- Project Deliverables and Schedule
- Public Involvement
- Community Perspectives
- Next Steps



# Project Background



- TGM Program
- City Grant Request

*The City was awarded a grant from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD)*





# Project Objectives

## *PHASE 1*

- Evaluate Bay City's Development Ordinance to identify ways the City can better:
  - Provide transportation choices
  - Create vibrant neighborhoods and lively centers
  - Support economic vitality
  - Encourage compact land uses and well-connected transportation routes
  - Protect natural resources
- Create an Action Plan describing potential amendments to City policies and development requirements

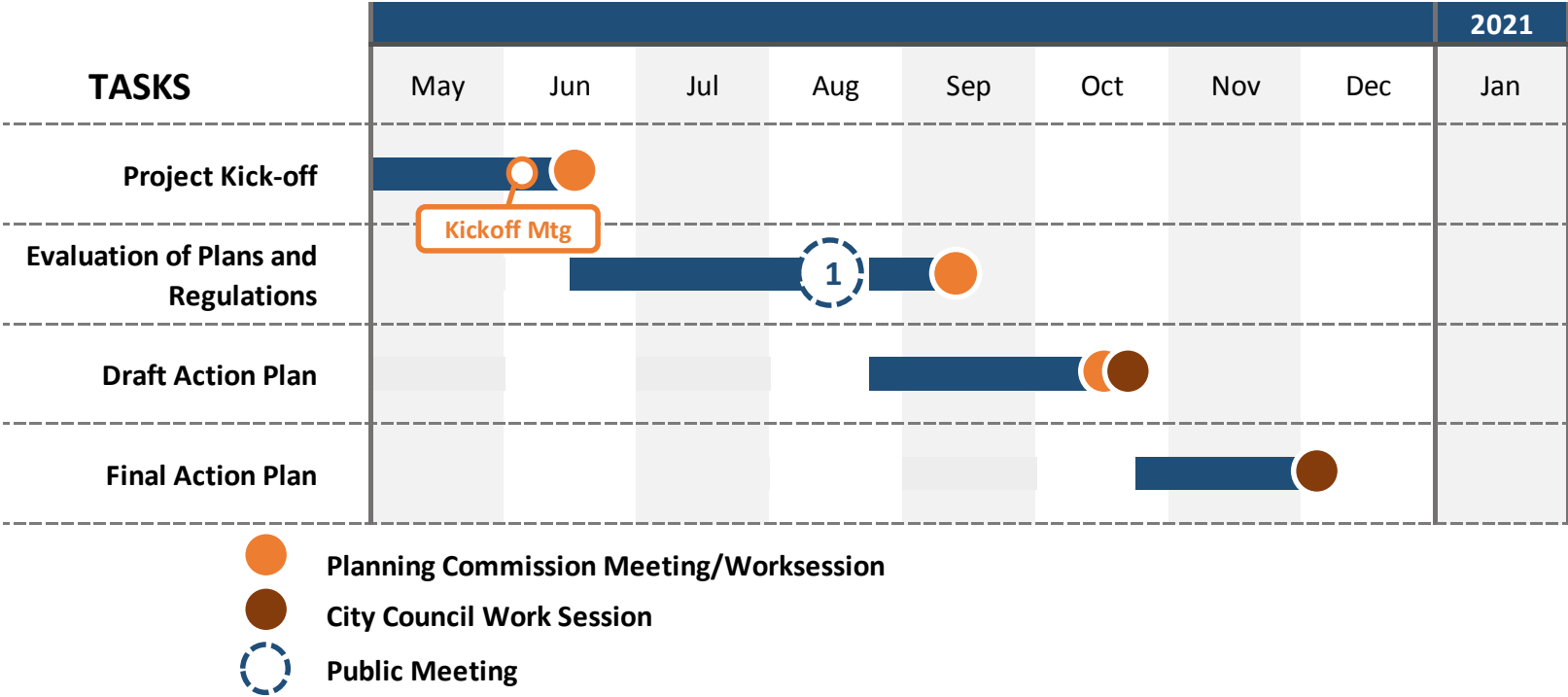


# Project Deliverables & Schedule

- Evaluation of Existing Plans and Regulations
  - Comprehensive Plan
  - Transportation System Plan
  - Development Related Ordinances
- Draft Action Plan
- Final Action Plan



# Project Deliverables & Schedule



# Public Involvement



- Outreach Tools
  - Website: <https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update>
  - Public postings
  - Interested parties updates
- Stakeholder Interviews
- Planning Commission Work Session
- Joint Planning Commission & City Council Work Session
- City Council Meeting

# Community Perspectives



- *What makes it easy to live in Bay City? What makes it difficult?*
- *What City characteristics are important to protect and preserve?*
- *What changes could improve the way people travel to and around the City? Are there ways to improve opportunities to walk and bike?*
- *What types of services and amenities are important for residents and businesses?*
- *What would encourage business activity?*
- *What would help increase housing availability?*

How can this project best serve the Bay City community?



## Next Steps

- Develop the Draft Evaluation Memorandum *July*
- Schedule and hold stakeholder interviews *July*
- Community Meeting *August*

### Questions?

Chance Steffey, PE

City Manager/Public Works Director

503-377-4121

Email: [csteffey@ci.bay-city.or.us](mailto:csteffey@ci.bay-city.or.us)

### Keep up-to-date!

<https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update>



# **Attachment C**

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## **Evaluation Memorandum**



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MEMORANDUM

## Final Evaluation Memorandum (Task 2.6) City of Bay City Code Evaluation and Update

DATE January 14, 2021  
TO Bay City Code Evaluation Project Management Team  
FROM Darci Rudzinski, Principal, Angelo Planning Group  
Emma Porricolo, Assistant Planner, Angelo Planning Group  
CC: Bay City Planning Commission and Code Assistance Project Stakeholders

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### PROJECT BACKGROUND

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The goal of this Transportation and Growth Management (TGM) Code Assistance Project<sup>1</sup> is to make recommendations for updating Bay City's land use ordinances, including Bay City Development Ordinance # 374, the Bay City Transportation Plan, and the Bay City Comprehensive Plan, in order to help the City remove barriers to creating a vibrant, multimodal community. This goal is consistent with the mission, goals, and objectives of the TGM program and "smart growth"<sup>2</sup> principles. To learn more about the program's mission, goals, and objectives, see <https://www.oregon.gov/lcd/TGM/Documents/mission-goals-objectives.pdf>.

Specifically, the project will identify policy and regulatory provisions that are creating barriers to smart development in the City. Housing availability and affordability are of particular concern for the community. Contributing to the challenges of building housing in Bay City is the expense of new infrastructure and lack of City tools to target multimodal infrastructure investment where it is most needed. To address these issues, a focus of the work will be on transportation-related policies, requirements, standards, and tools.

To gauge the overall effectiveness and functionality of the land use regulations as they apply citywide, this evaluation compared Bay City's land use ordinances with the *TGM Model Development Code and User's Guide for Small Cities - 3rd Edition* (Model Code) and other smart development principles and "best practices" implemented in similarly sized jurisdictions in Oregon. Planning requirements in the

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<sup>1</sup> This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Fixing America's Surface Transportation Act (FAST-Act), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

<sup>2</sup> <https://smartgrowthamerica.org/our-vision/what-is-smart-growth/>



Transportation Planning Rule (OAR 660-012) are also referenced; the findings of a code audit are in the Attachment to this memorandum.

## SUMMARY

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This memo presents an assessment of Bay City's land use ordinances and Comprehensive Plan that will provide the foundation for subsequent tasks in this code assistance project. The intent of this assessment is to identify opportunities and barriers within the existing ordinances related to project objectives. The Model Code is referenced throughout this memorandum.<sup>3</sup>

The concepts and recommendations discussed in this memorandum fall under the following headings:

- Create a Vibrant Town Center,
- Residential Uses and Standards,
- Multimodal Transportation Facilities,
- Review Procedures,
- Revise Development Code Structure, and
- Other Key Concerns.

Key recommendations include:

- Revise permitted uses in the Town Center to include multi-family development, separate from mixed-use development, and limit use restrictions on eating and drinking establishments.
- Modify minimum lot coverage, lot area, and height requirements to allow more compact development in the Town Center.
- Adopt more robust design standards for the Town Center to encourage pedestrian-friendly development, including:
  - Create a maximum front setback, reduce the minimum front setback, prohibit parking between the building and street, and require garages be setback from the front of the lot or accessed from the rear (or side, for a corner lot) to reduce pedestrian conflicts.
  - Orient building entrances toward the street and allow them to be no more than 25 feet from the street.
  - Establish a percentage of street-facing facades that must be covered in windows/glazing for commercial buildings.
  - Require weather protection (e.g., canopies and overhangs).
  - Regulate certain elements of building architectural design to encourage compatible and cohesive architectural designs in the Town Center.
  - Clarify buffering and screening standards to define what constitutes buffering clearly and under what conditions it is required. (Note: This is recommended for all High Intensity Zones)
- Adopt clear and objective standards for housing.

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<sup>3</sup> For more information, see: <https://www.oregon.gov/lcd/TGM/Pages/Model-Code.aspx>

- Permit ""missing middle" housing in the Moderate and Low Intensity zones, and modify residential site development standards to allow for a diversity of housing types. Recommendations, include:
  - Modify minimum lot size, revise density standards, and increase permitted lot coverage.
  - Increase permitted building height.
  - Modify setbacks for certain structures.
  - Reduce access width requirements for flag lots.
  - Reduce access requirements for multi-family development.
- Reduce size limitations on accessory structures to allow larger structures to be detached instead of attached (garages).
- Permit accessory dwelling units to allow more housing opportunities.
- Allow greater flexibility of development standards for Planned Developments.
- Adopt transportation-related standards to promote a local multimodal transportation system. Recommendations include:
  - Consider requiring sidewalks on both sizes of local streets, with exceptions.
  - Identify pedestrian and bicycle routes and allocate needed right-of-way.
  - Add connectivity requirements to ensure future development extends and improves streets consistent with City standards and provides improvements for non-motorized travel.
  - Add provisions requiring bicycle parking for certain uses.
  - Modify minimum parking requirements for various uses to promote more efficient use of land.
  - Adopt a fee-in-lieu program for street improvements.
  - Require a Traffic Impact Analysis for certain development applications.
- Clarify and simplify the City's land use procedures.
  - Consider allowing some applications that do not require significant discretion to be a staff decision rather than a Planning Commission hearing.
  - Require Pre-application Conferences for larger applications to establish application requirements and engage outside agencies early in the process.
  - Modify conditional use requirements to reduce chances of the decision expiring, and use the conditional use procedure as a discretionary track for housing approval.
  - Revise the development code structure to have a more logical flow.
  - Digitize natural hazard and environmental constraints maps for Bay City.

## CODE EVALUATION

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### A. Create a Vibrant Town Center

According to the Bay City Comprehensive Plan, the Town Center is "*the central commercial portion of the City. The uses here are intended to be those which are important to the daily life of the City, such as grocery stores, the post office, cafes, a tavern, shops, the City Hall, the park, church, and meeting halls. This is considered a good location for apartments, especially for elderly persons who could walk to the*

*activities mentioned above.*" Additionally, the "*standards of community design in this area should promote compact, land intensive uses, such that people can park their cars in one place and walk to several shops or locations.*" The Town Center is defined by the North High Intensity (NHI) zone,<sup>4</sup> which spans from Highway 101 to 6th Street and A Street to Portland Avenue, and borders the Moderate Intensity (MI) Zone.

A primary goal of the TGM Code Assistance program is to help small cities amend their development codes to achieve a more pedestrian-oriented downtown area. Generally, a pedestrian-friendly area is one that provides visual interest at eye-level, feels safe and comfortable, contains a variety of activities and services, is easy to navigate, and provides open areas and amenities for gathering and resting. Development standards implement pedestrian friendly design; however, the uses that are permitted within an area also have a significant impact on pedestrian activity. It is important to have sufficient design standards to encourage pedestrian activity but at the same time be mindful of creating onerous standards that may hinder development. As explored in the sections below, allowing additional residential uses and relaxing specific standards may encourage development or redevelopment in the Town Center.

When considering the concepts and recommendations discussed in this memorandum, the community may revisit the geographical location where desired land uses and design elements should be allowed or required. For example, while currently the Town Center and the NHI Zone are coterminous, the City could explore changing the NHI Zone boundaries, consider an overlay zone that modifies the underlying zone requirements, or modify the requirements of the zone.

## **Allowed Uses**

Development in the Town Center reflects uses that are permitted pursuant to the Development Ordinance. Recommendations for permitted uses in the NHI zone are as follows.

- Multi-family and single-family development (which includes duplexes) is permitted as part of mixed use development only. For the NHI zone, certain multi-family development, such as townhomes, apartments, or cottage apartments, should be permitted outright.
- In all zones, where permitted in the Development Ordinance, eating or drinking establishments must be small scale and intended for local or neighborhood use. Restaurants in conjunction with motels may be of a size necessary to accommodate the traveling public. Restaurants with drive-in service are not permitted in the NHI zone (Section 2.209), a restriction that is consistent with a more walkable downtown. Also, restaurants with facilities that accommodate late night entertainment are subject to Architectural Review. Many of the specific requirements for eating and drinking establishments, such as allowing larger facilities only to be associated with motels, may be limiting for uses of that nature. For the NHI area, the City should consider allowing eating and drinking establishments with fewer restrictions, while regulating concerns of noise and traffic through clear and objective standards.

Figure 1. Examples of Mixed-Use Development



Yachats (Source: <http://www.sunsetvillagecondos.com/>)



Bay City

### Site Development Standards

In the NHI Zone, several site development standards could be modified to encourage compact development, which can enhance activity in the Town Center. The same development and use standards also apply to the other two (Moderate and Low) HI zones; however, the following code recommendations are specifically applicable to NHI area.

- Zero lot line development requires a variance, which is subject to Planning Commission approval (Section 3.303). The City should consider allowing this type of development outright in order to encourage attached residential development (e.g., townhomes).
- The maximum lot coverage requirements could be increased to allow for more land being used for buildings. The HI zone permits maximum lot coverage of 50% for mixed-use development, and 75% for commercial, industrial, and non-residential uses, with corresponding minimum open area requirements. The Model Code recommends 90% lot coverage in a downtown zone, with no minimum lot area required. Minimum open area requirements should correspond with the maximum lot coverage. The maximum lot coverage permitted should be increased for the NHI zone, especially for mixed-use development.
- In the NHI zone, the minimum lot area is 5,000 square feet. Also, the maximum density for dwelling units is 5,000 square feet. Since the minimum requirements for the number of dwelling units in the NHI zone are not established, a dwelling unit, if a part of a mixed-use development could be 5,000 square feet. The Bay City Comprehensive Plan recommends a density range of 8 to 12 dwellings per net acre in HI zones. The maximum density for dwelling units should be increased for the NHI zone, and the density provisions should be modified to reflect the Comprehensive Plan in order to promote housing development. Minimum lot area should also be revisited, with lower minimums for desired housing types in the Town Center.
- The maximum height is 24 feet or 30 feet through Planning Commission approval. Increasing the maximum height to 36 feet would allow 3 story mixed-use buildings in the NHI zone.<sup>5</sup>

<sup>5</sup> This is a recommendation in the adopted Bay City Transportation Plan, in Technical Memorandum #3 - Final Recommended Code and Policy Amendments.

## Design Standards

Architectural Review is required for the construction of new commercial, new industrial, and substantial renovation (over 50% market value) of existing commercial structures (Section 3.96). This review is intended to ensure building design is compatible with the downtown area in terms of height, scale, materials, and colors, and encourages styles with coastal design, with features such as natural wood siding, pitched roof, and wood signs. In the Town Center, uses surrounding the historic structures must be architecturally compatible (Section 1.403).

The Model Code identifies various code concepts that contribute to creating energetic and vibrant centers that engage pedestrians and passersby. Concepts most pertinent to the Bay City Town Center are addressed below.

### *Building orientation and setbacks*

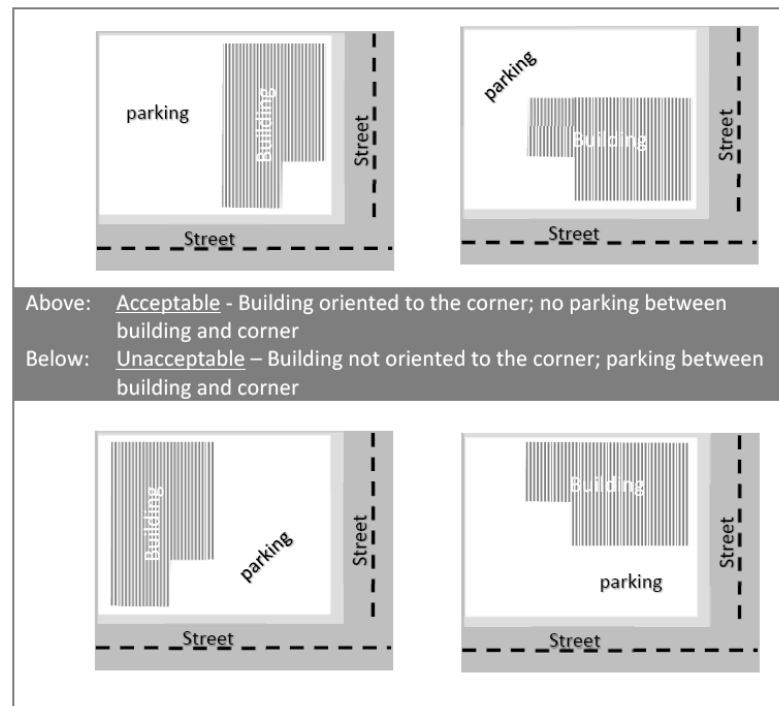
In the Town Center, buildings are required to be set back from the front lot line a minimum of 20 feet, 10 feet in the rear, and 5 feet in the side yard; for street abutting rear yards, the side street yard setback is 15 feet and rear yard is 5 feet. In the NHI zone, side yard setbacks may be reduced to 0 feet through Conditional Use approval. For multi-family development, parking, loading, and storage should be located in the rear of the building whenever possible, unless it would conflict with neighboring residential uses (Section 2.201). The 20-foot minimum front setbacks promote auto-oriented design as it encourages, and on some sites may de facto require, parking areas to be placed between the street and building frontage. This layout may be appropriate on a high-volume, high-speed roadway like Highway 101, but it does not contribute to a pleasant and comfortable pedestrian experience for the Town Center.

An essential change to promote more pedestrian-oriented design is to reduce or eliminate the minimum front setback requirement. The Model Code recommends no minimum front setback for a downtown commercial zone. In addition, the City may consider one or more of the following options for standards for promoting pedestrian-oriented design.

- *Maximum front setback.* A maximum front setback ensures that buildings will be placed close to the street and contribute to an interesting and comfortable pedestrian experience. The maximum setback should be set at no more than 5 feet, although exceptions should be allowed for plazas and other pedestrian features or in recognition of site constraints such as topography.
- *Minimum frontage requirement.* In tandem with the maximum front setback, the City may require that a minimum percentage of the building's frontage be placed within the maximum setback. This standard allows for some variation in the frontage to accommodate different design needs while maintaining continuity along the street front. There are two ways to implement this requirement. The code may require that the building's frontage be within the maximum setback along with a minimum percentage of the width of the lot. Alternatively, the code may require a minimum percentage of the building frontage to be within the maximum setback, regardless of how large the building is compared to the width of the lot. The second approach is more supportive of an incremental development pattern.

- *Prohibit parking and service areas between building and the street.* The maximum front setback and minimum frontage standards will necessitate placing off-street parking to the rear or side of buildings in most cases. In the absence of a maximum front setback, prohibiting parking or service areas (waste storage, utilities, etc.) between the street and building frontage can achieve a similar purpose while allowing for more variation in site design.

Figure 2. Off-street Parking Locations



- *Special setbacks for garages.* If multi-family development is allowed in the NHI zone, garage or carports associated with townhome or other dwellings should be setback from the street to reduce conflicts with pedestrians and avoid blank walls adjacent to the street.

### Building Entrances

The Development Ordinance does not currently regulate the location of building entrances. To promote pedestrian-oriented design, building entrances should be oriented toward the street rather than toward parking areas. Entrance design standards include:

- *Location and orientation to street.* The standard may require that entrances be at no more than a 45- or 90-degree angle to an abutting street. If the building is on a corner, the code may require that the entrance be located at the corner.
- *Distance from street.* Some codes require that the entry be within a maximum distance from an abutting street, such as no more than 20 to 25 feet.
- *Walkway connection.* If not directly adjacent to street, the code may require that the entrance connect to a walkway that provides a reasonably direct route to the street.

### *Windows/Glazing*

Windows on the ground floor of buildings promote a pedestrian-oriented environment by providing visual interest through views into activity, merchandise, and people. Upper floor windows create variation and rhythm for the building façade and opportunities for unique character. The Development Ordinance does not regulate the amount of window area or "glazing" required on a building façade. At a minimum, a sufficient amount of window area on the ground floors of buildings is essential to a pedestrian-oriented, welcoming storefront environment. The City could consider requiring the following window standards.

- *Ground floor standards.* For commercial uses, ground floor window requirements typically regulate the area of the windows as a percentage of the area of the ground floor façade. Some cities also establish a minimum width of the windows as a percentage of the width of the façade, which helps to ensure that windows are distributed horizontally, rather than condensed into one area using large, vertically-oriented windows. Area standards range from 25% to 75%; the Model Code recommends a minimum of 60% of the ground floor street-facing elevation(s) be windows. Residential uses usually are required to have fewer windows; the minimum area standards range from 15% to 30%.
- *Upper floor standards.* Upper floor minimum window area requirements are usually lower than ground floor standards and range from 15% to 30%. The Model Code recommends a minimum of 30% of the area of all street-facing elevations for both residential and commercial uses.

### *Weather protection*

Weather protection includes canopies, overhangs, or other projections intended to offer shade and rain cover to pedestrians. Weather protection can create a more hospitable and comfortable pedestrian environment and can provide opportunities for buildings to express unique character and design features. Alternatively, weather protection may limit options for storefront signage or may create areas that are unappealing if they are too dark or enclosed. Cities may require weather protection along a minimum percentage of the entire frontage or only above building entrances. The Model Code recommends weather protection be provided along at least 75% of the building along sidewalks, access

ways, or civic spaces. The code should also establish a minimum depth of the weather protection, which is usually 4 to 5 feet, and a minimum vertical clearance (height from the ground floor).

Figure 3. Example of Entrance, Windows, and Weather Protection on a Small Commercial Building



### Architectural Design

The architectural design of buildings can be a defining element of a town center. The Bay City Comprehensive Plan states, "*an important consideration in downtown Bay City is architectural control... As new construction occurs in this area, whether it be a tavern, laundromat, or apartment house, the City should have the opportunity to control the appearance of the buildings and its location on the site. Through a site design and architectural control ordinance, the City could have a choice in prescribing how the community should look.*"

Bay City's architectural review is intended to ensure building design is compatible with the downtown area in terms of height, scale, materials, and colors, and encourages styles with coastal design, with features such as natural wood siding, pitched roof, and wood signs.

Building design standards can be highly regulated or have a few key standards. Architectural elements that are often regulated include building articulation, to minimize blank walls, color, and materials. The City should consider which elements are important to regulate and set some clear and objective criteria for meeting desired standards.



Figure 4. Buildings in Bay City Town Center



### Buffering and Screening

Another important design standard is buffering and screening, which can reduce conflicts between different uses, such as residential and commercial or industrial development.

Section 3.1 of the Development Ordinance states that the Planning Commission can require buffering and screening for subdivisions, planned developments, and non-residential uses when they abut existing residential development, undeveloped land, and parks, or other uses. Screens (consisting of hedges, walls, or similar sight obscuring techniques) may be required in a limited space (10 ft. or less) to visually separate incompatible uses. The images in Section 3.1 provide examples of buffering widths and materials. Multi-family development is required to buffer parking areas from surrounding residential uses or other low intensity uses (Section 2.201). Also, landscaping must be used to buffer commercial uses (Section 3.96).

The code should be modified to have clearer standards for what constitutes buffering and under what conditions it will be required, rather than deferring to Planning Commission decisions. Additionally, several standards are embedded within images in the Development Ordinance that should also be codified within code language.

### A. Residential Uses and Standards

The Bay City Comprehensive Plan states, "*there shall be a wide variety of housing types in the City, including apartments and mobile homes, to accommodate a wide range of incomes, tastes, and other desires.*" Additionally, the Comprehensive Plan suggests that higher density residential development should occur where the streets, public facilities, and services are capable of accommodating it.

Oregon Revised Statute (ORS) 197.307(4) requires that local governments adopt and apply clear and objective standards, conditions, and procedures regulating the development of "all housing." This is to ensure that communities do not use discretionary or subjective criteria to deny housing projects.. Local standards, conditions, and procedures can't discourage housing through unreasonable cost or delay.

Pursuant to the ORS 197.303, Bay City must provide clear and objective standards for all residential development in all zones where it is permitted. Currently, many of the City's development standards for residential development have discretionary standards, which are not clear (e.g., required buffers for

single family development, and what type of development triggers certain land use applications). Thus, the code does not comply with the statutes.

The Development Ordinance should be revised to provide clear and objective standards for residential development (including mixed-use development that has a housing component) in order to comply with Oregon statutes, but could retain a discretionary track subject to Planning Commission approval, which allows flexibility within the adopted standards. Planning Commission approval is not necessary for development approval based on clear and objective standards because little to no discretion is needed to determine consistency with code requirements. Many jurisdictions have adopted a two-track development review system - a clear and objective track and a discretionary track - in order to have an unambiguous path to approval as well as a way to allow flexibility, where desired.

Residential development is permitted in all three primary zones – High Intensity (HI), Moderate Intensity (MI), and Low Intensity (LI). The purpose of the MI zone is to provide land area primarily for residential use, but also allow additional uses on a conditional use basis. The LI zone is intended to identify lands within the UGB that are less developable due to physical limitations (flooding, slope, etc.), distance from City services (i.e., sewer and water), or if their current use is agricultural land.

The HI zone is intended to permit a variety of uses. In the HI zones outside of the Town Center - South High Intensity Zone (SHI) and East High Intensity (EHI) zones - some modifications to the site development provisions are recommended. As mentioned in Section A of this memorandum, lot coverage, minimum density, and the maximum height could be modified to better accommodate mixed-use development in the SHI and EHI zones, since mixed-use development is the only residential development permitted in these zones.

In order to promote housing diversity and variety, specifically in the MI and LI zones, some modifications to the current zoning standards are recommended. "Missing middle" housing - duplexes, triplexes, quadplexes, small apartments, townhomes, courtyard apartments, and cottage cluster housing - could diversify housing opportunities in the City (see Figure 5). Currently the code recognizes residential development as "single family homes or duplex," permitted outright in the MI and LI zones, and "multiple family" development, permitted conditionally in the MI and LI zones. With proper design standards, missing middle housing can be developed and exist harmoniously within an existing single family neighborhood. In addition to including definitions for missing middle housing and explicitly permitting it, additional code modifications recommended for the MI and LI zones are described below.

- *Density, Lot Size, and Coverage.* Lot size and coverage have a significant impact on what can be developed on a site. The minimum lot size for new development (subdivision, partitions, or planned development) in the LI zone is 40,000 square feet. For existing lots, the minimum lot size is 20,000 square feet. These are large lots for a city zone; the requirement should be reduced to allow for development at an urban density.

In the MI zone, the minimum lot area is 5,000 square feet, which is comparable to the Model Code recommendations for minimum lot size in a medium density residential zone. The Model Code recommends a higher minimum lot area for multi-family

development, in the range of 6,000 to 9,000 square feet. A larger residential lot size may be allowed for sites with slope constraints (i.e., slopes over 15%); the Model Code suggests 1.5 times the standard minimum lot size.<sup>6</sup> Alternatively, the minimum lot size could be removed and future development regulated with setbacks, height limits, and lot coverage standards.

- *Setbacks.* For all zones, building setbacks are 20 feet - front yard, 10 feet- rear yard, and 5 feet - side yard. For side and rear yards abutting streets the setbacks are 15 feet and 5 feet respectively. Zero lot line setback for side yard setbacks are permitted for attached buildings. The Model Code recommends similar building setbacks for low and medium density residential zones, however garage setbacks at 20 feet (for all setbacks), and lower setbacks are permitted for porches or similar open structures.

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<sup>6</sup> Note that residential density should be consistent with planned densities. In the Comprehensive Plan, the MI zone's density is 4 to 8 dwelling units; it is 1 to 4 units for the LI zone. The Development Ordinance calculates maximum density as 5,000 square feet per dwelling unit in the MI zone, consistent with the Comprehensive Plan density. The LI zone, however, with a code maximum density of 20,000 square feet per dwelling unit, only achieves 2 dwelling units per acre.



Figure 5. Examples of Missing Middle Housing



Duplex



Duplex



Triplex



Townhomes



Small Apartment Complex



Courtyard Apartments



Cottage Cluster



Cottage Cluster

- *Building Height.* For both the MI and LI zones, the maximum building height permitted is 24 feet. For medium density residential zones, the Model Code recommends a maximum building height of 30 to 35 feet, and 28 to 30 feet for low density residential zones. A three story home can be up to 35 ft. tall and a two story home with a pitched roof can be above 24 ft. The height requirements should be modified to allow more flexibility for developing missing middle housing.
- *Flag Lot Standards.* Flag lots are required to have 30 feet of street frontage with 10-foot buffers on either side of access drives, where the Planning Commission may require screening. For flag lot access, a lower minimum lot width may be adequate to provide access. Other lots (that are not flag lots) are permitted to have a minimum of 25 feet of street frontage. The Model Code permits a lower minimum lot width for street frontages of flag lots, where permitted. The existing buffering requirement should also be reviewed, as this may be an impediment to creating more opportunities for housing.
- *Access.* For Multiple Family Development, defined as anything with more dwelling units than a duplex (greater than two dwelling units), the access is required to be routed to an existing or planned arterial. This access requirement should be removed so that multiple family development can be permitted on local streets, which is the majority of streets in the MI and LI zones.
- *Shoreland Residential Development.* The Shoreland Zone 3 permits single family development outright. Maximum lot coverage is 40%, minimum lot area is 5,000 s.f. for existing lots and 10,000 square feet for new lots. The maximum density of dwelling units is 5,000 sf. (Section 1.85). The site development standards for this zone are consistent with the desired housing types and design for the zone.

### *Accessory Structures*

Pursuant to Section 3.7, separate storage, utility, or shop buildings not incorporated into a garage must be: placed in the side or rear yard, less than 15 ft in height, and no more than 768 square feet. Accessory structures are counted toward lot coverage on the site.

A guest house that is accessory to the primary dwelling is considered an accessory structure, as long as it does not have kitchen facilities. City Staff has noted that some of the provisions that restrict detached accessory structures may encourage attached garages.<sup>7</sup> The consequences are larger attached structures, which may be more visible than detached structures.

### *Accessory Dwelling Units*

ADUs are an interior, attached, or detached residential structure that are used in connection with, or that is accessory to, a single-family dwelling. As shown in Figure 6, ADUs can be within the primary residential structure, attached to it, or physically separated. Cities typically regulate the location, size,

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<sup>7</sup> The definition of a garage in the Development Ordinance restricts the size to 500 square, and requires that they measure at least 12 ft. by 20 ft., have a door, and be accessible from the street.

and height of ADUs. ADUs provide additional housing variety and offer flexibility for property owners to accommodate relatives or generate income from a rental unit. Accessory Dwelling Units (ADU) are not explicitly permitted within the city limits. The ability to develop ADUs should be permitted to provide opportunity for additional housing and increase the diversity of available housing.

The Bay City UGB Joint Management Agreement (Agreement) establishes land use jurisdiction over properties that are located within the Bay City urban growth boundary (UGB), but are outside city limits in Tillamook County. Those properties are located in Tillamook County, but are expected to annex into Bay City in the future. The provisions of the Agreement establish the procedure for review and action on Comprehensive Plan amendments, implementing ordinance amendments, land use actions, land use enforcement actions, and other related matters. Through this agreement, the City will process development applications in the Agreement area.

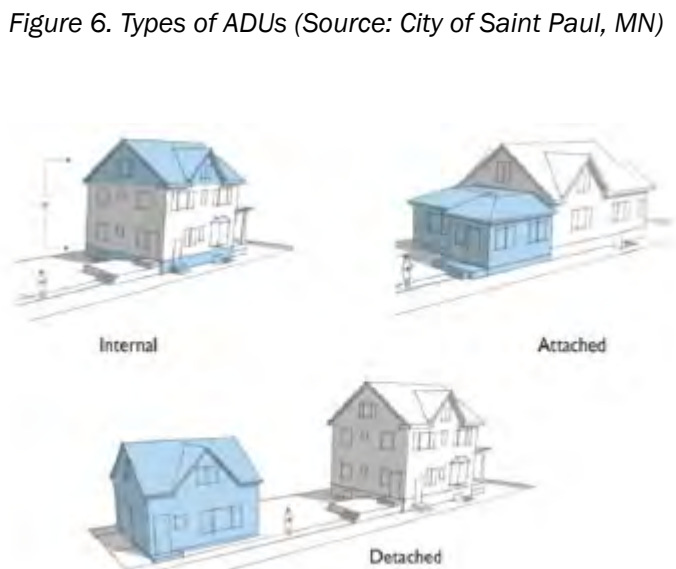
Tillamook County is subject to Senate Bill 1051 ADU requirements, which require jurisdictions over a certain

size<sup>8</sup> "allow in areas zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design."<sup>9</sup> In addition, ADUs must be permitted as attached or detached residential structures.

### Planned Development

Housing variety also can be accommodated through a Planned Development (PD) in Bay City (Section 5.107). The Development Ordinance defines planned development as "a single development incorporating a variety of housing types and non-residential uses, consisting of individual lots, common building sites, and other configurations to promote innovation, flexibility and diversification of land uses, through a comprehensive site development plan (Section 5.107)." Lot coverage, density, and size are slightly modified to accommodate large development and uses within it. However, the City's PD provisions do not provide much flexibility as they are very similar to standard requirements.

In the Model Code, master planned developments are permitted to modify zoning regulations and community design standards without the need for variances, as long as they are consistent with the



<sup>8</sup> Jurisdictions subject to Senate Bill 1051 provisions are cities with a population greater than 2,500 and areas within UGBs of counties with a population greater than 15,000.

<sup>9</sup> ORS 197.312

comprehensive plan and the purpose and intent of the applicable development code section(s). Additionally, the modifications proposed through the planned development are required to have some public benefit, such as providing a greater variety of housing, more open space, or protection of natural features. The Development Ordinance should be amended to allow more flexibility in PDs related to permitted density and site development standards, and potentially expand allowed uses.

## B. Multimodal Transportation Facilities

The City of Bay City Transportation Plan was completed and adopted in 2010. The Transportation Plan is composed of a series of technical memoranda, including Technical Memorandum #2 -Transportation Alternatives, which includes new roadway classifications and standards, and Technical Memorandum #3 - Final Recommended Code and Policy Amendments. City Ordinance 647 adopted the Transportation Plan in its entirety as the transportation element of the City's Comprehensive Plan.<sup>10</sup> The City's transportation policies are listed under one goal:

*Goal: To serve our citizens' safety and mobility with a transportation system that contributes to economic productivity, community livability, and the health of the ecosystem.*

As amended by the Transportation Plan, the Comprehensive Plan's first transportation policy under the goal demonstrates the City's intent to provide a safe multimodal that address bicycle and pedestrian facilities:

1. As funding resources are available, the City, working with State, County, private and other partners, shall endeavor to provide a multimodal transportation system that is safe and efficient.

The Transportation Plan's recommended code changes were not adopted into the Development Ordinance. In many cases, adopting these Development Ordinance recommendations would help the City meet multimodal objectives set forth in the Code Evaluation and Update Project. It is also important to note that the City is lacking some decision-making tools in the Development Ordinance related to approving land divisions. Pursuant to Oregon Revised Statute 197.195, the City may not use comprehensive plan provisions as a basis for the approval or denial of a tentative subdivision or partition plan (i.e., a limited land use decision, as described in ORS 92.040 (1)).

### *Street Design Standards / Functional Classes – Ord. 647*

Streets are an integral feature of a functional, livable city, as they provide access to homes, businesses, services, and recreation areas. They also occupy a great deal of land. The State Transportation Planning Rule (see Attachment Table) requires jurisdictions to look at reducing excessive local street standards in order to "*reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which*

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<sup>10</sup> As explained in the Transportation Plan, a previous TGM grant was awarded to the City for the completion of a Downtown Transportation Plan. The Plan was completed in 2003 but was not adopted. The Transportation Plan incorporated the relevant policy direction and standards from the earlier planning document.



*accommodate convenient pedestrian and bicycle circulation.*” An objective of this project is to evaluate street cross-section requirements and analyze options to narrow width requirements while maintaining a comfortable environment for all modes of transportation, especially the most vulnerable users (e.g., young, old, pedestrians, cyclists, disabled, etc.).

The 2010 Transportation Plan updated the functional classifications and design standards, establishing the following functional classifications: Arterial cross-section (for US 101), two new Collector types (Urban and Urban-Downtown), and two new local street types (one with and one without a sidewalk). Transportation Plan Figure 2.1 Roadway Functional Classifications shows that most roadways are classified as local streets; text confirms that road segments recommended for this designation have relatively little auto traffic.

The Transportation Plan Functional Classifications section includes a description of each street type and cross-section figures that illustrate associated design standards (Technical Memorandum #2 - Transportation Alternatives, Section 2.2).<sup>11</sup>

The Transportation Plan recommends adopting two types of Local Street cross-sections, one with a sidewalk and one without. Dimensions are shown in Figure 7 (Transportation Plan Figure 2-4). The Plan anticipates that the City would not require sidewalks on very short roadways or where there were topographical constraints. Both types of streets include two shoulders and two travel lanes. The Transportation Plan provides guidance on where street design might vary based on whether parking was allowed. For street segments where the City allows parking and does not require a sidewalk, pedestrians would use both the shoulders and travel lanes. Where parking is prohibited, the street and shoulders could be narrower. The Transportation Plan does not show a cross-section that includes parking and does not provide dimensional standards for accommodating parking on Local Streets. Bicyclists on Local Streets are expected to share the travel lanes with vehicular traffic.<sup>12</sup>

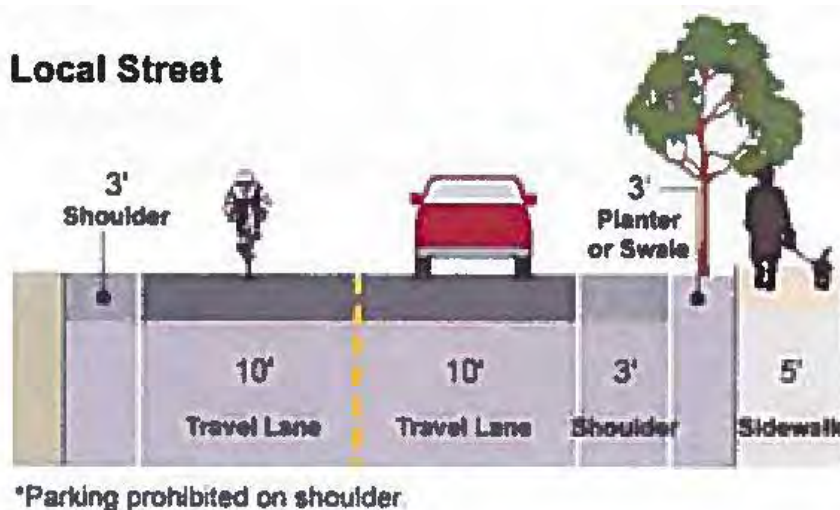
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<sup>11</sup> Transportation Plan Table 3-1. Street Widths and Standards includes two local street widths: 32' right-of-way/26' curb to curb and a "narrow" standard of 20' right-of-way/20' curb to curb. The Transportation Plan recommends that these width standards be included in the Public Works Standards (the Bay City Standards, Specifications and Details document) and that City Council has the authority to grant variances. Currently the City's Public Works Standards includes a "Typical Urban Street Section" that does not include cross-section dimensions. The "Typical Rural Street Section" shows a 60' right-of-way, with two 12' travel lanes.

<sup>12</sup> According to the Transportation Plan, the Downtown Transportation Plan recommended that the downtown street cross-section include bike lanes and 5-foot sidewalks. (See Section 1.1 Summary of Deficiencies and Needs.)



Figure 7. Bay City Local Street Cross Section



The Transportation Growth Management Neighborhood Street Design Guidelines<sup>13</sup> provides general direction regarding local street standards that accommodate a variety of users without dedicating an excessive amount of land. These guidelines are listed in Table 1.

Table 1. Local Street Width Guidelines

Local Roadway	Pavement Width	Right-of-way Width
No On-Street Parking	20'	42-48'
Parking on One Side	24'	47-52'
Parking on Two Sides	28'	52-56'

As compared to the guidelines, Bay City's local roadway standards are not excessive. Meeting current minimum street width standards will allow for safe vehicular and bicycle travel in areas of the City where the street grid will be completed and connected or where new residential development will occur. While current standards do not require sidewalks or planter strips, existing Local Streets can provide a relatively safe pedestrian environment due to low traffic volumes and wide rights-of-way, including gravel shoulders.

For new areas of development, the City should consider requiring sidewalks on both sides of a Local Street, as well as planter strips and street trees. Where topography or other natural hazards limit the opportunity for a full street section, or the full street design is cost prohibitive, the City could require sidewalk on one side of the street. The circumstances under which sidewalks would not be required on both sides of the street should be quantifiable and codified (e.g., slopes over 15%, dead-end streets

<sup>13</sup> [https://www.oregon.gov/lcd/Publications/NeighborhoodStreetDesign\\_2000.pdf](https://www.oregon.gov/lcd/Publications/NeighborhoodStreetDesign_2000.pdf)

shorter than 500 feet). Making sidewalk requirements clear in the Development Ordinance would ensure that pedestrian needs would be accommodated through future development permitting.

For existing streets, where there is right-of-way and/or pavement width that exceeds the needs of vehicular traffic volumes, the City should consider identifying pedestrian and bicycle routes and prioritizing reallocating part of the roadway for future sidewalks, bicycle lanes, and/or multi-use paths. Some roadways in the Town Center may have sufficient paved width that a bicycle lane or multi-use path could be accommodated through pavement (re)striping, signage, and/or prohibiting parking.

#### *Multimodal Connectivity – Section 5.105*

Having a connected roadway system allows for efficient, energy- and time-effective travel by vehicle. Connected and safe routes for cyclists and pedestrians can make non-motorized modes of transportation more attractive. Cities that plan for multimodal connectivity – and require future development to contribute to meeting transportation system needs – can provide for the transportation needs of all their citizens.

The list of deficiencies and needs<sup>14</sup> that the Transportation Plan update set out to address includes:

4. Connectivity improvements (which access previously un-served portions of the urban growth area, or better connect areas of the UGA)

Despite this need, Comprehensive Plan transportation policies do not emphasize that multimodal connectivity is a City priority, and the Transportation Plan does not include figures related to the roadway, pedestrian, or bicycle systems that would indicate where future connections are expected. However, the Transportation Plan addresses several public improvements that will enhance connectivity in Figure 4-1. Transportation and Roadway Projects. Projects include adding bicycle facilities on 5<sup>th</sup> Street, Tillamook Avenue, and Warren Street and adding a pedestrian crossing at Hayes Oyster Drive and US 101.

The Development Ordinance contains improvement requirements for subdivisions and planned developments (Section 5.105), but nothing requires connected streets or providing for pathways where streets cannot be extended. Adding connectivity requirements would help ensure that future development extends and improves streets consistent with City standards and provides improvements to facilitate non-motorized travel.

#### *Bike/Pedestrian Access and Trails*

As amended by the Transportation Plan,<sup>15</sup> the Comprehensive Plan Transportation Goal policies that address bicycle and pedestrian facilities include:

2. The Bay City Transportation System should be designed to improve options and facilities for pedestrians and bicyclists and should include safe pedestrian crossings of US 101.

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<sup>14</sup> Section 6 Summary, Technical Memorandum #1 - Conditions, Deficiencies, and Needs

<sup>15</sup> See Technical Memorandum #3 - Final Recommended Code and Policy Amendments.

5. The Street Section of the Public Facilities Plan generally does not require sidewalks as part of street improvements. However, as traffic becomes heavier along City arterials<sup>16</sup> and in the commercial areas, consideration should be given to the requirement of sidewalks. Sidewalks would be built as part of new public or private streets or land development.

17. The Oregon Coast Bicycle Route passes through the City on U.S. Highway 101. Development along the route or changes to the Highway should be compatible with its use by bicyclists.

The Transportation Plan also added the following policy supporting an off-street trail along Patterson Creek:

9. The City will consider future development of an off-street trail along Patterson Creek and development of a gateway concept for the entrance to Bay City as described in the Bay City Downtown Transportation Plan. Section 4, Preferred Alternatives.<sup>17</sup>

As noted under Multimodal Connectivity, the plan includes projects that will improve pedestrian and bicycle connectivity.

To be consistent with State requirements, cities must also adopt land use or subdivision regulations to provide for safe and convenient pedestrian, bicycle, and vehicular circulation. Local regulations need to ensure that new development provides on-site streets and accessways that provide "*reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel (TPR -0045(3)(b)).*" Currently, the Development Ordinance does not include standards for pedestrian and bicycle circulation as part of site development or subdivision approval.

The Development Ordinance also does not address bicycle parking. Providing secure, convenient bicycle parking can make this mode of transportation more attractive. The Transportation Plan recommends adding bicycle parking requirements to the City's parking standards for new multi-family residential development (4 or more units, 2 per unit) and commercial, industrial, and "other non-residential uses" (1 per every 5 auto spaces). The plan also recommends adding design standards (space dimensions, examples of acceptable rack design, etc.) to the Public Works Standards add cross-referencing these standards in the Development Ordinance. The amount of parking required for multi-family and

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<sup>16</sup> US 101 is the only roadway in Bay City designated as an arterial. The Transportation Plan provides two options for Arterial Street design (Figure 2); the design that is used depends on the location of the right-of-way and the need for a turn lane. Both options provide a bike lane, a landscaped buffer, and sidewalk. As a State facility, design for US Highway 101 must be consistent with the current edition of the Highway Design Manual and other state regulations. The Transportation Plan notes that the arterial street cross-sections for Bay City are consistent with the current version of the Highway Design Manual and, at the time any project on the state highway is to take place, the City will ensure that the project is consistent with the current regulations.

<sup>17</sup> Included under Comprehensive Plan GOAL VI: TO PROVIDE RECREATION OPPORTUNITIES FOR TOWNSPEOPLE AND VISITORS AND PROTECT THE OPEN SPACE AND UNIQUE AREAS OF THE CITY.

commercial development is comparable to the Model Code; proposed requirements for industrial and other uses could be higher than needed.

The City could consider if a lower requirement for industrial is appropriate, such as the Model Code's suggested 2 spaces per primary use or 1 per every 10 vehicle spaces, whichever is greater. The Model Code also includes specific requirements for parks, schools, community service uses, and institutional uses – all uses that would currently be grouped under Bay City's "other non-residential uses." Differentiating the parking requirements for bicycles could help "right size" the facilities for specific uses. This approach is consistent with how the City currently regulates the number of vehicle spaces required (see Section 3.5 Parking Standards table). The existing Parking Standards table that indicates the number of vehicle spaces for a variety of uses could be modified to include the number of bicycle spaces for each use.

The Transportation Plan also describes the different needs of short-term visitor bicycle parking and long-term bicycle parking, which "*provides employees, students, residents, commuters and others who generally stay at a site for several hours, a secure and weather-protected place to park and store bicycles.*" The City could consider codifying that a certain amount of required spaces be designated and designed as long-term bicycle parking spaces.

#### *Vehicle Parking – Section 3.5, Variance Section 6.040*

The Development Ordinance regulates the minimum number of parking spaces required (Section 3.5) and the general design of parking areas, including landscape buffering (Section 3.6). Particularly in a pedestrian-oriented downtown area, the amount of space dedicated to parking should be minimized to create a compact and visually appealing environment. The location of off-street parking in commercial areas, requiring it to be to the side or in the back of the building and not between the sidewalk and building entrance, can also enhance the pedestrian-scale visual look and feel of the streetscape.

- *Minimum number of spaces.* The Development Ordinance currently requires high levels of off-street parking for residential uses, relative to standards that are intended to encourage compact development. See Table 2 for the minimum parking required by the Development Ordinance for select uses as compared to the Model Code. The Model Code also recommends that cities consider complete exemption from minimum parking requirements in downtown areas. Another strategy to minimize the amount of land to accommodate parking is to count on-street parking towards the required minimums. Reducing or eliminating off-street parking requirements can reduce the cost of development, acting to spur new development that would otherwise not be economically feasible.

Table 2. Minimum Parking Requirements, Bay City and Model Code (Selected Uses)

LAND USE	BAY CITY STANDARD	MODEL CODE STANDARD
Single Family Dwelling	2 spaces per dwelling unit	1 space per dwelling unit
Duplex	1.5 spaces per dwelling unit	2 spaces per dwelling unit
Group Living	1 space per three bedrooms	0.5 Spaces per four bedrooms
Hotel/Motel	1.25 per unit	0.75 per unit
Bulk Retail	1 space per 800 sq. ft.	1 space per 1,000 sq. ft.
Auditorium/Public Assembly	1 per three seats	1 space per 75 sq. ft.
Schools	1.25 space per classroom	1 space per classroom
Bank	N/A	1 space per 300 sq. ft.
Manufacturing	1 per employee on largest shift	one space per 1,000 sq. ft. of floor area; or as required by Conditional Use Permit review

- Exemptions.** The City does not currently exempt development in the Town Center from minimum off-street parking requirements. The Transportation Plan recommended adding a provision that allowed the Planning Commission to grant parking variances, but did not provide any criteria for approval. A more streamlined approach would be to make the exemption or adjustment process a staff-level decision. The Transportation Plan also proposed a fee-in-lieu option for applications in the Town Center, allowing an applicant to rent from the City up to 50% of the required off-street parking. This requires the City to establish a rental fee and to manage a parking program. A rental arrangement with a subject property/proposed use may be difficult to maintain over time, as ownership and uses change. This approach is difficult in smaller cities with limited staffing.
- Maximum number of spaces.** To avoid unnecessary consumption of land for parking, the City may also consider establishing a maximum number of spaces that can be provided. The maximum may be specific to each land use or a set as a ratio of the minimum, such as 1.5 times the minimum requirement. The Transportation Plan recommended that parking maximums be set at 130% of the minimums. The Model Code sets the maximum number of off-street automobile parking spaces allowed per site on the minimum number of required spaces, times a (suggested) factor of 1.2 for uses fronting a street with adjacent on-street parking spaces, or 1.5 where the site does not have adjacent on-street parking. The Model Code also describes a parking analysis option, where the applicant may propose a different parking standard if it can be supported by an analysis of parking demand and available supply for a proposed use or development.
- Shared parking.** The Development Ordinance does not allow for developments to use shared parking arrangements to meet minimum parking requirements. Shared parking arrangements can use land more efficiently by allowing uses that operate at different

times of day (such as offices and restaurants/bars) to use the same parking spaces. The City should allow shared parking spaces to count towards parking requirements if the applicant can demonstrate that the operational needs do not overlap and that a legal right to joint use is documented. The Transportation Plan recommended that shared parking be allowed in the High Intensity Zone, allowing the City to reduce the required number of parking spaces up to 50% if certain conditions are met. The City should reconsider these conditions and limitations to ensure that they are not onerous and that shared parking is a viable option.

- *Location.* As discussed in Section A of this memorandum, buildings can be more visually interesting and attractive than parking areas. Ensuring that off-street parking is either behind or to the side of the building allows the focus to be on building architecture, which can present a coherent visual composition, convey a sense of permanence and order, and contribute to a distinctive sense of place.
- *Landscaping.* Design Requirement for Off-Street Parking (Section 3.6) regulates surface materials, striping, and drive isles. For pedestrian safety, five-foot sidewalks are required to separate any driveway or parking area from a building or highway, street or road. Parking areas with five or more spaces are required to buffer adjacent properties using sight-obscuring fencing or shrubbery to the height of three feet. Parking areas with over four spaces must have landscaping at the entrance to "visually separate the area from the street" and at intervals of five spaces, at the end of the bays. A landscape buffer between adjacent buildings and property lines is also required, but no dimensions are noted. Generally, existing requirements benefit pedestrian safety in larger off-street surface parking areas, help visually buffer these areas, and ensure that landscaping is incorporated within the area. The City should consider requiring and providing design criteria for pedestrian walkways through larger parking lots and landscaping interior to parking areas, including trees to mitigate impacts from impervious surfaces (e.g., heat, stormwater run-off).

## C. Review Procedures

### *Review Process*

The provisions of the various land use application reviews are scattered throughout the Development Ordinance, rather than being concentrated in one Article. The code establishes the following land use actions in Bay City: conditional use permit, variance, actions affecting a non-conforming use or structure, architectural review approval, subdivision, cutting and filling, major partition, and minor partition. All reviews are done through planning commission hearings. Legislative and quasi-judicial hearings are distinguished under notice procedures in Article 10, but all land use decisions go through a Planning Commission hearing process.

### *Decision-Making Body*

Currently, the Bay City Planning Commission reviews all land use applications and makes determinations on discretionary requirements (e.g., buffering and screening requirements, and building design). As described earlier, more clear and objective standards could reduce discretionary decision-making and

simply the development process. The City should consider adopting the following procedure types for land use applications:

- Type I, Staff Review,
- Type II, Staff Review with Notice
- Type III, Quasi-Judicial, and
- Type IV, Legislative Review.

In this organization, the Planning Commission reviews both Type III and Type IV applications, with the option for staff to request a Planning Commission review of a Type II application. The Type I and II applications subject to staff decision include zoning checklist review, street access permit, adjustments, legal lot determinations, property line adjustments, and certain site design reviews. City staff and Planning Commission should discuss which applications can be reviewed at a staff level to provide a more efficient process and more certainty for applicants.

#### *Pre-Application Conferences*

City staff mentioned a common obstacle for land use approval is the reviews from various jurisdictions and agencies often occurring at different stages of the land use approval process, increasing the need to reconcile new and conflicting issues, and adding complications and time to the process. A Pre-application Conference can provide a venue to discuss code requirements and allow other departments and/or agencies (e.g., Oregon Department of Transportation) to provide helpful information. Section 4.104, Interpretation of Required Information, allows the applicant to request an optional conference with City staff to discuss the required information and applicable provisions of the Development Ordinance and Comprehensive Plan. Currently, the code has requirements for state and federal agencies affected by the proposed development to receive notice of the land use decision (Section 10.200). The Development Ordinance should be amended to require pre-application conferences and to include invitations to impacted agencies for larger applications.

#### *Conditional Uses*

Article 2 of the Development Ordinance is dedicated to conditional use procedures and requirements. The Planning Commission has the authority to approve conditional uses or approve them with conditions to prevent future conflicts and ensure compatibility with surrounding development and uses. In Section 2.102, where three or more people file a complaint with the City Recorder, a conditional use will be received again through another public hearing process. This provision allows a high degree of uncertainty for an applicant, as any type of complaint could have validity. A fairer way to assess a conditional use is to consider if there have been violations of the conditionals of approval, such as terms of operation. Additionally, the construction of conditional uses is required to be completed within 6 months of a decision (Section 2.104). This is a short time frame for construction to begin, especially with the limited construction labor available in the coastal area, and the City should consider extending this time period.

As discussed for approving residential development, a two-track approval system is also appropriate for conditional use approval. The City could provide Planning Commission review, hearing, and decision on

discretionary criteria for developers who want maximum flexibility, as well as a track that would provide clear and objective criteria and more certainty through a City Planner review.

## D. Development Ordinance Structure

The City's development requirements may be better understood and administered if the Development Ordinance was better organized. Article 2 Conditional Uses, in particular, lists uses already included in Allowable Use Matrix (Section 1.3) and includes requirements that could otherwise be listed in Supplementary Provisions (Article 3). The lack of clear application procedures precludes Planning Director decisions. Additionally, ordinances adopted after Development Ordinance #374 have not been integrated. A logical reorganization of existing provisions might follow the major headings noted below.

- **General Provisions**
- **Definitions and Use Categories**
- **Land Use Districts**
- **Overlay Zones / Special Districts**
- **General Development Standards / Common Requirements** [NOTE: These include standards that are applicable to a variety of development types and plan districts, e.g., parking, landscaping]
- **Special / Supplementary Development Standards** [NOTE: Includes those standards that are specific to certain uses or activities; currently, those standards are in Article 2, Conditional Uses.]
- **Review Procedures** [NOTE: Includes process requirements for Type I, II, III, IV decisions or similar]
- **Applications** [NOTE: Includes application requirements for each application type]
- **Land Divisions**
- **Appendices / Maps**

## E. Other Key Concerns

The City would like to explore ways to ensure that providing adequate and appropriate transportation infrastructure is a requirement of development approval. Two tools that the City does not currently have are explored below: Fee-in-Lieu and Traffic Impact Analysis. City staff has also noted that information critical for land development, including the zoning map and maps showing natural resources and hazards, are only available in hard copy. For accuracy and ease of use it is important for the City to have access to and be able to share up-to-date digital mapped information.

### *Fee-In-Lieu Program*

Another policy area that the City has been discussing concerns about how street improvement requirements should be implemented when it is not feasible or desirable to require physical improvements at the time of development approval. As part of a subdivision or site plan review processes, infrastructure improvements may be required to bring infrastructure up to City



transportation standards. As part of the Bay City development review process, the City could explore a process by which staff can determine whether to require the construction of the necessary improvements or to require a fee-in-lieu of construction. This potential change in policy would necessitate an amendment to the Development Ordinance to create the process, including requiring non-remonstrance agreements (e.g., owner agrees not to object to the formation of a local improvement district in the future) and the conditions under which the City will accept fee-in-lieu. Typical conditions include: the street is unlikely to be extended; the improvement would conflict with an adopted capital improvement plan; or the improvement would create a potential safety hazard to motorists or pedestrians.

#### *Traffic Impact Analysis -Reference Section 2.215 (General Standards), for Traffic Generation Standards*

The City is interested in exploring a tool to quantify and assess the effect of development on public transportation facilities. A traffic impact analysis or study is a submittal requirement many cities and counties in Oregon use to determine the existing and future impact of a proposed development and the necessary multimodal improvements or transportation demand measures<sup>18</sup> to support that development and ensure the cost of growth is not being born by existing residents and businesses. Transportation impact analysis requirements implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR). These sections require that cities adopt mobility targets and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. (See Attachment Table.)

The Development Ordinance does not include specific requirements for preparing a traffic study. The 2010 Transportation Plan recommended a new Transportation Impact Studies section be added to Development Ordinance Article 5, Subdivision, Partitioning, Cluster, and Planned Development.

In general terms, the requirement to provide a traffic study applies to developments that are presumed to have a transportation impact. A professional engineer must prepare the study and must use appropriate data, methods, and standards to assess impacts to the existing and planned transportation system. Typically, the triggers or thresholds for requiring such an analysis are set in the development code. At a minimum, applicability criteria should include an increase in trip generation threshold, over a set number of trips (average daily or AM or PM peak hour), and a change in land use or zoning designation that will increase vehicular trips. Other triggers could be based on development in the vicinity of intersections where there are known safety issues or where the location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements.

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<sup>18</sup> Transportation Demand Management, or TDM, is a broad term that encompasses measures aimed at guiding our travel choices so that they reduce the “demand” on transportation infrastructure. TDM examples include charging for car parking, priority parking spaces for carpools, discounted transit pass programs, and workplace bicycle facilities and changing areas. TDM is often implemented to provide more transportation choices and as an alternative to adding capacity to the roadway system.

### Digitize Mapping

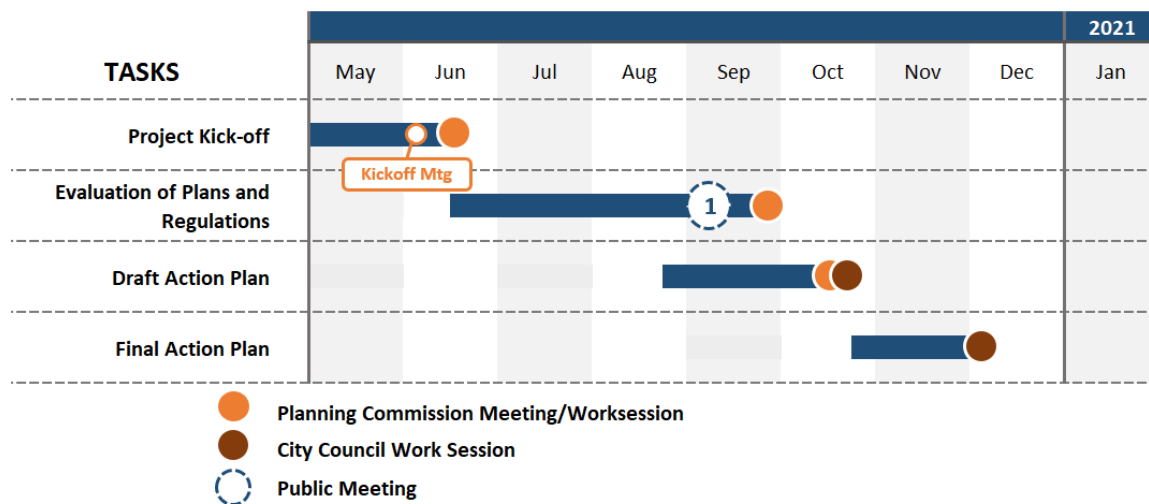
The maps in the Development Ordinance have low image quality and are difficult to read, especially on an individual site scale for environmental constraints and natural hazards. The City has more up to date maps; however, they are only available on paper at City Hall. The information on those maps should be digitized and included the Development Ordinance, as well as the City's website, to allow potential applicants and City Staff to better assess the environmental constraints on the site.

## NEXT STEPS

The evaluation and recommendations discussed in this memorandum will be reviewed and discussed with Bay City staff, Bay City Planning Commission, and the public. The tentative schedule is shown in Figure 8. Following the discussions, the recommendations will be amended as needed to create a roadmap for future code amendments.

The code evaluation is intended to be a part of two phase process, and the evaluation is Phase I. Once reviewed, and adopted, the City and TGM can decide to pursue Phase II, Code Amendments, in which revised code language will be drafted with the intent to adopt and amend the existing Development Ordinance.

Figure 8. Bay City Code Evaluation Schedule



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## **ATTACHMENT – TRANSPORTATION PLANNING RULE**

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The TPR (OAR 660-012) implements Statewide Planning Goal 12 (Transportation), which is intended to promote the development of safe, convenient, and economical transportation systems that are designed to maximize the benefit of investment and reduce reliance on the automobile. The TPR includes direction for preparing, coordinating, and implementing transportation system plans (TSPs). The City of Bay City Transportation Plan was completed and adopted in 2010. In addition to adopting a TSP, TPR Section -0045 (Implementation of the Transportation System Plan) requires local governments to amend their land use regulations to implement the adopted TSP. It also requires local governments to adopt land use and subdivision regulations to protect transportation facilities for their identified functions, including access control measures, standards to protect future operations of roads, expanded notice requirements and coordinated review procedures for land use applications, and a process to apply conditions of approval to development proposals. The adopted Transportation Plan includes recommended amendments to the Development Ordinance to meet the requirements of TPR -0045.

The table in this Attachment summarizes preliminary recommendations for the City's land use regulations related to the TPR implementation requirements. Existing Development Ordinance provisions are cited, as well as recommended code language that better meets State requirements. Also noted is if the recommendations come from the adopted Transportation Plan.

Attachment Table. TPR Assessment

TPR Requirement	Preliminary Recommendations
<b>OAR 660-012-0045</b>	
(1) Each local government shall amend its land use regulations to implement the TSP.	
<p>(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:</p> <p>(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;</p> <p>(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;</p> <p>(C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k), consistent with the provisions of OAR 660-012-0065; and</p> <p>(D) Changes in the frequency of transit, rail and airport services.</p> <p>(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment;</p>	<p>Add transportation facilities, services, and improvements as allowed uses to the City's zoning use regulations in cases where improvements are within the public right-of-way and are included as part of an adopted plan.</p>
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or requires interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with 660-012-0050. To facilitate implementation of the TSP, each local government shall amend regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>This TPR Section references project development and implementation - how a transportation facility or improvement authorized in a TSP is designed and constructed (660-012-0050). Project development may or may not require land use decision-making. The TPR directs that during project development, projects authorized in an acknowledged TSP will not be subject to further justification with regard to their need, mode,</p>

TPR Requirement	Preliminary Recommendations
	<p>function, or general location. To this end, the TPR calls for consolidated review of land use decisions and proper noticing requirements for affected transportation facilities and service providers.</p> <p>Section 10.250 Consolidated Application Procedure states that where a proposed development "<i>requires more than one development permit, or a change in zone designation from the city, the applicant may request that the city consider all necessary permit requests in a consolidated manner.</i>"</p>
<p>(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities corridors and sites for their identified functions. Such regulations shall include:</p>	
<p>(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;</p>	<p>Section 2.215, Traffic Generation Standards, requires that "<i>4) Uses locating in the vicinity of U.S. Highway 101 shall have their access onto public streets other than U.S. Highway 101 in order to limit access points along the main highway. New access points may be allowed onto U.S. Highway 101 only where no alternative exists, as determined by the Planning Commission, and with the prior approval of the State Highway Division.</i>"</p> <p>There are no access management standards related to local streets in the Development Ordinance. Transportation Plan Section 5.4 includes access spacing standards for US 101 approaches, but no standards for local street or private access spacing. The code regulations should include or reference access management standards, based on updated street classifications, in the Transportation Plan.</p>

TPR Requirement	Preliminary Recommendations
(b) Standards to protect the future operations of roads, transitways and major transit corridors	<p>The code regulations should include or reference updated street classifications in the TSP and require improvements consistent with street type.</p> <p>The Transportation Plan establishes the following classifications: Arterial cross-section (for US 101), two new Collector types (Urban and Urban-Downtown), and two new local street types (one with and one without a sidewalk). See Table 3-1. Street Widths and Standards. Note that these standards were recommended to be included in the Public Works Standards.</p> <p>The Transportation Plan recommends adding transportation impact studies (TIS) to the Improvement Requirements (Section 5.105) in the Development Ordinance, including provisions addressing applicability, study requirements, approval criteria, and conditions of approval. A TIS requirement should be included in the Development Ordinance, but the Transportation Plan language should be refined, including ensuring that the thresholds for the requirement are appropriate.</p> <p>Note that General Conditional Use Standards (Section 2.215, Traffic Generation Standards) include development siting requirements based on the amount of traffic generated, but do not require this to be based on a TIS.</p>
(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;	There are no public use airports in Bay City; therefore, this requirement is not applicable.

TPR Requirement	Preliminary Recommendations
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	The Development Ordinance should specify conditions when applications will be reviewed by ODOT and applicable transportation facilities and services agencies in review procedures (Article 10). Consider codifying a pre-application meeting process (subdivision, zone changes) and noticing/inviting ODOT and applicable transportation facilities and services agencies to participate in the pre-application conferences.
(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;	The City should consider adding more global language about the authority to apply conditions, particularly those related to protecting transportation facilities. General Conditional Use Standards (Section 2.215, Traffic Generation Standards) identify where development should be located based on traffic generation, but there is no language that indicates the City has the authority to condition approval on the provision of adequate transportation facilities.
(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of: (A) Land use applications that require public hearings; (B) Subdivision and partition applications; (C) Other applications which affect private access to roads; and (D) Other applications within airport noise corridor and imaginary surfaces which affect airport operations.	See response to -0045(2)(d).
g) Regulations assuring amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.	See response related to traffic impact study requirements, TPR Section -0045(2)(b), and to plan and land use regulation amendments, TPR Section -0060.
(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new	

TPR Requirement	Preliminary Recommendations
<p>development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.</p>	
<p>(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.</p>	<p>The Development Ordinance does not address bicycle parking. The Transportation Plan recommends adding bicycle parking requirements for new multi-family residential development (4 or more units, 2 per unit) and commercial, industrial and "other non-residential uses" (1 per every 5 auto spaces). These recommendations should be evaluated and compared to Model Code language and other small-city requirements.</p> <p>The Transportation Plan also recommends adding design standards (space dimensions, examples of acceptable rack design, etc.) to the Public Works Standards.</p>
<p>(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.</p> <p>(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;</p> <p>(B) Bikeways shall be required along arterials and major collectors. sidewalks shall be required along arterials, collectors and most local streets in urban areas except that sidewalks are not required along controlled access roadways, such as freeways;</p> <p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p>	<p>Consider the following:</p> <ul style="list-style-type: none"> <li>- Pedestrian and bicycle access and circulation – The Transportation Plan provides policy framework and standards for transportation improvements, including pedestrian and bicycle facilities. Consider developing and adopting a new code section establishing standards for pedestrian and bicycle circulation for site development. References to the Transportation Plan should be included in existing land division provisions and, potentially, a new site development section.</li> <li>- Accessways –Specify conditions under which accessways shall be provided, e.g. connecting cul-</li> </ul>



TPR Requirement	Preliminary Recommendations
<p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<p>de-sacs to neighboring streets, preventing out-of-direction travel, providing access through long blocks.</p> <ul style="list-style-type: none"> <li>- Parking lots – Require accessways for pedestrians through parking lots over a certain size in off-street parking regulations.</li> <li>- Exceptions for streets and accessways – Add conditions such as physical and environmental constraints, existing development, and legal agreements that may be the basis for exceptions to providing streets and accessways according to standards. Allow cul-de-sac and dead-end streets only under prescribed conditions.</li> </ul>
<p>(c) Off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle and pedestrian travel, including bicycle ways on arterials and major collectors</p>	<p>See response related to conditions of approval, TPR Section -0045(2)(e).</p>
<p>(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.</p>	<p>See response related to pedestrian/bicycle facilities and accessways, TPR Section -0045(3)(b).</p>
<p>(6) In developing a bicycle and pedestrian circulation plan as required by 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.</p>	<p>Consider the following to improve development regulations related to this TPR requirement include:</p> <ul style="list-style-type: none"> <li>- Walkways between cul-de-sacs and adjacent roads – See response and recommendations related to accessways and cul-de-sacs.</li> <li>- Walkways between buildings – See response and recommendations related to pedestrian/bicycle facilities and accessways.</li> </ul>

TPR Requirement	Preliminary Recommendations
	<ul style="list-style-type: none"> <li>- Access between adjacent uses – See response and recommendations related to accessways.</li> </ul>
<p>(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total ROW consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.</p>	<p>Street standards should be included in the City's land division provisions (Article 5), consistent with the standards in the Transportation Plan. The City should revisit local street sidewalk and bicycle requirements.</p>
<p><b>OAR 660-12-0060</b></p>	
<p>Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.</p>	<p>Consider including criteria regarding effects on transportation facilities and compliance with the TPR Section -0060.</p>

# **Attachment D**

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## **Stakeholder Interviews Summary**



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MEMORANDUM

## Summary of Stakeholder Interviews Bay City Code Evaluation and Update

DATE November 19, 2020  
TO Chance Steffey, Bay City Project Manager  
FROM Darci Rudzinski and Emma Porricolo, Angelo Planning Group  
CC Laura Buhl, TGM Project Manager

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### PURPOSE

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The purpose of this memo is to summarize the findings of stakeholder interviews completed as part of Phase 1 of the Bay City Code Evaluation and Update project. The purpose of the interviews was to gather input on the general direction and priorities for future land use ordinance (code) amendments, and to help identify how code requirements can support the City's growth and development goals. APG conducted five interviews with eight stakeholders through virtual video meetings and one phone interview between October 20, 2020 to October 28, 2020. The following project stakeholders were interviewed:

- Angie Cherry, Former Bay City Planning Technician
- Cami Aufdermaur, Tillamook County Habitat for Humanity
- Doug Pilant, Tillamook County Transportation District
- Doug Brown, Property Owner
- Jack Scovel, Builder/Designer
- Jody and Ken Daily, Oyster Club (Pearl and Oyster Festival coordinators) /Resident
- Lexi Hampton, Resident/Housing Advocate

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## KEY FINDINGS

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Key themes and findings that were revealed through the interviews are summarized in this section. The list of questions provided to guide the conversations with stakeholders is included in Attachment A; comments made during each interview session can be found in Attachment B.

In general, the stakeholders were enthusiastic about the goals and potential outcomes of the project and held relatively similar views on the types of code amendments that would advance the City's goals for new development and redevelopment. The stakeholders included residents, property owners, and developers. We asked questions about the Town Center, development, transportation, and housing in Bay City as they relate to existing and proposed changes to land use regulations.

### Town Center

Many of the stakeholders were optimistic about possibilities for the Town Center. However, they noted several barriers to downtown revitalization, including lack of vacant land and difficulty attracting visitors from Hwy 101. Comments about Town Center included the following:

- Many see tourism as a great opportunity to strengthen the local economy and Town Center. However, there is a recognition that some community members are resistant to change and oppose additional tourist commercial uses and the strain it could put on housing opportunities. Need to figure out how to attract people off of Highway 101 and into the Town Center.
- Sidewalks in the Town Center are important infrastructure.
- The Town Center is part of the few available commercial areas in the City and should be preserved as a primarily commercial center. Need to consider and balance commercial activity with the need for housing in the community, while also being able to keep local businesses afloat. Many noted locals alone are not enough to support the Town Center businesses, yet it is difficult to attract visitors from Hwy 101 and don't have many "attractors" in the Town Center for visitors. The potential for mixed-use development was supported by stakeholders. However, one noted it is not realistic to expect limited vehicle ownership from future mixed-use housing residents, given the need to access most basic services located outside of town (e.g., grocery, health care services).
- The stakeholders generally agreed that adequate and convenient parking would still need to be available in the area, as almost everyone will drive to the downtown, even if they walk once they arrive.
- Parking downtown did not seem to be a major concern. Only one stakeholder noted concerns about current availability of parking.
- Design compatibility with existing structures was not identified as a significant need. One stakeholder recommended basing design standards on the existing buildings and neighborhood features.
- Mixed-use development downtown was generally supported.

- One stakeholder suggested increasing the maximum height permitted in the Town Center. Also suggested was enlarging the area where multi-family is allowed, given the small downtown and limited development opportunities there.

## Transportation

Many noted the tension between the need for transportation improvements and the cost. Stakeholders suggested that transportation infrastructure costs have hindered development opportunities in the City.

- Improvements for pedestrian and bicycle safety are needed around the City. Some stakeholders suggested focusing improvements near community amenities (e.g., Al Griffin Park).
- Transit improvements were recommended by one stakeholder who suggested providing a proper bus stop at the current location by City Hall and plan for a Park and Ride facility along Hwy 101 in Bay City. The same stakeholder noted the difficulty of providing fixed-route transit service within Bay City given the limits of the existing infrastructure and the topography.
- One stakeholder suggested notice to the local Transportation District be included in the City's process of land use approvals.
- One stakeholder suggested painted bike lanes.
- Several stakeholders suggested bicycle infrastructure could attract visitors through the community. Many cyclists bike Hwy 101 each year and opportunities for mountain biking trails on the outskirts of town have also been discussed. Some see Al Griffin Park as a great amenity for traveling cyclists.
- Cost of transportation improvements (i.e., road extensions) and associated requirements (sidewalks, curbs, etc.) are a significant cost to developers and have hindered some development.

## Housing

- Most stakeholders agreed there is a need for additional housing in Bay City and the City has an opportunity to provide affordable housing for people living at the Coast. Stakeholders indicated many desire to live in Bay City, but there is also a large population that cannot afford to live in the City. Many suggested Bay City could provide housing to many local Coastal residents, and that much of that population seeks housing that is affordable.
- Interviewees acknowledged that some of that housing should be in the form of middle housing or multifamily housing and think it should be allowed outside of the Town Center.
- Stakeholders were in favor of developing ADUs but feared that they may be used for tourists. Most stakeholders said they preferred that ADUs not be used for short-term rentals (e.g., Airbnbs); however, some noted their benefit as additional income stream for owners.

## Developing in Bay City

- Many noted there are various barriers to development in Bay City, which make it costly. Barriers include topography, natural hazards (i.e., cost of building in a tsunami zone), cost of improvements (transportation and utilities), and SDC costs that are high compared to other communities.
- One stakeholder suggested the City reduce or waive SDC fees for affordable housing development (developed by a non-profit or government agency).
- One stakeholder suggested making the code more user-friendly.
- Stakeholders suggested there may be some tension in the community between people in favor of change and those who do not wish to see change.

## Attachments

- A. Stakeholder Questions
- B. Individual Summaries
- C. Tillamook County Habitat for Humanity Written Comments

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## ATTACHMENT A – STAKEHOLDER QUESTIONS

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### Introduction

The purpose of the Bay City Code Evaluation and Update project is to make recommendations for updating Bay City's land use ordinances in order to help the City remove barriers to creating a vibrant, multimodal community. Specifically, the project will identify policy and regulatory provisions that may be creating barriers to achieving a mix of building types and uses, diverse housing, and transportation options in the City. The purpose of the stakeholder interviews is to help the project team better understand the community's interest and goals related to future growth and development from people who live, work, and care about Bay City.

### Questions

The questions listed are intended to guide the conversation, but not limit discussions.

#### *Introductions*

- 1) What is your connection to Bay City?
- 2) Do you have experience with land use permitting in Bay City? If so, how was your experience?
- 3) What do you think are Bay City's strengths related to development? In the past, have you noticed barriers to development in Bay City? What barriers does the City face for future development?

#### *Town Center*

*For this project, Bay City Town Center refers to the "downtown" area that spans from Highway 101 to 6th Street and A Street to Portland Ave.*

- 4) What adjectives would you use to describe the Town Center today? What type of uses and future development would you like to see in the Town Center? Are there barriers to achieving what you would like to see?
  - a. How would the development of multifamily housing, such as townhomes, mixed-use development, or small apartment complexes in the Town Center benefit the community?
  - b. Design standards requiring certain building design elements, such as ground-floor windows, can help create downtown-style development typically seen in thriving downtowns. What specific design standards would be beneficial to see on new construction or redevelopment in the Town Center? What should be required and where should the City allow some flexibility?



- c. The City currently requires high levels of off-street parking, in particular for residential uses, which can be a barrier to development. Is parking currently an issue downtown? What should the City be considering to manage parking for new growth and development?

### *Housing*

- 1) Middle housing is typically classified as housing that is between detached single family homes and large apartment complexes in scale. The types of housing typically include duplexes, triplexes, quadplexes, townhomes, and cottage clusters. These types can encourage greater housing availability, affordability, and flexibility to meet different needs. Of the housing types described, what areas of Bay City would they best fit in?
- 2) How can accessory dwelling units (ADUs) be accommodated in the City limits? Should they be permitted to house short-term (vacation) rentals?

### *Transportation*

- 3) A goal of this project is to enhance connectivity for all modes of transportation. What are your ideas related to how people can safely and efficiently access their homes, goods and services, parks, etc.?
  - a. Do you think the City should prioritize bicycle and pedestrian facilities by requiring sidewalks on both sides of streets (unless they meet a set of exceptions)?
  - b. Do you think specific areas of town should be prioritized/targeted for bicycle and pedestrian infrastructure/improvements?
  - c. How do you see vehicular and bicycle parking supporting activity and land uses in the City?

### *Other*

- 4) With regard to land use in the City, transportation improvements, and the Bay City development code/land use permitting do you have anything else you wish to share?
- 5) The issues we've covered will also be presented and discussed during a (virtual) Community Meeting. What are the most important issues to present to and hear back from the community?

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## ATTACHMENT B – INTERVIEW SUMMARIES

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### 10/20/20 Stakeholder Interview Notes

#### *Housing*

- People from the community want to keep the small town feel, including spacing between homes. Need to balance that with the fact that there is a need for more housing in the City. For buildable residential lots will need to do a lot with little left.
- There were housing opportunities in the North, between 4<sup>th</sup> and 5<sup>th</sup> at the top-of-the-hill side of town, people wanted to develop but couldn't. Would be a good place to build multifamily housing, but infrastructure and code doesn't allow for it. Developer passed on developing the property after a request for SDCs to be waived was denied. City was skeptical of waiving fees for low income because previous low-income housing (primarily Habitat) have not had those breaks in the past. SDC funds could be used for some of the infrastructure.
- Supports allowing multi-structure housing in medium intensity zone.
- Water and wastewater infrastructure are lacking.
- Suggest making the code more user-friendly. Current zoning organization is simple, but might be beneficial for it to be simplified. The County's system is complex. The most confusing part of the existing zoning is the permitted uses matrix. Additionally, the Conditional Use processes are not well described in the code.

#### *Town Center*

- City worked on a map that shows vacant land zoning. Is on a big plat map that includes the tax codes. Could be a helpful resource to see development opportunities in the Town Center.
- There was a mixed-use development proposed, consisting of apartments with commercial below (i.e., boutiques). CU was going to be approved, but the proposer was going to use the commercial space for storage until the spaces could be used for businesses and the PC did not approve. Stakeholder thought it was a good plan.
- Not sure how successful a business could be in the Town Center; the area doesn't have a lot of draw off Highway 101.
- Expect people would be willing to permit multifamily in downtown eventually. A lot of new people are in the community, and are a likely population to favor this type of development.
- Safety access – ADA for new development downtown is important.
- For developing downtown, there are few vacant lots in downtown/HI zone are limited. Allow more high intensity in moderate zones – both commercial and residential to allow expansion of commercial in town since it is limited.
- Tsunami zone properties available but difficult to build on.
- Not in favor of food carts for tourism, or tourism money spent in the middle of town. Not much to "attract" people. Need to have a draw. Food carts should be done properly.

*ADUs*

- Make sure to be clear in talking to the community, ADUs are not tiny homes. People are not interested in vacation rentals for ADUs. Most people in town aren't in favor of vacation rentals, the perception is they are taking away from other housing in the community.
- Separate water connection would likely be required for ADUs. Could be a barrier to development.

*Planning in Bay City*

- What is the best way to approach/ ask questions to the community? Most people who were coming in want it to be affordable to develop. Fear restrictions from the City could impact the affordability of building.
- Permit fees should be increased. SDCs are generally well priced. Affordability is tricky.
- Historically there has been an old school planning commission that wanted to make decisions on everything, wanted power over everything, potentially some NIMBYism. People are starting to be more flexible. Agree it is a good time to propose some decisions to staff.
- New representation on PC is more forward thinking.

## 10/21/20 Interview I Notes

### Development Requirements

- Have experience developing in other jurisdictions (i.e., Corvallis, Tillamook Co, other Coastal communities). Bay City has been the most difficult to develop in. Bay City is tough for development, has complex issues such as geological hazard, but is a beautiful community.
- Bay City uses gutter line for height setbacks, which is unusual. Other cities have more flexible height restrictions.
- County standards are a good gauge for Bay City and could provide more continuity in development standards throughout the area.
- Where can you afford to live on the coast? Don't want to push people out.
- Have tried to develop properties in the past but have faced many barriers. Example of having to extend a water line to the property as a type of cost that makes development unaffordable. Fear the changes could add more additional costs to development in Bay City.
- Habitat for Humanity owns a large property that they would like to develop to add to the existing inventory of affordable housing in Bay City. Currently the development is not feasible with the code because of the improvements required. The vision for the property is a cottage cluster with small cottages (~700 sf.), senior and ADA friendly. Many existing code requirements are barriers to that vision. Creative building is not possible under the current code. Building single family development is also not feasible with all the required improvements.

### *Town Center*

- Allow for more intensive residential uses in and outside of Town Center. Don't limit multifamily housing to the Town Center. Through code update process, have a bigger conversation about housing in Bay City in general, think about its role in comparison to the larger area (e.g. County, north Coast).
- Concerned about proposing changes that would differentiate building styles from existing buildings, and/or develop a plan for existing buildings and options to upgrade. Suggest creating standards that mimic the existing buildings/neighborhood and allow neighboring properties to be the standard for building and design. Do architectural requirements need to require cohesive design?
- 30-foot maximum height is too low, allow greater maximum height.
- Bay City is about livability for the locals, ultimate goal is not tourism. Once you start making changes, the community will get nervous that the goal is tourism. Verbalizing the goals trying to build communities around local needs, not for visitors/tourism, is important.

### *Housing*

- The coast needs housing. Don't expect enough development to provide a 20 minute community, not requiring a car, but affordable housing is still needed. Mixed use and ADUs can provide affordable housing opportunities. Have seen a lot of ADU development in Corvallis.
- Bay City has a good opportunity to be a "living" community compared to other coast communities.

- ADUs should be allowed to have a kitchen (currently, not permitted in accessory structures in the code). Not having a kitchen removes opportunity for long-term housing. Don't want tourism to be the primary use of ADUs. Stakeholder with opposing view - want free range to do what I want with my property supplement income, have family close by. Short term rentals can be beneficial as an income stream for some. Have experience with negative effect of strict limitations on short-term rentals in Lincoln City.
- SDCs are very high in Bay City. Much higher compared to elsewhere. If the SDCs might be hurting regular builders, consider the impacts on affordable housing. Tillamook Co. passed affordable housing ordinance. Tillamook Co. SDCs are approximately 5k vs. Bay City's 14K.
- Need costs from jurisdictions associated with improvements to become more reasonable for more affordable development. Cities should be paying for more of the infrastructure improvements to decrease property fees. Consider that costs are transferred to end-user.

### *Transportation*

- Don't need to overkill the biking infrastructure. Bay City is not urban enough. People won't be biking around much as a mode of transportation. It is a community that you have to drive to other communities.
- Bike/ped shouldn't be the focus.
- Think painted bike lanes are a good idea.
- Commercial customers are local. Cater to locals, give them some paths to get into town, doesn't need to be 6 foot sidewalks and paint. Safety is an issue. Lived across the park and saw speeding; wanted a speed bump. Can only control so much, give people more room for transportation.
- Don't necessarily need sidewalks to code. Example, 8<sup>th</sup> place – many people come there from downtown – how do you connect the two safely? Don't need a robust formal system --- that would price people out of town.
- Other communities, such as Manzanita, don't have sidewalks but people are still walking. There are other options to create safer pedestrian environments - stop signs, barriers, speed bumps.

## **10/21/20 Interview II Notes**

### *Housing*

- Participants are in favor of apartments and housing in Bay City. Bay City has land for sports fields that could serve neighboring communities.
- The hardest thing to come to agreement on is where to locate multifamily housing, suggest outside of the Town Center core. With the limited commercial area in the Town Center should reserve it for commercial and have housing in other areas of town.
- People want to live in Bay City but can't afford housing. Rental opportunities go very quickly, and rent is high. Lived in Bay City as a child, and it is not the same community she grew up in.
- Housing is a problem throughout the Coast. People who work at the Coast can't afford to live here, especially in Tillamook Co. Don't want to see residential development in the core of the downtown. Want to save what land is left for the businesses.

### *Town Center*

- Need sidewalks, bike lanes, etc. Most Coastal communities have attractions for tourists to bring them to town. Bay City doesn't have many, but the Bay is the most popular oyster growing facility. Consider the strengths of the community – view of the bay and oyster growing.
- Working to set an identity by improving the downtown core. Need a new City Hall and Library and other community spaces. Want bike lanes, want to use mountains to bring in mountain bikers. Transient Lodge Tax (TLT) grant money to improve the businesses. Infrastructure needs to be put into place. Streets, curbs, sidewalks are very important.
- Parking is a big concern, getting to Johnny's Café is tricky with traffic/lack of parking in that area. Want to see more parking for businesses. Fear about housing taking away from business parking in the core. Other stakeholder not as concerned about parking, but remarked that it has to be planned into the site. More important is that there are sidewalks and bike paths; expects parking to be well regulated through development requirements.
- Important to protect existing homes and families in the downtown. Want to be smart regarding the location of businesses in relation to residential.
- There is additional commercial space along Hwy 101. For the downtown, should be smart and know what businesses to draw to certain properties. There are a lot of properties where apartments can be placed. Apartments need amenities; consider future housing needs in the plans.

### *Housing*

- Participants don't have any problems with ADUs. Have many people who stay in their home so people can come to serve the community. Currently there is nothing available for temporary housing (i.e., for temporary workers such as traveling nurses).
- Many businesses and nonprofits are trying to find housing for their employees. ADU's could be a big help for a small family or a couple and participants favor the possibly of providing added income.
- It is a good idea to have extra housing offered in any city.
- Like the idea of the owner on the site instead of just a rental property. The community has concerns about tourism and its relation to housing. There have been a lot of conversations of homeowners living in the City and concerns about short-term rentals.

### *Transportation*

- There is a need for sidewalks on 6<sup>th</sup> Street, by the hill (Portland), and 5<sup>th</sup> Street. There are lots of kids biking to the park, especially from residential areas behind the park. People choose different routes to be safer. There are lots of kids around the 8<sup>th</sup> place Habitat development. Think there would be more activity if the infrastructure were in place and if there were more visible safety improvements. Suggest focusing on the park area where activity is currently concentrated.
- Interviewee walks around town, and see kids walking and riding their bikes. Fear for the kids' safety with bikes. Skatepark is great, but sidewalks to get to the park aren't very safe.
- Pearl Festival committee is planning for mountain biking tourism, including plans for a mountain biking trial that connects to Kilchis Point.

*Bay City*

- There is tourism already; if we grow the town like we say we will, that will grow the community. If we build it up for the people who are stopping, that (patronage) will help the community all around.
- Bring back families to Bay City. Have invested in the park, and are working on more fundraising for the park. Those areas should have the infrastructure. City has strengths and ongoing projects that are great for families. Consider how to integrate families into the community's future growth. Keep the core solid with businesses – that contributes to a healthy community.
- For tourism, look at the strengths and negatives of Bay City. Tourism is important for the local businesses; the local community alone cannot support them. Want tourists to visit but not take housing from locals.

## 10/28/20 Interview I

### *Connection to Bay City*

- The County transit district serves Tillamook to Cannon Beach and South to Lincoln City. Intercity service to Portland, route goes to Union Station.
- General impressions of Bay City, right now it's a passthrough community. Drive through twice a day, and occasionally meets people for breakfast at Bay City restaurants. Only visits on a personal basis 4 -5 times a year.

### *Transportation*

- Tillamook County Transportation District operates county-wide demand response service and Medicaid transportation. One of their fixed routes has a stop in Bay City
- Bay City is along the fixed route. The topography and lack of sidewalks makes it difficult to have more transit service, deeper into town and away from Hwy 101. Looking at the roads, they lack shoulders and are not a good transportation environment. The street network is choppy, which makes it impossible to turn buses around. Backing up a bus is not recommended.
- Serves Bay City with demand response services/ Medicaid Transportation Service. Bus stop at City Hall/Library, served 6 times a day, out and back. District just did an on/off study. There are people in Bay City using transit. Concerns about how people get to the bus stop – walk, ride bike, dropped off by car. Sees opportunity possibly to put a park and ride in the city along 101. People use transit to go to Portland when they go to the airport. The Tillamook park n ride is popular. 10-20% of travelers to/from Tillamook (same line as Bay City) are going to Portland. Another transit option is the GTSF flex trip planner - if no fixed route is available, demand response options pop-up.
- From a transit perspective, would like to see a transit improvement. Currently, the bus stops in the middle of the street; there is no official stop. The bus blocks cars that want to back up. Want a more visible and safer parking location – potentially a park and ride. Sees room and opportunity for that type of improvements.
- The buses accommodate bikes. All buses have rear storage. Can accommodate 5 or so bikes.
- Suggests notifying the transportation district of major development to facilitate relationship and develop connections between people in the community and transit opportunities. For example, in Rockaway there was a development proposal for an undeveloped site where the district had planned for a stop, but the transit district was not informed about development plans.
- Long-range plans provide the basis for connecting the development approval process to long-range transit planning, requiring coordination with transit provider. Tillamook County Transportation District's long-range plan is in progress.
- Oregon Coast Bicycle Plan is important. There are lots of people who bike up the Coast each year. Opportunity for Bay City to capture these visitors, use the park downtown, make it a bicyclist rest area/kiosk. Many bus stops in the County are planning to have bicycle repair stations.

### *Housing*

- Wanted to move Bay City when he moved in the coast 10 years ago, but couldn't find housing so moved to Rockaway to find something affordable. He knows a few people who bought



foreclosures in Bay City, and put a lot of money into them as fixer uppers. Those are the only people he knows who can afford to move to Bay City.

## 10/28/20 Interview II

### *Development Experience in Bay City*

- Connection to Bay City goes a long way back – has owned property and lived in Bay City.
- Bought some undeveloped (“bare”) property long ago and was going to put a house and possibly a couple of townhomes on it. It was 2 adjoining lots, with views of the bay. Tried to develop it 20 years or so ago but there was push back from the City. The regulations made it impossible to do anything with the property. The City required that he develop the access to the lots, extending off of the main street. He would have had to put a road in on the other side of lots, going past 4 or 5 other city lots to get to his property. The road had to be built to City standards, which was expensive. He subsequently sold to an acquaintance, who ran into the same issues. When he couldn’t convince City, he also sold the property.
- Later, interviewee had an option on another piece of property. He checked with the City before he purchased and found he was going to have to do the same type of improvements (paved street with curbs), which also would open up access to some other properties he didn’t own. He noted that there are lots of roadways that aren’t paved, including one that goes by his duplex in Goose Point.
- Has not tried to develop anywhere besides Bay City. Owns a home in Garibaldi, which has some property that could be developed, but is on an improved roadway.

### *Transportation*

- In favor of trail in the rail right-of-way. Should be a bike path (could do without an excursion train). There is an opportunity for economic development along the way (like B&Bs). He got ideas from a train trip from Wheeler to Timber, west of Banks, E. side of Coast Range, before windstorm destroyed some of the tresses. Saw the lay of the land, and opportunity for bike riders, B&Bs, etc.

### *Town Center*

- Opinions related to future Bay City downtown development relate to the people who live here. Some people would like to see the right type of development there; then there are those who would like it to stay the same as it was in 1909. Those differing perspectives don’t coincide. Florence is an example – it was a tiny strip city and a dump back in the 70’s/80s; now it has some of the best restaurants and shops. The Bay Front and Old Town in particular are cool spots. There have been positive changes in Cannon Beach, Astoria, and Newport. It is as if areas in Tillamook Co. have a stone tied around their neck. Things are not allowed to be developed in a way that brings tourists. It’s ok to see the fisherman in the bay and the hunter in the hills – but they don’t want to see retirement centers, shops, etc. It really is a beautiful area, close to the Portland metro area, with a lot of potential.
- Moved to Bay City in the 70s and expected the area to boom, but it has not. As to the reasons, it is the people who make the regulations. County Commissioners, mayors, chamber of commerce, etc. Would rather not have it be this way. Astoria, as an example, was a depressing place to go –

shops boarded up, limited choices to eat. Leadership started regulatory changes 10 years ago and now it is a desirable destination.

- This community has been run by dairy industry and logging community, which would suffer by more development. Development would put pressure on dairy lands and farmers to develop land and newcomers would insist they clean up the act and be more presentable. Fred Meyer approval in Tillamook took forever. The economy has done ok because of those two industries, but times are changing. If Tillamook County wanted to take advantage of the tourist industry, they are behind the eight ball. Manzanita and Pacific City have taken off, but the core around the Bay is way behind.
- Majority of Bay City citizens probably don't want change.
- The area should be able to have enough development so that it is a vibrant, fun place to live without hordes of people. The area is lagging in medical care and there isn't enough going on in Tillamook County to attract and keep medical professionals.
- There is an opportunity for retirement community on that big open lot in Bay City, but you need infrastructure around it. Seniors need to have some stuff around, like good hospital, medical center, and places to go shopping. The type of development that brings in money, and people who want those amenities, will be hard to get.
- There will be a push back on any kind of tax proposed for infrastructure.

### *Housing*

- No opinion about accommodating middle-housing types. It is fine if they are tasteful and attractive. Bay City had an allowance that on every other city lot you could put a mobile home (new one could not be sited on an adjoining lot with an existing mobile home). This was a compatibility issue. Whatever is permitted should have some standards to ensure that it is quality; it needs to last a while.

## ATTACHMENT C – TILLAMOOK COUNTY HABITAT FOR HUMANITY WRITTEN COMMENTS

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### City of Bay City Code Evaluation and Update:

[eporricolo@angeloplanning.com](mailto:eporricolo@angeloplanning.com)

[drudzinski@angeloplanning.com](mailto:drudzinski@angeloplanning.com)

### Stakeholder Interview Answers:

1. My connection to Bay City is that I am the ED of Tillamook County Habitat for Humanity. We have built about 14 affordable homes in Bay City over the past 15 years that serve low income families from 30-80% of the Area Median income. We currently have one remaining lot for a single family home, as well as a cluster of smaller lots adjacent to our current Habitat Homes. We have held onto this property with the hopes that additional uses would be allow and lot sizes reduced to create a cottage cluster or small (ADU) size homes. At this point, the infrastructure requirements to upgrade the access to not pencil out with the current lot size requirements.

2. I have minimal experience with permitting in Bay City as my time spent with Habitat has involved working within the City of Tillamook. However, we have property we will be building on in the next 1-3 years in Bay City and I want to be a part of ensuring we are able to best serve our low-income families and individuals with safe, decent and affordable housing options.

3. The strength of the City's development is that there is a wiliness to engage in this process (first of all), and second is the new leadership hired that are progressive in their thinking towards allowing change to happen as well as being willing to listen to the public and being easy to communicate with. In the past, it has been a known opinion that building in Bay City is challenging with all the requirements and at times contracted staff personality differences. I have not personally been involved with many of our Habitat projects as we have been building in Central Tillamook during my past 5 years as ED, however, we will be building again in Bay City within the next 1-3 years. I believe barriers the City faces for future development is the community's wiliness to accept change in a community that has not seen growth/development for a while. Allowing too much public option in the development phase of the process could be problematic and hold up movement forward. There is a balance and with clear codes and requirements this can help with that balance. The community will likely wonder (and fear) who the improvements are intended to serve and will fear becoming a "tourist town." This will need to be addressed.

4. The adjectives I would use to describe the Town Center today would be: quaint, small, not a lot happening, run down, no cohesion, too much bare land not being utilized. As a housing developer for low income families, I would like to see more access to housing in the town center that would access to transportation, parks, churches, and stores.

A. Specifically, multifamily housing, townhomes, and mixed uses. This would benefit downtown by improving the visibility and livability.

B. I agree with the widow design elements on the ground floor as well as Weather protection. I think some design standards would be helpful in creating a more cohesive look to down town. Although, I see a barrier if there is not a plan to revitalize the current buildings that exist down town with some of the same stands. Creating incentives to current businesses, help with TURA grants, and support to apply for funding to revitalize should be a part of the plan if requirements/standards are going to be set on new buildings. If down town revitalization is not a focus, I see it looking like "old town and new town" and will not flow together.

C. In regards to parking I cannot comment on this as I do not stop down town in Bay City very often. The times I have gone to the park there has been an abundance of parking. I agree with the plan in regards to the number of parking. Some are reduced and some a slightly increased. I would need to defer to the professionals on this. I think there may be some overreach on requiring parking in the rear of new development, however, I appreciate the desire for ascetics. However, I worry about the fact that the majority of current parking is in the front of buildings.

5. I agree there is a huge gap in housing when it comes to the "Missing Middle." I cannot choose between the listed housing types as they would all benefit the community with more access and developers for more cost efficiency. **There is a need for all of them.** Help non-profits like Habitat make building happen by exempting SDC fees for low-income housing development.

6. ADU's are a cost effective way for homes to increase their living space to help with aging parents, use as long-term rentals, and create flexibility for families to open their homes to people in the community or as short-term rentals. I do not believe the purpose should be to provide short-term rentals as we do have a need for more long-term rentals. However, as a home owner myself, I would not appreciate someone telling me what I could and couldn't do with my asset in order to meet my own family's needs. I would want to flexibility, and therefore I would need to give that flexibility.

Transportation-

7. a. I do not believe that there needs to be sidewalks on both sides of the street. I think one side of the street is sufficient. There is minimal traffic through the town and bikes are able to share the road with cars. I like what Tillamook did with painting bike lanes, or even just bike outlines to remind cars that they share the road. It creates a “bike friendly” reminder to those driving but allows for more land to be used for development. I guess realistically, I do not think many people are biking in Bay City with the hills and proximity to the highway? I could be wrong.

b. I do not think specific areas of town should be prioritized/target for bicycle and pedestrian infrastructure to the extent of “overkill” but to make sure what we have is sufficient for the need or projected need. With the goal of providing the community a place to be, and not tourists, I would say the majority of people living in Bay City own cars.

c. I think parking needs to be available for people, but I think looking at what the community would require in regards to parking for cars and bikes would be important. There is only so much land so that must be balanced.

8. I have made notes on the Code Evaluation and Update and sent to Chance. In summary those include:

1. Agreement to include multi-family development in Town Center

2. Concerns about garage setback requirements in rear if this pertains to housing development. I do not agree that garages would need to be set-back from the street. I also think garage requirements in general have been an issue in Bay City. For building multifamily, clusters and other smaller type homes, garages are not feasible. Why is this a requirement? I agree with this in regards to commercial to allow for more walkable/visually appealing store fronts.

3. For the missing Middle, YES we need to look and change the minimum lot size, density standards and increase permitted lot coverage and reduce access requirements for multi-family development. We also need to reduce size limitations on ADU's to EITHER attached or detached.

4. I agree with ADU's and allowing outright however, I would need to know more about SDC fee's and feel this should really be a vital part of the conversation in this evaluation. Without this conversation you can change anything you want, but if it is not affordable to build in Bay City that will become a problem in implementing your current work. What zones will ADU's be avail?

5. If sidewalks are going to be required on both sides of the street, who pays for that? The cost burden to the developer becomes more than can pencil out to create an affordable housing opportunity or a sustainable business model. Are there grants available for this? What resources do we have access to at the state

level? Through TURA? If the burden falls on the developers, there must be systems in place to help create support to access funding.

6. More clarification is needed for the “fee-in-lieu,” how much will this be? Flat amount? % of cost of building? I’m not clear on what this does or what the details will be.

7. I agree with simplifying the City’s land use procedures and like the tiered structure. It’s not clear with “Pre-application Conferences” what constitutes “larger applications.” What will the standards be regarding when certain process is triggered? It should not be left to opinion. Either go with a cost amount for the project or something tangible so that staff are not left trying to figure out each individual case. Don’t make more work for those who have to run the paperwork.

8. The City should consider allowing zero lot line development outright without planning commission approval to encourage residential development for multifamily projects.

9. Agree that maximum density for dwelling units should be increased for NHI and Town Center but what about other areas of the City? I understand this project focuses on down town, but in changing ordinances and codes wouldn’t it be less work to make some overall changes to the zoning codes to allow for more building options outside of the boundaries?

10. Agree with increasing maximum height to allow for 3 story for mixed use. It’s smart and cost effective for developers. Make this happen!

11. If you are going to require architectural review I think you need to have a plan for who is going to do this, how long the process will take, and decide if you have a main goal that you are trying to accomplish through this. There is no current “theme” in the town (such as Sisters) so what “look” are you trying to be architecturally compatible with? Maybe I do not know my history on Bay City and there is more cohesion then I think?

12. I do not like the language in “Minimum frontage requirement” that says, “the City may require a minimum percentage of the building’s frontage be set at no more than 5 feet.” Is this giving more design control to the City or builder? What is the goal in this?

13. In Building Orientation and Setbacks, “side yard setbacks MAY be reduced to 0 feet through Conditional Use” make this outright.

14. I do agree with encouraging walkway connection to the street if we are talking about adding accessibility for those with transportation limitations and people experiencing disabilities. I fear the added cost and unintended deterrent for developers if more than concrete would be required.

15. I agree in clarifying standards for buffering requirements.

16. In regards to residential uses and standards, I agree there should be a wide variety of housing types in the City for a wide range of income levels. Has the City been assessed as to what it current has in regards to this? Has there been an available lands inventory done to see what current is allowable or will be allowable with these changes?

17. Question: How can the City work with non-profits like Habitat for Humanity to help increase the ability to build affordable homes? Suggestion it to make an ordinance waving SDC fees for non-profits serving low income families. Look at requirements for long-term permanent affordability incentives to developers who commit to building homes that will be affordable into the future.

18. I agree that planning commission approval is not necessary for development approval based on clear and objective standards. There should be more of this. I agree that more clear and objective standards could reduce discretionary decision-making and simplify the development process. Like the idea of Types 1, 2, 3 etc.

19. Should look at reducing setbacks for MI.

20. Concerns about the "three or more people file a complaint" would trigger the public hearing process. This can continue to go round and round and round. This could create a few people with an agenda from seeing good change happen. I'm not sure the solution, but this needs to be addressed.

Thank you for allowing time and attention to community feedback. To end my comments, enclosed you will find a letter that was written the City Council that can help boots on the ground organizations like Habitat for Humanity increase access to affordable housing in Bay City. I would like to see it become a priority in this planning to work with local non-profits to decrease cost barriers to housing development. Let us help you meet your goals for diversifying Bay City with long-term permanently affordable homes be helping pass an ordinance exempting SDC fees for our housing projects.

Thank you for your time,

In Partnership,

Cami Aufdermauer

Bay City Council  
P.O. Box 3309  
Bay City, OR 97107

Dear Councilors,

A safe home. Nutritious food. Health Care. Access to good schools. Reliable Transportation. Which would you choose?

One in 6 U.S. families are forced to make this decision every day. Often paying more than half of their income on rent or a mortgage. This is unacceptable.

At Tillamook County Habitat for Humanity, we know that when the cost of home is any family's future, that's something none of us can afford. That's why we are committed to mobilizing our partners, volunteers, and community members to find solutions and help create policies that will increase access to affordable housing for Tillamook County residents.

Since 1998, Tillamook County Habitat for Humanity (TCHFH) has successfully served 28 local families including 56 children through our affordable home ownership program, in which the majority of our homes have been built in Bay City. Habitat is committed to continuing to serve our city through the revitalization of already existing properties as well as the construction of new homes.

On July 2, 2018 the City of Tillamook partnered with TCHFH to amend ordinance Section 52.084, EXECPTION OF THE CODE OF THE CITY OF TILLAMOOK, TITLE V: PUBLIC WORKS CHAPER 52: allowing Habitat for Humanity projects to be exempted from city System Development Charges fees stating: "A project financed by Habitat of Humanity is exempt provided that such projects provide housing to families at or below the city's 80 percent median income level as defined by the U.S. Department of Housing and Urban Development."

Habitat for Humanity is invested in continuing to help provide tangible solutions to the housing crisis in Tillamook County. We are seeking a collaborative partnership with the City of Bay City to increase affordability through implementing the same exemption for System Development Charges (SDC) on Tillamook County Habitat for Humanity housing projects.

On behalf of Tillamook County Habitat for Humanity, as Executive Director I Cami Aufdermauer request from the City of Bay City, a movement to amend the System Development Charges section to include an exemption for Tillamook County Habitat for Humanity housing projects.

In Partnership,





Cami Aufdermauer  
Executive Director  
Tillamook County Habitat for Humanity

# **Attachment E**

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## **Community Meeting Summary**

## City of Bay City Code Evaluation and Update

Community Meeting (Virtual)

December 17, 2020 6:00 – 7:30 PM

### SUMMARY

#### Attendees

- Project Team: Laura Buhl (DLCD), Chance Steffey (Bay City PM), Darci Rudzinski and Emma Porricolo (APG)
- Ten community attendees were present

#### Summary

##### I. Presentation

Darci introduced the agenda and content of the presentation, which included:

- Project Background
- Project Overview
- Overview of Initial Recommendations

Following the presentation Laura and Chance introduced themselves. Chance asked Laura to clarify for community members how the community gets to the specific fixes for the issues discussed in the presentation. Laura explained how the project is designed by the Transportation Growth Management (TGM) program. The Code Evaluation project is the first phase, which will conclude with an Action Plan with recommendations for what to change. The Action Plan will be reviewed by City Council and Planning Commission. If City decision-makers approve of the Action Plan, then the City has the option to pursue a TGM grant for Phase II, which is when the language for specific code changes will be developed.

##### II. Questions and Comments from Attendees

Comments from community attendees are shown in bullets below and are organized by topic.

###### A. Housing

- The housing situation in Tillamook County is difficult, making it impossible to find housing in the area. Housing prices have significantly increased, and wages do not support the prices in the community. As a part of this project, the City should consider how people can afford to live here.
  - In response to the comment, Darci noted that the Development Ordinance is one part of the puzzle when it comes to housing. Part of this project is looking at barriers to providing more housing in the City. Also, there are ways to influence housing

affordability outside of the code and this project. We will consider options for folks at different income levels by having a variety of housing types. We are considering what can be modified in the code to allow a variety of housing and make it easier to permit.

- Bay City cannot solve the housing crisis; it is a County and Oregon Coast problem. Want to see more multifamily development in the City. Rezoning may be worth exploring to maximize available land. Make development more approachable to people who want to buy and develop in Bay City. Think ADUs should be allowed in certain places around the City.
- Housing is a complex issue. Simplifying the Development Ordinance and the permitting process may help. Affordability issues with housing include SDC fees, but it is more than that. Bay City has many homes that are 2,000 square foot houses with only one person. There are limited options of where to downsize while staying in Bay City. Think 2,000 square foot homes should be occupied by families. There is little mobility in housing in Bay City. Would support ADUs, not everywhere and with some limitations of number, but it provides a way to maximize housing options.
- See Bay City as a residential community. Thinks (maintaining) that should be the primary goal of the city, but there are roadblocks to consider for that approach. There should be more zones in the City to have more transitional zones for intermediary uses between downtown and residential neighborhoods.

#### **B. Transportation**

- Speed limits on Hwy 101 are controlled by ODOT.
- Not every street has capabilities for safe biking and walking; some of the main arteries should be prioritized.
- Have some trails in the downtown that are planned; suggest including those in the plans for this project. The City last adopted a Parks Plan in 2005.
  - Darci's response: For planning trails, this project will not look at that systematically, regarding connections, specifying right-of-way, etc. However, regulations preserving and building the planned system (as part of development permitting) would be included with code work. A separate adoption of a new trail system is not part of this work.
- Do not overdo improvement standards and requirements for roads. There are 20 ft roads in Bay City. Fully support bike/pedestrian options, but be careful about how you require that and consider the effects on development.
- As a resident, raising kids was a struggle. Park access, sidewalk infrastructure, and biking infrastructure are not safe for kids. It is not something that can be solved with a few thousand dollars or within the code. Wants downtown to have more structure to pedestrian and bicycle traffic. Prioritize connection to businesses, parks, and trails.
- Have strict requirements of streets – do not see a need for curbs, gutter, etc. on every street. Can we use current street structure? I hope so, it can be a huge benefit.

**C. Comprehensive Plan**

- How does the Comprehensive Plan fit with what we are discussing? Bay City has a Downtown ordinance that is restrictive, (addressing issues related to) traffic generation - will that be looked at?
  - Darci quoted some text from the Comprehensive Plan and noted that adopted policy language is well aligned with TGM objectives. She further noted that there would be some implications (in the form of amendments) for the development code to implement the policy language.
  - Laura noted that TGM code assistance projects do not overhaul comprehensive plans. Needed targeted amendments could be included in a project Phase II.
- Noted some areas of potential change for the Comprehensive Plan:
  - What was written in 1979 “maintained quiet residential character,” “growth should be planned and controlled.” Make sure we recognize that is what the Comprehensive Plan calls for or changes that may be needed.

**D. Downtown / Commercial Areas**

- Downtown is a little larger than the study area designated in the project; consider looking at a larger area.
- Need more businesses in the community. Want to see more businesses - empty lots have been sitting there for forever, but there is potential for housing or businesses.
- Would like to see downtown be more of a downtown, have more things going on. Focusing on tourism in the area is a concern; would prefer to rely less on money from outside the community, because it has a negative impact on the people who want to live and work in the community.
  - Per the Development Ordinance, businesses that generate a lot of traffic are not allowed (gas station, drive ins, etc.). Revisit restriction on traffic, which may be a significant barrier to development in HI zone. Other businesses should be allowed with less zoning restrictions.

**E. Barriers to Development**

- The Development Ordinance is all over the place, it requires one to look at multiple areas to answer one question. Uses are embedded in definitions, and there are conflicting standards. City has limited funding; putting cost on developer creates other issues. Would like to explore a payment plans for fees, rather than require upfront payment in full. Might impact developers (positively) to have fewer upfront costs.
- With this project would like to see more clarity and uniformity in the Development Ordinance. Give it more structure and uniformity for those who want to develop in the community.
- The City has a reputation of being a tough place to develop because it is expensive, confusing, and there are lots of hoops to jump through.
- Permits are expensive and hard to navigate. It is expensive to build and it is an issue for a development.
- Affordability issues in Bay City include SDC fees, but it more than that. It is about \$16,000 to connect to water and sewer in Bay City. Suggests City look at cost in other cities. One

developer claimed they did not build in Bay City because of the SDC costs (in relation to neighboring communities). Instead, they went to a different community because SDC were \$4,000 cheaper. At what price do the cost benefits matter?

# **Attachment F**

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## **Virtual Public Workshop Summary**

# City of Bay City Code Evaluation and Update

## Virtual Public Workshop

### SUMMARY

#### **Introduction**

The Bay City Code Evaluation Virtual Public Workshop (VPW) was an online event made available as part of public outreach that included a live Community Meeting. The Community Meeting was a virtual meeting held on December 17, 2020. The VPW went live on the same day, with all contents on the City's webpage, and was available until January 13, 2021.

The VPW consisted of a project handout, a survey, and a recording of the presentation provided at the Community Meeting. The handout, which provided information on how to participate in the meeting and a copy of the presentation slides, is found in Attachment A. The online survey was available to the community to provide feedback for three weeks following the virtual Community Meeting (December 12-January 13). The survey provided an opportunity to review and comment on the concepts presented in the Community Meeting. Twenty seven respondents completed the survey. A copy of the survey questions is attached to this memorandum as Attachment B; the responses to the survey are found in Attachment C.

Notice about the Community Meeting and VPW was made widely available through the use of a flyer, which was posted at various locations around town and shared online. The flyer is included in Attachment D. A printed version of the VPW was made available to community members, who had the option to pick up a paper copy of materials at City Hall and submit feedback by returning the completed survey to City Hall.

#### **Attachments**

- A. Project Handout
- B. Survey Questions
- C. Survey Responses
- D. Notice Flyer



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BAY CITY CODE EVALUATION ONLINE OPEN HOUSE - HANDOUT

## PROJECT INTRODUCTION

The purpose of the Bay City Code Evaluation and Update project is to make recommendations for updating Bay City's land use ordinances in order to help the City remove barriers to creating a vibrant community that supports various modes of transportation (vehicular, walking, biking, etc.). Specifically, the project will identify policies and regulations that may be creating barriers to achieving a mix of building types and uses, diverse housing, and transportation options in the City, and then make recommendations to remove those barriers.

*This handout provides background information related to the Bay City Code Evaluation and Update project. It is a companion piece to the Virtual Community Meeting presentation slides.*

This project is funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. To learn more about the program's mission, goals, and objectives, see <https://www.oregon.gov/lcd/TGM/Documents/mission-goals-objectives.pdf>.

## TOWN CENTER

A primary goal of the TGM Code Assistance program is to help small cities amend their development codes to achieve more pedestrian-oriented communities and encourage vibrant town center environments. Generally, a pedestrian-friendly area is one that provides visual interest at eye-level, feels safe and comfortable, contains a variety of activities and services, is easy to navigate, and provides open areas and amenities for



*Bay City Town Center*

gathering and resting. Development standards implement pedestrian friendly design; however, the uses that are permitted within an area also have a significant impact on pedestrian activity. It is important to have sufficient design standards to encourage pedestrian activity but at the same time be mindful of creating onerous standards that may hinder development. Additionally, permitting higher density residential uses, such as attached townhomes and apartments, and promoting mixed-use development in the Town Center can help support businesses in the area by providing a “built in” customer base.

## HOUSING

Housing is essential to a healthy community and a diversity of housing – types and affordability – will ensure there are housing options for all Bay City residents. The Bay City Comprehensive Plan states, *"there shall be a wide variety of housing types in the City, including apartments and mobile homes, to accommodate a wide range of incomes, tastes, and other desires."* Additionally, the Comprehensive Plan suggests that higher density residential development should occur where it can best be accommodated by streets, public facilities, and services.

Middle housing is typically classified as housing that is between detached single-family homes and large apartment complexes in scale. The types of housing typically include duplexes, triplexes, quadplexes, townhomes, and cottage clusters. These types can encourage greater housing availability, affordability, and flexibility to meet different needs.



Townhomes



Duplex



Triplex

## TRANSPORTATION

A well-planned and maintained transportation network can provide transportation choices for members of a community. A balanced and interconnected transportation network can serve both vehicular and multimodal travel in Bay City.

A connected street system is also an important element of an efficient transportation system. The benefits of a connected roadway and multimodal system include:

- A connected roadway system allows for efficient, energy- and time-effective travel by vehicle.
- Connected and safe routes for cyclists and pedestrians can make non-motorized modes of transportation more attractive.
- Cities that plan for multimodal connectivity – and require future development to contribute to meeting transportation system needs – can provide for the transportation needs of all their citizens.

Some barriers such as steep slopes, which are prevalent in Bay City, can be a barrier to a well-connected system.

Providing adequate vehicular parking is important in a downtown, but it occupies space that could otherwise support uses that generate activity and foot traffic, such as shops and civic spaces. Particularly in a pedestrian-oriented downtown area, the amount of space dedicated to parking should be minimized to create a compact and visually appealing environment.



*Current road conditions (Bay City)*

**For more information on these topic areas see the Code Evaluation Memorandum provided on the project website:**

<https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update>.

## Bay City Virtual Community Meeting - Virtual Public Workshop

### Introduction

**Welcome to the Virtual Public Workshop portion of the Bay City Code Evaluation Community Meeting.**

The survey questions are based on the information shared during the December 17 live presentation, and a supplement handout.

**If you missed the live presentation, a recording can be viewed at this [link \(click here\)](#).**

A copy of the PowerPoint from the December 17 presentation can be found at this [link \(click here\)](#).

A handout with information supplementing the presentation can be at this [link \(click here\)](#).

If you would like more information on the project, please visit <https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update>.

**Go to the next page to begin the survey!**

## Bay City Virtual Community Meeting - Virtual Public Workshop

### Survey

#### Town Center

*Note: For this project, the Town Center includes the area from Highway 101 to 6th Street and A Street to Portland Avenue.*

1. Allowing more “middle housing” types of development, such as townhomes and small apartment complexes, in the Town Center would help existing businesses and would encourage more activity in the civic center.

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

## Attachment B

2. Providing opportunities for mixed-use development in Bay City – for example, ground floor commercial uses and residential units above - is important for a vital Town Center.

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

3. Standards requiring certain building design elements, such as ground-floor windows, can help create downtown-style development typically seen in thriving downtowns. Bay City should improve existing design standards and adopt new clear and objective standards for development and redevelopment in the Town Center to support building design compatible with a thriving small downtown.

*Do you agree with the statement above?*

*Note: Clear and objective standards are those code requirements with definition or measurement that provide for clear and consistent interpretation of the standard. Pursuant to Oregon Revised Statute 197.307(4), local governments may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of housing.*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

4. In the Town Center it is important to regulate building architectural design (color palate, building materials, roof type, etc.) to encourage compatibility with existing buildings in the Town Center (e.g., Art Center).

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

## Attachment B

5. The City currently requires high levels of off-street parking, in particular for residential uses, which can add to the cost of development. Motor vehicle parking availability is not currently an issue downtown.

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

6. Allowing for taller buildings in the Town Center would provide more opportunities for future development, in particular mixed-use and multi-family developments. The City should increase the maximum height permitted to allow for 3-story buildings in the Town Center.

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree



## Attachment B

7. Which of the following elements are most important to see as part of future development in the Town Center? Please order most needed (1) to least important (8).



Buildings set close to the street



No parking between the building and streets



Residential garages either setback or accessed from the rear (or side, for a corner lot)



Commercial building entrances oriented toward the street



Windows for street-facing facades of commercial buildings



Weather protection (e.g., canopies and overhangs) on commercial buildings



Buffering and screening (e.g., landscaping and/or fencing) between properties with different uses

8. Other comments about the Town Center?

Bay City Virtual Community Meeting - Virtual Public Workshop

Survey

Housing

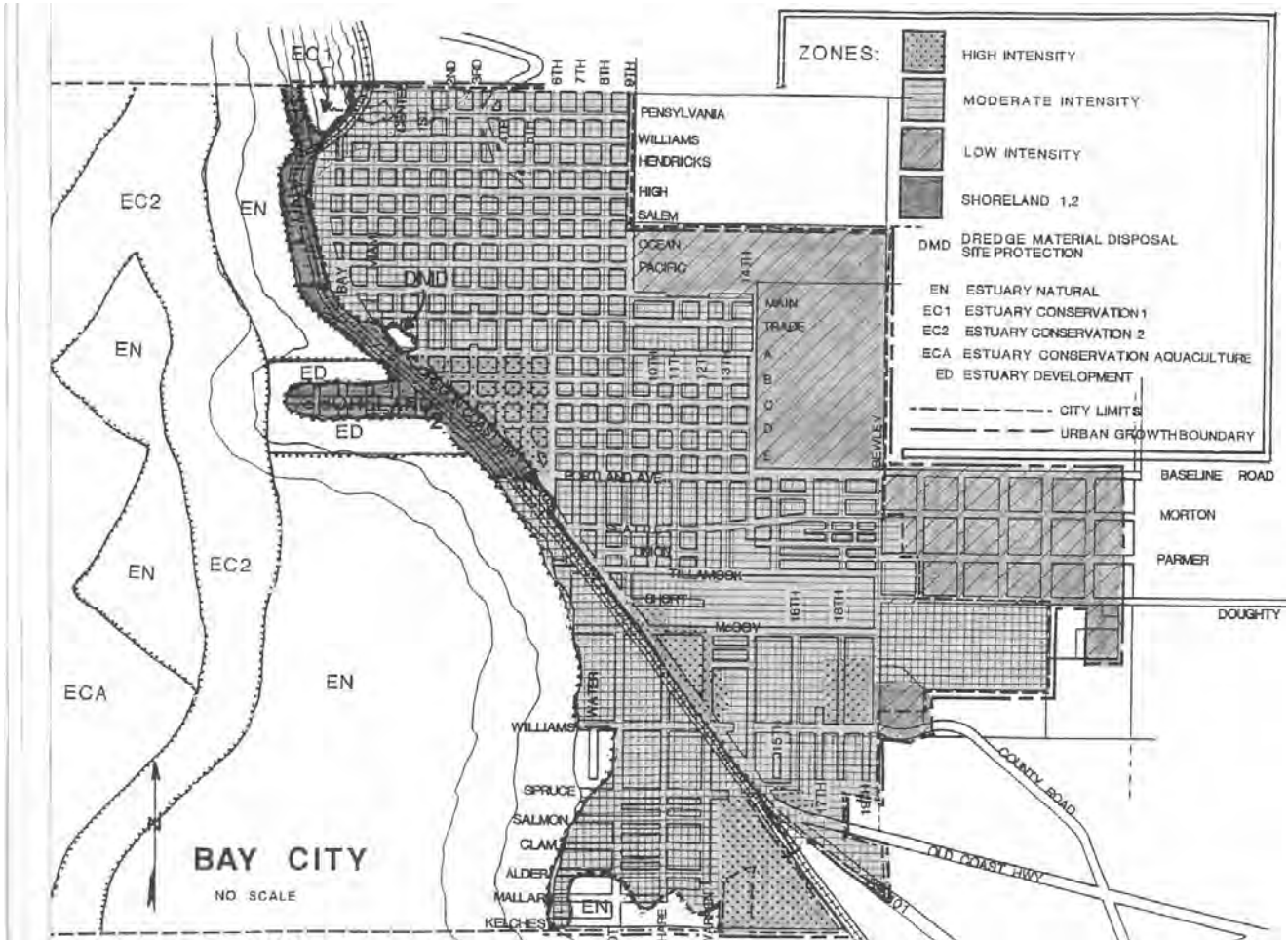
## Attachment B

9. Currently, residential units are only permitted in the Town Center as part of a mixed-use development (typically ground floor commercial and upper residential floors). Higher-density housing (i.e., quadplexes, townhomes, small apartments) is appropriate in the Town Center and should be allowed, separate from a mixed-use development.

Do you agree with the statement above?

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

### Bay City Zoning





## Attachment B

10. Outside of the Town Center, where do middle housing types (i.e., duplexes, triplexes, quadplexes, townhouses, etc.) fit best in Bay City? See the map of Bay City zones above. (Choose all that apply.)

- In High Intensity zoned areas (outside of the Town Center)
- In the Moderate Intensity Zones
- All zones (High Intensity, Medium Intensity, Low Intensity)
- Other (please specify)

11. Accessory Dwelling Units (ADUs) are not currently allowed within city limits. ADUs can be attached or detached from a primary structure/residence. The City should permit the development of (ADUs).

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

12. Allowing for taller residential buildings would provide more flexibility for developers. The City should increase the maximum height permitted to allow for 3 story residential buildings in areas **outside** of the Town Center.

*Do you agree with the statement above?*

- 1 - Strongly agree
- 2 - Somewhat agree
- 3 - Neutral
- 4 - Don't agree
- 5 - Strongly disagree

13. Do you have any other comments about housing in Bay City?

## Attachment B

### Transportation

14. Do you think the City should prioritize bicycle and pedestrian facilities by requiring sidewalks on both sides of streets (unless they meet certain exceptions)?

- Yes  
 No

15. What specific areas of town should be prioritized/targeted for bicycle and pedestrian infrastructure/improvements (Check all that apply)?

- Town Center  
 Near Al Griffin Memorial Park  
 Along Highway 101 (Note: Highway 101 is under the jurisdiction of the Oregon Department of Transportation.)  
 In residential neighborhoods  
 Other (please specify)

16. The City should pursue alternative roadway design to accommodate pedestrians and bicycles, such as pavement striping and markings? See images on Slide 13 of the presentation.

*Do you agree with the statement above?*

- 1 - Strongly agree  
 2 - Somewhat agree  
 3 - Neutral  
 4 - Don't agree  
 5 - Strongly disagree

17. Do you have any other comments about transportation?

Bay City Virtual Community Meeting - Virtual Public Workshop

Survey

Tell Us About Yourself

## Attachment B

18. What is your connection to Bay City? (Chose all that apply.)

- I am a resident of Bay City.
- I am a property owner in Bay City.
- I work in Bay City.
- I visit Bay City.
- Other (please specify)

19. How old are you?

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65 - 74
- 75+

20. Do you currently rent or own your home?

- Rent
- Own

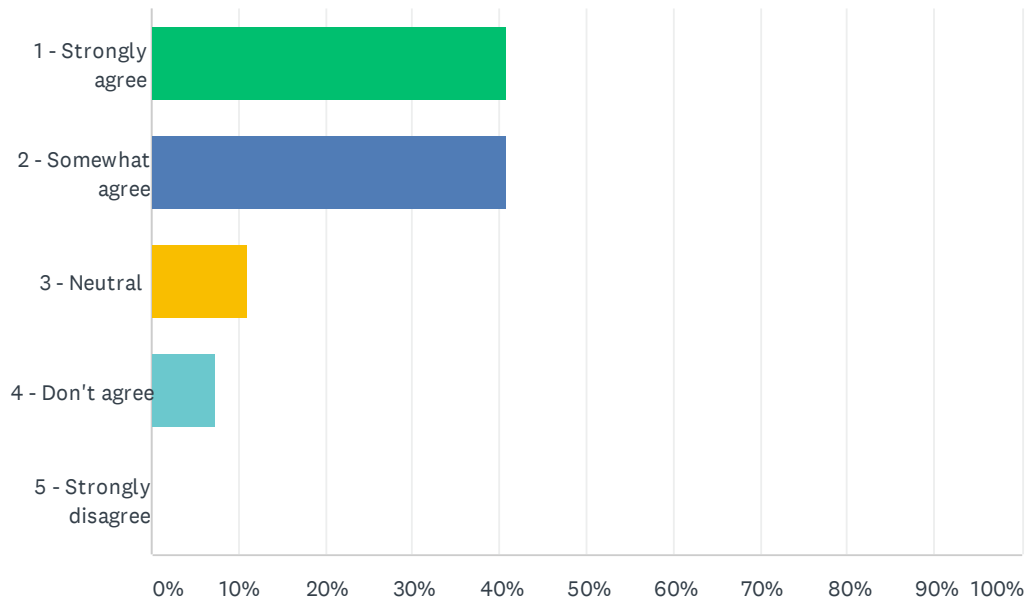
21. Other comments?

You have reached the end of the survey!

**Don't forget to hit the "Done" button below to submit your responses.**

Q1 Allowing more “middle housing” types of development, such as townhomes and small apartment complexes, in the Town Center would help existing businesses and would encourage more activity in the civic center. Do you agree with the statement above?

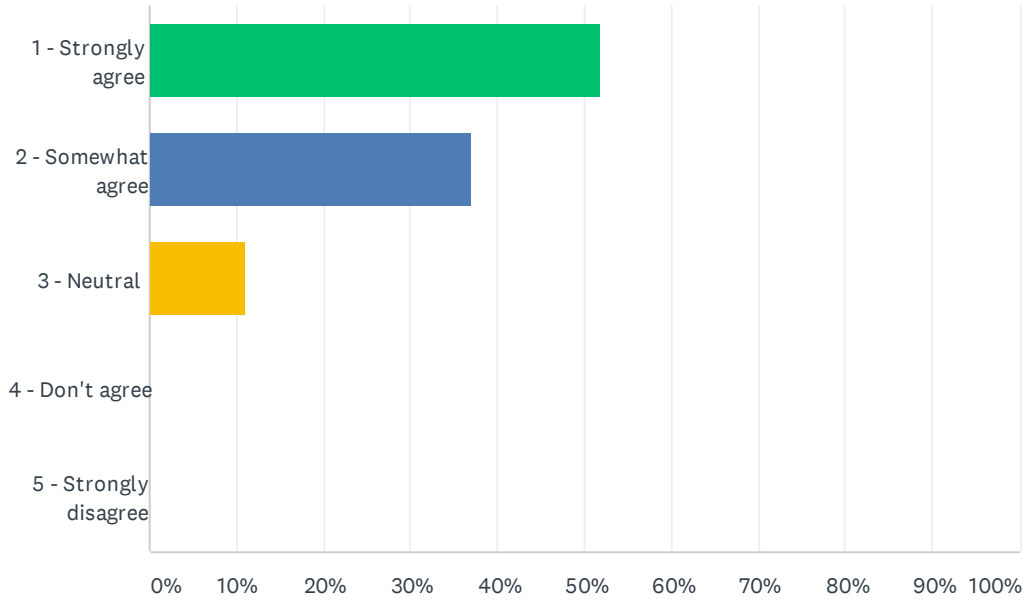
Answered: 27 Skipped: 0



ANSWER CHOICES	RESPONSES	
1 - Strongly agree	40.74%	11
2 - Somewhat agree	40.74%	11
3 - Neutral	11.11%	3
4 - Don't agree	7.41%	2
5 - Strongly disagree	0.00%	0
TOTAL		27

Q2 Providing opportunities for mixed-use development in Bay City – for example, ground floor commercial uses and residential units above - is important for a vital Town Center. Do you agree with the statement above?

Answered: 27 Skipped: 0

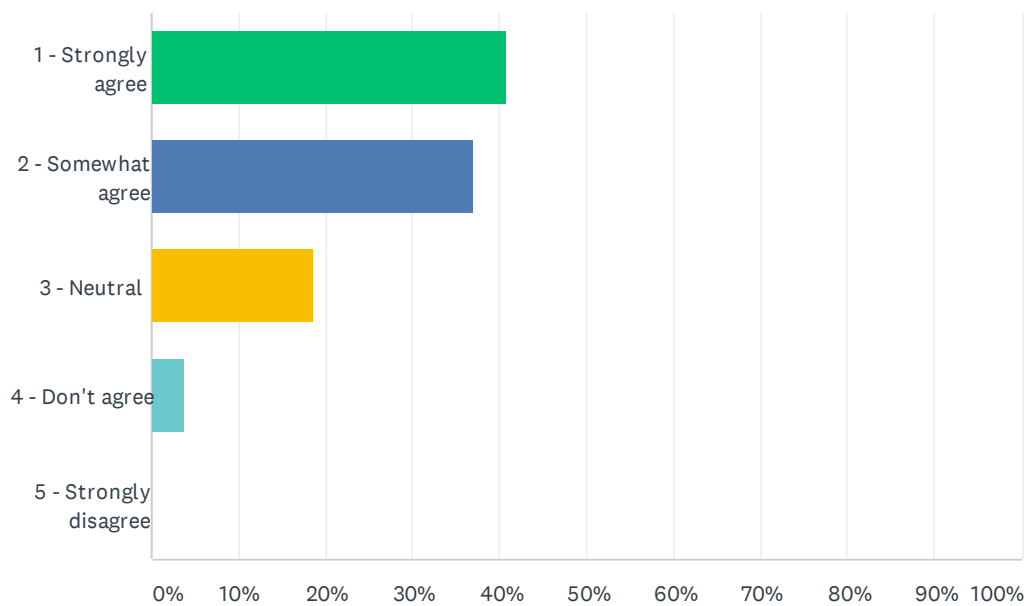


ANSWER CHOICES	RESPONSES	
1 - Strongly agree	51.85%	14
2 - Somewhat agree	37.04%	10
3 - Neutral	11.11%	3
4 - Don't agree	0.00%	0
5 - Strongly disagree	0.00%	0
<b>TOTAL</b>		<b>27</b>

Q3 Standards requiring certain building design elements, such as ground-floor windows, can help create downtown-style development typically seen in thriving downtowns. Bay City should improve existing design standards and adopt new clear and objective standards for development and redevelopment in the Town Center to support building design compatible with a thriving small downtown. Do you agree with the statement above?

Note: Clear and objective standards are those code requirements with definition or measurement that provide for clear and consistent interpretation of the standard. Pursuant to Oregon Revised Statute 197.307(4), local governments may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of housing.

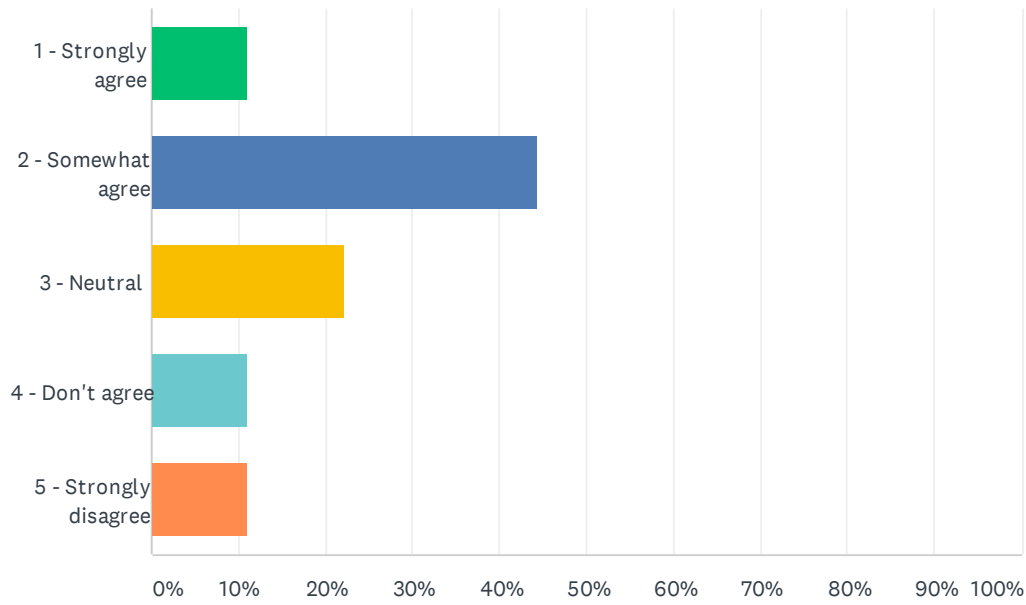
Answered: 27 Skipped: 0



ANSWER CHOICES	RESPONSES	
1 - Strongly agree	40.74%	11
2 - Somewhat agree	37.04%	10
3 - Neutral	18.52%	5
4 - Don't agree	3.70%	1
5 - Strongly disagree	0.00%	0
TOTAL		27

Q4 In the Town Center it is important to regulate building architectural design (color palate, building materials, roof type, etc.) to encourage compatibility with existing buildings in the Town Center (e.g., Art Center).Do you agree with the statement above?

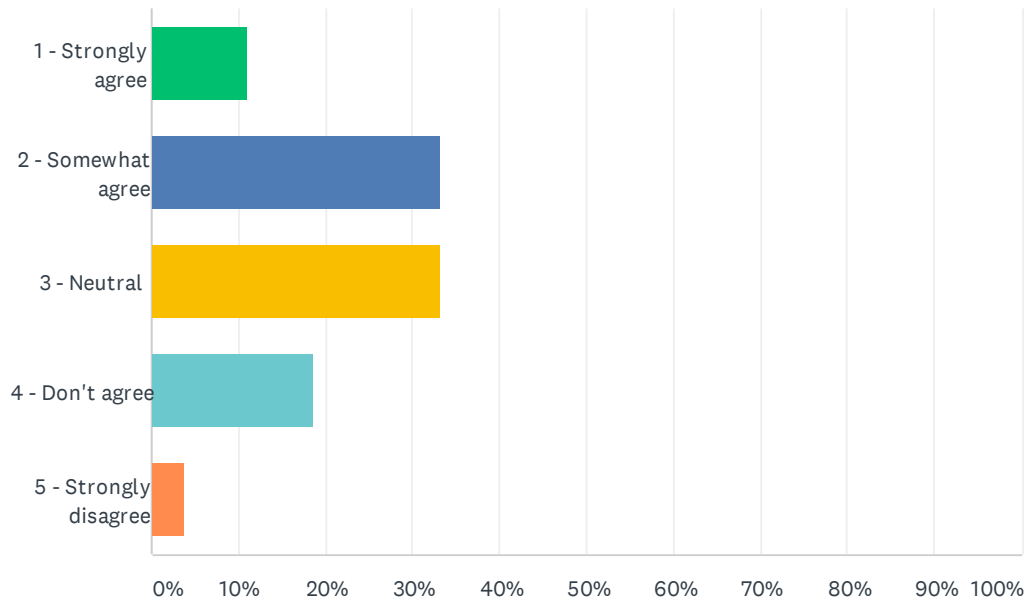
Answered: 27 Skipped: 0



ANSWER CHOICES	RESPONSES
1 - Strongly agree	11.11% 3
2 - Somewhat agree	44.44% 12
3 - Neutral	22.22% 6
4 - Don't agree	11.11% 3
5 - Strongly disagree	11.11% 3
TOTAL	27

**Q5 The City currently requires high levels of off-street parking, in particular for residential uses, which can add to the cost of development. Motor vehicle parking availability is not currently an issue downtown. Do you agree with the statement above?**

Answered: 27 Skipped: 0

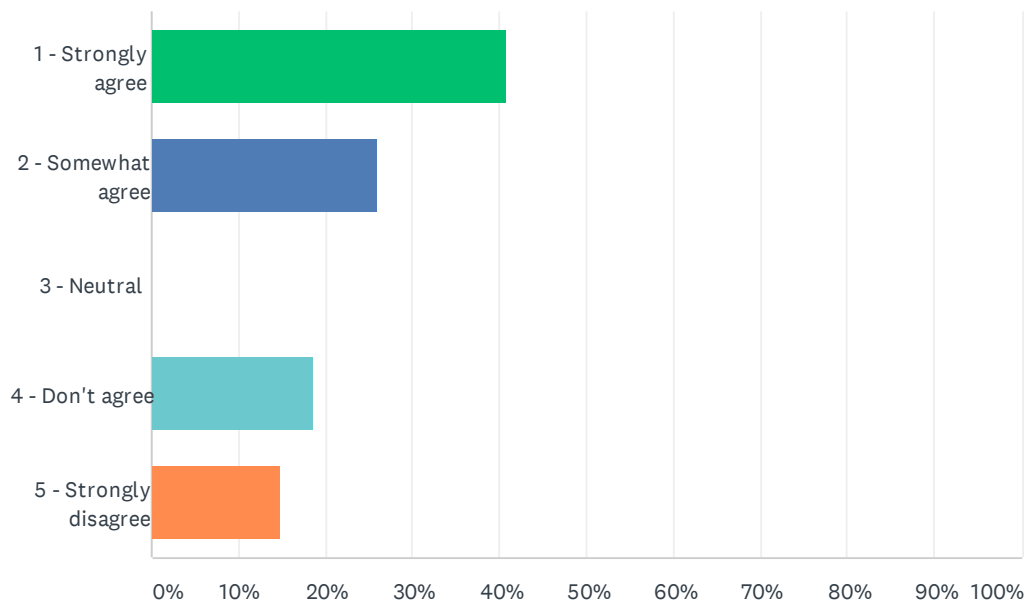


ANSWER CHOICES	RESPONSES
1 - Strongly agree	11.11% 3
2 - Somewhat agree	33.33% 9
3 - Neutral	33.33% 9
4 - Don't agree	18.52% 5
5 - Strongly disagree	3.70% 1
<b>TOTAL</b>	<b>27</b>



Q6 Allowing for taller buildings in the Town Center would provide more opportunities for future development, in particular mixed-use and multi-family developments. The City should increase the maximum height permitted to allow for 3-story buildings in the Town Center. Do you agree with the statement above?

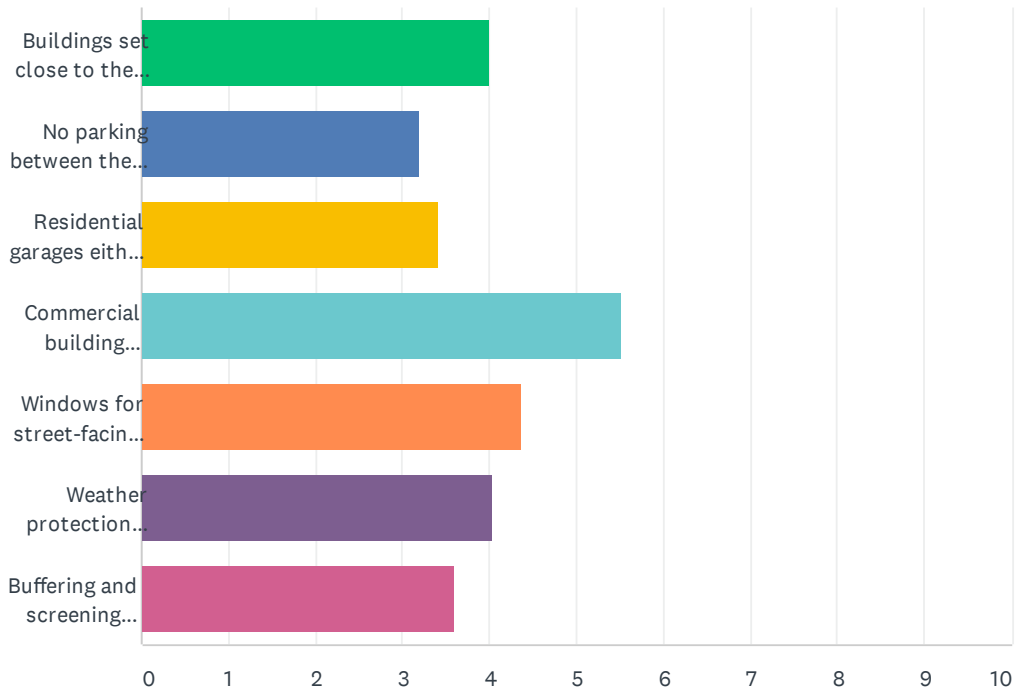
Answered: 27 Skipped: 0



ANSWER CHOICES	RESPONSES
1 - Strongly agree	40.74% 11
2 - Somewhat agree	25.93% 7
3 - Neutral	0.00% 0
4 - Don't agree	18.52% 5
5 - Strongly disagree	14.81% 4
<b>TOTAL</b>	<b>27</b>

### Q7 Which of the following elements are most important to see as part of future development in the Town Center? Please order most needed (1) to least important (8).

Answered: 25 Skipped: 2



	1	2	3	4	5	6	7	TOTAL	SCORE
Buildings set close to the street	20.83% 5	16.67% 4	8.33% 2	4.17% 1	16.67% 4	12.50% 3	20.83% 5	24	4.00
No parking between the building and streets	16.67% 4	4.17% 1	8.33% 2	8.33% 2	4.17% 1	33.33% 8	25.00% 6	24	3.21
Residential garages either setback or accessed from the rear (or side, for a corner lot)	8.00% 2	12.00% 3	8.00% 2	8.00% 2	24.00% 6	28.00% 7	12.00% 3	25	3.40
Commercial building entrances oriented toward the street	26.09% 6	26.09% 6	26.09% 6	17.39% 4	4.35% 1	0.00% 0	0.00% 0	23	5.52
Windows for street-facing facades of commercial buildings	8.33% 2	29.17% 7	8.33% 2	12.50% 3	33.33% 8	4.17% 1	4.17% 1	24	4.38
Weather protection (e.g., canopies and overhangs) on commercial buildings	12.50% 3	8.33% 2	29.17% 7	16.67% 4	4.17% 1	12.50% 3	16.67% 4	24	4.04
Buffering and screening (e.g., landscaping and/or fencing) between properties with different uses	12.00% 3	4.00% 1	12.00% 3	28.00% 7	12.00% 3	12.00% 3	20.00% 5	25	3.60

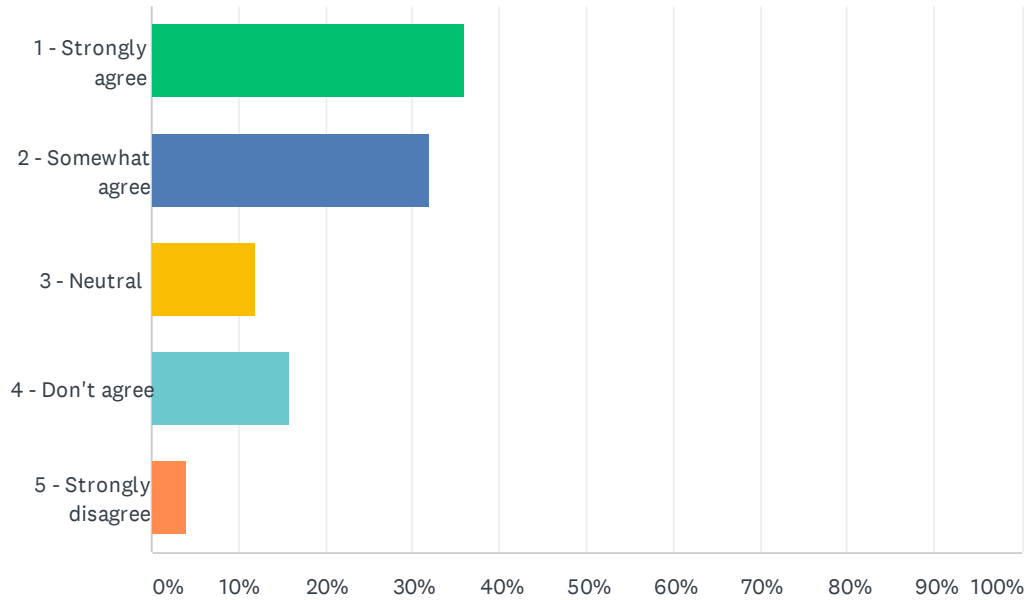
## Q8 Other comments about the Town Center?

Answered: 9 Skipped: 18

#	RESPONSES	DATE
1	Slowed traffic and safe walking areas	1/12/2021 8:37 PM
2	I like parking directly in front of business with side walks between cars and front of business. because of topography bicycles should not be considered for any budget consideration. protective bus stops and on street parking.	1/7/2021 9:49 AM
3	Bay City is a unique place. It would be nice if we could "brand" ourselves and have that a part of the new development of some kind.....	1/4/2021 5:07 PM
4	Making sure that the water/sewer needs are met with more residential and commercial buildings being built.	1/4/2021 1:54 PM
5	I feel the north high intensity zone development standards should be loosened up regarding mixed use options. Requirements that do not allow highway oriented uses should be modified to allow some limited uses in combination with two story business and residential structures. For instance, a professional office that serves the local region or specialty business with limited daily walk in customers. I also believe the zone boundaries should be modified to exclude marginal properties that have significant public improvement issues, particularly along the west side of 6th Street from B street to the south. Other language changes are needed in the non-conforming use sections. If we relax the restrictions on new residential/commercial uses in this zone, the existing residences need to be addressed also. Safe routes to the businesses, library, transit stops and other City destinations are needed on 4th and 5th, particularly from the north end of town. Parking standards need to be reviewed, particularly for multi use options.	1/3/2021 7:27 PM
6	Bay City is a crown jewel and a well-planned multiuser downtown area would be a very sought after use!	1/2/2021 9:09 AM
7	With this unique opportunity we should focus on how to insure our downtown is integrating green infrastructure. Such infrastructure like charge stations could increase the visitors and offer citizens a reliable charge for their vehicles. Integration of trees and other vegetation is vital to help control flooding, revitalizing Patterson creek to improve water flow. These fixes to the creek would insure downtowns resiliency in heavy rain times. Investors are worried about climate and ours will keep getting wetter, improving and preserving the water ways can add confidence.	12/31/2020 5:54 PM
8	There is currently minimal public garbage, cigarette cans, doggy bags on Fifth. There is absolutely NO law enforcement of anything but especially the current speed limit. Why would we want more people to do more crap to the already stressed residents in the "downtown" area. As for windows on buildings, so far they get covered with advertising. If downtown Portland is an example, the risk to vandals increases with glass.	12/31/2020 5:20 PM
9	We can allow developments in the Town Center that enhance the businesses and economic activity while maintaining the small town feel outside of that area.	12/31/2020 4:45 PM

Q9 Currently, residential units are only permitted in the Town Center as part of a mixed-use development (typically ground floor commercial and upper residential floors). Higher-density housing (i.e., quadplexes, townhomes, small apartments) is appropriate in the Town Center and should be allowed, separate from a mixed-use development. Do you agree with the statement above?

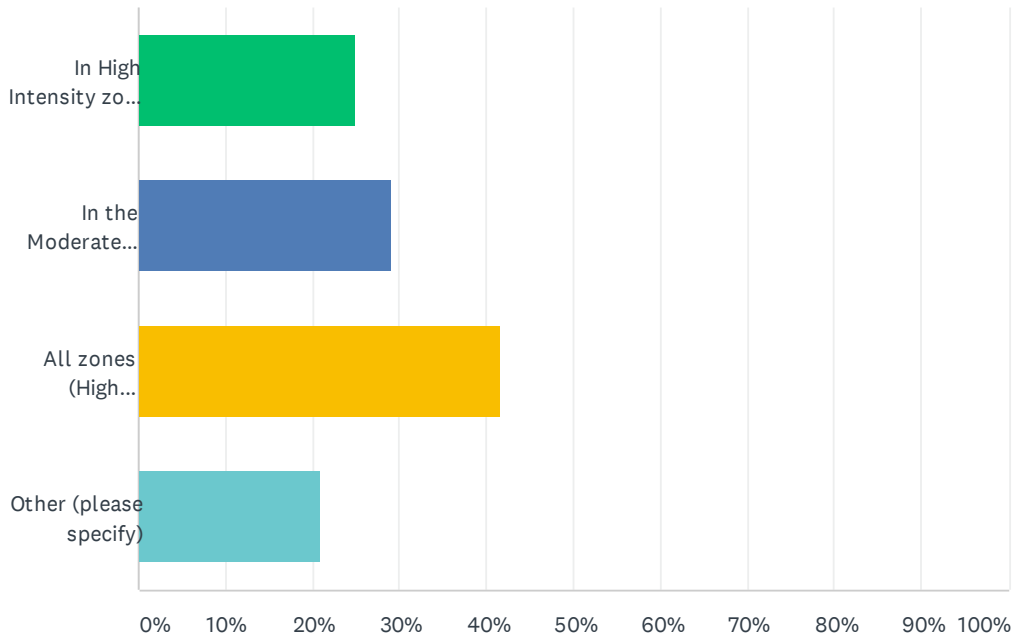
Answered: 25 Skipped: 2



ANSWER CHOICES	RESPONSES	
1 - Strongly agree	36.00%	9
2 - Somewhat agree	32.00%	8
3 - Neutral	12.00%	3
4 - Don't agree	16.00%	4
5 - Strongly disagree	4.00%	1
TOTAL		25

**Q10 Outside of the Town Center, where do middle housing types (i.e., duplexes, triplexes, quadplexes, townhouses, etc.) fit best in Bay City?  
See the map of Bay City zones above. (Choose all that apply.)**

Answered: 24 Skipped: 3

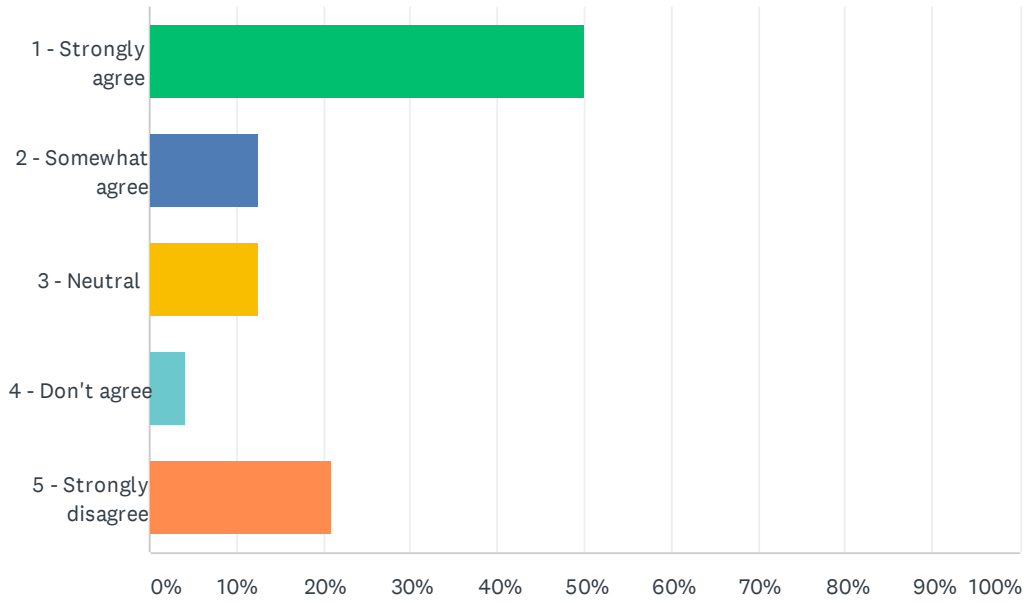


ANSWER CHOICES	RESPONSES
In High Intensity zoned areas (outside of the Town Center)	25.00% 6
In the Moderate Intensity Zones	29.17% 7
All zones (High Intensity, Medium Intensity, Low Intensity)	41.67% 10
Other (please specify)	20.83% 5
Total Respondents: 24	

#	OTHER (PLEASE SPECIFY)	DATE
1	Done properly they can coexist everywhere	1/12/2021 8:38 PM
2	Use the buildable lands inventory, various topography and hazards maps along with realistic expectations of potential growth areas and the public improvements needed to serve increased densities to identify specific areas where multifamily units might fit into existing neighborhoods.	1/3/2021 7:33 PM
3	why wouldn't low intensity be an ideal if roads were already in place to support it?	12/31/2020 10:52 PM
4	Low intensity	12/31/2020 6:48 PM
5	Are we talking verticle or horizontal. Our sewer system can't do with what is present, why add more units???	12/31/2020 5:25 PM

**Q11 Accessory Dwelling Units (ADUs) are not currently allowed within city limits. ADUs can be attached or detached from a primary structure/residence. The City should permit the development of (ADUs). Do you agree with the statement above?**

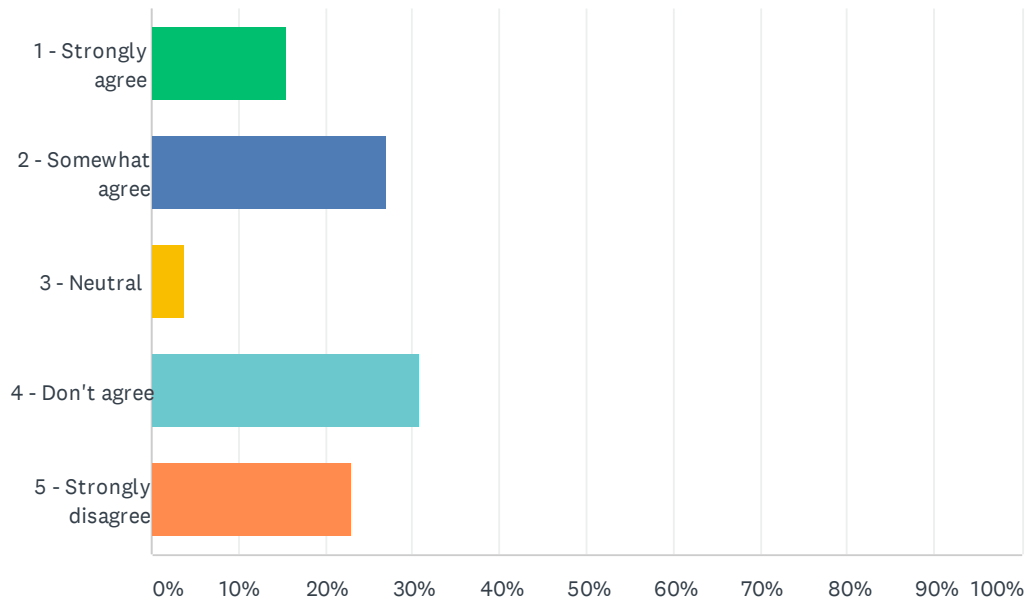
Answered: 24 Skipped: 3



ANSWER CHOICES	RESPONSES	
1 - Strongly agree	50.00%	12
2 - Somewhat agree	12.50%	3
3 - Neutral	12.50%	3
4 - Don't agree	4.17%	1
5 - Strongly disagree	20.83%	5
TOTAL		24

Q12 Allowing for taller residential buildings would provide more flexibility for developers. The City should increase the maximum height permitted to allow for 3 story residential buildings in areas outside of the Town Center. Do you agree with the statement above?

Answered: 26 Skipped: 1



ANSWER CHOICES	RESPONSES
1 - Strongly agree	15.38% 4
2 - Somewhat agree	26.92% 7
3 - Neutral	3.85% 1
4 - Don't agree	30.77% 8
5 - Strongly disagree	23.08% 6
TOTAL	26

## Q13 Do you have any other comments about housing in Bay City?

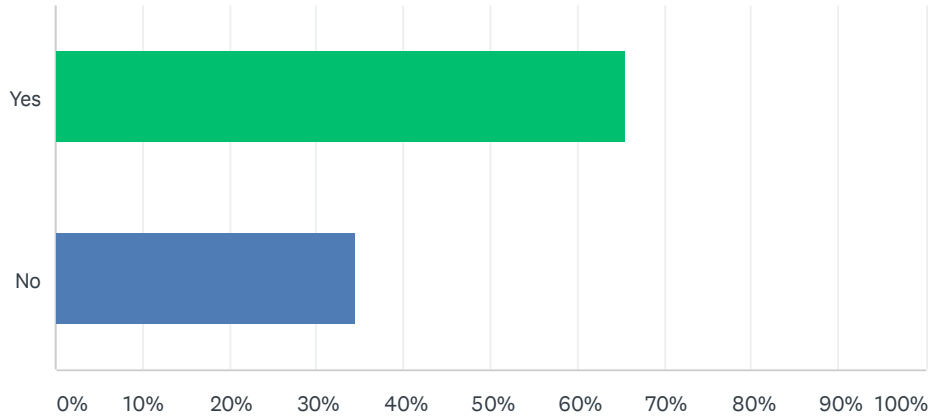
Answered: 6 Skipped: 21

#	RESPONSES	DATE
1	My concern for ADU and tiny home communities is there should be clear rules and requirements to storage . Tiny homes and ADU's are revealing that there isn't enough storage inside so the piles of ruined belongings are there for all to see. its just not practical to allow building without garages	1/7/2021 9:58 AM
2	I am not in favor of ADUs under the current standards. I believe they have the potential to dismantle neighborhoods. Our community is one of neighbors. The potential of doubling the density in a neighborhood by increasing the number of rental units will tax existing public infrastructure, increase on street parking and collection of stuff stored on lots. I would be in favor of a discussion of how more duplexes could be added by converting existing homes. I would put a cap on the number allowed. I am not in favor of allowing taller structures outside the town center. Solar access, views, livability, lower density of homes is why people choose to live here long term. Allowing larger multi unit structures needs to be handled on an individual basis and should only be allowed in selected areas with proper public participation. Accessory building standards should be reviewed. The current limit on lot coverage with no limitation on the number of storage shed type buildings (not requiring a building permit) has led to a proliferation of sheds on lots. An alternative is to limit the number of structures allowed and increase the size or maximum square footage of the use.	1/3/2021 7:33 PM
3	Increasing heights should never interfere with other's views	12/31/2020 6:10 PM
4	We need affordable housing for families!	12/31/2020 5:56 PM
5	I think more is Not better, certainly when we are not accomplishing community services currently. I bought a house with a Bay view intentionally, I will strenuously object to lowering the value of my property with a tall building near me.	12/31/2020 5:25 PM
6	I think that duplexes, triplexes, townhouses, and the like would be more attractive and easier to ensure continued maintenance than some of the manufactured home neighborhoods we currently have.	12/31/2020 4:51 PM



### Q14 Do you think the City should prioritize bicycle and pedestrian facilities by requiring sidewalks on both sides of streets (unless they meet certain exceptions)?

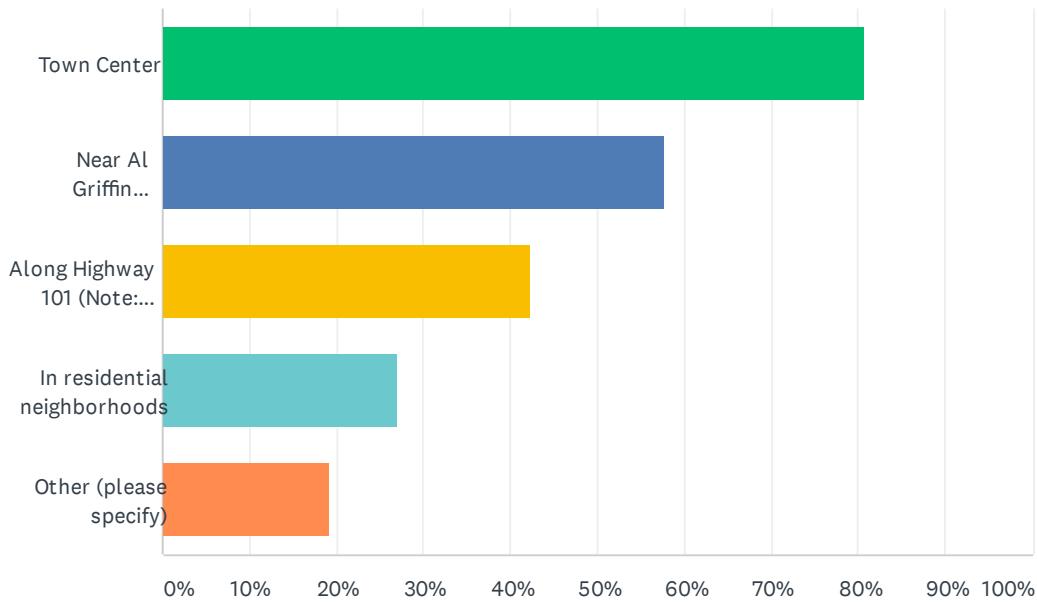
Answered: 26 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	65.38%	17
No	34.62%	9
TOTAL		26

## Q15 What specific areas of town should be prioritized/targeted for bicycle and pedestrian infrastructure/improvements (Check all that apply)?

Answered: 26 Skipped: 1

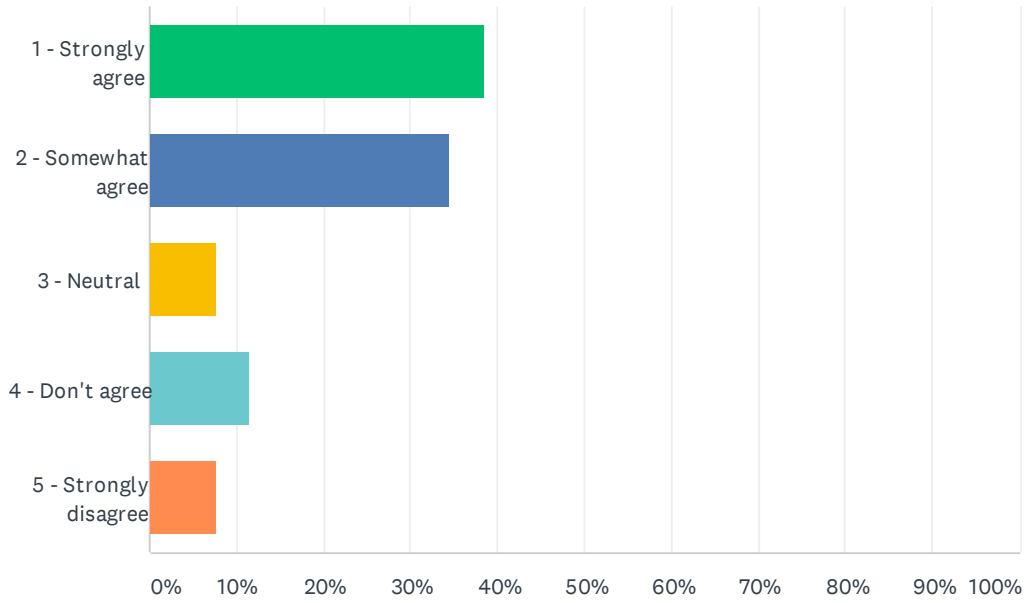


ANSWER CHOICES	RESPONSES
Town Center	80.77% 21
Near Al Griffin Memorial Park	57.69% 15
Along Highway 101 (Note: Highway 101 is under the jurisdiction of the Oregon Department of Transportation.)	42.31% 11
In residential neighborhoods	26.92% 7
Other (please specify)	19.23% 5
Total Respondents: 26	

#	OTHER (PLEASE SPECIFY)	DATE
1	sidewalks only	1/7/2021 10:00 AM
2	Along 4th and 5th from Main to the south, Tillamook Street from Hwy 101 to Watt Park	1/3/2021 7:33 PM
3	Along Main St from 7th to the park	12/31/2020 6:50 PM
4	Adding side walks through frequented streets would be nice. Like main st.	12/31/2020 5:59 PM
5	Need some enforcement.	12/31/2020 5:26 PM

Q16 The City should pursue alternative roadway design to accommodate pedestrians and bicycles, such as pavement striping and markings? See images on Slide 13 of the presentation. Do you agree with the statement above?

Answered: 26 Skipped: 1



ANSWER CHOICES	RESPONSES
1 - Strongly agree	38.46% 10
2 - Somewhat agree	34.62% 9
3 - Neutral	7.69% 2
4 - Don't agree	11.54% 3
5 - Strongly disagree	7.69% 2
TOTAL	26

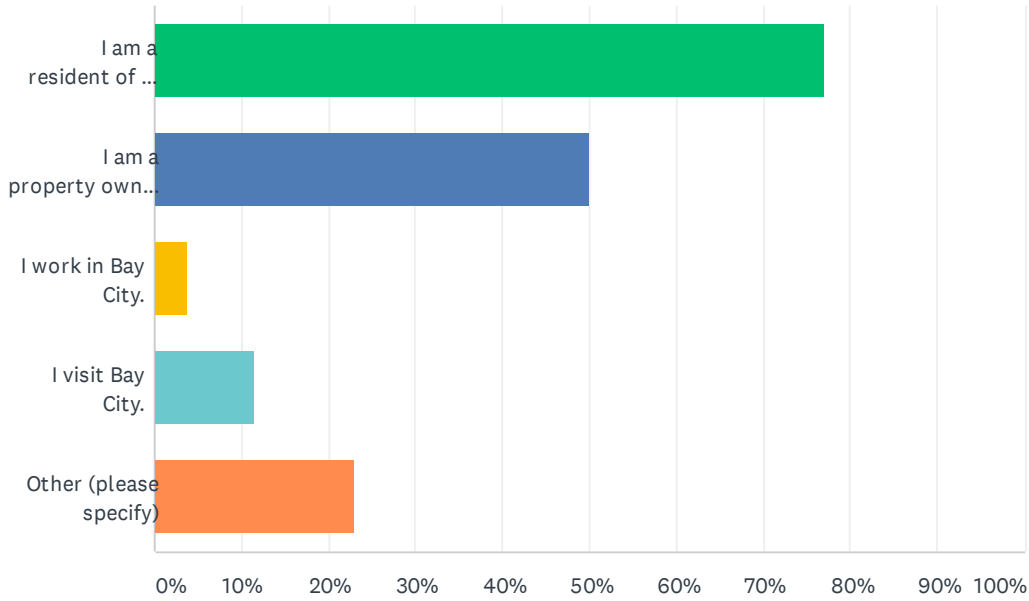
## Q17 Do you have any other comments about transportation?

Answered: 8 Skipped: 19

#	RESPONSES	DATE
1	Backing from commercial parking spaces into travel lanes should not be allowed as at Center Market in the future.	1/4/2021 5:11 PM
2	My opinion is to not create both sidewalks and bike pathways. I've not seen bicycle users on the main streets of the town center.. limited funds could be used for the greater population usage	1/4/2021 1:46 PM
3	Speed limits should be evaluated, particularly in the moderate intensity zones. More and more families are walking and biking in neighborhoods and to our parks and libraries. Most of our streets are 20 foot paved center strips. This does not allow for proper striping widths for designated bike/ped lanes. In the core areas, shoulder paving should be required. Safe routes to parks should be identified for future funding opportunities.	1/3/2021 7:33 PM
4	Need more walking areas that are safe!	1/2/2021 9:13 AM
5	Remember this is not Cannon Beach	1/1/2021 1:43 PM
6	More space on the street would help everyone - kids on bikes would feel safer and drivers would feel more confident going around corners knowing that people should be on sidewalk instead of on road	12/31/2020 6:50 PM
7	We should be think on how to improve our public transit like bus or work on getting ride hail companies to the county. Being able to move throughout the county will allow more people to live in town center.	12/31/2020 5:59 PM
8	If an apartment complex were constructed, pedestrian, bicycle, and bus transportation access should also be updated to access the complex.	12/31/2020 4:53 PM

## Q18 What is your connection to Bay City? (Chose all that apply.)

Answered: 26 Skipped: 1

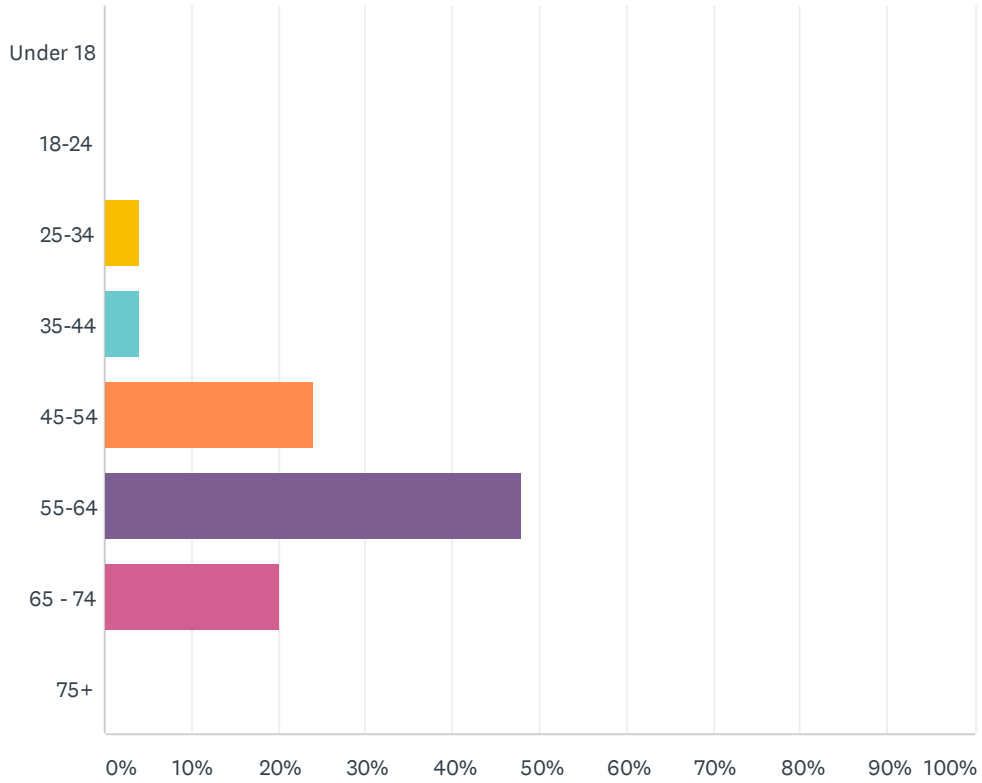


ANSWER CHOICES	RESPONSES
I am a resident of Bay City.	76.92% 20
I am a property owner in Bay City.	50.00% 13
I work in Bay City.	3.85% 1
I visit Bay City.	11.54% 3
Other (please specify)	23.08% 6
Total Respondents: 26	

#	OTHER (PLEASE SPECIFY)	DATE
1	I am currently on planning commission	1/7/2021 10:02 AM
2	City council member	1/5/2021 11:07 AM
3	I am a new City Councilor, Liane Welch	1/4/2021 5:12 PM
4	City councilor. In addition to my residence I own a large acreage parcel in the low intensity zone.	1/3/2021 7:34 PM
5	xx	12/31/2020 8:08 PM
6	Business owner	12/18/2020 9:00 AM

## Q19 How old are you?

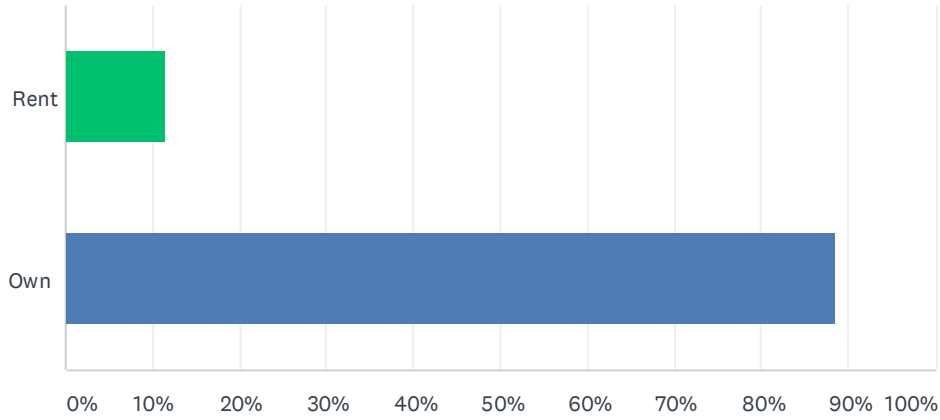
Answered: 25 Skipped: 2



ANSWER CHOICES	RESPONSES	
Under 18	0.00%	0
18-24	0.00%	0
25-34	4.00%	1
35-44	4.00%	1
45-54	24.00%	6
55-64	48.00%	12
65 - 74	20.00%	5
75+	0.00%	0
<b>TOTAL</b>		<b>25</b>

## Q20 Do you currently rent or own your home?

Answered: 26 Skipped: 1



ANSWER CHOICES	RESPONSES
Rent	11.54% 3
Own	88.46% 23
TOTAL	26

## Q21 Other comments?

Answered: 8 Skipped: 19

#	RESPONSES	DATE
1	I look forward to working on this project.	1/7/2021 10:02 AM
2	I love living in Bay City!	1/4/2021 5:12 PM
3	I appreciate the virtual meeting and this survey for public input.	1/4/2021 1:47 PM
4	I believe all of the intensity zones need a look. We have a buildable lands inventory. Additional zone classes could be used to isolate areas where any building project is just not feasible due to extreme slopes, stream setbacks, wetlands, hazards, etc. Some areas zoned low intensity should probably be rezoned to moderate. Some transition zoning along the margins of the high and moderate intensity zones should be studied. The use matrix should get a redo. The ordinances for the shoreland areas seem extremely detailed. Are they still relevant. Requirements for development, particularly for lots with slopes should be reviewed for relevancy at the city level. Are we requiring information for zoning permits that is more relevant and handled by building permits (issued and inspected by Tillamook County). Review of the conditional use and variance process is needed. Approved with conditions permits could be issued by staff without having to go through the zoning permit process. A thorough study of staff costs for permit review and issuance is needed. When the development ordinance is updated, it needs to be more user friendly. There are too many instances where particular items have multiple entries in various areas of the ordinance. It is very easy to miss one of them. There are also direct conflicts and confusing language in some areas. Other ordinances also affect uses. Using the nuisance ordinance to identify conditions of approval for a conditional use can lead to confusion on just what is being approved. Clear and complete permit requirements, particularly where public improvements are needed along with an agreement with Tillamook County Development to not issue occupancy permits until Bay City has either agreed on completion of the permit requirements or has an updated agreement with the developer for the completion. The standard specifications need to be updated to be more relevant to the existing infrastructure. If a developer wants to construct to a higher standard, that's fine. Requiring an individual lot development to extend a street, sewer, water and stormwater facilities needs to be addressed. Options for payments for SDC fees and long term funding options need discussion.	1/3/2021 7:34 PM
5	I'd very very interested in serving in a volunteer capacity for this effort. Patbening@hotmail.com	1/2/2021 9:14 AM
6	Easing restrictions in the core area as well as adding sidewalk(one side) seams logical- easing restrictions as you move away from the core area needs to be carefully crafted so as not to ruin neighborhoods and or infringe on views-	1/1/2021 1:46 PM
7	Sidewalks or bike lanes would absolutely increase our quality of life here!	12/31/2020 6:51 PM
8	I appreciate the the opportunity to voice my opinion	12/31/2020 6:00 PM





# ONLINE COMMUNITY MEETING FOR BAY CITY'S ZONING ORDINANCE UPDATE

Thursday December 17, 2020 at 6:00 pm—7:30 pm

**The City of Bay City invites all those interested to join us for an Online Community Meeting**

In 2020/21, the City of Bay City with the financial assistance of the State's Transportation and Growth Management Program is undertaking a review and update of the City's Development Ordinance. The purpose of the update project is to improve the structure of the Development Ordinance and remove barriers to creating a vibrant, multimodal community.

This is the time for the public to have an opportunity to provide comments for the zoning ordinance updates.

**Information for the Online Meeting is on the City's Project Webpage:**

**<https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update>**

In addition to the live online community meeting, there will also be a Virtual Public Workshop available on the same webpage from December 17<sup>th</sup> through January 13<sup>th</sup>.

For information or questions contact:  
Chance Steffey, PE  
Steffey Engineering & Consulting, LLC  
Phone: 541-480-0492  
Email: [chance.steffey@gmail.com](mailto:chance.steffey@gmail.com)



# **Attachment G**

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Planning Commission

Work Session #1 Presentation



*City of*  
**BAY CITY**

**Code Evaluation and Update**

**PLANNING COMMISSION  
PRESENTATION – JAN. 20, 2021**



Photo Credit: <https://martekrealestate.com/listings/tl-4900-c-st-bay-city-or-97107-mls20-1866>



# Meeting Agenda



- Project Background and Process Overview
- Overview of Initial Recommendations
  - Town Center
  - Housing
  - Transportation
  - Land Use Procedures/  
Code Structure
- Next Steps
- Questions / Comments

# Project Background



- TGM Program
- City Grant Request

*The City was awarded a grant from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD)*



# TGM and Smart Development Principles



- Efficient use of land and energy resources
  - Compact development patterns & infill
  - Appropriate parking standards
- Full use of urban services
  - Efficient use of public utilities and infrastructure
- Mixed use development
  - Services, homes, shops and restaurants in close proximity
- Transportation options
  - Safe and convenient for walking, biking and driving
- Detailed, human-scaled design

# Project Objectives

**Evaluate Bay City's Development Ordinance** to identify ways the City can better:

- Provide transportation choices
- Create vibrant neighborhoods and lively centers
- Support economic vitality
- Encourage compact land uses and well-connected transportation routes
- Protect natural resources

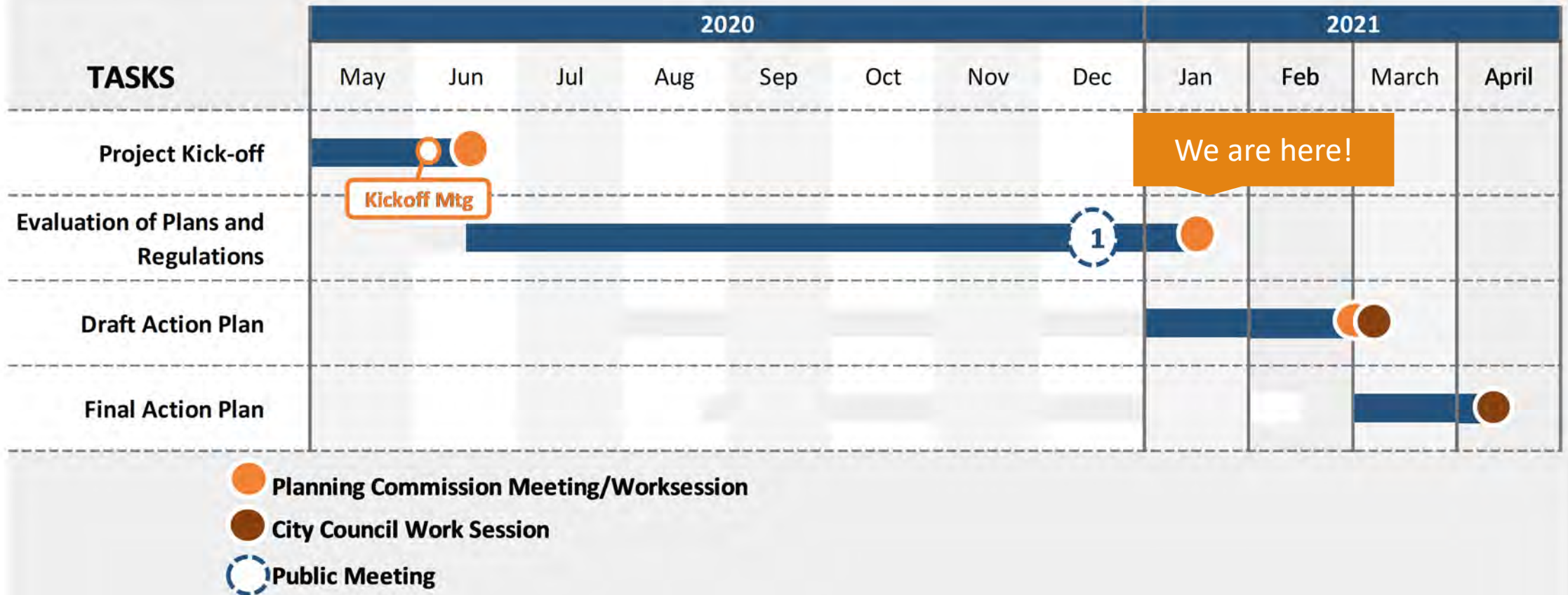
**Create an Action Plan** describing potential amendments to City policies and development requirements

*The City may elect to pursue future grant funding to draft specific Development Ordinance amendments.*





# Project Deliverables & Schedule





# Role of Land Use Ordinances/ Code



## What can code requirements accomplish?

- Determines where buildings can be built and how they look
- Regulates the types of uses that can be in those buildings
- Determines how buildings interact with pedestrians at the ground level
  - Primary entrances
  - Windows
  - Design features
  - Gathering places
- Gives clear and easy to use instructions
- Enables transportation options

# Town Center

*Goal: Achieve a more pedestrian-oriented and vibrant Town Center (downtown) area.*

The Bay City Town Center is from Highway 101 to 6th Street and A Street to Portland Avenue.

- Allowed **uses** should provide for goods and services and support existing residents and businesses in the Town Center.
- Siting and design **standards** should encourage pedestrian friendly development
- Safe and efficient **transportation** facilities should accommodate all modes of transportation



# Town Center

*Goal: Achieve a more pedestrian-oriented and vibrant Town Center (downtown) area.*

Siting and design standards that enhance the street-level experience in downtowns include:

- Maximum front setback / small minimum front setbacks.
- Prohibit parking between the building and street.
- Orient building entrances toward the street.
- A percentage of street-facing facades must be covered in windows/glazing for commercial buildings.
- Require weather protection (e.g., canopies and overhangs).
- Regulate some elements of building architectural design.
- Buffering and screening between uses (i.e., landscaping and fencing).





# Town Center

*Goal: Achieve a more pedestrian-oriented and vibrant Town Center (downtown) area.*

Windows/  
Glazing

Building and  
Entrance located  
close to the  
street



*Cannon Beach, OR*



Weather  
Protection

Compact  
development

*Bandon, OR*

# Community Meeting Input

- The “Downtown” is a little larger than the project study area; consider looking at a larger area.
- Need more businesses and activities in the Town Center.
- 80% of survey respondents agree middle housing in the Town Center would help existing businesses and encourage more activity.
- 77% of survey respondents said design standards are important for the downtown
- Weak support for architectural design requirements (i.e., color palate, building materials, etc.) – 44% are neutral or don’t agree it’s needed

## Town Center

*Goal: Achieve a more pedestrian-oriented and vibrant Town Center (downtown) area.*

# Town Center

*Goal: Achieve a more pedestrian-oriented and vibrant Town Center (downtown) area.*

## Code Evaluation Recommendations

- Revise permitted uses in the Town Center to include multi-family development, separate from mixed-use development, and limit use restrictions on eating and drinking establishments.
- Modify minimum lot coverage, lot area, and height requirements to allow more compact development in the Town Center.
- Adopt more robust design standards for the Town Center to encourage pedestrian-friendly development.



# Housing

*Goal: Encourage a variety of housing types in the City to accommodate a wide range of needs and provide choices.*

- Allow middle housing in certain areas of town.



Townhouses



Cottage Cluster



Duplex

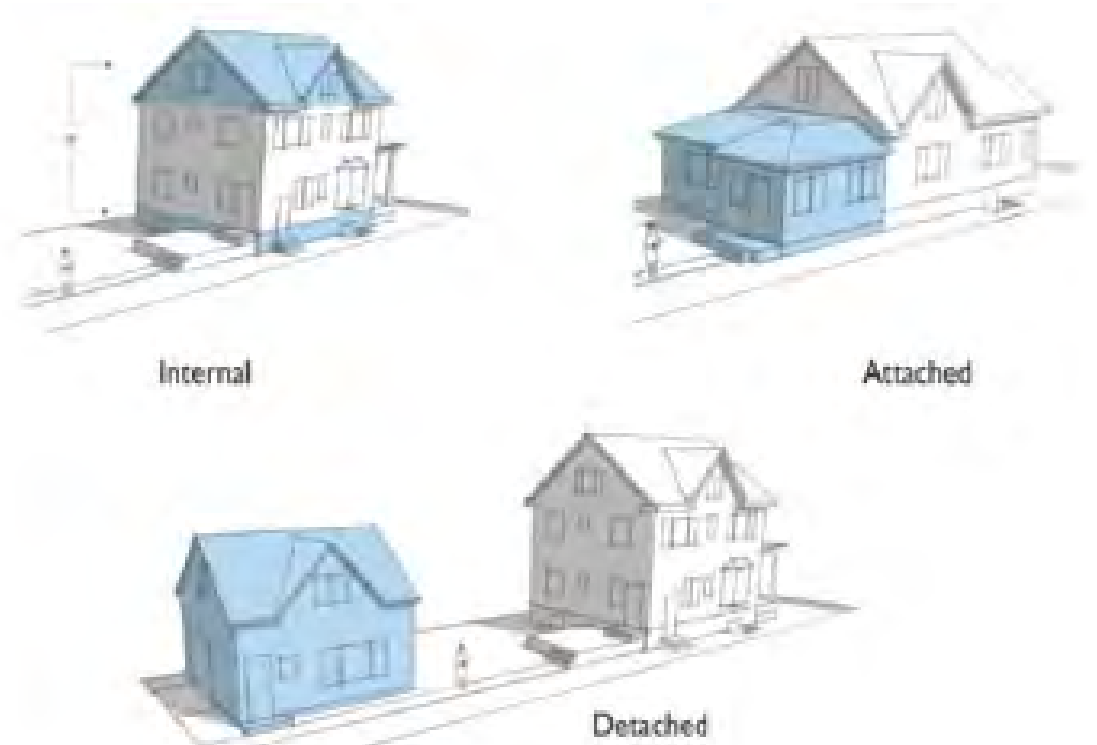


Triplex

# Housing

*Goal: Encourage a variety of housing types in the City to accommodate a wide range of needs and provide choices.*

## *Types of Accessory Dwelling Units*



- Allow ADUs
- Increase height maximums to allow 3 story buildings



# Housing

*Goal: Encourage a variety of housing types in the City to accommodate a wide range of needs and provide choices.*

## Community Meeting Input

- Housing affordability is an issue, consider how to make Bay City more affordable for full-time residents.
- Good support for permitting ADUs (62% of responses).
- ADUs should be allowed in certain locations in the City.
- Outside town center, support for middle housing in all zones (40% of responses).
- Support for middle housing types in HI and MI zones (25% and 29% respectively).

# Housing

*Goal: Encourage a variety of housing types in the City to accommodate a wide range of needs and provide choices.*

## Code Evaluation Recommendations

- Permit "missing middle" housing in the Moderate and Low Intensity zones and modify residential site development standards to allow for a diversity of housing types.
  - Modify minimum lot size, revise density standards, and increase permitted lot coverage.
  - Increase permitted building height.
  - Modify setbacks for certain structures.
  - Reduce access width requirements for flag lots.
  - Reduce access requirements for multi-family development.
- Permit accessory dwelling units to allow more housing opportunities.
- Reduce size limitations on accessory structures.
- Allow greater flexibility of development standards for Planned Developments.
- Increase height maximums to allow 3 story buildings.

# Transportation

*Goal: Provide transportation choices to support communities with the balanced and interconnected transportation network to serve both vehicular and multimodal travel in Bay City.*

- Street design to accommodate all modes
- Bike and pedestrian infrastructure/ paths and connectivity requirements
- Parking for vehicles and bicycles



# What would work for Bay City?

## Transportation

*Goal: Provide transportation choices to support communities with the balanced and interconnected transportation network to serve both vehicular and multimodal travel in Bay City.*



*Manzanita, OR  
(Source: SERA Architects)*



*Sharrow*



*Rendering of Pedestrian Lane  
(Source: Rural Design Guide)*

# Transportation

*Goal: Provide transportation choices to support communities with the balanced and interconnected transportation network to serve both vehicular and multimodal travel in Bay City.*

## Community Meeting Input

- Not every street has capabilities for safe biking and walking; some of the main arteries should be prioritized.
- Trails in the downtown area are planned; important to preserve and build the system.
- Streets should be safer for families.
- City has strict street improvement requirements.
- Bike/pedestrian facilities should be on both sides of the road (65% agree).
- Target areas for bike/pedestrian facilities are the Town Center (80% of responses) and near Al Griffin Park (58% of responses).

# Transportation

*Goal: Provide transportation choices to support communities with the balanced and interconnected transportation network to serve both vehicular and multimodal travel in Bay City.*

## Code Evaluation Recommendations

- Adopt standards to promote a local multimodal transportation system with facilities for cyclists and pedestrians.
  - Add provisions requiring bicycle parking for certain uses.
  - Modify minimum parking requirements for various uses to promote more efficient use of land.
  - Identify pedestrian and bicycle routes and allocate needed right-of-way.
  - Consider requiring sidewalks on both sizes of local streets, with exceptions.
  - Consider prioritizing certain areas of town (i.e., Town Center).
- Require a Transportation Impact Analysis for development of a certain size.
- Improve bicycle and pedestrian connectivity requirements.
- Revise vehicle parking requirements



# Land Use Procedures/ Code Structure

## Code Evaluation Recommendations

- Address procedural hurdles
- Simplifying and codify clear approval pathways to encourage development.
  - Adopt “Clear and Objective Standards” for housing development pursuant to state law.
  - Allow some applications that do not require significant discretion to be a staff decision rather than a Planning Commission hearing.
  - Require Pre-application Conferences for larger applications to establish application requirements and engage outside agencies early in the process.
  - Digitize natural hazard and environmental constraints maps for Bay City.

# Action Plan

The Draft Action Plan will document recommended amendments to the Comprehensive Plan and Development Ordinance. It will:

- List and describe recommended changes.
- Show how the proposed amendments meet project objectives.
- Document community support for the proposed changes.
- Provide direction for a “Phase 2” code update project and legislatively adopted amendments.



# Next Steps

- Draft Action Plan  
*(Available February 2021)*
- Joint City Council/Planning  
Commission Work Session  
*(Tentative: March 2021)*



## Next Steps



## Additional Questions?

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## Keep up-to-date!

<https://www.ci.bay-city.or.us/cityhall/project/city-bay-city-code-evaluation-and-update>