



City of Bay City

PO Box 3309
Bay City, OR 97107
Phone (503) 377-2288
Fax (503) 377-4044
TDD 7-1-1
www.ci.bay-city.or.us

AGENDA BAY CITY PLANNING COMMISSION MEETING January 19, 2022 6:00 P.M.

1. CALL TO ORDER – 6.00 P.M
2. MINUTES
 - a. Planning Commission Meeting 11/17/21 – Not available at this time
3. VISITORS PRESENTATION –
4. UNFINISHED BUSINESS
 - a. Case Follow-up and Management and the issue on the NW corner of Tillamook and 15th Street for an attached greenhouse in the side setback
5. NEW BUSINESS/ PUBLIC HEARINGS
 - a. Tillamook County Pioneer Museum – Temporary Use Request #TU-2021-10
6. OTHER
 - a. Accessory Dwelling Units (ADU) discussion
7. PLANNING COMMISSION, CITY COUNCIL AND CITY PLANNER CONCERNS
 - a. Planning Department reorganization
 - Zoning map changes/corrections
 - Permit clean-up
 - Land use fee schedule evaluation
 - b. Short Term Rental Requirement Review – coming next month.
8. ADJOURNMENT

To attend by phone: (518) 992-1125 Access 389573#

Planning Commission Minutes

From 11/17/2021

Not available at this time.

UNFINISHED BUSINESS

**Case Follow-up and Management
and
the issue on the NW corner of Tillamook and 15th Street
for an attached greenhouse in the side setback.**



Basic Zoning Requirements and F.A.Q.

How does the permit process work? Our office issues zoning permits that are required for building purposes in Bay City. Once the zoning and applicable permits are issued, an owner/builder etc. will take approved applications to Tillamook County Community Development to start the Building Permits process. Any questions we are able to answer is in regards to Land Use, Zoning, Ordinances and Public Works questions (Water, Sewer, Road Improvements etc.).

We highly suggest downloading and reviewing our Planning Ordinance to search for key words, for any specific questions. We have listed our most commonly asked questions on the 2nd page of this document.

https://www.ci.bay-city.or.us/sites/default/files/fileattachments/city_hall/page/237/bay_city_development_ord.374.pdf

The majority of our residential use is included in the Moderate Intensity Zone, which are listed below:

Moderate Intensity Zone (MI) General Specifications

Setbacks - Front Yard - 20 ft. Rear Yard - 10 ft. Side Yards - 5 ft.

In the case of a yard abutting a street, with the exception of the front yard, the street yard setback shall be 15 feet and the rear yard setback, with the exception of a rear yard abutting a street, may be reduced to 5 feet.

*Excludes Creeks, Riparian Zone, Patterson and Jacoby Creeks, Meadowcreek Subdivision and Tillamook Bay.

Maximum Height - 24 ft. - The vertical distance above grade, as defined, to the highest point of the structure of the building. This is the average of the existing ground level prior to construction at the center of all exterior walls, all sides will need to be taken into the equation.

Lot Size Requirements –

- Minimum Pre or Existing Platted Lot size – 5,000 sq. ft.
- Minimum Lot Size for new developments or new lot partitions - 10,000 sq. ft.

Maximum Lot Coverage - 40%

Minimum Open Area - 60%

Minimum Landscaped Open Area - 10%

Low Intensity Zone (LI) General Specifications

Setbacks & Maximum Height - Same as above

Lot Size Requirements –

- Minimum Pre or Existing Platted Lot size – 20,000 sq. ft.
- Minimum Lot Size for new developments or new lot partitions - 40,000 sq. ft.

Maximum Lot Coverage – Residential 10% *Possible to adjust for existing lots of less than one acre up to 25% Commercial 10%

Minimum Open Area - 90%

Service Development Charges (SDC's) are the costs to buy into the system, contact us to verify if they have been paid. Current Costs are Water \$8,247 & Sewer \$7,893. This does not include connection from the mainline to the property, or mainline

extensions and those charges will be the responsibility of the builder/owner, charges depend on location of utilities and property. SDC's must be paid prior to permit issuance.

Manufactured dwellings are allowed, minimum of 1,000 sq. ft., multisectional* and must include a 12 x 24 garage (detached or attached) with a door. *Single wides are allowed in the area bounded by Williams Avenue on the north, 15th Street on the west, Bewley Avenue on the east and Spruce Street on the south.

Accessory Structures (Examples: detached garage, guest house, greenhouse, storage or utility building)
Maximum Size - 768 sq. ft.* Maximum Heights - 16 sq. ft.

*If the Accessory Structure is the Garage of the site, then an allowance of 500 sq. ft. can be added to the Maximum Size Allowance. For Accessory structures larger than 1,268 sq. ft. would require a variance. See Article 6 that outlines and Section 6.060 details the procedure.

Depending on where the lot is located, there may be additional requirements for Road and Utilities improvements that will be the responsibility of the owner/builder. For those specific questions, contact us directly with the Map and Tax Lot number.

F.A.Q.

What is a Geological Hazard Report? A geologic report addresses the risk of damage or injury posed by any geologic hazard found to threaten the proposed improvements and include mitigations of any identified geologic hazards. Geologic hazards reports are created by an engineering geologist and provides recommendations and designs to mitigate for geologic hazards. Note: We are unable to recommend or suggest companies to create Geo Hazard reports.

What if my lot is in a Wetland? If the lot has been identified as a possible wetland area, you will need to work with Oregon Department of State Lands to conduct an offsite wetland determination, which will identify the next steps. This service is free of charge but can take a few weeks. Once that report is complete it will identify the next steps the applicant will need to take. [Wetland Determination Request \(oregon.gov\)](http://www.oregon.gov/OSL/landuse/Pages/Wetland-Determination-Request.aspx)

If it is known there are wetlands on the lot, it will require a delineation report please see the link to a list of authorized Wetland Consultants from the Oregon Dept. of State Lands website.

[2020 10 27 PNW Consultant List.pdf \(azureedge.net\)](http://www.azureedge.net/OSL/landuse/Pages/Wetland-Consultant-List.aspx)

We are unable to advise on reports or consultants, see the state website for further questions on wetlands.

[Department of State Lands : Wetland Planning and Conservation : Waterways & Wetlands : State of Oregon](http://www.oregon.gov/OSL/landuse/Pages/Wetland-Planning-and-Conservation-Waterways-Wetlands-State-of-Oregon.aspx)

Can I put a park model, tiny or modular home on my property? No, Under Oregon state law those are considered RV's and under Bay City zoning not allowed as residential use. All Residential structures must comply with Oregon Building codes for manufactured or site built homes.

Can I build a shop (Accessory Structure) on vacant land? Any Accessory Structure must be on a residential improved lot. We do not allow outright use of an Accessory Structure on vacant land.

Can I park my travel trailer on my vacant land? Under Ordinance 3.98 Periodic Use of Travel Trailers/Recreational Vehicles are only allowed on land in which an occupied permanent dwelling exists, and then only for periodic use.

How does the zoning process work? Contact our offices to begin the process, we will send a check list of items needed to start the zoning permit process.

How much are the permit fees? This depends on the lot and zoning, roughly the general permit fees for a standard lot build is: Single Family \$200, Grading and Erosion Control \$100, Road Approach \$100.00) = \$400
Other permits that may be required – Geological Hazard Report Review \$500, Flood Zone Review \$100, Conditional Use Variance \$500.

Questions on Power? Contact Tillamook PUD. <https://www.tpud.org/>

Our office support can offer assistance for land or general questions on the zoning process, please ensure to have the **Map and Tax Lot number** as reference when contacting us with questions. (*Example 1N1034 DB 3200*)

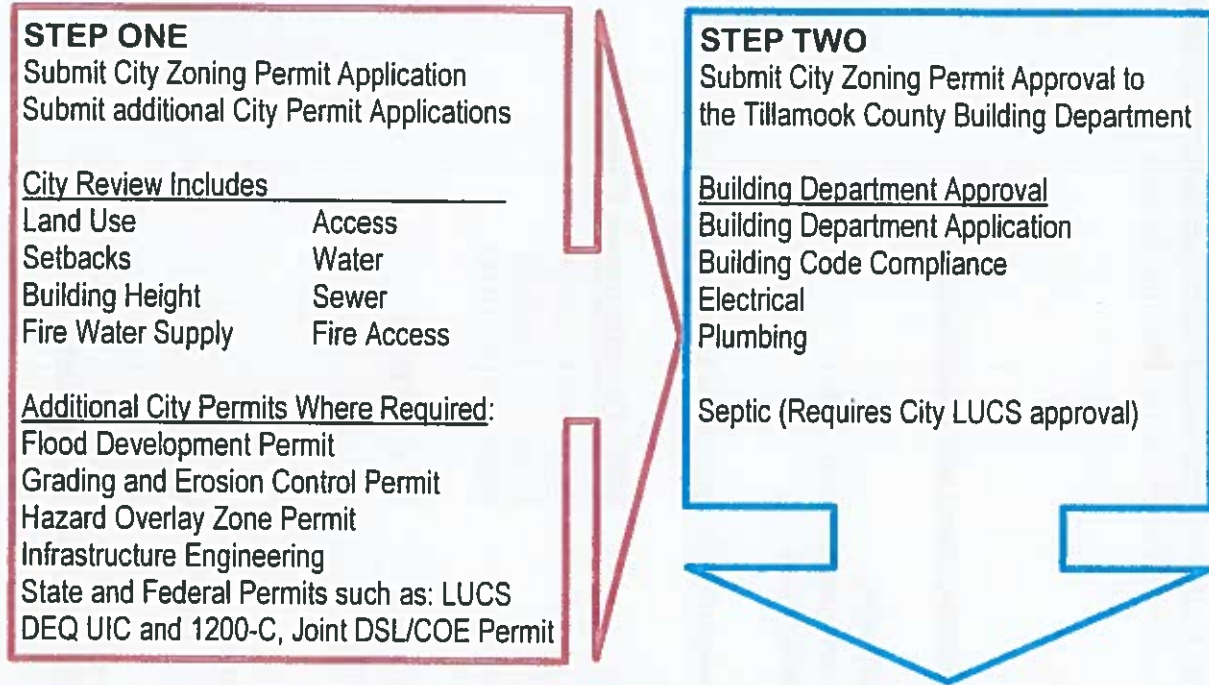
Email: planningtech@ci.bay-city-or-us with additional questions.



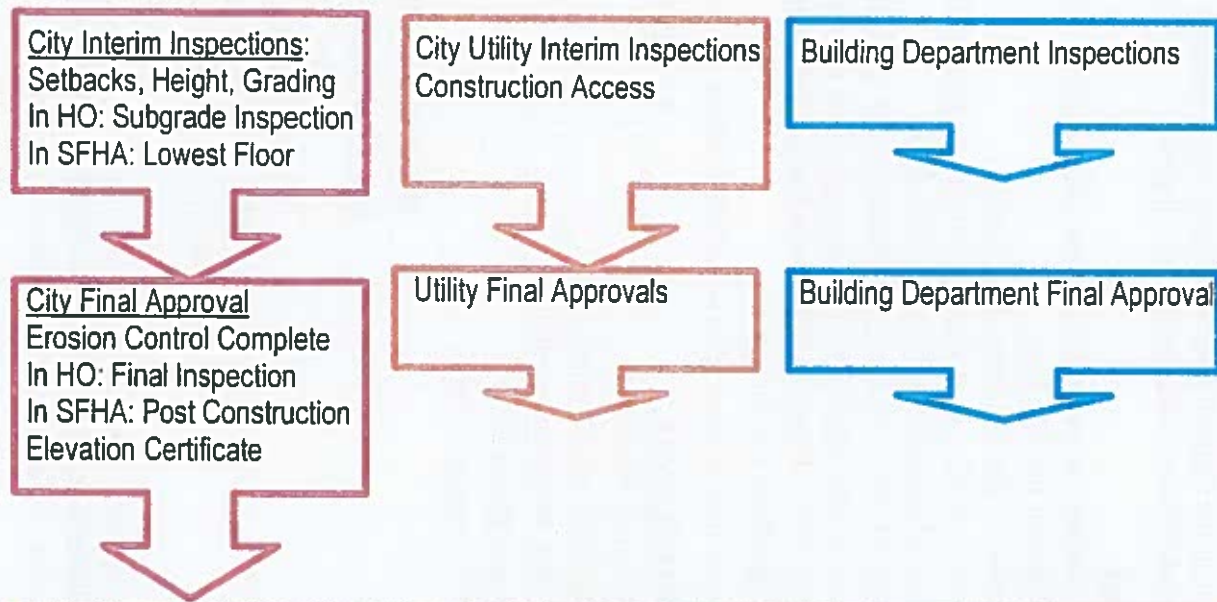
CITY OF BAY CITY, OREGON

5525 B Street / PO Box 3309, Bay City, OR 97107
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City Zoning Permit Application Process Chart



Begin Construction



Occupancy Permit Issued

Files Archived. SHFA Documentation retained forever

Bay City Zoning Permit Application Packet for a Single-Family Home

The Process

Bay City issues Zoning Permits and Grading and Erosion Permit as required for building purposes.

A Road Approach Application Permit and Right-of-Way Permit for City Public Works and payment of Sewer/Water SDC's and utility work (such as road improvements) and hook-ups are also required at the time of permit submittal.

The fees due are shown in the Table below. Once applicable permits are approved by the City and issued, an owner/builder etc. will take approved applications to Tillamook County Community Development (TCCD). TCCD reviews and approves the Building Permits.

Materials Required

The following drawings/plans are required (and are shown in the Table as well):

- 3 copies of the Site Plan,
- 2 copies of the Structural Calculations,
- 2 copies of ALL Building Specifications Sheets (including building plans and elevations),
- 1 copy of Grading and Erosion Site Plan,
- 1 copy of onsite Wetlands Delineation (for property with wetlands)
- 1 copy of the Geologist Hazard Report (for property with slope greater than 12%),
- 1 copy of the Flood Development Permit (for property in Floodplain)
- 1 copy of the site Survey.

** Note that some permits may require additional Public Works and Fire requirements after initial form submittals.

FORM/PERMIT	# COPIES	FEE
Zone Permit Application	1	\$200.00
Grading and Erosion Permit	1	\$100.00
Right-of-Way Permit Application	1	\$100.00
Geologist Hazard Report	1	\$500.00
Flood Development Permit	1	\$100.00

SDC Development Charges:

Water = \$ 8,247.00
 Sewer = \$ 7,893.00
 Total = \$16,140.00

REQUIRED MATERIALS

	# COPIES
Onsite Wetlands Delineation Plan	1
Site Plan	3
Structural Calculations	2
ALL Building Specifications Sheets	2
Grading and Erosion Site Plan (see example for requirements)	1
Survey	1

- Tillamook County may have additional requirements, follow the link to their page to see those for the noted below:

https://www.co.tillamook.or.us/ComDev/documents/Application%20Forms/DCD%20Checklist_Fillable.pdf

- Permits & Applications can be dropped off or mailed to City Hall, we can accept electronic copies with a printing fee.

* Please note: the City permits costs do not include construction and engineering costs *

*** For construction of other uses (such as duplex, multi-family construction, building additions, commercial, remodel, etc, the fee/process (listed in Res 08-14) differs ***

NEW BUSINESS/PUBLIC HEARING

Temporary Use Request
#TU-2021-10



City of Bay City

Temporary Use TU-2021-10 Investigation Report

To: City of Bay City Planning Commission
From: David Mattison, Planning Tech
Applicant: Tillamook County Pioneer Museum
Title: Request for Temporary Use to place a recreational vehicle at the Kilchis Point Reserve
Case File #TU-2021-10

Nature of the Application:

The applicant is proposing to place a recreational vehicle at the Kilchis Point Reserve at 5000 Spruce Street, Bay City, Oregon, 97107, legally described as 01S10W02CC, Tax Lot 4200, in the Moderate Intensity (MI) zone, consisting of 3.28 acres. The proposed recreational vehicle pad will be 25 ft. x 50 ft.

Relevant Facts:

The following is a summary of the facts and testimony found to be relevant to this decision.

- 1) **PROPERTY LOCATION:** The property is located at 5000 Spruce Street, and is further identified on Tillamook County Assessor's Map #01S 10W 02CC, Tax Lot 4200.
- 2) **LOT SIZE:** approximately 3.28 acres
- 3) **ZONING DESIGNATION:** Moderate Intensity Zone (MI)
- 4) **SURROUNDING LAND USE:** The subject property is adjacent to existing single-family dwellings to the north, across Spruce Street, and west, and Kilchis Point Reserve trail to the south and east. The surrounding lots are in the Moderate Intensity Zone (MI) to the north south and west, and High Intensity (HI) to the east.
- 5) **EXISTING STRUCTURES:** There is a restroom structures on the subject property.
- 6) **DEVELOPMENT CONSTRAINTS:** The lot is generally flat and includes a large area of Freshwater Forested/Shrub Wetlands.

Relevant Criteria:

- a. Bay City Development Ordinance. Article 1. Introductory Provisions and Intensity Zones

Section 1.3 Allowed Use Matrix

Temporary Recreational Vehicle Use is allowed in the Moderate Intensity Zone District as a Temporary Use.

Section 1.35 Allowable Uses

25. Temporary Recreation Vehicle / Travel Trailer.

A recreation vehicle or travel trailer may be placed on site and occupied as a temporary residence for up to one year provided that:

- (1) Applicant obtains a temporary placement permit from the City;
- (2) Applicant holds a valid building permit;
- (3) Applicant or other person authorized by Applicant who is residing in the temporary structure is actively constructing the building; and

(4) Applicant has paid the applicable sewer and water hookup fees, system development charges and all other related fees prior to occupancy. The actual sewer and water connections must be made within 90 days of obtaining the temporary placement permit. No dumping of wastewater or sewage shall be allowed on the property.

b. Bay City Development Ordinance. Article 3. Supplementary Provisions

Section 3.101. Purpose

The Bay City Development Ordinance allows uses normally considered to be incompatible within the same zone. To reduce the impacts of adjacent uses on each other, the Planning Commission may require buffers and/or screens in certain circumstances. Generally, more intensive uses require greater amounts of buffering and screening than less intensive uses.

Section 3.97. Temporary Uses

Temporary Uses Permitted. The following temporary uses and structures may be permitted by the Planning Commission within any district in the City:

- 1) A real estate office used for the sale of lots of housing within a subdivision or planned development.
- 2) Temporary housing where there is a valid health reason.
- 3) Uses involving a minimal amount of capital investment.

b. General Standards. The Planning Commission shall use the following standards in determining whether to grant temporary use permit:

- 1) The proposed use will be compatible with abutting properties and the surrounding neighborhood.
- 2) The height, bulk, and lot coverage of the structure is consistent with that of adjacent structures.
- 3) Appropriate public services are available.
- 4) The use will not generate more traffic than otherland uses in the area.
- 5) The use will not create excessive noise, vibration, or odor.

d. Performance. Security for performance of permittee obligations, including the removal of any structures, shall be posted in all cases. The security may be a performance bond or other vehicle acceptable to the City Attorney.

e. Time. Temporary use permits shall be reviewed by Planning Commission annually.

f. Public Notices. Public notice shall be given as provided for in Article 10.

g. Procedure. The procedures established in Section 2.31 shall be followed.

h. Right of Hearing. The Planning Commission may hold a public hearing to revoke a temporary use permit for failure to comply with any of the conditions of approval. Either the Planning Commission or an affected property owner may request such a public hearing.

Findings:

The Planning Staff Finds:

1. A temporary use application for placement of the recreational vehicle was submitted to Bay City on December 11, 2021. It was paid for and considered a complete application on December 22, 2021.
2. The recreational vehicle is considered temporary housing to provide health to the Kilchis Point Trail that necessitates the need for the temporary use.
3. The applicant for the temporary use is not requesting temporary recreational vehicle placement permit for the

construction of a dwelling onsite, and has not obtained a permit for construction of a dwelling onsite, nor are there plans for a permanent dwelling onsite.

4. The property is adjacent to existing single-family dwellings to the north, across Spruce Street, and west, and the Kilchis Point Reserve Trail on all other sides. The surrounding lots are also in the Moderate Intensity Zone (MI) and High Intensity (HI) zone to the west. There will be no adverse impact to these lots, as the proposed recreational vehicle would be required to meet height and lot coverage requirements to remain consistent with the height, bulk, and lot coverage of adjacent structures, and will be compatible with the abutting properties.
5. Sewer and water and electricity are currently provided to the subject property.
6. The single recreational vehicle will only be occupied by an individual and therefore will not generate more traffic than other uses in the area.
7. No excessive noise, vibration, or odor will be generated by the occupant of the recreational vehicle.
8. The applicant will pay any applicable sewer and water hookup fees, system development charges and all other related fees prior to occupancy. The sewer and water connections shall be made within 90 days of obtaining approval of the temporary use. No dumping of wastewater or sewage shall be allowed on the property.
9. This application will be reviewed annually for compliance with the applicable standards for a temporary use.
10. Notice was sent to adjacent property owners on December 29, 2021, and published on the City website on December 30, 2021.
11. No comments have been received.

Conclusion:

The findings of Planning Staff support the conclusion that the requested variance does meet the criteria of the Bay City Development Ordinance Section 3.97 (a-h). In making a decision, Planning Commission may:

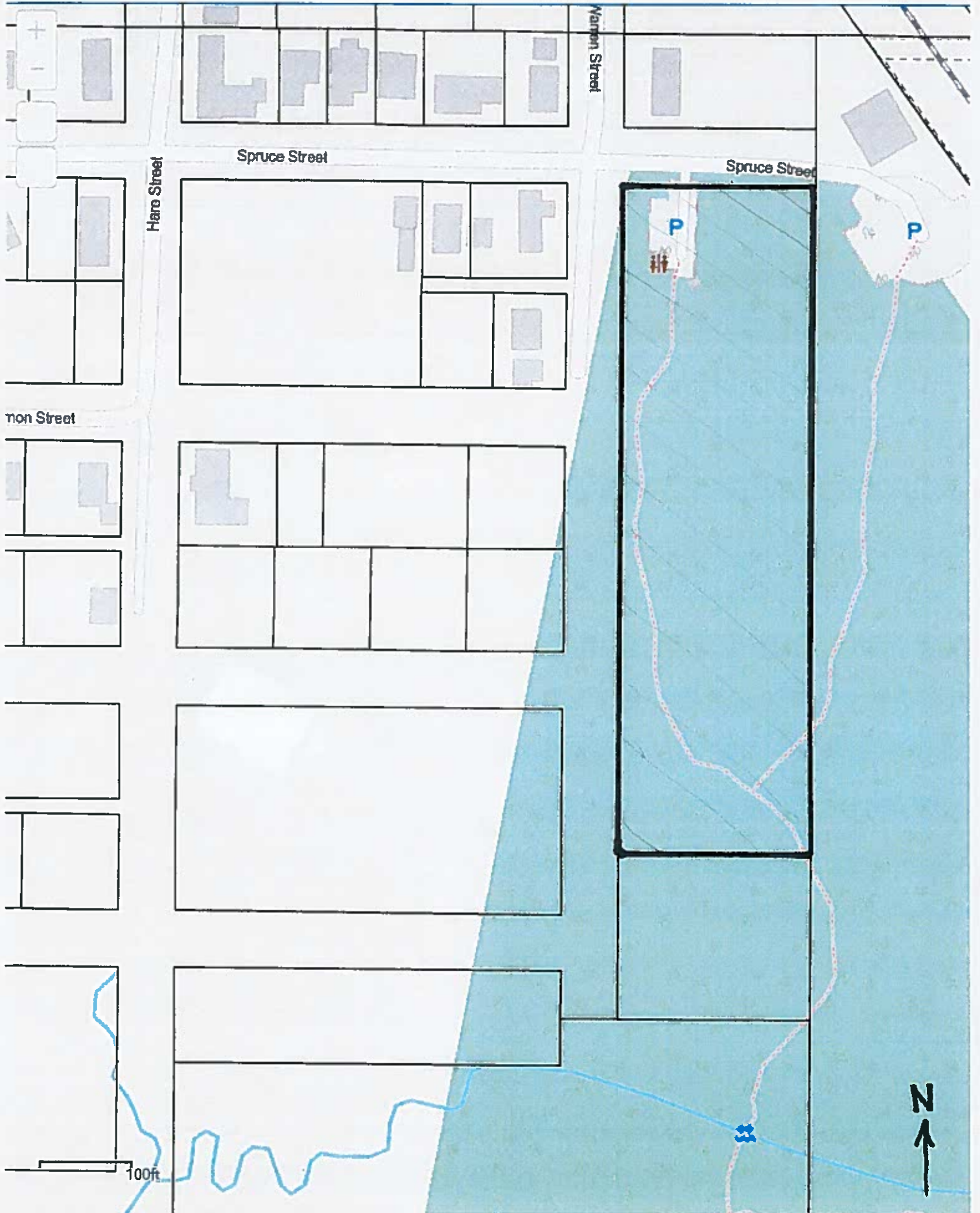
1. Grant the variance request.
2. Grant the variance request, with conditions.
3. Deny the variance request.

Tax lot map: Subject property



Photo of Subject property







Kilchis Point Reserve
Dog-friendly trails
picnicking & views

Perimeter ②
149 ft ▾

Area
113.21 m² ▾

Start new ↻

Google Earth

Imagery date: 6/23/17—never

40 m

Camera: 344 m 45°30'45"N 123°52'51"W

7 m





Perimeter ⓘ 149 ft ↕

Area 113.21 m² ↕

Start new ↻

Google Earth

Imagery date: 6/23/17 - newer

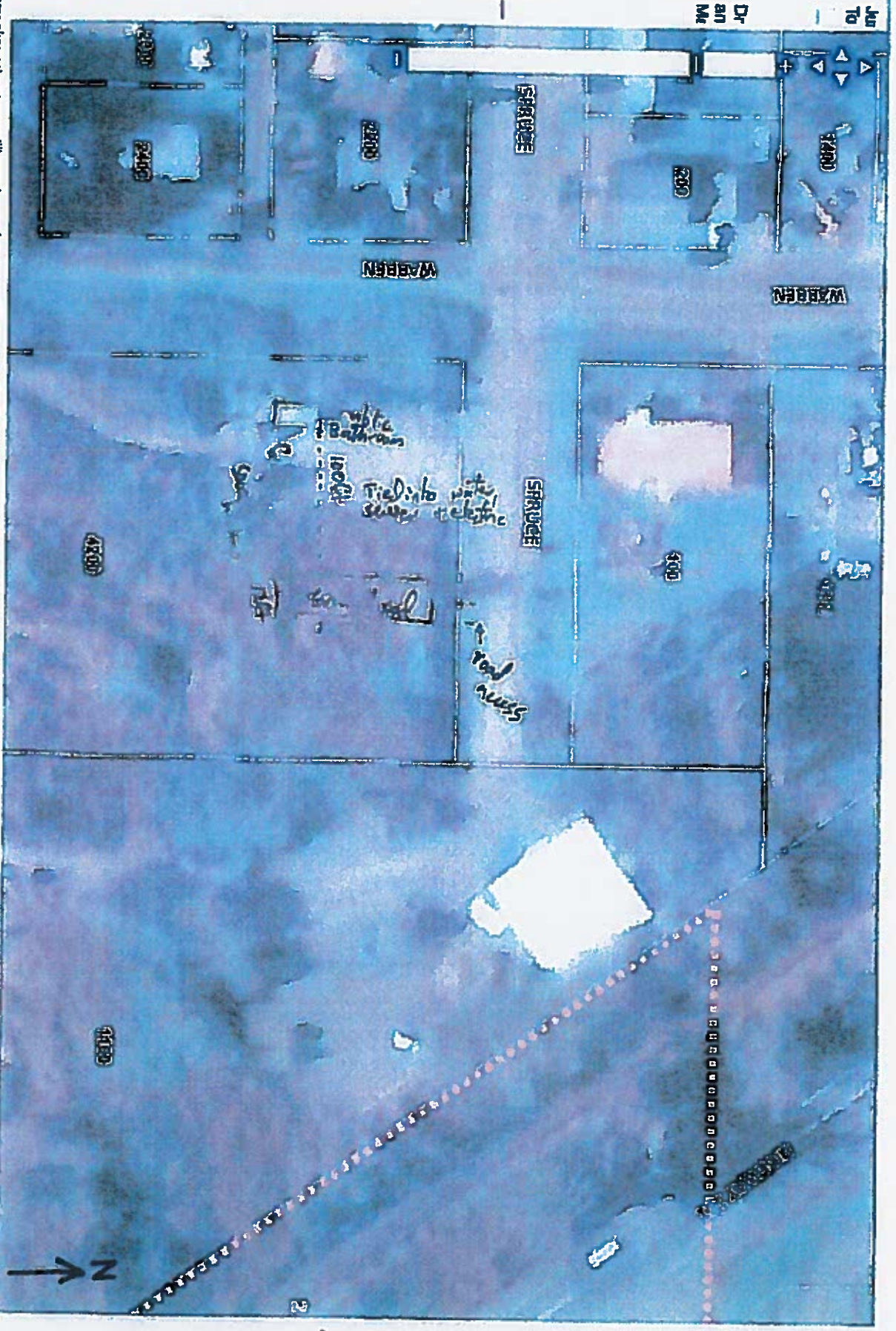
20 m

Camera: 192 m 45°30'45"N 123°52'32"W

6 m



thamookcountymapa.ca.thamook.ca:us/gis/arcgis/rest/services/171





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BAY CITY PLANNING COMMISSION PUBLIC HEARING NOTICE FOR A TEMPORARY USE #TU-2021-10

The Bay City Planning Commission will conduct a public hearing on Wednesday, January 19th, 2022 at the Ad Montgomery Community Hall located at 5525 B Street, Bay City Oregon. The public hearing will begin at 6:00 p.m. with the following matter to be considered:

Description of Project

APPLICATION #TU-2021-10 FOR A TEMPORARY USE from Tillamook County Pioneer Museum, 2106 Second Street, Tillamook, OR 97141. The applicant is proposing to place a recreational vehicle at the Kilchis Point Reserve at 5000 Spruce Street, Bay City, Oregon, 97107, legally described as 01S10W02CC, Tax Lot 4200, in the Moderate Intensity (MI) zone, consisting of 3.28 acres. The proposed recreational vehicle pad will be 25 ft. x 50 ft.

Public Hearing Criteria

The applicable criteria by which the temporary use application will be evaluated by the Planning Commission are located in the Bay City Development Ordinance No. 374, Section 1.22, Moderate Intensity (MI) Zone, Section 1.3 Allowable Use Matrix, Sections 1.508-1.520 Moderate Intensity Zone (MI) Standards, and Section 3.97.b-h Temporary Uses. Appeals to the City Council are limited to only persons who have presented written and/or oral testimony at the hearing(s) before the Bay City Planning.

Failure to raise an issue at the public hearing, in person or by letter, or the failure to provide sufficient specificity to allow the Planning Commission an opportunity to respond to the issue precludes an appeal to City Council on that issue. Unless there is a continuance, if a participant so requests, the record shall remain open for at least seven (7) days after the initial evidentiary hearing. The Planning Commission reserves the right to modify the proposal, or continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

For More Information

Materials pertinent to the request are available for review at the Bay City, City Hall, 5525 B Street, Bay City Oregon. A staff report will be available for inspection seven (7) days prior to the hearing and may be obtained at a reasonable cost. All interested parties are invited to express their opinions for or against the request at the hearing or by letter addressed to the Planning Commission, City Hall, PO Box 3309, Bay City, Oregon, 97107.

If you have questions concerning the project, please contact David Mattison, Planning Technician, 5525 B Street, PO Box 3309, Bay City, Oregon, 97107, by phone at 503.377.2288, or email at planningtech@ci.bay-city.or.us.

PUBLISHED: December 30, 2021

MAILED: December 29, 2021



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BAY CITY PLANNING COMMISSION PUBLIC HEARING NOTICE

The Bay City Planning Commission will conduct a meeting on Wednesday, March 17th, 2021 at the Ad Montgomery Community Hall located at 5525 B Street, Bay City Oregon. The meeting will begin at 6:00 p.m. with the following matters to be considered:

APPLICATION #TU-2021-10 FOR A TEMPORARY USE from Tillamook County Pioneer Museum, 2106 Second Street, Tillamook, OR 97141. The applicant is proposing to place a recreational vehicle at the Kilchis Point Reserve 5000 Spruce Street, Bay City, Oregon, 97107, legally described as 01S10W02CC, Tax Lot 4200. The proposed building is 20'x 32' for a total of 640 sq. ft. and 18.4 feet in height. The proposed recreational vehicle pad will be 25 ft x 50 ft. This application will be reviewed against the criteria specified in Bay City Development Ordinance No. 374, Section 1.22, Moderate Intensity (MI) Zone, Section 1.3 Allowable Use Matrix, Sections 1.508-1.520 Moderate Intensity Zone (MI) Standards, and Section 3.97.b-h Temporary Uses.

Materials pertinent to the request are available for review at the Bay City, City Hall, 5525 B Street, Bay City Oregon. A staff report will be available for inspection seven (7) days prior to the hearing and may be obtained at a reasonable cost. All interested parties are invited to express their opinions for or against the request at the hearing or by letter addressed to the Planning Commission, City Hall, PO Box 3309, Bay City, Oregon, 97107. Failure to raise an issue in person or by letter precludes appeal. In raising an issue. The relevant Development Ordinance or Comprehensive Plan criteria to which the issue is directed must be specified. The Planning Commission reserves the right to modify the proposal, or continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.



PLANNING COMMISSION PUBLIC HEARING NOTICE

The Planning Commission will review the following application at their regular meeting scheduled for:

6:00 pm Wednesday, January 19, 2022,
at 5525 B Street, Bay City, Oregon.

#TU-2021-10

**TO PLACE A RECREATIONAL VEHICLE ONSITE
AS A TEMPORARY USE**

OTHER

A Discussion on Accessory Dwelling Units (ADUs)

 **DRAFT**

ACCESSORY DWELLING UNIT STANDARDS

(From Lincoln City, Oregon)

A. Purpose. Accessory dwelling units (ADUs) are allowed to provide property owners with a means of obtaining, through tenants in either the accessory dwelling unit or the principal dwelling unit, rental income, companionship, security, and services; ADUs add affordable units to the existing housing supply; ADUs make housing units available to people who might otherwise have difficulty finding homes within Lincoln City; ADUs create housing units in residential neighborhoods that are appropriate for people at a variety of stages in the life cycle; and ADUs protect neighborhood stability, property values, and the residential appearance of the neighborhood.

B. Standards. Accessory dwelling units shall conform to the following standards:

1. Type. Accessory dwelling units may be a portion of the principal dwelling unit, attached to a garage, or a separate, freestanding unit. The principal dwelling unit must be a single-family dwelling if someone wishes to add an accessory dwelling unit.
2. Floor Area. Accessory dwelling units shall not exceed 750 square feet of floor area or 50 percent of the floor area of the principal dwelling unit, whichever is less.
3. One Unit. A lot or parcel may have a maximum of one accessory dwelling unit.
4. Exempt from Density Limits. Accessory dwelling units are exempt from the density standards of the zoning districts in which they are located.
5. Occupancy. No one may occupy an accessory dwelling unit until the planning and community development department has issued a certificate of completion for the unit.
6. Design. An accessory dwelling unit shall comply with the following standards:
 - a. Roofs. Roofs of detached accessory dwelling units shall be the same shape, pitch and material as the main house, and shall include the same type of architectural embellishments, if any (e.g., dormers, gables, and eave trim).
 - b. Facades. A street-facing facade of the accessory dwelling unit shall include the same exterior of materials and windows and molding shall be of the same size, style, and orientation as the main house.
 - c. Color. The exterior color of the accessory dwelling unit shall be of the same color as the main house.
7. Unity of Ownership. An accessory dwelling unit shall not in any way be segregated in ownership from the principal dwelling unit.
8. Primary Entrance. If the accessory dwelling unit's primary entrance is not the same as that for the principal dwelling unit it shall be less visible from the street view of the principal dwelling unit than the main entrance of the principal dwelling unit. If the accessory dwelling unit is accessed via a stairway, the stairway may not be constructed on the front of the principal dwelling unit.
9. Vacation Rental. Neither the accessory dwelling unit nor the principal dwelling unit may be used as a vacation rental dwelling.
10. Sewer Connection. Both the principal dwelling unit and the accessory dwelling unit must be connected to the city sewer system. Neither the accessory dwelling unit nor the principal dwelling unit may use a septic system.

DRAFT

1) Allow accessory dwelling units for permanent residents

Discussion: Accessory Dwelling Units have become a very popular option over the last two decades. Many cities have added these small accessory dwellings to their zoning code as permitted uses. They help provide additional housing, and in many cases provide additional income to the home owner, easing the burden of home ownership expense. This proposal adds a section called Accessory Dwelling Units to the Rockaway Beach Zoning Code. The maximum size is 800 square feet, or 75 percent of the main home on the site, whichever is smaller. We have proposed targeting these for permanent residents only, by limiting them to at least a 90-day lease, with a month-to-month option thereafter.

Section 4.170 Accessory Dwelling Units

Sections:

4.170.010 Purpose

4.170.020 Where These Regulations Apply

4.170.030 General Requirements

4.170.040 Development Standards

4.170.050 Density

4.170.010 Purpose: Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Increase the stock of affordable units for permanent residents.
- Provide for occupation of second and vacation homes by allowing for a permanent resident on site for security and maintenance.
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

4.170.020 Where These Regulations Apply

An accessory dwelling unit may be added to a house or attached house in an R-1, R-2, R-3, R-R, or RMD zone.

4.170.030 General Requirements

A. Number of residents. The total number of individuals that reside in both units may not exceed the number that is allowed for a household.

B. Other uses.

1. Home occupation. An accessory dwelling unit is prohibited on a site with a home occupation.

2. Type A accessory short-term rental. An accessory dwelling unit is not allowed to be a short term rental unit (less than 90 days lease) or a travelers accommodation or vacation rental unit,

4.170.040 Development Standards

A. **Purpose.** Standards for creating accessory dwelling units address the following purposes:

- Ensure that accessory dwelling units are compatible with the desired character and livability of Rockaway Beach's residential zones;
- Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;
- Ensure that accessory dwelling units are smaller in size than houses, attached houses, or manufactured homes; and
- Provide adequate flexibility to site buildings so that they fit the topography of sites.

B. **Generally.** The development standards for accessory dwelling units are stated in this section. If not addressed in this section, the base zone development standards apply.

C. **Requirements for all accessory dwelling units.** All accessory dwelling units must meet the following:

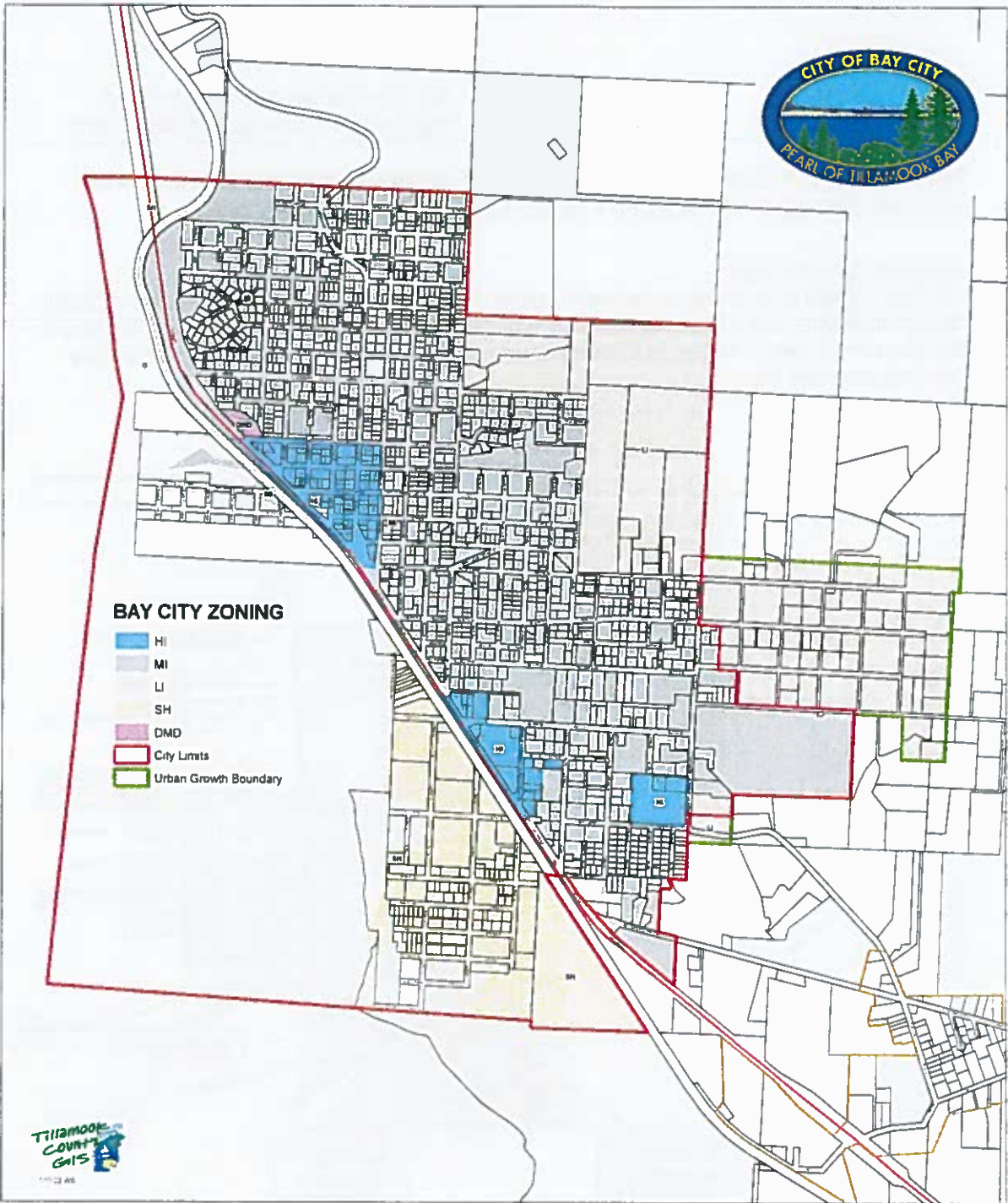
1. Location of entrances. Only one entrance may be located on the facade of the house, attached house, or manufactured home facing the street, unless the house, attached house, or manufactured home contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks. Detached accessory dwelling units are exempt from this standard.
2. Parking. One additional parking space is required for the accessory dwelling unit. Existing required parking for the house, attached house, or manufactured home must be maintained or replaced on-site. Tandem parking is permitted.
3. Maximum size. The size of the accessory dwelling unit may be no more than 75 percent of the living area of the primary dwelling unit or 800 square feet of living area, whichever is less. The measurements are based on what the square footage of the primary dwelling unit and accessory dwelling unit will be after the accessory dwelling unit is created.
4. Setbacks. Detached accessory dwelling units must be:
 - a. Set back 40 feet from the front lot line; or
 - b. Located behind the rear wall of the existing house, attached house, or manufactured home. For the purpose of this regulation, the rear wall of the house is the wall furthest from the wall with the main entrance to the street.
5. Detached accessory dwelling units must meet the development standards for the base zone. Height is limited to 20 feet. Attached accessory dwelling units have the same height limit as the base zone.

4.170.050 Density In the residential zones, accessory dwelling units are not included in the minimum or maximum density calculations for a site.

OTHER CITY PLANNER ACTIVITIES

Planning Department Reorganization

- **Zoning Map Changes**
- **Permit Application Clean-up**
- **Land Use Fee Schedule Evaluation**



BAY CITY ZONING

-  HI
-  MI
-  LI
-  SH
-  DMD
-  City Limits
-  Urban Growth Boundary

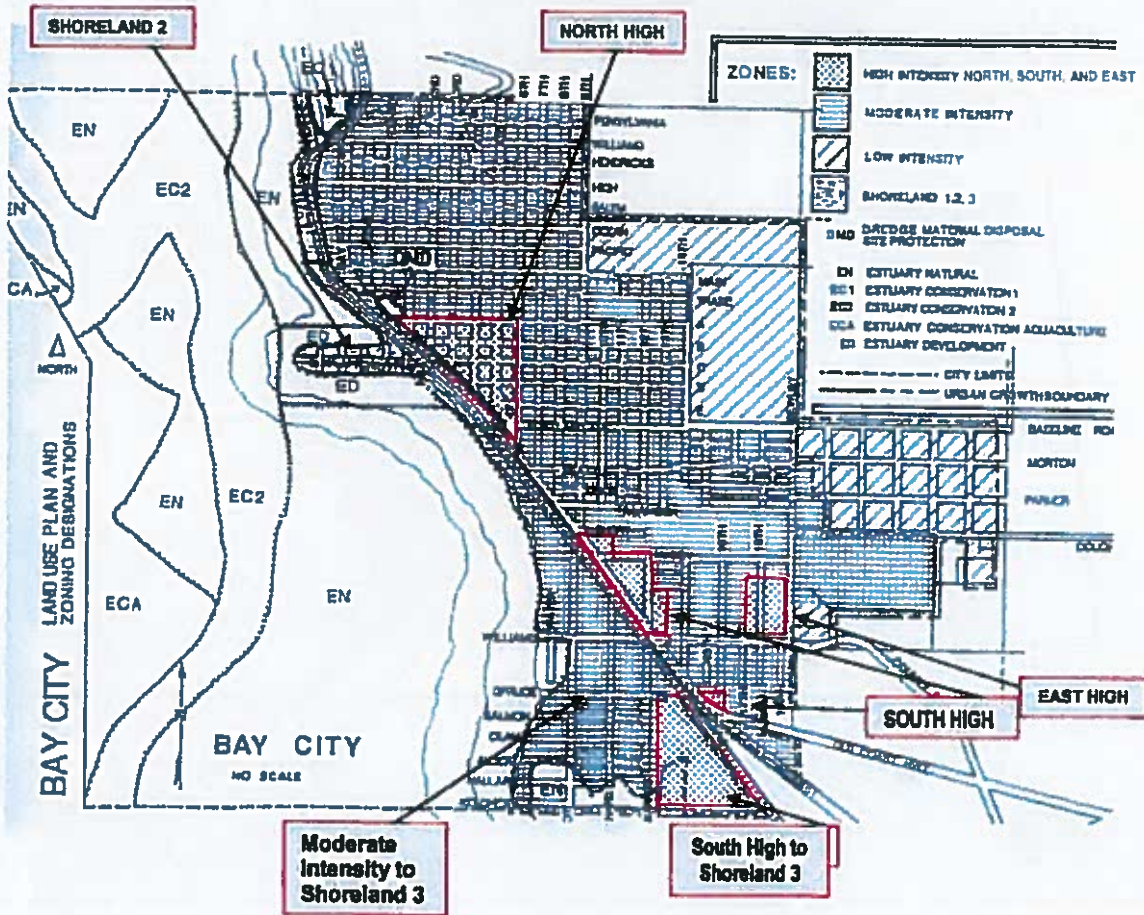


DRAFT

BAY CITY, OREGON ZONING MAPS SHOWING THE PROPOSED SHORELAND 3 ZONE AND THE EXISTING DIFFERENT HIGH INTENSITY ZONES: North High, South High and East High

Description of Amendment:

This figure depicts an amendment proposed to rezone the "Moderate Intensity Zone" and portion of "South High Intensity Zone" that is located west of US Highway 101 and within the Coastal Shoreland Boundary to the "Shoreland 3 Zone". The Coastal Shoreland Boundary is currently an acknowledged part of the Bay City Comprehensive Plan.



CITY OF BAY CITY

RESOLUTION NO. 08-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY SETTING FEES FOR ALL PERMITS AND APPLICATIONS PROVIDED FOR IN BAY CITY ORDINANCE NO. 374, THE BAY CITY DEVELOPMENT ORDINANCE AND REPEALING BAY CITY RESOLUTION NO. 06-12 AND RESOLUTION 08-14 AND ALL PRIOR RESOLUTIONS SETTING FEES FOR DEVELOPMENT PERMITS AND APPLICATIONS.

The Bay City Council adopts the following rate schedule for all permits and applications provided for under the Bay City Development Ordinance No. 374, effective immediately:

LAND USE

a. Comprehensive Plan Amendment	\$ 1,500
b. Development Ordinance Amendment	\$ 1,500
c. Conditional Use - Residential	\$ 500
d. Conditional Use – Commercial	\$ 700
e. Conditional Use - Sign	\$ 400
f. Variance – Residential	\$ 500
g. Variance – Commercial	\$ 700
h. Planned Development Subdivision	\$ 2,000 + \$20 per lot
i. Expedited Planned Development Subdivision	\$ 3,000 + \$20 per lot
j. Minor Partition	\$ 300
k. Expedited Minor Partition	\$ 400
l. Major Partition	\$ 1,000
m. Expedited Major Partition	\$ 1,200
n. Subdivision	\$ 1,500 + \$20 per lot
o. Expedited Subdivision	\$ 2,000 + \$20 per lot
p. Right-of-Way Permits	
1) Driveway/Culvert	\$ 100
2) Utility Work	10% of estimated project cost
q. Temporary Use	\$ 200
r. Miscellaneous Review	\$ 100
s. Appeal to City Council	Same fee as the application fee in action being appealed.

AF

PLAN REVIEWS

a. Building Permit State Fee Schedule

b. Single Family Dwelling \$ 200

c. Duplex \$ 250

d. Multi-Family \$ 150 per unit

e. **Building Additions/Accessory Structure** \$ 100

f. Church \$ 500

g. Commercial \$ 500

~~h. Exterior Remodel \$ 100~~

i. Interior Remodel (Dry Rot Replace) \$ 50

j. Geological Hazard Report Review \$ 500

k. Grading & Erosion Control \$ 100

l. Flood Zone Review \$ 100

m. Sign Permit \$ 50

n. Change of Use Permit \$ 100

o. Infrastructure Plan Review 10% of engineer's estimate project cost

p. Manufactured Home Placement \$ 35 + \$2,000 Road Damage Deposit

q. Meter Installation Actual City labor & material costs

In the event the applicant makes application for two or more of the above land use permits at the same time, the applicant shall be charged the highest regular fee and one-half the fee for each additional land use request.

The City shall have the right to bill for staff labor, material costs, and the City's actual costs expended for outside consultant fees, planner fees, engineering fees, and attorney's fees that exceed the above fees.

REVOCATION: Bay City Resolution No. 06-12 and Resolution No. 08-14 and all other Resolutions in conflict with this Resolution are hereby revoked.

ADOPTED by the City Council of the City of Bay City this ____ day of ____, 2022.

APPROVED by the Mayor of the City of Bay City this ____ day of ____, 2022.

David McCall, Mayor

ATTEST:

DRAFT