City of Rockaway Beach
City Council Workshop Agenda

Date: Wednesday, June 11, 2025
Time: 4:30 P.M. – 5:40 P.M.
Location: Rockaway Beach City Hall, 276 HWY 101 – 2nd Floor Conference Room

Watch live stream here: corb.us/live-stream
View meeting later here: corb.us/city-council

Join here to attend remotely:
https://us06web.zoom.us/j/81071886614?pwd=bY5AOrO7Cj47GPvX9rdaVx8agMaZxF.1
Meeting ID: 810 7188 6614
Passcode: 701918
Dial by your location
253 215 8782 US (Tacoma)

What is a City Council Workshop? *Workshops are intended to allow for preliminary discussions by the City Council and staff. Workshops are held to present information to the Council so that the Council is prepared for upcoming regular meetings. Workshops are subject to Oregon's public meeting law and must be noticed accordingly. No final City Council decisions are made during workshops. The public is encouraged to attend workshops but may not participate unless expressly asked.*

Note: Agenda item times are estimates and are subject to change.

1. **CALL TO ORDER** (4:30 p.m.)

2. **ROLL CALL**

3. **COUNCIL BRIEFING/DISCUSSION**

    a. **Update on Proposed Ordinance Updates Related to Flood Hazard Overlay Zone** (4:31 p.m.)

    b. **Review of Ordinances 2025-02/03/04 Updating Zoning Code, Subdivision Code & Comprehensive Plan Related to Middle Housing** (4:34 p.m.)

    c. **Review Facade Grant Recommendations** (4:45 p.m.)

    d. **Review of Nominations for Grant Marshal and Volunteer of the Year** (5:00 p.m.)

    e. **Review of Amendments to Employee Collective Bargaining Agreement** (5:10 p.m.)

    f. **Screening Process - City Council Vacancy Applications** (5:20 p.m.)

    g. **Review of Resolution Establishing Forest Management Plan Development Advisory Committee** (5:30 p.m.)

    h. **Other Regular Session Agenda Items Review** (5:35 p.m.)

4. **ADJOURNMENT** (5:40 p.m.)

Rockaway Beach City Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Recorder Melissa Thompson at cityrecorder@corb.us or 503-374-1752.

City of Rockway Beach, Oregon
276 S. Highway 101, PO Box 5
Rockaway Beach, OR 97136
(503) 374-1752
www.corb.us

MEMORANDUM

TO: Rockaway Beach City Council and Luke Shepard, City Manager
FROM: Mary Mertz, City Planner
DATE: June 4, 2025

RE: FLOOD HAZARD OVERLAY PRE-IMPLEMENTATION COMPLIANCE MEASURES

On May 15, 2025, the City of Rockaway Beach Planning Commission held a public hearing to consider the updates to the Rockaway Beach Zoning Ordinance, Section 3.092 Flood Hazard Overlay Zone. The code changes were being considered in response to the Pre-Implementation Compliance Measures (PICM) that FEMA notified communities in Oregon that they would need to adopt, in response to the Biologic Opinion.

As discussed at the City Council workshop on May 14, 2025, a lawsuit was filed against FEMA by Oregonians for Floodplain Protection over the implementation of PICM. On May 21, 2025, the Judge granted a joint motion for a stay of the proceedings until July 29, 2025.

An adoption hearing was noticed and scheduled for June 11, 2025 before the Rockaway Beach City Council. In consultation with the City's legal counsel, it has been recommended that the City Council continue the hearing to their regularly scheduled August meeting. This will allow time for the litigation to play out and provide the City an opportunity to analyze the results of the litigation, before making a determination on how to proceed with PICM implementation.

ORDINANCE 2025-02, 2025-03 AND 2025-04

ZONING ORDINANCE, SUBDIVISION ORDINANCE, AND COMPREHENSIVE PLAN CHANGES

MAKING ROOM FOR MIDDLE HOUSING IN ROCKAWAY BEACH

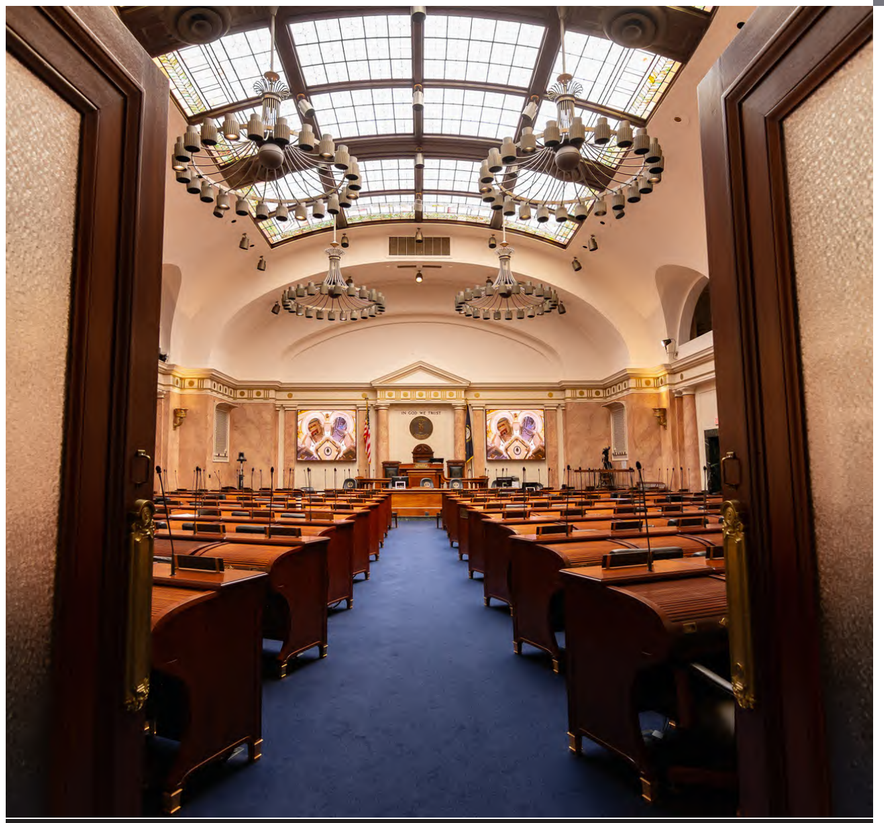
ROCKAWAY BEACH
OREGON

BACKGROUND

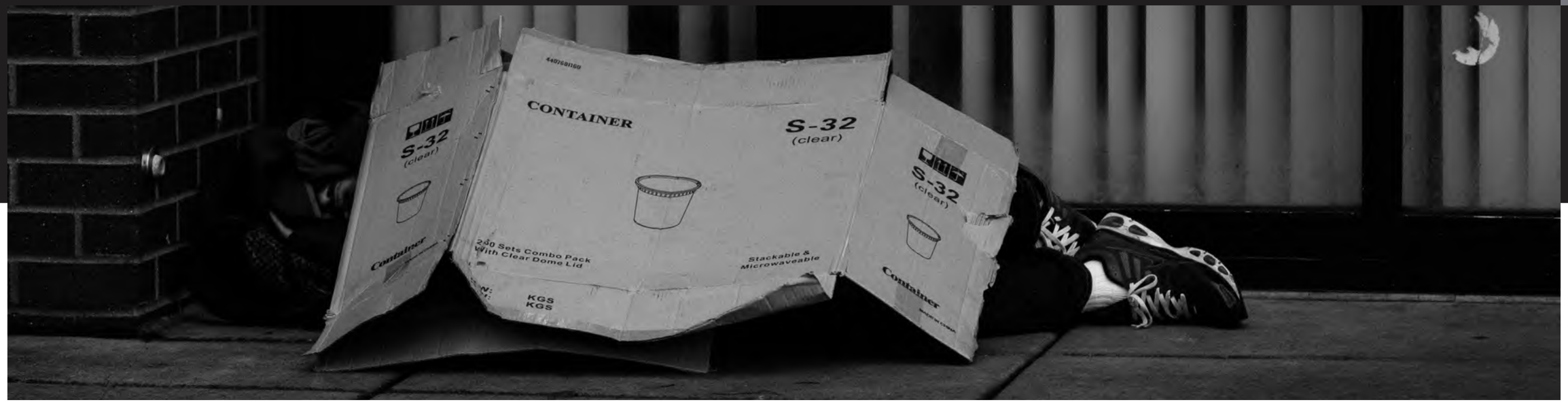
In 2019, HB 2001 garnered national attention as it made Oregon the first state to eliminate most exclusive single-family zoning statewide. The law required cities to allow duplexes, triplexes, quadplexes, townhomes and cottage clusters in areas zoned only for single-family housing.

Additionally, law tasked state agencies with producing a regional housing needs analysis outlining how the state could address housing shortages regionally.

HB 2001 only applied to Oregon cities with populations over 10K.



HB 2001
(2019)



OREGON'S HOUSING CRISIS

In 2022, researchers published the Oregon Housing Needs Analysis, which stated Oregon needed to build 555,000 more housing units to meet demand over the next 20 years.

In response to the report, Gov. Tina Kotek, just after taking office, issued three states of emergency related to housing. One called on the state to build 36,000 homes a year — an 80% increase from current production.

HEEDING THE CALL

In 2023, the Oregon legislature passed SB 406, which required certain cities in Tillamook County, including Rockaway Beach, to meet the requirements of HB 2001.

SB 406 requires Rockaway Beach to make changes to its zoning code to allow for middle housing on residentially zoned lands, to adopt housing production strategies and to accommodate estimated housing needs upon lands inventoried as buildable lands.

Rockaway Beach must make the required code changes by July 2025.

Rockaway Beach partnered with consultants, Cascadia Partners, to engage the community throughout this process and to assist with the necessary code and Comprehensive Plan updates.

TOWN HALL

In February, the City of Rockaway Beach hosted a public Town Hall. At the Town Hall, Cascadia Partners informed the public of the requirements of SB 406, outlined the scope of work, and provided a timeline for the project.

PLANNING COMMISSION

As the body for public engagement, the Planning Commission served as the forum to workshop ideas, evaluated proposals, received public feedback, and made recommendations on the project.

Presentations were made to the Planning Commission during the course of this project. The Planning Commission has reviewed the proposed code updates and Comprehensive Plan changes, recommending them for approval.

CITY COUNCIL

This evening, the City Council will consider the proposed code and Comprehensive Plan changes at a Public Hearing.

MIDDLE HOUSING

Oregon’s Middle Housing Rules define five specific middle housing types:

1. Duplex
2. Triples
3. Quadplex
4. Townhomes
5. Cottage Cluster

LIMITS OF LOCAL CONTROL

No Local Control

- Duplex standards
- Locations where middle housing types must be allowed
- Off-street parking requirements
- Building height (minimum 25')

Local Control

- Design and dimensional standards that apply to middle housing:
  - Attached vs detached plexes
  - Design standards, including garages and driveways.

June 11, 2025

Rockaway Beach City Council Workshop

Business Façade Grants

Rank	Applicant	Request
1	Troxel's Rock Garden (Victor T.)	$24,500
2	Green Coast Market (Julie M.)	$17,910
3	Joes Snacks & Beer (Debra R)	$19,250
4	Sand Dollar Restaurant (Emma H.)	$30,000
5	Old Oregon Smokehouse (Harold B.)	$30,000
6	126 LLC (Guy Markus S.)	$22,214
7	Seaquest Treasures, LLC (Pattie S.)	$28,689
7	Wortman Properties (Ed W.)	$30,000
9	Pete Anderson Realty (Cynthia L.)	$6,500
10	Troxel's Store (Victor T.)	$22,286
11	Sea Breeze (Corrinne R.)	$30,000
12	Tillamara (James C.)	$30,000
13	Pho Real (Tammy V.)	$30,000
	Total	$321,349

CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 2025-02

AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH ZONING ORDINANCE 143 (CODE CHAPTER 155) RELATED TO MIDDLE HOUSING

WHEREAS, the City of Rockaway Beach ("City") recognizes that certain amendments to the Rockaway Beach Zoning Ordinance (Code Chapter 155) are needed to implement HB 2001 (2019), as directed by Senate Bill (SB) 406 ("Proposed Amendments"); and

WHEREAS, at a minimum, cities and unincorporated communities within Tillamook County served by water and sewer must permit all forms of middle housing - duplexes, triplexes, quadplexes, townhouses, and cottage clusters - in zones where single-family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities; and

WHEREAS, the Proposed Amendments also put in place design standards for triplex, quadplex, townhouse, and cottage cluster projects consistent with the Oregon Department of Land Conservation and Development's Model Code for Large Cities; and

WHEREAS, through regular Planning Commission meetings in September 2024 and March 2025, City staff and consultants Cascadia Partners worked with the Planning Commission to develop the Proposed Amendments to address updates for middle housing;

WHEREAS, on March 13, 2025, the City provided proper notice of the Proposed Amendments to the Department of Land Conservation and Development;

WHEREAS, on April 17, 2025, the Rockaway Beach Planning Commission conducted a properly noticed public hearing on the Proposed Amendments, and having received no objections, recommended that City Council adopt the Proposed Amendments;

WHEREAS, on_____, 2025, the City Council conducted a properly noticed public hearing and first and second reading on the Proposed Amendments; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Rockway Beach Planning Commission, and testimony and comments submitted at the public hearings, both orally and in writing, the Rockaway Beach City Council has made the findings of fact as set forth in Exhibit A.

NOW, THEREFORE, The City of Rockaway Beach ordains as follows:

Section 1. Findings. The City Council hereby adopts the Findings of Fact set forth in the above recitals and attached as Exhibit A as its basis for adopting the Proposed Amendments to the Rockaway Beach Zoning Ordinance.

Section 2. Amendments. The Rockaway Beach Zoning Ordinance 143 (Code Chapter 155) is hereby amended, as shown in attached Exhibit B, to now read in full as shown in Exhibit C.

Section 3. Unamended Provisions. All unamended provisions of Ordinance No. 143 (Code Chapter 155) shall remain in full force and effect.

Section 4. Severability. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 5. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council _____.
2nd reading by the Rockaway Beach City Council _____.

Adopted and Approved by the Rockaway Beach City Council _____.

_____
Charles McNeilly, Mayor

City Council	Aye/Nay
Penny Cheek	/
Kiley Konruff	/
Tom Martine	/
Mary McGinnis	/
VACANT	/

Attest:

_____
Melissa Thompson, City Recorder

CITY OF ROCKAWAY BEACH
CITY COUNCIL ACTION

STAFF REPORT

Middle Housing Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan Changes
Case File: Ordinance 2025-02, 2025-03, and 2025-04
DLCD PAPA File: Amendment 001-25
Hearing Date: June 11, 2025

APPLICANT: City of Rockaway Beach

NATURE OF THE APPLICATION AND BACKGROUND ON THE REQUEST: The City of Rockaway Beach is proposing to amend the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan. The amendments to the Ordinances and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters. The City must take action to amend its development code and Comprehensive Plan policies by June 30, 2025, as directed by Senate Bill (SB) 406. The bill directs cities and unincorporated communities within Tillamook County served by water and sewer to permit all forms of middle housing—duplexes, triplexes, quadplexes, townhouses, and cottage clusters—in zones where single family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities which are implemented through state rules (OAR Division 660-046) and Middle Housing Model Code adopted by reference.

Zoning Ordinance Amendments:

- Section 1.030. Definitions
- Section 2.020. Classification of Zones
- Section 3.010. Single Family Zone (R-1)
- Section 3.020. Residential Zone (R-2)
- Section 3.030. Residential/Resort Zone (R-R)
- Section 3.040. Special Residential/Resort Zone (SRR)
- Section 3.050. Commercial Zone (C-1)
- Section 3.090. Lower Density Residential Zone (R-3)
- Section 3.091. Residential Manufactured Dwelling Zone (RMD)
- Section 3.142. Tsunami Hazard Overlay Zone
- Section 4.043. Multifamily Sitting Criteria
- Section 4.044. Townhouse Projects
- Section 4.045. Triplex and Quadplex Dwellings
- Section 4.046. Cottage Clusters
- Section 4.060. Off-Street Parking and Off-Street Loading Requirements
- Section 5.050. General Exceptions to Lot Size Requirements
- Section 5.060. General Exceptions to Yard Requirements
- Section 7.030. Change of Nonconforming Uses
- Section 10.030. Permitted Buildings and Uses
- Section 10.040. Development Standards

Subdivision Ordinance Amendments:

- Middle Housing Land Divisions
  - Section 43. Applicability
  - Section 44. Process
  - Section 45. Submittal Requirements
  - Section 46. Decision Criteria
  - Section 47. Decision
  - Section 48. Conditions of Approval
  - Section 49. Process for Final Plat Approval
  - Section 50. Appeals

Comprehensive Plan Amendments:

- Beaches and Dunes Policy
- Land Use Categories
- The Manhattan Residential/Resort Area
- The Special Residential/Resort Area
- The Single Family or Duplex Residential Area
- The Saltair Creek Residential/Resort Area (R-R)
- The East Rockaway Beach Residential Area (R)
- Housing Element
- Policies

Staff recommend to the Rockaway Beach City Council on June 11, 2025, adoption of the above listed amendments.

RELEVANT CRITERIA: The following standards apply to this request:

> **Rockaway Beach Zoning Ordinance. Article 9. Amendments.**
> Section 9.010. Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, Planning Commission, or by application of the property owner(s), contract purchaser(s), or his/her/their authorized agent.
>
> Section 9.015. Burden of Proof. The burden of proof is placed upon the initiator of the amendment. That burden shall be to prove:
>
> 1. The proposed amendment fully accords with applicable Comprehensive Plan goals and policies; and
> 2. The proposed amendment is required to meet a land use need.

- **Rockaway Beach Comprehensive Plan. The Planning Process.**
  Amendments to the text of the comprehensive plan shall be made only where findings have been adopted that the following criteria are met:
  A. The amendment is consistent with the comprehensive plan's goals and policies; and
  B. The amendment is necessary to meet a land use need.

- **Oregon's Statewide Land Use Planning Goals. 1-19.**

NOTIFICATION: The Department of Land Conservation and Development (DLCD) was provided notice of the proposed legislative amendments on March 13, 2025. Notice of this public hearing was posted online on the City website and was published in the Headlight Hearld.

COMMENTS: Comments from the Department of Land Conversation and Development and the Oregon Fair Housing Council are attached to this report.

DISCUSSION OF REQUEST: This draft set of amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, implement HB 2001 (2019), as directed by Senate Bill (SB) 406. At a minimum, cities and unincorporated communities within Tillamook County served by water and sewer must permit all forms of middle housing - duplexes, triplexes, quadplexes, townhouses, and cottage clusters - in zones where single-family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities. The amendments also put in place design standards for triplex, quadplex, townhouse, and cottage cluster projects consistent with DLCD's Model Code for Large Cities.

FINDINGS: Planning staff finds the following:

1. The amendment is consistent with applicable Comprehensive Plan goals and policies.

   FINDING: This criterion has been met. As stated in this report, the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters, as directed by Senate Bill (SB) 406. The proposed amendments correspond with one another to allow for consistency of the Comprehensive Plan. The amendments are consistent with current Comprehensive Plan policies as follows:

   - Cluster development is to be encouraged, thus saving energy in construction, maintenance and heating.
   - The City shall support all efforts to provide low or moderate income housing in and around Rockaway Beach, and shall cooperate with the Tillamook County Housing Authority, and Northwest Oregon Housing Association.
   - The Land use Element of the comprehensive plan and the zoning ordinance shall designate areas within the City where multifamily dwellings may be located, and where mobile home parks may be developed. It is assumed that low cost multi-family housing developed with public or private financing can be located anywhere other multi-family housing is allowed.

2. The amendment is required to meet a land use need.

   FINDING: This criterion has been met. As stated in this report, the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters, as directed by Senate Bill (SB) 406. The bill directs cities and unincorporated communities within Tillamook County served by water and sewer to permit all forms of middle housing—duplexes, triplexes, quadplexes, townhouses, and cottage clusters—in zones where single family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities which are implemented through state rules (OAR Division 660-046) and Middle Housing Model Code adopted by reference.

3. Oregon's Statewide Land Use Planning Goal 1. Citizen Involvement: *to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

   FINDING: This criterion has been met. The Rockaway Beach City Council, Planning Commission and the public had numerous opportunities to become aware and engaged in the process related to the required middle housing amendments. These opportunities included work sessions, a Town Hall meeting, a public hearing with the Planning Commission and this public hearing. Additionally, notice of this public hearing was posted online on the City website and was published in the Headlight Hearld.

4. Oregon's Statewide Land Use Planning Goal 2. Land Use Planning: *to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

   FINDING: This criterion has been met. The proposed amendments reflect due consideration of housing related state laws and administrative rules consistent with providing a factual basis for land use decisions.

5. Oregon's Statewide Land Use Planning Goal 3. Agricultural Lands

   FINDING: This criterion is not applicable.

6. Oregon's Statewide Land Use Planning Goal 4. Forest Lands

   FINDING: This criterion is not applicable.

7. Oregon's Statewide Land Use Planning Goal 5. Natural Resources, Scenic and Historic Areas, and Open Spaces

   FINDING: This criterion is not applicable.

8. Oregon's Statewide Land Use Planning Goal 6. Air, Water and Land Resources Quality

   FINDING: This criterion is not applicable.

9. Oregon's Statewide Land Use Planning Goal 7. Areas Subject to Natural Hazards

   FINDING: This criterion is not applicable.

10. Oregon's Statewide Land Use Planning Goal 8. Recreational Needs

    FINDING: This criterion is not applicable.

11. Oregon's Statewide Land Use Planning Goal 9. Economic Development

    FINDING: This criterion is not applicable.

12. Oregon's Statewide Land Use Planning Goal 10. Housing: *to provide for the housing needs of the citizens of the state*

    FINDING: This criterion has been met. The proposed amendments will allow duplexes, triplexes, quadplexes, townhouses, and cottage clusters in zones where single-family dwellings are permitted. These amendments are made at the direction of the state to make room for middle housing to address the state's housing shortfall and meet the public need. The allowance of middle housing in all residentially zoned areas should address the housing production needs identified in the 2019 Housing Needs Analysis (HNA). At the time the HNA was drafted, "66-80% of the total housing stock [was] owned by part-time residents". While the Buildable Lands Inventory (BLI) identified a surplus of residential buildable lands, low wages and high housing costs have been barriers to housing production for full-time residents.

13. Oregon's Statewide Land Use Planning Goal 11. Public Facilities and Services: *to plan efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

    FINDING: This criterion has been met. The proposed amendments address the coordination for public facilities and services necessary to provide for middle housing within the UGB.

14. Oregon's Statewide Land Use Planning Goal 12. Transportation

    FINDING: This criterion is not applicable.

15. Oregon's Statewide Land Use Planning Goal 13. Energy Conservation

    FINDING: This criterion is not applicable.

16. Oregon's Statewide Land Use Planning Goal 14. Urbanization

    FINDING: This criterion is not applicable.

17. Oregon's Statewide Land Use Planning Goal 15. Wilamette River Greenway

    FINDING: This criterion is not applicable.

18. Oregon's Statewide Land Use Planning Goal 16. Estuarine Resources

    FINDING: This criterion is not applicable.

19. Oregon's Statewide Land Use Planning Goal 17. Coastal Shorelands

    FINDING: This criterion is not applicable.

20. Oregon's Statewide Land Use Planning Goal 18. Beaches and Dunes

    FINDING: This criterion is not applicable.

21. Oregon's Statewide Land Use Planning Goal 6. Ocean Resources

    FINDING: This criterion is not applicable.

CONCLUSION: The findings of the planning staff support the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, which were recommended for approval by the Rockaway Beach Planning Commission on April 17, 2025.

The amendments are consistent with the applicable criteria.

Accordingly, the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan shall be updated to reflect the changes as presented.

In making a decision, the Rockaway Beach Council Commission may recommend approval of the amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, as recommended by planning staff or with modifications.

From: MARQUARDT Ryan * DLCD
To: City Planner
Cc: ESTES Brett * DLCD
Subject: RE: HB 4064
Date: Wednesday, May 14, 2025 8:20:17 AM

Hi Mary,
Apologies that it took me a while to do a more in-depth review. Everything in the zoning code amendments looks to be in good shape.

I have one observation about the middle housing land division amendments. The codification of ORS 92.031 looks good overall. There are some parts of the amendments that go beyond what is in ORS (e.g. existing conditions requirements, city manager approval process). While I don't see those as inherently problematic, the city does assume some risk in codifying requirements, processes, and criteria beyond what is established in statute. We'd recommend consulting the city's legal counsel if you have questions or concerns about this.

Ryan Marquardt, AICP
Housing Planner | Housing Accountability and Production Office
Pronouns: he/him
Cell: 971-375-5659 | Main: 503-373-0050
ryan.marquardt@dlcd.oregon.gov | www.oregon.gov/LCD

From: City Planner <cityplanner@corb.us>
Sent: Thursday, April 17, 2025 3:14 PM
To: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>
Subject: RE: HB 4064

> You don't often get email from cityplanner@corb.us. Learn why this is important

Hi Ryan,

Thank you for your response. I look forward to hearing if you have any concerns regarding our middle housing code once you've had a chance to review it more thoroughly.

Mary Johnson
City Planner
City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
www.corb.us | cityplanner@corb.us

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From: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>

Sent: Thursday, April 17, 2025 11:02 AM
To: City Planner <cityplanner@corb.us>
Cc: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Subject: RE: HB 4064

Hi Mary,
Regarding the middle housing code revisions – the amendments look good. On the whole, it appears that the amendments are in alignment with OAR 660-046 and ORS 92.031, though I didn't do a line-by-line reading of the amendments compared with the state statute and rules.

Regarding manufactured dwellings and regulations in 4.091 and 4.095 – it does appear that these sections are out of compliance with SB 406. See highlighted text in ORS 197.478(4) for the regulations that can apply to a manufactured dwelling - https://www.oregonlegislature.gov/bills_laws/ors/ors197.html#:~:text=(4)%20A%20local%20government%20may%20not%20subject,Dwelling%20Code%20as%20defined%20in%20ORS%20455.010. Consistent with ORS 197.646, the city should review manufactured housing consistent with the ORS until amendments to these code sections are adopted.

In the next week, I'll try to do a more thorough review of the middle housing amendments. Please let me know if you have any questions at this point.
Thanks!
-Ryan

Ryan Marquardt, AICP
Housing Planner | Housing Accountability and Production Office
Pronouns: he/him
Cell: 971-375-5659 | Main: 503-373-0050
ryan.marquardt@dlcd.oregon.gov | www.oregon.gov/LCD

From: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Sent: Thursday, April 17, 2025 10:14 AM
To: City Planner <cityplanner@corb.us>
Cc: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>
Subject: RE: HB 4064

Hi Mary,

I am pulling in Ryan Marquardt on this question to see if he can fill in any gaps on this issue the consultant raised. Ryan, see below from Mary in Rockaway Beach.

Mary, I would note that Ryan is also working to review the code amendments going to Planning Commission. He is doing his best to get any comments to you as soon as possible. I wanted to let you know that the amendments are being looked at.

Thanks!
Brett

Brett Estes
North Coast Regional Representative | Coastal Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 503-881-0667 | Main: 503-373-0050
brett.estes@dlcd.oregon.gov | www.oregon.gov/LCD

From: City Planner <cityplanner@corb.us>
Sent: Thursday, April 17, 2025 9:33 AM
To: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Subject: HB 4064

Hi Brett,

When our consultants were reviewing our code for SB 406, they noted that our manufactured dwelling sitting criteria is out of compliance with HB 4064 – noting that our standards are no longer authorized by statute unless they also apply to site-built homes.

I was curious if DLCD had any guidance or information they could share on this? I plan to make updates to this once we finish the SB406 and PICM updates.

Thanks,

Mary Johnson
City Planner
City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon
To: City Planner
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04
Date: Thursday, April 17, 2025 9:33:29 AM

I look forward to it. Thanks for all your communication, Mary!

Mathew Hogan
Fair Housing Council of Oregon
Phone: (406) 439 0950

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Thu, Apr 17, 2025 at 9:29 AM, City Planner <cityplanner@corb.us> wrote:

> Hi Mathew,
>
> Of course – we are working with Cascadia Partners. I've added their contacts below.
>
> Also, I will be adding a supplemental staff report for this evening's meeting to address Goal 10. I'll send you a copy shortly.
>
> Jamin Kimmell jamin@cascadia-partners.com;
>
> Rachel Cotton rachel@cascadia-partners.com
>
> Mary Johnson
> *City Planner*
>
> City of Rockaway Beach
> (503) 374-1752
> 276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
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> www.corb.us | cityplanner@corb.us
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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Thursday, April 17, 2025 9:25 AM
To: City Planner <cityplanner@corb.us>
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Good morning Mary,
I was thing about this amendment, and I was wondering if you could share who your consultants are.

Mathew Hogan
Fair Housing Council of Oregon
Phone: (406) 439 0950

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Wed, Apr 16, 2025 at 4:00 PM, Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com> wrote:

> Hi Mary, Thank you for the prompt reply. Yes, you will need to cite the HNA and BLI so that you can find how this will impact housing based on what it says in those documents. We will need to see more as far as Goal 10 is concerned. Please see this link for help https://www.oregon.gov/lcd/UP/Documents/HB_2001_Findings_Guidance.pdf.
>
> **Mathew Hogan**
> Fair Housing Council of Oregon
> **Phone: (406) 439 0950**

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Wed, Apr 16, 2025 at 2:06 PM, City Planner <cityplanner@corb.us> wrote:

> Hi Matthew,
>
> Thanks for reviewing the report. I had prepared a slightly more detailed version, but our consultants advised that I should hold off on that until the Council hearing. I've attached it here and am curious if you think this sufficiently addresses Goal 10? I didn't reference the HNA or BLI, so I'm not sure if it is enough.

Thanks for your thoughts.

Mary Johnson
City Planner

City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136

www.corb.us | cityplanner@corb.us

PUBLIC RECORDS LAW DISCLOSURE: Emails are generally public records and therefore subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. Emails can be sent inadvertently to unintended recipients and contain confidential or privileged information. If you are not the intended recipient (or authorized to receive for the recipient), please advise by return email and delete immediately without reading or forwarding to others.

From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Wednesday, April 16, 2025 2:00 PM
To: City Planner <cityplanner@corb.us>
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Hi Mary,
Thank you for sending the link to the Staff Report. It's a great amendment, I think the board here would just like to see the section addressing Goal 10 be a bit more specific.
It currently says that you will address Goal 10 when you implement the ordinance but it should be addressed at this stage.
How, specifically, will Ordinance 2025-02, 2025-03, & 2025-04 meet the city's housing goals? Many cities make reference to Housing Needs Assessment (HNA) or their Buildable Lands Inventory (BLI).
This may be helpful to you, Findings Guidance. Let me know if I can help in some way, we would love to submit a positive letter in support of this amendment for the hearing on 4/17/25.

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On Tue, Apr 8, 2025 at 10:05 AM, City Planner <cityplanner@corb.us> wrote:

Hi Mathew,

The staff report is not yet available. Please check back on our website this Thursday for all of the requested documents. Here's the link to the page where they will be posted: Planning Commission – City of Rockaway Beach

Mary Johnson
City Planner

City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136

www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Tuesday, April 8, 2025 9:57 AM
To: City Planner <cityplanner@corb.us>
Subject: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Good morning Mary,

My name is Mathew Hogan and I am conducting outreach for the Fair Housing Council of Oregon (FHCO). I was hoping to obtain the staff report and all corresponding attachments for Ordinance 2025-02, 2025-03, & 2025-04 the "Text changes to the City's Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance to make room for Middle Housing Types in Tillamook County in response to SB406." when available. We will be reviewing the staff report predominantly for Statewide Planning Goal 10 compliance.

If we do have any commentary or concerns my colleagues and I will be in touch to advise. We hope this can be a collaborative process. Please confirm receipt of this e-mail, and I look forward to hearing from you soon.

Very Respectfully,

Mathew Hogan
Fair Housing Council of Oregon
Phone: (503) 928-8597
E-mail: Mathew.JamesFHCO@gmail.com
For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

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ROCKAWAY BEACH ZONING ORDINANCE

[…]

Article 4. Supplementary Provisions.

[…]

Section 4.043. Multi~~family~~-unit Siting Criteria X

Section 4.044. Townhouse Projects X

Section 4.045. Triplex and Quadplex Dwellings X

Section 4.046. Cottage Clusters X

[…]

Section 1.030. Definitions. As used in this ordinance the following words and phrases shall mean:

[…]

(6) **Building**. A structure, including modular housing and manufactured homes, built for the support, shelter, or enclosure of persons, animals, or property of any kind, and having a fixed base on, or fixed base to the ground. [Amended by Ordinance #94- 308, February 9, 1994]

[…]

(16) **Dwelling Unit.** ~~One or more rooms in a building that are designed for occupancy by one family and which contain one or more of the following features: 1) refrigeration and cooking capabilities, 2) a sink intended for meal preparation, not including a 'wet bar', 3) a dishwashing machine, 4) a separate and distinct entrance door, and/or 5) a separate utility meter.~~ A single unit providing complete independent living facilities for 1 or more persons, including provisions for living, sleeping, cooking and sanitation. Provisions for cooking shall mean an area used, or designated to be used, for the preparation of food.

(17) **Dwelling, Single ~~Family or One Family~~ Unit.** A detached ~~building containing one dwelling unit and designed for occupancy by one family only~~ dwelling unit built and intended for occupancy by one household, built on a single lot or parcel, constructed on site or elsewhere. Detached modular homes (aka prefabricated buildings) consisting of multiple modules constructed off site, are considered single detached dwellings. Dwelling units on individual lots that are part of a cottage cluster are not single detached dwellings.

(18) **Dwelling, Duplex ~~or Two Family~~.** Two dwelling units in any configuration. Both units of a duplex must be built on a single lot or parcel, or located on two child lots created through a middle housing land division.

(19) **Dwelling, Townhouse.** A dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent dwelling unit.

(20) **Dwelling, Triplex.** Three dwelling units in any configuration. All three units must be built on a single lot or parcel, or located on three child lots created through a middle housing land division.

(21) **Dwelling, Quadplex.** Four dwelling units in any configuration. All four units must be built on a single lot or parcel, or located on four child lots created through a middle housing land division.

(22) **Dwelling, ~~Multifamily~~ Multi-unit.** ~~A building or portion thereof, designed for occupancy by three or more families living independently of each other~~. A residential structure containing five or more dwelling units sharing common walls or floors and ceilings, built on a single lot or parcel.

(23) **Dwelling, Cottage Cluster.** A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each, located on a single lot or parcel that includes a common courtyard or located on child lots created through a middle housing land division.

[…]

[…Renumber remaining sections]

(XX) **Lot** ~~A parcel or tract of land.~~ **or parcel.** Any legally created unit of land.

(XX) **Lot, Parent / Lot, Child**. Parent lot refers to a lot of record or a lot in a subdivision, partition, or middle housing land division which is developed, or proposed to be developed, with 2 or more townhouses or other type of middle housing, and which may therefore be further divided to allow individual ownership of each dwelling unit. Child lot refers to the unit(s) of land created from a parent lot. A child lot created through a middle housing land division is also referred to as a middle housing lot. Only one dwelling unit is permitted on each resulting middle housing lot.

(XX) **Middle Housing.** A category of housing types that includes duplexes, triplexes, quadplexes, cottage clusters, and townhouses

(XX) **Middle Housing Land Division.** The partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2). A middle housing land division is an action distinct from other types of land divisions per this Oregon law. Further division of lots or parcels resulting from a middle housing land division are prohibited.

(XX) **Townhouse Project**. One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and the any commonly owned property.

(XX) **Sufficient Infrastructure**. The following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:

(1) Connection to a public sewer system capable of meeting established service levels.
(2) Connection to a public water system capable of meeting established service levels.
(3) Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
(4) Storm drainage facilities capable of meeting established service levels for storm drainage.

[…]

Section 2.020. Classification of Zones. For the purposes of this ordinance the following zones are hereby established:

Zone ……..…… Abbreviated Designation

Residential……..…… R-1

Medium Density Residential ……..……R-2

Lower Density Residential……..……..… R-3

Resort Residential……..……..…… R-R

Special Residential Resort……..……..…… SRR

Commercial……..……..…… C-1

Waterfront Development……..……..…… WD

Special Area Wetland……..……..…… SA

Residential Manufactured Dwellings……..…… RMD

Some areas within the City are also hereby included in one or more of the following overlay districts, each of which has special provisions that, along with the provisions of the basic zoning district, govern the use of property.

Overlay Zone……..……..…… Abbreviated Designation

Flood Hazard Overlay……..…….…. FHO

Hazard Overlay……..…. HO

Wetland Notification……..…… WO
[Amended by Ordinance #277, August 28, 1990]

[…]

Section 3.010. ~~Single Family~~ Residential (R-1) Zone In an R-1 zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-1 zone the following uses and their accessory uses are permitted outright:

(a) Single-~~family~~ unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of the Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994]

(b) Middle housing

[…Re-letter remaining sections]

(2) Conditional Uses Permitted. In an R-1 zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

(a) ~~Duplexes~~.

(b) Churches and community meeting buildings.

(c) Golf course, tennis courts, swimming pools and other private recreation areas.

(d) Parks and publicly owned recreation areas.

(e) Public utility structure such as a substation.

(f) Government or municipal structures.

(g) Public owned parking lot.

(h) Non-profit conference ground or center operated for educational, charitable, or religious purposes, meeting the standards of Section 6.050.

(i) Bed and breakfast.

[Amended by Ordinance #277, August 28, 1990; Title only amended Ordinance #93-299, March 24, 1990]

(3) **Standards.** In an R-1 zone the following standards shall apply:

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum lot size of 5,000 square feet.

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet.

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985]

[…Re-letter remaining sections]

~~(b) The density of duplexes shall be: for lots existing prior to the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 3,500 square feet, for lots platted after the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 5,000 square feet.~~

~~[Amended by Ordinance #235, June 25, 1985]~~

(xx) Minimum lot width is 50 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

(xx) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(xx) The minimum front yard shall be 15 feet, unless subsection 3.010(3)(h) applies.

[Amended by Ordinance #235, June 25, 1985]

(xx) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.

[Amended by Ordinance #235, June 25, 1985]

(xx) The minimum rear yard shall be 20 feet, except that on a corner lot it may be a minimum of 5 feet unless subsection 3.010(3)(h) applies. Oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #94-312, June 8, 1994]

(xx) For lots of less than 5,000 square feet in size, but more than 3,500 square feet, the minimum front yard shall be 15 feet and the minimum rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. For lots of 3,500 square feet in size or less, the minimum front yard and rear yard shall be ten feet, except that on a corner lot the rear yard may be a minimum of 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #94-312, June 8, 1994]

(xx) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet.

(xx) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet.

[Amended by Ordinance #01-371, September 12, 2001]

(xx) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

[Section (j) added by Ordinance #93-299, March 24, 1990]

Section 3.020. Medium Density Residential Zone (R-2). In an R-2 zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-2 zone the following uses are permitted outright:

(a) Single ~~family~~ unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994]

(b) Middle housing

[…Re-letter remaining sections]

[…]

(3) **Standards and Criteria.** In an R-2 zone the following standards and criteria shall apply:

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235, lots platted after the adoption of Ordinance 235 shall have a minimum size of 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985]

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet.

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet.

[…Re-letter remaining sections]

~~(b) The density of duplexes shall be: for lots existing prior to the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 3,500 square feet; for lots platted after the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 5,000 square feet.~~

~~[Amended by Ordinance #235, June 25, 1985]~~

The density of ~~multifamily~~ multi-unit dwellings shall be 1,750 square feet of lot area per unit. ~~The minimum lot size of a multifamily dwelling shall be 5,250 square feet~~.

[Amended by Ordinance #235, June 25, 1985]

(c) Minimum lot width is 50 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1993]

(d) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1993]

(e) The minimum front yard shall be 15 feet for lots of more than 3,500 square feet. For lots of 3,500 square feet or less, the minimum front yard shall be 10 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #239, February 11, 1986]

(f) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.

[Amended by Ordinance #235, June 25, 1985]

(g) The minimum rear yard shall be five feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

(h) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet.

(i) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet.

[Amended by Ordinance #01-371, September 12, 2001]

[…Re-letter remaining sections]

[…]

Section 3.030. Residential/Resort Zone (R-R). In an R-R zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-R zone the following uses and their accessory uses are permitted outright:

(a) Single ~~family~~ unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994]

(b) ~~Duplexes~~ Middle housing and ~~multifamily~~ multi-unit dwellings.

(c) Home occupations (See Section 4.090).

(d) Churches and community meeting buildings.

(e) Signs subject to the provisions of Section 4.050.

[…]

(3) **Standards**. In the R-R, the following standards shall apply:

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum lot size of 5,000 square feet.

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet.

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985]

~~(b) The density of duplexes shall be: for lots existing prior to the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 3,500 square feet; for lots platted after the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 5,000 square feet.~~

~~[Amended by Ordinance #235, June 25, 1985]~~

The density of ~~multifamily~~ multi-unit dwellings and condominiums shall be 1,750 square feet of lot area per unit. ~~The minimum lot size for a multifamily dwelling shall be 5,250 square feet.~~

[Amended by Ordinance #235, June 25, 1985]

The maximum density of motels, hotels, and timeshare condominiums shall be one unit per 1,000 square feet of site area.

[…Re-letter remaining sections]

[Amended by Ordinance #235, June 25, 1985]

(c) Minimum lot width is 50 feet, except that for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(d) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(e) The minimum front yard shall be 15 feet unless subsection 3.030(3)(h) applies. [Amended by Ordinance #235, June 25, 1985]

(f) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.

[Amended by Ordinance #235, June 25, 1985]

(g) The minimum rear yard shall be 20 feet, except that on a corner lot it may be a minimum of 5 feet, unless subsection 3.030(3)(h) applies. Oceanfront structures shall conform to Section 5.060 (1)(b).

[Amended by Ordinance #235, June 25, 1985]

(h) For lots of less than 5,000 square feet in size, but more than 3,500 square feet, the minimum front yard shall be 15 feet and the minimum rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. For lots of 3,500 square feet in size or less, the minimum front yard and rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060 (l)(b).

[Amended by Ordinance #239, February 11, 1986]

(xx) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet. For property more than 2,000 feet from the Oregon Coordinate Line the maximum building height shall be 45 feet.

(xx) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet. For property more than 2,000 feet from the Oregon Coordinate Line the maximum building height shall be 45 feet.

[Amended by Ordinance #01-371, September 12, 2001]

[…]

Section 3.040. Special Residential/Resort Zone (S/R/R). In a SR-R zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an S/R/R zone, the following uses and their accessory uses are permitted outright:

(a) Single ~~family~~ unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994]

(b) ~~Duplexes~~ Middle housing and ~~multifamily~~ multi-unit dwellings.

(c) Home Occupation (See Section 4.090).

(d) Government or municipal structure.

(e) Signs subject to the provisions of Section 4.050.

(f) Family day care center.

(g) Residential home and residential facility.

[…]

Section 3.050. Commercial Zone (C-1).

[…]

(2) **Conditional Uses Permitted.** In a C-1 zone, the following conditional uses and accessory uses are permitted:

(f) Single ~~family~~ unit dwellings including modular housing and manufactured homes, duplexes and ~~multiple family~~ multi-unit dwellings. Manufactured homes shall be subject to the standards of Section 4.091.

[…]

Section 3.090. Lower Density Residential Zone (R-3). In an R-3 zone the following regulations shall apply:

(1) **Uses Permitted Outright**. In an R-3 zone, the following uses and their accessory uses are permitted outright:

(a) Single ~~family~~ unit dwellings, including modular housing and manufactured homes, ~~duplexes~~ middle housing and ~~multifamily~~ multi-unit homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994]

[…]

(3) **Standards**. In an R-3 zone, the following standards shall apply:

(a) Minimum lot size in an R-3 zone shall be 5,000 square feet except for townhouses, where average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet, where sanitary sewer service is available, or will be made available, except as provided in (h) below; otherwise, minimum lot size shall be 7,000 square feet.

[Amended by Ordinance #163, May 14, 1979]

(b) Density limits for townhouses in this area shall be 25 dwellings per acre. Density limits for all other housing types in this area shall be 9 dwellings per acre, except for triplex, quadplex, and cottage cluster developments which are exempt from maximum density, and except as provided in (h) below.

[Amended by Ordinance #163, May 14, 1979]

(c) Minimum lot width is 50 feet, except that for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1993]

(d) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1993]

(e) Minimum front yard setback shall be 10 feet from the street right-of-way.

[Amended by Ordinance #163, May 14, 1979]

(f) Minimum setback on all other sides shall be 5 feet from the lot line. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.

[Amended by Ordinance #163, May 14, 1979]

(g) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet.

(h) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet.

[Amended by Ordinance #18-432, January 8, 2020]

[…Re-letter remaining sections]

(xx) Where a proposed use is to be a Planned Unit Development involving residential structures, the Planning Commission may authorize an additional two dwelling units per acre if the development is properly designed. Planned developments over 20 acres or new planned developments added to the Urban Growth Boundary (UGB) after January 1, 2021, maximum density shall be 15 dwelling units per acre. For sites under 20 acres, middle housing is not subject to density maximums except for townhouses, for which maximum density shall be 25 dwelling units per acre. Aesthetic, geologic and environmental factors shall be taken into account. The Planning Commission may require an engineering, geologic, or structural analysis where it appears that steep slopes or wetlands are to be used for construction purposes rather than open space. The Planning Commission may attach any reasonable conditions it sees fit in the course of the Planned Unit Development process.

(xx) The requirements of Section 4.041, Shorelands Development Criteria, shall be met where uses are to be located within 50 feet of a lake within the Rockaway Beach Urban Growth Boundary.

(xx) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

[Section (j) added by Ordinance #93-299, March 24, 1990]

Section 3.091. Residential Manufactured Dwelling Zone - RMD Zone. In an RMD Zone, the following regulations apply:

(1) **Uses Permitted Outright**. In an RMD Zone, the following uses and their accessory uses are permitted outright:

(a) Single ~~family~~ unit dwellings, including modular and Manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994]

(b) ~~Duplex~~. Middle housing.

(c) Manufactured dwelling subject to Section 4.095.

(d) Signs subject to Section 4.050.

[…]

(3) **Standards.** In an RMD Zone, the following standards shall apply:
(Title amended by Ordinance #277, August 28, 1990]

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet lots existing at the time of adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum size of 5,000 square feet.

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet.

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985]

~~(b) The density of duplexes shall be: for lots existing prior to the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 3,500 square feet; for lots platted after the adoption of Ordinance 235, a duplex is permitted on a lot with a minimum size of 5,000 square feet.~~

~~[Amended by Ordinance #235, June 25, 1985]~~

(c) Minimum lot width is 50 feet, except that for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(d) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(e) The minimum front yard shall be 15 feet for lots of more than 3,500 square feet. For lots of 3,500 square feet or less, the minimum front yard shall be 10 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #257, May 24, 1988)

(f) Minimum side yard shall be 5 feet except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.

[Amended by Ordinance #235, June 25, 1985]

(g) The minimum rear yard shall be 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #257, May 24, 1988]

(h) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet.

(i) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet.

[…Re-letter remaining sections]

[Amended by Ordinance #18-432, January 8, 2020]

[Amended by Ordinance #239, February 11, 1986]

(xx) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

[Amended by Ordinance #93-299, March 24,1990]

[…]

Section 3.142 Tsunami Hazard Overlay Zone

[…]

(6) **Evacuation Route Improvement Requirements.** Except existing single ~~family~~ unit dwellings on existing lots and parcels, all new development, substantial improvements and land divisions in the Tsunami Hazard Overlay Zone shall incorporate evacuation measures and improvements, including necessary vegetation management, which are consistent with and conform to the adopted Tsunami Evacuation Facilities Improvement Plan. Such measures may include:

[…]

Section 4.043. ~~Multifamily~~ Multi-Unit Siting Criteria. In any zone where a ~~multifamily~~ multi-unit dwelling is proposed, the Planning Commission shall review the plans under the following criteria:

[…]

Section 4.060. Off-Street Parking and Off-Street Loading Requirements. At the time a new structure is erected, or the use of an existing structure is enlarged, off-street parking spaces, loading spaces, and access thereto shall be provided as set forth in this section, unless greater requirements are otherwise established.

[…]

(18) Off-Street Parking Space Requirements.

(a) Single unit dwelling……..……..Two spaces per dwelling unit.

(b) Duplex, townhouse or cottage cluster……One space per dwelling unit.

(c) Triplex……..…..One space for lots less than 3,000 square feet; Two spaces for lots greater than or equal to 3,000 and less than 5,000 square feet; Three spaces for lots greater than or equal to 5,000 square feet.

(d) Quadplex……..One space for lots less than 3,000 square feet; Two spaces for lots greater than or equal to 3,000 and less than 5,000 square feet; Three spaces for lots greater than or equal to 5,000 square feet and less than 7,000 square feet; Four spaces for lots greater than or equal to 7,000 square feet.

[…Renumber remaining sections]

Section 5.050. General Exception to Lot Size Requirements.

(1) No parcel of land less than 1,750 square feet shall support a residential use, except townhouses where the average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet.

(2) If a lot does not meet the minimum lot size requirements of the zone in which the property is located, residential use shall be limited to a single ~~family~~ unit dwelling or duplex or to the number of dwelling units

consistent with the density limitations of the zone.

(3) A single unit dwelling may be converted to middle housing per OAR 660-046-0230.

[…]

Section 5.060. General Exceptions to Yard Requirements.

[…]

(2) The required width of a side yard may be reduced to 10 percent of the width of the lot, but not less than 3 feet, except for the street side of a corner lot which must maintain an adequate clear vision area. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.

[…]

Article 7. Nonconforming Uses.

Section 7.030. Change of Nonconforming Use.
[…]

(3) Non-conforming single-unit dwellings may be converted to middle housing through additions or conversions of internal space, provided that the addition or conversion does not increase nonconformance with applicable standards of this ordinance.

Article 10. Planned Unit Development (PUD)

[…]

Section 10.030. Permitted Buildings and Uses. The following buildings and uses may be permitted as hereinafter provided. Buildings and uses may be permitted either singly or in combination provided the overall density of the Planned Unit Development does not exceed the density of the parent zone as provided in this ordinance.

(1) ~~Single-family dwellings including detached, attached, or semi-detached units, row houses, atrium or patio houses, provided each has its own separate plot.~~ Single unit dwellings, middle housing, and multi-unit dwellings.

Section 10.040. Development Standards.

[…]

(3) **Density.** ~~The density of a planned development shall not exceed the density of the parent zone, except as more restrictive regulations may be prescribed as a condition of the PUD permit.~~ The maximum density of a planned development over 20 acres shall be 15 dwelling units per acre. A planned development less than 20 acres shall have no density maximum. When calculating density, the gross area is used (total area including street dedications). Areas of public uses may be included in calculating allowable density.

[…]

Section 4.04X Townhouse Projects

(1) **Sufficient Infrastructure**. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

(2) **Design Standards for Townhouses.**

(a) Entry Orientation. The main entrance of each townhouse must:

(i) Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and

(ii) Either:

(A) Face the street (see Figure 1);
(B) Be at an angle of up to 45 degrees from the street (see Figure 2);
(C) Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
(D) Open onto a porch (see Figure 3). The porch must:
- Be at least 25 square feet in area; and
- Have at least one entrance facing the street or have a roof

(b) Unit definition. Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4):

(i) A roof dormer a minimum of 4 feet in width, or
(ii) A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
(iii) A bay window that extends from the facade a minimum of 2 feet, or
(iv) An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
(v) An entryway that is recessed a minimum of 3 feet, or
(vi) A covered entryway with a minimum depth of 4 feet, or
(vii) A porch meeting the standards of subsection (2)(a)(D) of this section (4.04X.02).

Balconies and bay windows may encroach into a required setback area.

Figure 1. Main Entrance Facing the Street

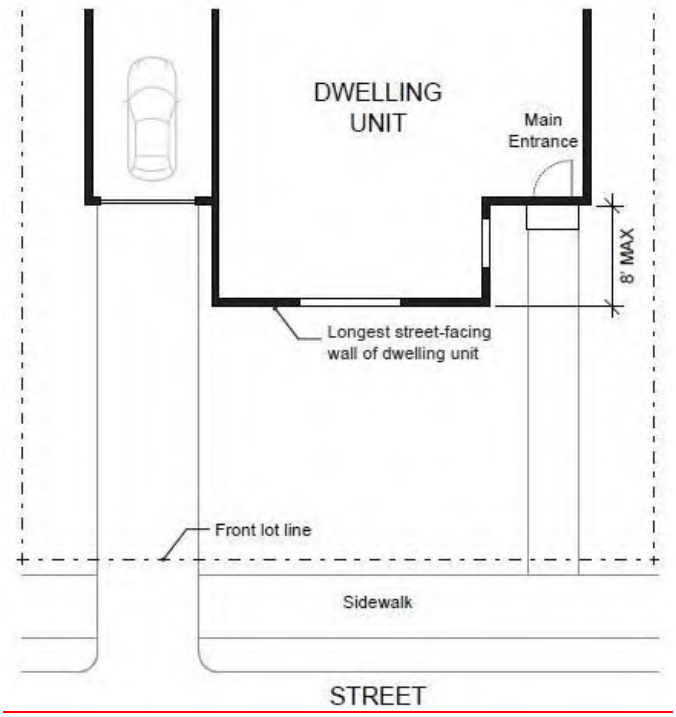


Figure 2. Main Entrance at 45°Angle from the Street

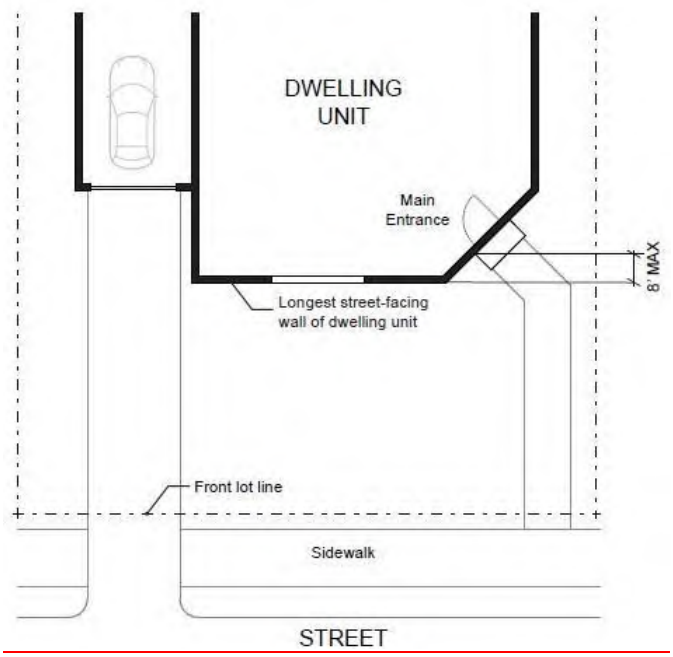


Figure 3. Main Entrance Opening onto a Porch

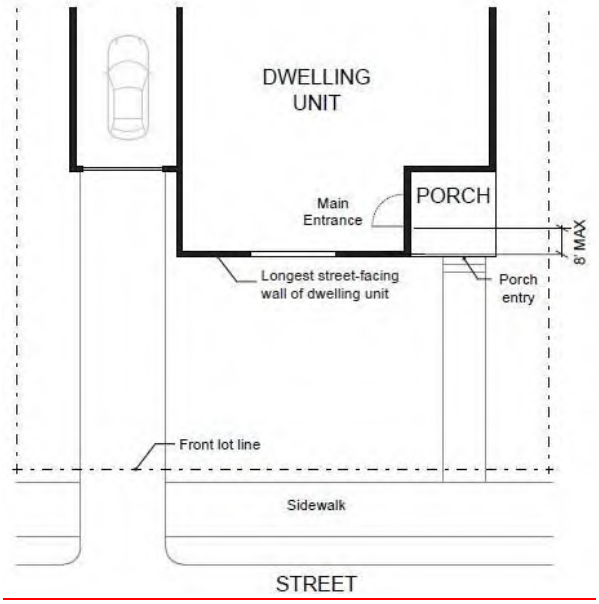
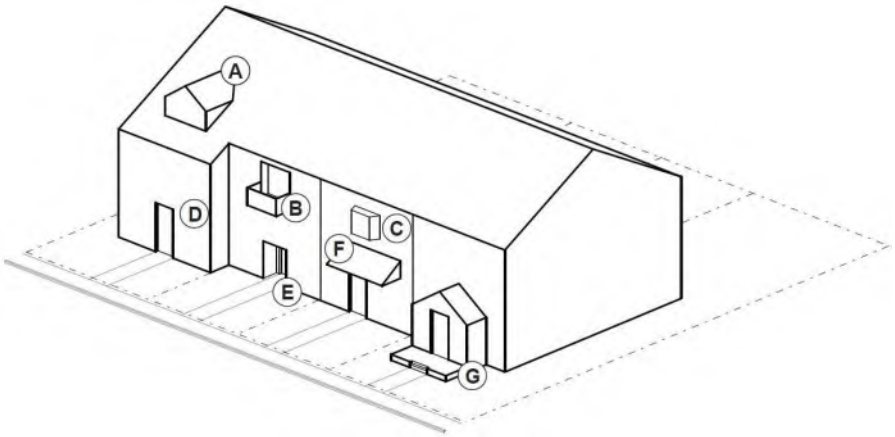


Figure 4. Townhouse Unit Definition



A Roof dormer, minumum of 4 feet wide

B Balcony, minimum 2 deet deep and 4 feet wide. Accessible from interior room.

C Bay window extending minimum of 2 feet from facade

D Facade offset, minimum of 2 feet deep

E Recessed entryway, minimum 3 feet deep

F Covered entryway, minimum of 4 feet deep

G Porch, meets standards of subsection (1)(b)(iv) of section (C)

(c) Windows. A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard (see Figure 5).

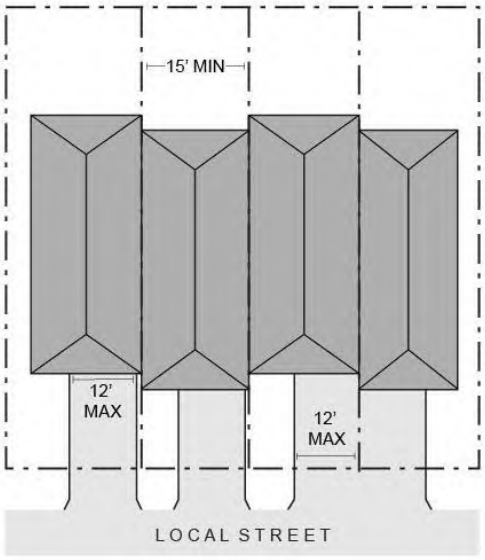
Figure 5. Window Coverage

(d) Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:

(i) Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 6).

(A) Each townhouse lot has a street frontage of at least 15 feet on a local street.
(B) A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
(C) Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
(D) The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 6. Townhouses with Parking in Front Yard



(ii) The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (i).

(A) Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
(B) A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 7.
(C) Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 8.
(D) A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

(iii) Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (ii).

(3) **Process.** Townhouse structures are reviewed for compliance with these standards as part of the building permit application.

Figure 7. Townhouses on Corner Lot with Shared Access

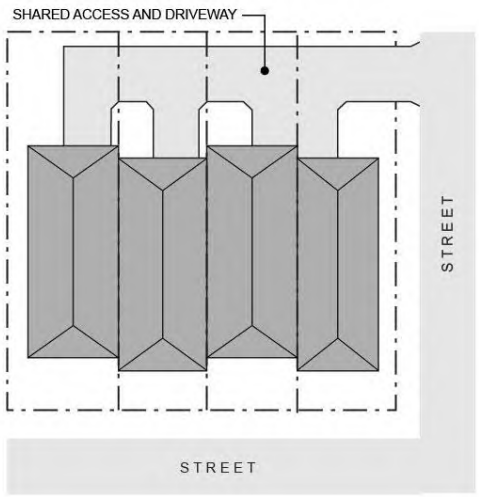
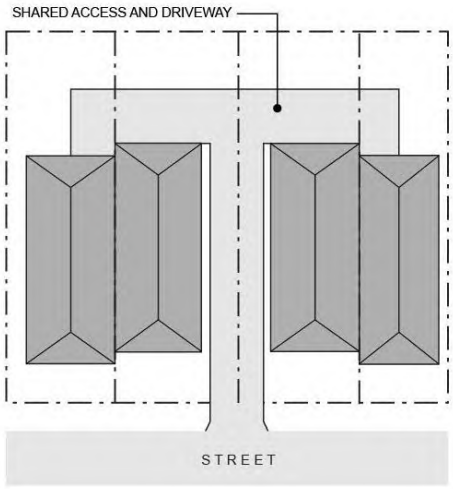


Figure 8. Townhouses with Consolidated Access



Section 4.04X. Triplex and Quadplex Dwellings

(1) **Sufficient Infrastructure.** Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

(2) **Design Standards for Triplex and Quadplex Dwellings.**

(a) Entry Orientation. At least one main entrance for each triplex or quadplex structure must meet the standards in subsections (i) and (ii) below. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling is exempt from meeting these standards.

(i) The entrance must be within 8 feet of the longest street-facing wall of the dwelling unit; and
(ii) The entrance must either:

(A) Face the street (see Figure 9);
(B) Be at an angle of up to 45 degrees from the street (see Figure 10);
(C) Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 11); or
(D) Open onto a porch (see Figure 12). The porch must:

- Be at least 25 square feet in area; and
- Have at least one entrance facing the street or have a roof.

Figure 9. Main Entrance Facing the Street

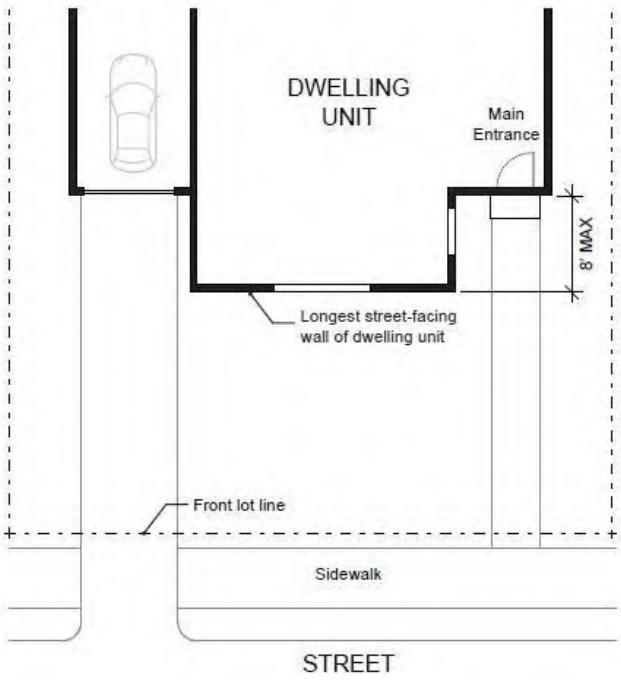


Figure 10. Main Entrance at 45° Angle from the Street

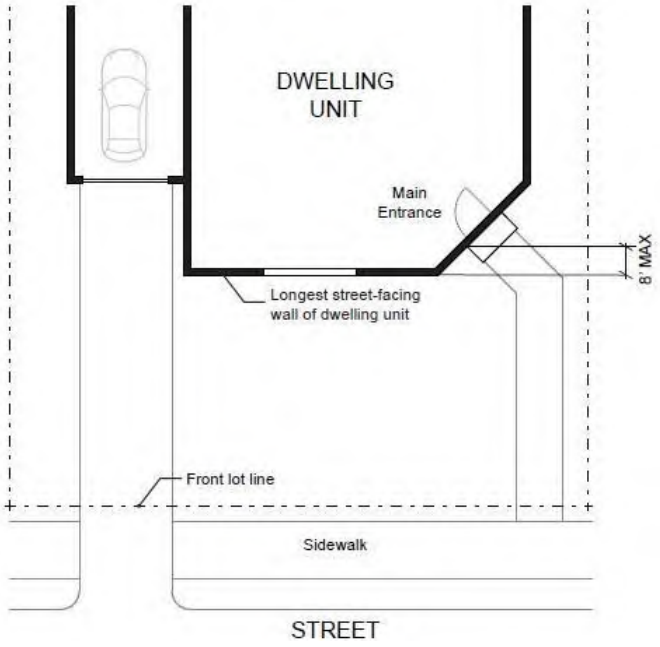


Figure 11. Main Entrance Facing Common Open Space

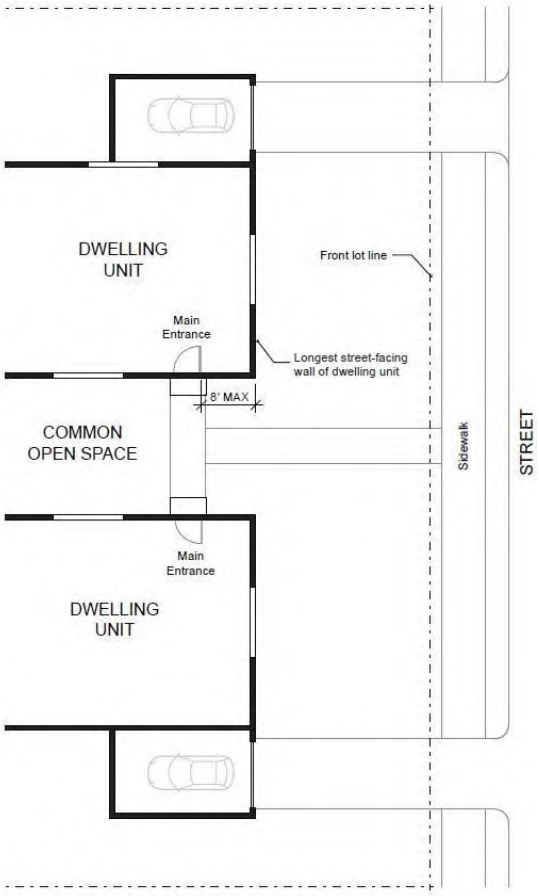
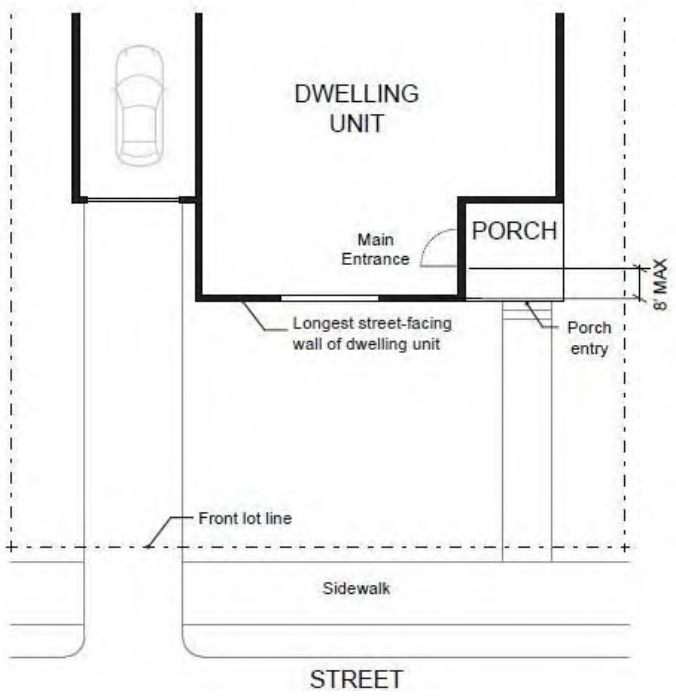


Figure 12. Main Entrance Opening onto a Porch



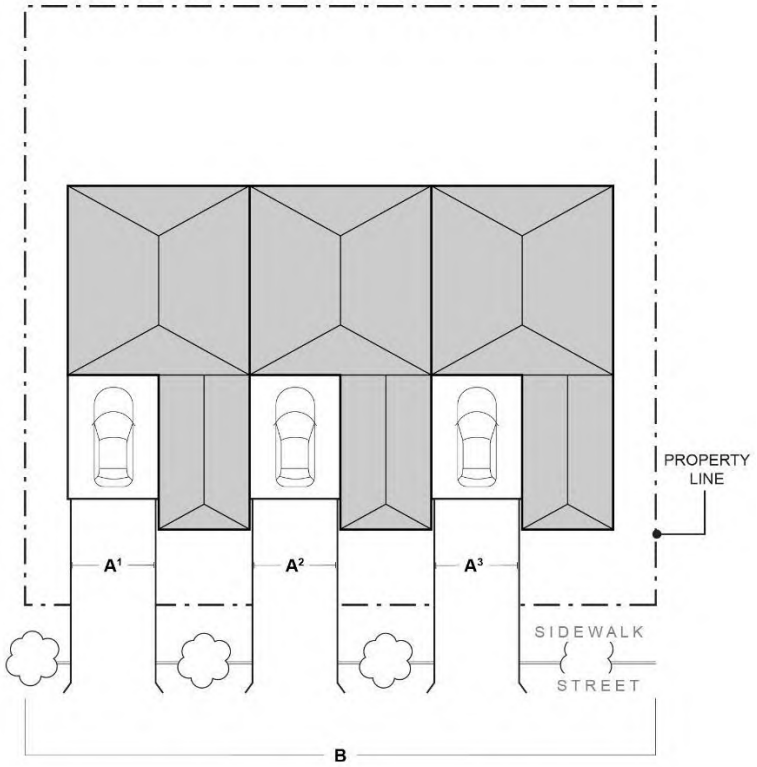
(b) Windows. A minimum of 15 percent of the area of all street-facing facades must include windows or entrance doors. Facades separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 13.

Figure 13. Window Coverage

(c) Garages and Off-Street Parking Areas. Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (i) and (ii) of this subsection (2)(c).

(i) The garage or off-street parking area is separated from the street property line by a dwelling; or
(ii) The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 14).

Figure 14. Width of Garages and Parking Areas



(A) Garage and on-site parking and maneuvering areas

(B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

(d) Driveway Approach. Driveway approaches must comply with the following:

(i) The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line (see Figure 15). For lots or parcels with more than one frontage, see (d)(iii) of this subsection (Section 4.04X(2)).
(ii) Driveway approaches may be separated when located on a local street (see Figure 15). If approaches are separated, they must meet driveway spacing standards applicable to local streets.
(iii) In addition, lots or parcels with more than one frontage must comply with the following:
(A) Lots or parcels must access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley (defined as an alley that meets the jurisdiction's standards for width and pavement), access must be taken from the alley (see Figure 16).

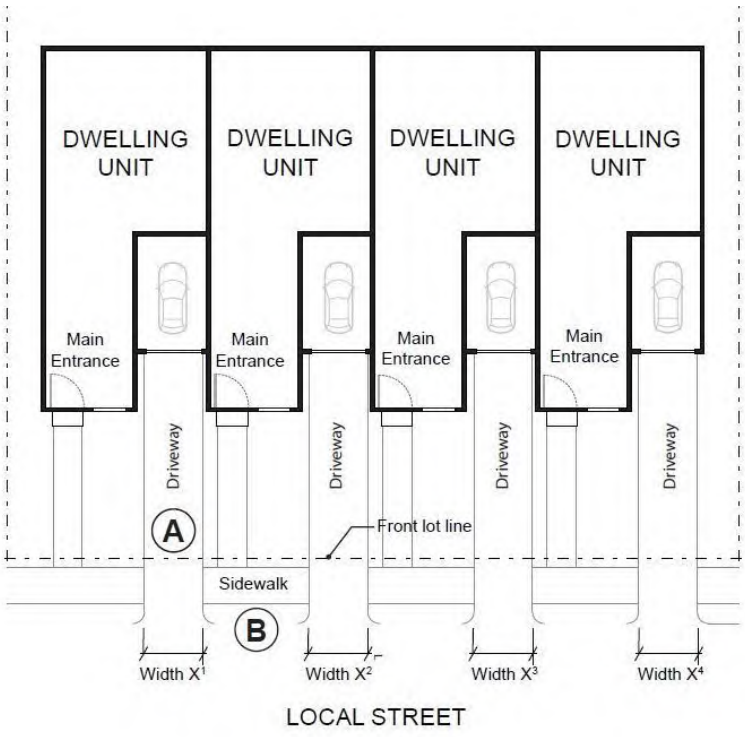
(B) Lots or parcels with frontages only on collectors and/or arterial streets must meet local access standards applicable to collectors and/or arterials.

(C) Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:

- Two driveway approaches not exceeding 32 feet in total width on one frontage; or
- One maximum 16-foot-wide driveway approach per frontage (see Figure 17).

(3) **Process.** Triplexes and quadplexes are reviewed for compliance with these standards as part of the building permit application.

Figure 15. Driveway Approach Width and Separation on Local Street



A $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

B Driveway approaches may be separated when located on a local street

Figure 16. Alley Access

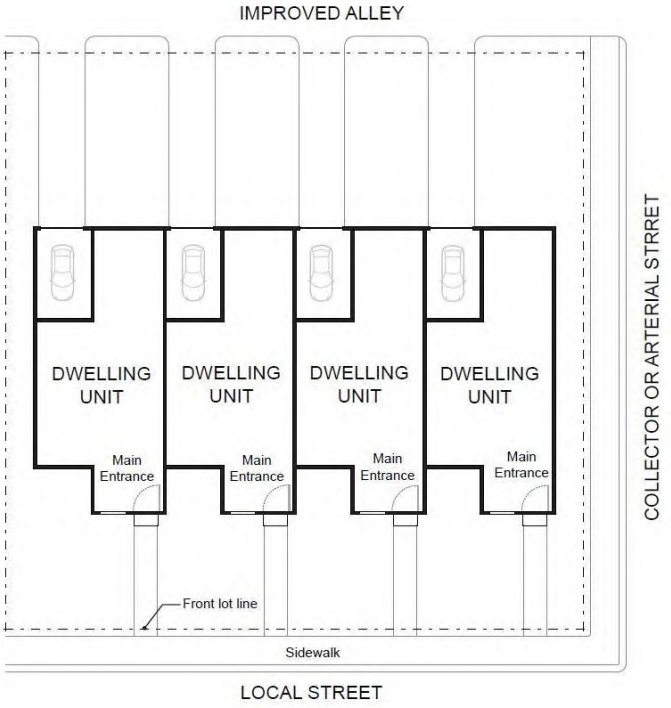
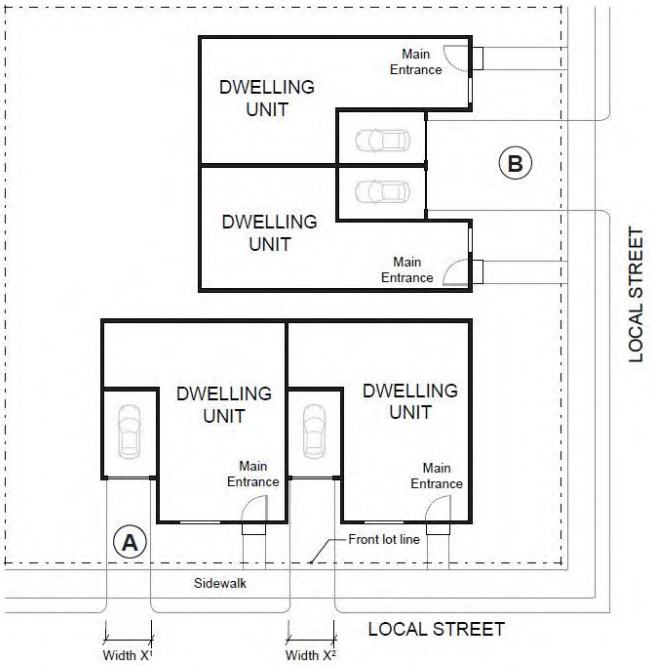


Figure 17. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

(A) Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured X1 + X2); or

(B) One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

Section 4.04X. Cottage Clusters.

(1) **Sufficient Infrastructure**. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

(2) **Development Standards for Cottage Clusters.**

(a) Setbacks and Building Separation

(i) Setbacks. The following standards are maximum setbacks for cottage clusters in all zones:
(A) Front setbacks: 10 feet
(B) Side setbacks: 5 feet
(C) Rear setbacks: 10 feet

(ii) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements

(b) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(3) **Design Standards**. Cottage clusters shall meet the design standards in subsections (a) through (h) of this section (3). No other design standards shall apply to cottage clusters unless noted in this section.

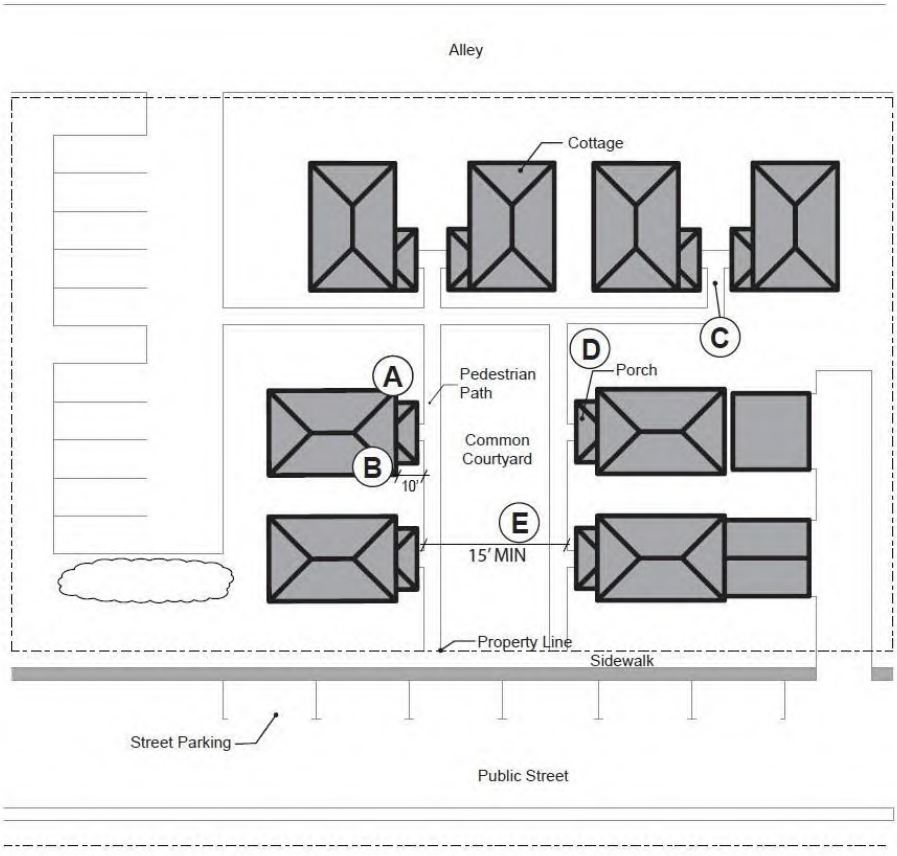
(a) Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 18):

(i) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
(ii) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;
(B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
(C) Be connected to the common courtyard by a pedestrian path.

(iii) Cottages within 20 feet of a street property line may have their entrances facing the street.
(iv) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 18. Cottage Cluster Orientation and Common Courtyard Standards



A A minimum of 50% of cottages must be oriented to the common courtyard.

B Cottages oriented to the common courtyard must be within 10 feet of the courtyard.

C Cottages must be connected to the common courtyard by a pedestrian path.

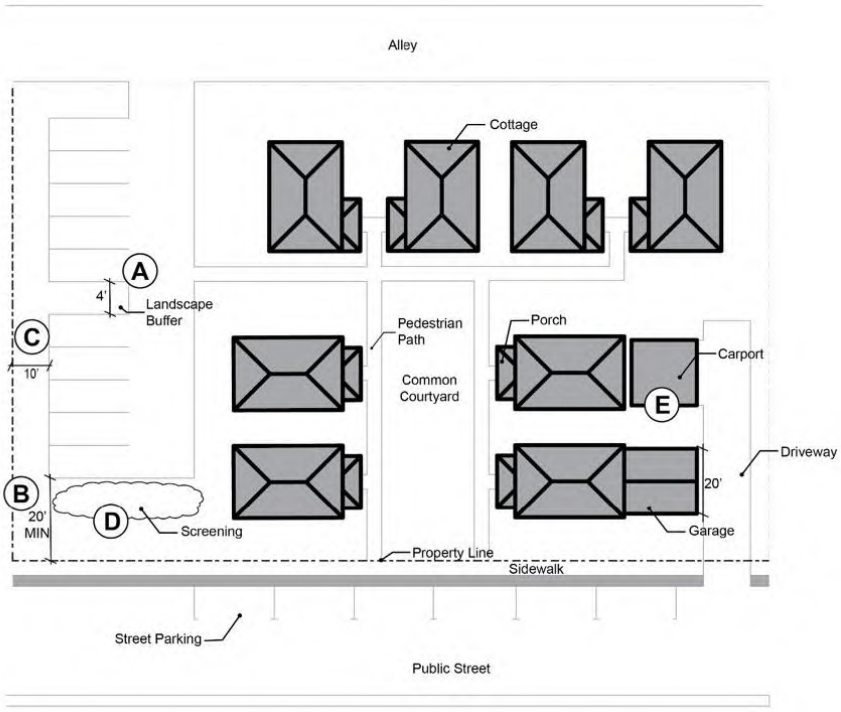
D Cottages must abut the courtyard on at least two sides of the courtyard.

E The common courtyard must be at least 15 feet wide at it narrowest width.

(b) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 19):

(i) The common courtyard must be a single, contiguous piece.
(ii) Cottages must abut the common courtyard on at least two sides of the courtyard.
(iii) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (a) of this section (3)).
(iv) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
(v) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
(vi) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 19. Cottage Cluster Parking Design Standards



(A) Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.

(B) No parking or vehicle area within 20 feet from street property line (except alley).

(C) No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.

(D) Screening required between clustered parking areas or parking structures and public streets or common courtyards.

(E) Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

(c) Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

(i) Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (2)(b).

(ii) A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

(d) Pedestrian Access.

(i) An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:

(A) The common courtyard;
(B) Shared parking areas;
(C) Community buildings; and
(D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.

(ii) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

(e) Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single unit dwellings in the same zone.

(f) Parking Design (see Figure 20).

(i) Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:

(A) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
(B) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
(C) Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
(D) Clustered parking areas may be covered.

(ii) Parking location and access.

(A) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- within of 20 feet from any street property line, except alley property lines;
- between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.

(B) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.

(iii) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

(iv) Garages and carports.

(A) Garages and carports (whether shared or individual) must not abut common courtyards.
(B) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
(C) Individual detached garages must not exceed 400 square feet in floor area.
(D) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

(g) Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.

(h) Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single unit dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:

(i) The existing dwelling may be nonconforming with respect to the requirements of this code.
(ii) The existing dwelling may be expanded up to the maximum height allowed by the zone district or the maximum building footprint of 900 square feet; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
(iii) The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
(iv) The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (a)(1) of this section (3).

(4) **Process.** Cottage clusters are reviewed for compliance with these standards as part of the building permit application.

ROCKAWAY BEACH
ZONING ORDINANCE

As Amended June 11, 2025

ROCKAWAY BEACH ZONING ORDINANCE

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ROCKAWAY BEACH
ORDINANCE NO. 143
AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF ZONING REGULATIONS FOR THE CITY OF ROCKAWAY BEACH, OREGON, IN CONCEPT WITH THE COMPREHENSIVE PLAN AND REPEALING ORDINANCE NO. 92, NO. 121 AND NO. 141
AND INCORPORATING ORDINANCE NUMBERS
149, 162, 163, 165, 173, 174, 181, 185, 193, 203,
217, 221, 226, 229, 235, 239, 243, 252, 257, 262, 265,

276, 277, 279, 280, 93-299, 94-308, and 09-407

The City of Rockaway Beach does ordain as follows:

Article 1. Introductory Provisions

Section 1.010. Title. This ordinance shall be known as the Rockaway Beach Zoning Ordinance.

Section 1.020. Purpose. The purpose of the ordinance is: to encourage the orderly development of the City; to promote appropriate uses of land; to conserve and stabilize the value of property; to provide adequate light and air; to lessen congestion; to prevent undue concentration of population; to facilitate adequate provisions for community facilities such as water supply and sewerage; to protect and enhance the appearances of the City; and in general to promote the public health, safety, convenience, and general welfare. The City has prepared a comprehensive plan and zoning ordinance to encourage orderly growth and to promote the public health, safety, convenience, and general welfare.

Section 1.030. Definitions. As used in this ordinance the following words and phrases shall mean:

(1) **Accessory Use and Structure.** A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.

(2) **Access.** Access to property is described as normal vehicular access, by which normal ingress and egress by automobiles or other vehicles and pedestrians may be obtained to private property from public or private right-of-way.

(3) **Active Restoration.** The use of specific positive remedial actions, such as removing fills, or improving water quality to return an aquatic area to a previous condition.

[Added by Ordinance #277, August 28, 1990]

(4) **Beach.** Gently sloping areas of loose material (e.g., sand, gravel, cobbles) that extent landward from the low water line (extreme low tide) to a point where there is a definite change in material type or landform or to the line of year-round vegetation. In most cases, the line of vegetation is followed by the Oregon Beach Coordinate or Zone Line, as defined by O.R.S. 390.770. Where the vegetation line is eastward or landward of the coordinate line, the eastward line of the beach shall be the actual line of vegetation.

[Added by Ordinance #243, May 13, 1986]

(5) **Bed and Breakfast.** An owner occupied dwelling where rooms are available for transient lodging and where a morning meal is provided.

[Added by Ordinance #277, August 28, 1990]

(6) **Building.** A structure, including modular housing and manufactured homes, built for the support, shelter, or enclosure of persons, animals, or property of any kind, and having a fixed base on, or fixed base to the ground. [Amended by Ordinance #94-308, February 9, 1994]

(7) **City.** The City of Rockaway Beach, Oregon.

(8) **Day Care Center.** A facility other than the residence of the day care provider, which receives three or more children for part of the 24 hours of the day for the purpose of providing care and board apart from the children's parents or guardians.

[Added by Ordinance #277, August 28, 1990]

(9) **Dune.** Means a hill or ridge of land built up by wind along sandy coasts.

[Added by Ordinance #277, August 28, 1990]

(10) **Dune, active.** Means a dune that migrates, grows and diminishes from the force of wind and supply of sand. Active dunes include all open sand dunes, active hummocks and active foredunes.

[Added by Ordinance #277, August 28, 1990]

(11) **Dune, Conditionally Stable.** Means a dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.

[Added by Ordinance #277, August 28, 1990]

(12) **Dune, Older Stabilized.** Means a dune that is stable from wind erosion and that has significant soil development and that may include diverse forest cover. They include older foredunes.

[Added by Ordinance #277, August 28, 1990]

(13) **Dune, Recently Stabilized.** Means a dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

[Added by Ordinance #277, August 28, 1990]

(14) **Dune, Younger Stabilized.** Means a wind stable dune with weakly developed soils and vegetation.

[Added by Ordinance #277, August 28, 1990]

(15) **Dune, Open Sand.** Means a collective term for active, unvegetated dune land forms.

[Added by Ordinance #277, August 28, 1990]

(16) **Dwelling Unit.**. A single unit providing complete independent living facilities for 1 or more persons, including provisions for living, sleeping, cooking and sanitation. Provisions for cooking shall mean an area used, or designated to be used, for the preparation of food.

[Amended by Ordinance #93-299, March 24, 1990; Am. Ord. 2025-02, June 11, 2025]

(17) **Dwelling, Single Unit.** A dwelling unit built and intended for occupancy by one household, built on a single lot or parcel, constructed on site or elsewhere. Detached modular homes (aka prefabricated buildings) consisting of multiple modules constructed off site, are considered single detached dwellings. Dwelling units on individual lots that are part of a cottage cluster are not single detached dwellings. [Amended by Ord. 2025-02, June 11, 2025]

(18) **Dwelling, Duplex.** Two dwelling units in any configuration. Both units of a duplex must be built on a single lot or parcel, or located on two child lots created through a middle housing land division. [Amended by Ord. 2025-02, June 11, 2025]

(19) **Dwelling, Townhouse**. A dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent dwelling unit. [Added by Ord. 2025-02, June 11, 2025]

(20) **Dwelling, Triplex**. Three dwelling units in any configuration. All three units must be built on a single lot or parcel, or located on three child lots created through a middle housing land division. [Added by Ord. 2025-02, June 11, 2025]

(21) **Dwelling, Quadplex**. Four dwelling units in any configuration. All four units must be built on a single lot or parcel, or located on four child lots created through a middle housing land division. [Added by Ord. 2025-02, June 11, 2025]

(22) **Dwelling, Multi-unit.** A residential structure containing five or more dwelling units sharing common walls or floors and ceilings, built on a single lot or parcel. [Amended by Ord. 2025-02, June 11, 2025]

(23) **Dwelling, Cottage Cluster**. A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each, located on a single lot or parcel that includes a common courtyard or located on child lots created through a middle housing land division. [Added by Ord. 2025-02, June 11, 2025]

(24) **Family.** An individual or two or more persons related by blood, marriage, legal adoption, guardianship, or one or more persons living together as one housekeeping unit, using one kitchen, and providing meals or lodging.

(25) **Family Day Care Center.** A day care facility where care is provided in the home of the provider in the family living quarters to fewer than 13 children including children of the provider, regardless of full or part-time status.

[Added by Ordinance #277, August 28, 1990]

(26) **Foredune, active.** Means an unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass and occur in sandpits and at river mouths as well as elsewhere.

[Added by Ordinance #277, August 28, 1990]

(27) **Foredune, Conditionally Stable.** Means an active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.

[Added by Ordinance #277, August 28, 1990]

(28) **Foredune, Older.** Means a conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

[Added by Ordinance #277, August 28, 1990]

(29) **Grade (Ground level).** The average elevation of the finished grade or ground at the center of all walls of a building. For structures located in a coastal high hazard area (V-Zone), the grade shall be defined as the base flood elevation as determined by the flood insurance rate map for the City of Rockaway Beach.

[Amended by Ordinance #235, June 25, 1985]

(30) **Guest House.** An accessory structure or part thereof which is physically detached from a principal dwelling, not to be used as a rental unit, and intended for temporary occupancy only by guests of the family residing in or owning the principal dwelling.

[Added by Ordinance #09-407 October 7, 2009]

(31) **Height of Building.** On the oceanfront, building height means the vertical distance from the grade to the highest point of the roof, excluding chimneys, aerials and similar extensions. For all other uses, building height means the vertical distance measured from the average elevation of the grade to the highest point of the roof surface of a flat roof, to the top of a mansard roof, and the ridge of a pitched roof, excluding chimneys, aerials and similar extensions.

[Amended by Ordinance #235, June 25, 1985]

(32) **Home Occupation.** A lawful occupation carried on by a resident of a dwelling as an accessory use on the same property, in connection with which there is no person employed other than a person residing on the premises; and there is no activity conducted in such a manner as to give an outward appearance of a business in the ordinary meaning of the term, or disruption of the neighborhood.

(33) **Hotel/Motel**. A building or portion thereof designed and used for transient lodging in a non-residential zone for a period of less than 30 days, lodged with or without meals and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

[Added by Ordinance #18-432, January 8, 2020]

(34) **Kennel.** A lot or building in which four or more dogs, or cats, or at least four animals of four months of age or older are kept commercially for board, propagation, training or sale.

(35) **Lot, Abutting the Oceanshore or Oceanfront lot.** Means a lot which abuts the Oregon Coordinate Line or a lot where there is no buildable lot between it and the Oregon Coordinate Line.

[Added by Ordinance #277, August 28, 1990]

(36) **Lot or Parcel.**. Any legally created unit of land. [Amended by Ord. 2025-02, June 11, 2025]

(37) **Lot Area.** The total horizontal area within the lot lines of a lot exclusive of public and private streets and easements of access to the property.

(38) **Lot, Corner.** A lot abutting on two or more dedicated streets at their intersection.

(39) **Lot Depth.** The average horizontal distance between the front lot line and the rear lot line.

(40) **Lot Line.** The property line bounding a lot.

(41) **Lot Line, Front.** The lot line separating the lot from the street, and in the case of a corner lot, the shortest lot line along a street.

(42) **Lot Line, Rear.** The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.

(43) **Lot Line, Side.** Any lot line not a front or rear lot line.

(44) **Lot, Parent / Lot, Child.** Parent lot refers to a lot of record or a lot in a subdivision, partition, or middle housing land division which is developed, or proposed to be developed, with 2 or more townhouses or other type of middle housing, and which may therefore be further divided to allow individual ownership of each dwelling unit. Child lot refers to the unit(s) of land created from a parent lot. A child lot created through a middle housing land division is also referred to as a middle housing lot. Only one dwelling unit is permitted on each resulting middle housing lot. [Added by Ord. 2025-02, June 11, 2025]

(45) **Lot Width.** The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

(46) **Lot Area Coverage.** The maximum amount of the lot which can be covered with structures, including carports, porches, and other attachments, but not including parking area, patios, decks, or other surface area improvements.

(47) **Low Intensity Recreation.** Means recreation that does not require developed facilities and can be accommodated without change to the area or resource.

[Added by Ordinance #277, August 28, 1990]

(48) **Manufactured Dwelling.**

a) **A residential trailer.** A structure constructed for movement on the public highways, that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962.

b) **A mobile home.** A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed after January 1, 1962, and and meets the construction requirements of Oregon mobile home law in effect at the time of construction.

'Manufactured dwelling' does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.

Section (41) amended by Ordinance #94-308, February 9, 1994]

(49) **Manufactured Home.** A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed in accordance with federal manufactured housing construction and safety standard regulations in effect at the time of construction.

Section (42) amended by Ordinance #94-308, February 9, 1994]

(50) **Manufactured Home Park.** Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

[Amended by Ordinance #277, August 28, 1990]

(51) **Manufactured Home Subdivisions.** Any place where four or more manufactured dwellings are parked within 500 feet of one another on a lot, tract, or parcel of land under separate ownerships, designated or intended for occupation by manufactured dwellings.

[Amended by Ordinance #277, August 28, 1990]

(52) **Middle Housing.** A category of housing types that includes duplexes, triplexes, quadplexes, cottage clusters, and townhouses. [Added by Ord. 2025-02, June 11, 2025]

(53) **Middle Housing Land Division.** The partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2). A middle housing land division is an action distinct from other types of land divisions per this Oregon law. Further division of lots or parcels resulting from a middle housing land division are prohibited. [Added by Ord. 2025-02, June 11, 2025]

(54) **Mobile Food Unit (Food Cart).** Any vehicle that is self-propelled, or which can be pushed or pulled down a sidewalk, street or highway, on which food is prepared, processed or converted, or which is used in selling and dispensing food to the ultimate consumer. All Mobile Food Units must have access to a restroom by written agreement. Restroom must contain hand washing facilities and paper towels to permit double washing of food handlers. All Mobile Food Units must be licensed by Tillamook County Department of Environmental Health.

[Added by Ordinance #18-432, January 8, 2020]

(55) **Modular Housing.** Means a dwelling unit manufactured offsite, built to be used for permanent residential occupancy, to be set on a permanent foundation and conforming to the Uniform Building Code.

[Added by Ordinance #277, August 28, 1990]

(56) **Native Vegetation.** Native vegetation consists of plants native to the North Oregon Coast and its Urban Growth Boundary and the geographic conditions of the site.

Some examples of native vegetation are provided in the book available for review at City Hall: "*Plants of the Pacific Northwest Coast, Washington, Oregon, British Columbia & Alaska* Compiled and edited by Jim Pojar and Andy MacKinnon by the British Columbia Ministry of Forests and Lone Pine Publishing".

[Added by Ordinance #09-407 October 7, 2009]

(57) **Nonconforming Structure or Use.** A lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

(58) **Owner.** An owner of property or the authorized agent of an owner.

(59) **Ocean Flooding.** The flooding of lowland areas by salt water owing to tidal action, storm surges or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands and low-lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

[Added by Ordinance #243, May 13, 1986]

(60) **Open Space.** Open space is that portion of the lot or parcel of property which is left uncovered by structures, parking, patios, and other impervious surfaces. It is area devoted primarily to landscaping with native or natural vegetation.

[Amended by Ordinance #93-299, March 24, 1990]

[Amended by Ordinance #09-407 October 7, 2009]

(61) **Parking Space.** An enclosed or unenclosed surfaced area, permanently reserved for the temporary storage of one automobile and connected with a street or alley which affords ingress and egress for automobiles.

[Amended by Ordinance #277, August 28, 1990]

(62) **Passive Restoration.** Means the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

[Added by Ordinance #277, August 28, 1990]

(63) **Permit.** A discretionary approval of a proposed development of land under ORS 227.215.

[Added by Ordinance #277, August 28, 1990]

(64) **Public Utility.** A private business or organization such as a public service corporation, performing some public service and subject to governmental regulation, or a governmental agency performing similar public services. Such services shall

include but are not limited to electric, gas, power or telephone.

[Added by Ordinance #277, August 28, 1990]

(65) **Recreational Vehicle.** A vacation trailer or other unit with or without motive power which is designed for human occupancy and to be used temporarily for recreation or emergency purposes and has a floor space of less than 400 square feet. 'Recreational vehicle' includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers and any vehicle converted for use or partial use as a recreational vehicle. The unit shall be identified as a recreational vehicle by the manufacturer.

[Amended by Ordinance #277, August 28, 1990]

(66) **Recreational Vehicle Park.** A lot which is operated on a fee or other basis as a place for the parking of occupied recreation vehicles.

(67) **Residential, or Residential Use** is a land use in which housing predominates, as opposed to industrial and commercial uses. Housing may vary significantly between, and through, residential areas. These include single-family housing, multi-family residential, or mobile homes. Nonresidential uses may be included in some areas such as home occupations or offices, or travelers accommodations.

[Added by Ordinance #18-432, January 8, 2020]

(68) **Residential Facility.** A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with training or treatment or a combination thereof for 6 to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

[Added by Ordinance #277, August 28, 1990]

(69) **Residential Home.** A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with training or treatment or a combination thereof for 5 or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

[Added by Ordinance #277, August 28, 1990]

(70) **Setback**. The distance which a building or other structure is set back from property lines, including the street right of way, or from a stream, a shoreline vegetation line, wetland boundary, or flood plain, or any other place which is deemed to need protection. Setbacks are measured perpendicular to the line or boundary. The setback area must be maintained clear of permanent structures with the exception of specifically permitted encroachments. Setbacks include the following modifiers:

(a) DEPTH. The dimension of a setback measured at a right angle and horizontally from an abutting property line.

(b) FRONT. An area extending the full width of a lot between the front lot line and the front setback line.

(c) LINE. A line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a setback and governing the placement of structures and uses on the lot.

(d) REAR. An area extending the full width of a lot between the rear lot line and the rear setback line, excluding any area located within the street side setback of a corner lot.

(e) SIDE. The area extending the depth of a lot from the front setback to the rear lot line between the interior side lot line and the interior side setback line.

(f) STREET SIDE. A setback adjacent to a street and determined on the basis of a street lot line. For a corner lot, a street side setback is the area that extends from the front setback to the rear lot line.

[Added by Ordinance #18-432, January 8, 2020]

(71) **Sidewalk, Public.** A pedestrian access at least 6 feet wide located within the street right-of-way for the purpose of walking and separated from vehicular traffic. Where public sidewalks do not exist, the 6 feet of right-of-way on either side of the street shall be considered as a sidewalk; (in commercial areas for the purpose of evaluating sign overhangs.)

(72) **Sign.** An identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land, and which directs attention to a product, place, activity, person, institution, or business. Each display surface of a sign other than two surfaces parallel and back to back on the same structure shall be considered a sign.

(73) **Street.** Entire width between the right-of-way lines of every way for vehicular and pedestrian traffic and includes the terms road, highway, lane, place, avenue, alley, and other similar designations.

(74) **STRUCTURE.** An improvement attached to real property. A deck or patio of less than 18" above grade is not considered a structure for the purposes of zoning or setbacks.

(a) ACCESSORY. A subordinate structure physically detached from, secondary and incidental to, and commonly associated with a principal building or principal use on the same site. Accessory structures normally associated with a residential use property include, but are not limited to garages (unenclosed or enclosed) for the storage of automobiles (including incidental restoration and repair), personal recreational vehicles and other personal property; studios; workshops; greenhouses (noncommercial); enclosed cabanas and pool houses; and storage sheds. Accessory structures normally associated with a non-residential use property include, but are not limited to garages (unenclosed or enclosed) for the storage of automobiles and work related vehicles and equipment (including incidental restoration and repair); storage structures; workshops; and studios. "Accessory structure" does not include an Accessory Dwelling Unit.

(b) EXISTING. A structure legally erected prior to the effective date of this Title, or one for which a valid legal Building Permit has been issued prior to this effective date of this Title.

[Amended by Ordinance #18-432, January 8, 2020]

(75) **Structural Alteration.** Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

(76) **Sufficient Infrastructure.** The following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:

(1) Connection to a public sewer system capable of meeting established service levels.
(2) Connection to a public water system capable of meeting established service levels.
(3) Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
(4) Storm drainage facilities capable of meeting established service levels for storm drainage.

[Added by Ord. 2025-02, June 11, 2025]

(77) **Timeshare Condominium.** A condominium in which units are individually owned by a family or group of persons for a variable amount of time during the year, and in which part of all of the units may be available to transients for rent on an exchange basis. For the purpose of this ordinance, timeshare condominium or unit shall be considered a motel.

[Added by Ordinance #235, June 25, 1985]

(78) **Townhouse Project.** One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and the any commonly owned property. [Added by Ord. 2025-02, June 11, 2025]

(79) **Travelers' Accommodations**. Transient lodging in a residential zone having a room, rooms, or dwellings rented or kept for rent to travelers or transients for a charge or fee paid or to be paid for rental or use of such facilities on one or more occasions for a period of less than 30 consecutive days.

[Added by Ordinance #18-432, January 8, 2020]

(80) **Use.** The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

(81) **Wetlands**. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions.

[Added by Ordinance #277, August 28, 1990]

(82) **Yard.** An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance.

(83) **Yard, Front.** A yard between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a building or other structure. Any yard meeting this definition and abutting a street shall be considered a front yard.

(84) **Yard, Rear.** A yard between side lot lines and measured horizontally at right angles to the rear lot line to the nearest point of a building or other structure.

(85) **Yard, Side.** A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building or other structure.

(86) **Yard, Street Side.** A yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a building or other structure.

Article 2. Basic Provisions.

Section 2.010. Compliance With Ordinances. Land may be used and a structure or part of a structure may be constructed, reconstructed, altered, occupied, or used only as this ordinance permits.

Section 2.020. Classification of Zones. For the purposes of this ordinance the following zones are hereby established:

Zone	Abbreviated Designation
Residential	R-1, R-2
Lower Density Residential	R-3
Resort Residential	R-R
Special Residential Resort.	SRR
Commercial	C-1
Waterfront Development.	WD
Special Area Wetland	SA
Residential Manufactured Dwellings	RMD

Some areas within the City are also hereby included in one or more of the following overlay districts, each of which has special provisions that, along with the provisions of the basic zoning district, govern the use of property.

Overlay Zone	Abbreviated Designation
Flood Hazard Overlay	FHO

Hazard Overlay ..... HO

Wetland Notification ..... WO

[Amended by Ordinance #277, August 28, 1990; Am. by Ord. 2025-02, June 11, 2025]

Section 2.030. Location of Zones. The boundaries for the zones listed in this ordinance are indicated on the 'Rockaway Beach Zoning Map' which is hereby adopted by reference. The boundaries shall be modified in accordance with zoning map amendments which shall be adopted by reference.

[Amended by Ordinance #277, August 28, 1990]

Section 2.040. Zoning Map. The map entitled City of Rockaway Beach Comprehensive Plan and Zoning Map dated February 1992, is adopted as the official zoning map of the City of Rockaway Beach. It shall be maintained on file in the office of the City Recorder. Whenever sufficient authorized map amendments have been adopted, a revised zoning map shall be prepared. At a minimum, it shall be at the time of periodic review.

[Amended by Ordinance #277, August 28, 1990]

Section 2.050. Zone Boundaries. Unless otherwise specified, zone boundaries are section lines, subdivision lines, lot lines, center lines of street or railroad rights-of-way, or such lines extended.

Section 2.060. Zoning of Annexed Areas. Areas annexed to the City shall be zoned in conformance with the Rockaway Beach Comprehensive Plan and Zoning Map.

[Amended by Ordinance #277, August 28, 1990]

Article 3. Use Zones.

Section 3.010. Residential (R-1) Zone In an R-1 zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-1 zone the following uses and their accessory uses are permitted outright:

(a) Single unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of the Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994; Am. by Ord. 2025-02, June 11, 2025]

(b) Middle housing [[Added by Ord. 2025-02, June 11, 2025]

(c) Home occupation (see Section 4.090).

(d) Manufactured dwellings or recreational vehicles or a temporary structure used during the construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.

(e) Family day care center.

(f) Residential home.

(g) Signs subject to Section 4.050.

(h) Structural shoreline stabilization.

(2) **Conditional Uses Permitted.** In an R-1 zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

(a) Churches and community meeting buildings.

(b) Golf course, tennis courts, swimming pools and other private recreation areas.

(c) Parks and publicly owned recreation areas.

(d) Public utility structure such as a substation.

(e) Government or municipal structures.

(f) Public owned parking lot.

(g) Non-profit conference ground or center operated for educational, charitable, or religious purposes, meeting the standards of Section 6.050.

(h) Bed and breakfast.

[Amended by Ordinance #277, August 28, 1990; Title only amended Ordinance #93-299,

March 24, 1990; Amended by Ord. 2025-02, June 11, 2025]]

(3) **Standards.** In an R-1 zone the following standards shall apply:

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum lot size of 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]]

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet. [Added by Ord. 2025-02, June 11, 2025]

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet. [Added by Ord. 2025-02, June 11, 2025]

[Duplex density deleted by Ord. 2025-02, June 11, 2025]

(d) Minimum lot width is 50 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1990; Am. by Ord. 2025-02, June 11, 2025]

(e) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(f) The minimum front yard shall be 15 feet, unless subsection 3.010(3)(h) applies.

[Amended by Ordinance #235, June 25, 1985]

(g) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet. [Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]

(h) The minimum rear yard shall be 20 feet, except that on a corner lot it may be a minimum of 5 feet unless subsection 3.010(3)(h) applies. Oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #94-312, June 8, 1994]

(i) For lots of less than 5,000 square feet in size, but more than 3,500 square feet, the minimum front yard shall be 15 feet and the minimum rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. For lots of 3,500 square feet in size or less, the minimum front yard and rear yard shall be ten feet, except that on a corner lot the rear yard may be a minimum of 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #94-312, June 8, 1994]

(j) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere except east of Highway 101 it shall be 29 feet.

[Amended by Ordinance #01-371, September 12, 2001; Am. by Ord. 2025-02, June 11, 2025]

(k) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet. [Added by Ord. 2025-02, June 11, 2025]

(l) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

[Section (l) added by Ordinance #93-299, March 24, 1990]

Section 3.020. Medium Density Residential Zone (R-2). In an R-2 zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-2 zone the following uses are permitted outright:

(a) Single unit dwellings, including modular housing and manufactured homes and duplexes. Manufactured homes

shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994; Am. by Ord. 2025-02, June 11, 2025]

(b) Middle housing [Added by Ord. 2025-02, June 11, 2025]

(c) Home occupations (see Section 4.090).

(d) Manufactured dwelling or recreation vehicle or temporary structure used during the construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.

(e) Signs subject to Section 4.050.

(f) Family day care center.

(g) Residential home.

(h) Structural shoreline stabilization.

(2) **Conditional Uses Permitted.** In an R-2 zone the following conditional uses and their accessory uses are permitted, subject to the provisions of Article 6.

(a) Multi-unit dwellings.

(b) Public or private school.

(c) Church and community meeting buildings.

(d) Parks and publicly owned recreation areas.

(e) Governmental or municipal structures.

(f) Golf course, tennis courts, swimming pools and other private recreation areas.

(g) Public utility structure such as a substation.

(h) Hospital, sanitarium, rest home and nursing home.

(i) Nursery.

(j) Bed and breakfast.

(k) Day care center.

(l) Residential facility.

(m) Public or private school

[Amended by Ordinance #18-432, January 8, 2020]

(3) **Standards and Criteria.** In an R-2 zone the following standards and criteria shall apply:

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235, lots platted after the adoption of Ordinance 235 shall have a minimum size of 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet. [Added by Ord. 2025-02, June 11, 2025]
(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet. [Added by Ord. 2025-02, June 11, 2025]

(d) The density of multi-unit dwellings shall be 1,750 square feet of lot area per unit. [[Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]

(e) Minimum lot width is 50 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet. [Amended by Ord. 2025-02, June 11, 2025]

[Amended by Ordinance #93-299, March 24, 1993]

(f) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1993]

(g) The minimum front yard shall be 15 feet for lots of more than 3,500 square feet. For lots of 3,500 square feet or less, the minimum front yard shall be 10 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #239, February 11, 1986]

(h) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet. [Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025
]
(i) The minimum rear yard shall be five feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

(j) For single unit dwellings, the maximum building height shall be 24 feet, except east of Highway 101 it shall be 29 feet. [Amended by Ordinance #01-371, September 12, 2001; Am. by Ord. 2025-02, June 11, 2025]

(k) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet. [Added by Ord. 2025-02, June 11, 2025]

(l) Multi-unit structures shall be allowed by conditional use permit where it is determined that the structure would meet the following criteria:

(i). .....It is located on a street adequate to handle traffic loads; and

(ii). .....Adequate space is provided for parking maneuvering; and

(iii)..... At least 30% of the lot is maintained in natural vegetation, open space, or is landscaped.

[Amended by Ordinance #235, June 25, 1985]

(m) The requirements of Section 4.041 Shorelands Development Criteria shall be met where uses are to be located within 50 feet of a lake within the Rockaway Beach Urban Growth Boundary.

[Amended by Ordinance #277, August 28, 1990]

(n) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

[Amended by Ordinance #93-299, March 24, 1990]

Section 3.030. Residential/Resort Zone (R-R). In an R-R zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-R zone the following uses and their accessory uses are permitted outright:

(a) Single unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994; Amended by Ord. 2025-02, June 11, 2025]]

(b) Middle housing and multi-unit dwellings.

(c) Home occupations (See Section 4.090).

(d) Churches and community meeting buildings.

(e) Signs subject to the provisions of Section 4.050.

(f) A manufactured dwelling or recreational vehicle used during the construction of a permitted use for which a building permit has been issued, not to exceed 6 months duration.

(g) Family day care center.

(h) Residential home.

(i) Residential facility.

(j) Structural shoreline stabilization.

(2) **Conditional Uses Permitted.** In an R-R zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

(a) Resort-oriented commercial establishments such as gift shops, restaurants and other services, excluding gasoline service station.

(b) Government or municipal structure.

(c) Hospital, sanitarium, rest home and nursing home.

(d) Private clubs and lodges.

(e) Parks and publicly owned recreation areas.

(f) Private recreation uses such as tennis courts and swimming pools when not in conjunction with a permitted or conditional use.

(g) Motel, hotels, including meeting rooms or convention center.

(h) Mobile Food Unit

[Amended by Ordinance #18-432, January 8, 2020]

(3) **Standards.** In the R-R, the following standards shall apply:

(a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum lot size of 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet. [Added by Ord. 2025-02, June 11, 2025]

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet. [Added by Ord. 2025-02, June 11, 2025]

(d) The density of multi-unit dwellings and condominiums shall be 1,750 square feet of lot area per unit. [Amended by Ordinance #235, June 25, 1985'; Am. by Ord. 2025-02, June 11, 2025]

The maximum density of motels, hotels, and timeshare condominiums shall be one unit per 1,000 square feet of site area. [Amended by Ordinance #235, June 25, 1985]

(e) Minimum lot width is 50 feet, except that for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1990; Am. by Ord. 2025-02, June 11, 2025]

(f) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(g) The minimum front yard shall be 15 feet unless subsection 3.030(3)(j) applies.

[Amended by Ordinance #235, June 25, 1985]

(h) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet. [Amended by Ordinance #235, June 25, 1985]

(i) The minimum rear yard shall be 20 feet, except that on a corner lot it may be a minimum of 5 feet, unless subsection 3.030(3)(j) applies. Oceanfront structures shall conform to Section 5.060 (1)(b).

[Amended by Ordinance #235, June 25, 1985]

(j) For lots of less than 5,000 square feet in size, but more than 3,500 square feet, the minimum front yard shall be 15 feet and the minimum rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. For lots of 3,500 square feet in size or less, the minimum front yard and rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060 (l)(b).

[Amended by Ordinance #239, February 11, 1986]

(k) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101, it shall be 29 feet. For property more than 2,000 feet from the Oregon Coordinate Line the maximum building height shall be 45 feet. [Amended by Ordinance #01-371, September 12, 2001; Am. by Ord. 2025-02, June 11, 2025]

(l) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet. For property more than 2,000 feet from the Oregon Coordinate Line the maximum building height shall be 45 feet. [Added by Ord. 2025-02, June 11, 2025]

(m) The requirements of Section 4.041 Shoreland Development Criteria shall be met where uses are to be located within 50 feet of a lake within the Rockaway Beach Urban Growth Boundary.

[Amended by Ordinance #277, August 28, 1990]

(n) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping. [Added by Ordinance #93-299, March 24, 1990]

Section 3.040. Special Residential/Resort Zone (S/R/R). In a SR-R zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an S/R/R zone, the following uses and their accessory uses are permitted outright:

(a) Single unit dwellings, including modular housing and manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994; Am. by Ord. 2025-02, June 11, 2025]

(b) Middle housing and multi-unit dwellings. [Amended by Ord. 2025-02, June 11, 2025]

(c) Home Occupation (See Section 4.090).

(d) Government or municipal structure.

(e) Signs subject to the provisions of Section 4.050.

(f) Family day care center.

(g) Residential home and residential facility.

(h) A manufactured dwelling or recreational vehicle used during construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.

(i) Bed and breakfast.

(j) Public utility structure such as a substation.

(k) Structural shoreline stabilization.

(2) **Conditional Uses Permitted.** In an S/R/R zone, the following conditional uses and their accessory uses are permitted.

(a) Resort-type commercial establishments such as gift shops, restaurants, and other services, excluding gasoline service stations.

(b) Expansion of existing motels.

(c) Hospital, sanitarium, rest home and nursing home.

(d) Churches and community meeting halls.

(e) Parks and publicly owned recreation areas.

(f) Private recreation uses such as tennis courts, swimming pools and racquetball facility when not in conjunction with a permitted or conditional use.

(g) Bed and breakfast.

(h) Public utility structure such as a substation.

[Amended by Ordinance #277, August 28, 1990]

(3) **Standards.** The standards in the Special Residential/Resort (S/R/R), shall be the same as the standards of the Residential Resort (R-R) Zone, Section 3.030(3).

[Section (3) added by Ordinance #93-299, March 24, 1990]

Section 3.050. Commercial Zone (C-1).

(1) **Uses Permitted Outright:** In a C-1 zone, the following uses and their accessory uses are permitted outright:

(a) Retail activities.

(b) Services such as banks, barber and beauty shops, small repair shops, printing shops, laundries.

(c) Eating and drinking establishments.

(d) Amusement activities.

(e) Business and professional offices.

(f) Motels, hotels, and bed and breakfast.

(g) Churches or community meeting halls.

(h) Hospital, sanitarium, nursing home or rest home.

(i) Arts or craft studios.

(j) Public utility structure such as a substation.

(k) Parks and publicly owned recreation areas.

(l) Government or municipal structure.

(m) Home occupation (See Section 4.090).

(n) Private recreation uses such as tennis courts, and swimming pools or racquetball facility, when not in conjunction with another permitted use.

(o) Family day care center and day care center.

(p) Residential home.

(q) Residential facility.

(r) Signs in accordance with Section 4.050.

(s) Mobile Food Unit.

(t) A manufactured dwelling or recreational vehicle used during the construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.

(u) Structural shoreline stabilization.

(v) Residential Use, limited to the second story or above, and no more than 50% of the ground floor, on the condition that a commercial use be located on at least 50% of the area of the ground floor

[Amended by Ordinance #18-432, January 8, 2020]

(2) **Conditional Uses Permitted.** In a C-1 zone, the following conditional uses and accessory uses are permitted:

(a) Service stations, car lots, lumber yards, mobile home dealerships, public or private parking facilities, boat dealers, farm equipment dealers, or similar uses which require large land areas. These uses are intended to be outside of the immediate downtown area (between N. 4th to S. 3rd, the oceanfront and Beacon Street) and located on U.S. Highway 101. The Planning Commission or City Council shall consider this when issuing conditional use permits.

(b) Cabinet or wood working shops, plumbing, heating, electrical, paint or other contractor storage, retail or sale shops.

(c) Second hand sales with all merchandise enclosed within a structure.

(d) Wholesale warehouse or storage establishments.

(e) Tire retreading, welding or machine shops.

(f) Single unit dwellings including modular housing and manufactured homes, duplexes and multi-unit dwellings. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #18-432, January 8, 2020; Am. by Ord. 2025-02, June 11, 2025]

(3) **Standards.** In a C-1 zone, the following standards shall apply:

(a) Building setbacks shall be governed by fire protection standards administered by the Building Official.

(b) Maximum building height shall be 45 feet, except that on the oceanfront from North Third Avenue to North Sixth Avenue the maximum building height shall be 20 feet.

(c) Where a 45 foot building height is permitted, the first story shall be a minimum of 12 feet in height as measured from grade and shall be designed to accommodate future potential commercial use.

(d) Multiple story buildings shall use architectural design features to differentiate the first story and the first story shall be designed to accommodate future potential commercial use.

(e) The height above grade of an overhang or awning shall be a minimum of 10 feet above the sidewalk grade and 12 feet above the street grade where no sidewalk exists.

(f) For commercial uses, permanent landscaping consisting of native vegetation is encouraged. Hardscape features such as benches, walkways, and outdoor seating areas shall be compliant with the American with Disabilities Act Accessibility Guidelines.

(g) Where a commercial use abuts a residential zone, the commercial use shall provide a sight-obscuring fence or hedge of at least 5 feet in height. Floodlights shall be shielded so as not to cast glare on an adjacent residential use.

(h) Storage of merchandise, waste disposal equipment, or similar material shall be screened from view.

(i) Automobile service stations shall have a minimum lot size of 10,000 square feet, with a minimum width of 100 feet.

(j) Commercial uses shall have permanent facilities, such as an office, which are connected to City services including water and sewer.

Section 3.070. Waterfront Development Zone (WD). [Deleted by Ordinance No. 01-369, September 12, 2001]

Pages 31 & 32 intentionally missing due to deletion of WD Zone.

Section 3.080. Special Area Wetlands (SA). In an SA Zone the following regulations shall apply:

(1) Purpose. The purpose of the SA Zone is to conserve significant freshwater wetlands and the shoreland and aquatic environment of Rockaway Beach's lakes.

Low intensity uses which do not result in major alterations are appropriate in the zone. High intensity recreation, related to boating is appropriate on the lakes.

[Amended by Ordinance #277, August 28, 1990]

(2) **Uses Permitted Outright.** In an SA zone, the following uses are permitted outright:

(a) Low intensity recreation;

(b) Passive restoration measures;

(c) Vegetative shoreline stabilization;

(d) Individual dock limited to a maximum of 200 square feet for recreation or fishing use, plus necessary piling;

(e) Submerged cable, sewer line, water line or other pipeline.

(f) Storm water outfall.

[Amended by Ordinance #277, August 28, 1990]

(3) **Conditional Uses Permitted.** In an SA zone the following conditional uses are permitted subject to the provisions of Article 6.

(a) Active restorations including dredging;

(b) Boat launch ramps, including necessary dredging and filling;

(c) Structural shoreline stabilization;

(d) Public parks and recreation areas with associated low intensity development such as docks, raised walkways, and footpaths.

[Amended by Ordinance #277, August 28, 1990]

(4) **Standards.** In an SA zone, the following standards shall apply:

(a) All activities involving construction or alteration in wetlands or aquatic areas shall be reviewed by the Oregon Division of State Lands and the US Army Corps of Engineers to determine permit applicability.

(b) The Shorelands Siting Criteria in Section 4.041 shall be applicable to all activities in the SA zone. Nothing in the Shorelands Siting Criteria shall be interpreted to permit uses which are not otherwise allowed in (2) or (3) above.

(c) Every effort shall be made to use common or community docking facilities prior to construction of an individual, single-purpose dock. Generally, there should be a maximum of one dock every 250 feet. Docks shall not include covered structures or boathouses.

(d) Access to the water area through wetlands may be constructed in the form of raised walkways on pilings, posts or piers. Where the affected resource agencies (e.g. Oregon Department of Fish & Wildlife) determine the activity to have minimal environmental impacts, trails or paths consisting of clean gravel, bark chips, or other material may be placed through wetlands. Such walkways shall not be wider than eight (8) feet. Wherever possible, trails or walkways shall be constructed for the common usage of a development or group of structures.

(e) Removal or control of aquatic vegetation may be permitted, where allowed by the Oregon Department of Fish and Wildlife, in order to provide angler access, or other valid purpose.

(f) Dredging shall be allowed only:

(i) ..... If a need (i.e., a substantial public benefit) is demonstrated, and

(ii). ..... If the use or alteration does not unreasonably interfere with public trust rights, and

(iii). ..... If no feasible alternative upland locations exist, and

(iv). ..... If adverse impacts are minimized.

(g) When dredging is permitted, the dredging shall be the minimum necessary to accomplish the proposed use.

(h) The timing of dredging operations shall be coordinated with state and federal resource agencies, to protect aquatic and shoreland resources, and minimize interference with recreational fishing.

(i) Piling installation may be allowed only if all of the following criteria are met:

(i). .....A substantial public benefit is demonstrated, and

(ii). .....The proposed use does not unreasonably interfere with public trust rights, and

(iii)..... Feasible alternative upland locations do not exist, and

(iv). .....Potential adverse impacts are minimized.

(j) Shoreline stabilization measures shall meet the criteria of Section 4.120.

(k) Fill may be permitted only if all of the following criteria are met:

(i) .....If required for a water-dependent use requiring an aquatic location, or if specifically allowed in the SA zone, and

(ii). ..... A substantial public benefit is demonstrated, and

(iii). ..... The proposed fill does not unreasonably interfere with public trust rights, and

(iv). ..... Feasible upland alternative locations do not exist, and

(v)..... Adverse impacts are minimized.

(l) A fill shall cover no more area than the minimum necessary to accomplish the proposed use.

(m) Projects involving fill may be approved only if the following alternatives are examined and found to be infeasible.

(i) .....Construct some or all of the project on piling.

(ii). ..... Conduct some or all of the proposed activity on existing upland areas;

(iii). .....Approve the project at a feasible alternative site where adverse impacts are less significant.

(5) Zone Boundary Determination. At such time that a development is proposed in the vicinity of an area designated Special Area Wetlands, the City may require a site investigation to determine the exact location of the zone boundary. The site investigation shall be performed by a qualified agent such as a biologist from the U.S. Army Corps of Engineers or the Division of State Lands.

[Amended by Ordinance #277, August 28, 1990]

Section 3.090. Lower Density Residential Zone (R-3). In an R-3 zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an R-3 zone, the following uses and their accessory uses are permitted outright:

(a) Single unit dwellings, including modular housing and manufactured homes, middle housing and multi-unit homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994; Am. by Ord. 2025-02, June 11, 2025]

(b) Home occupation (See Section 4.090)

(c) Churches and community meeting buildings.

(d) Manufactured dwelling or recreational vehicle used during construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.

(e) Manufactured dwelling placed in an approved manufactured dwelling park or subdivision.

(f) Recreational vehicle placed in an approved recreational vehicle park.

(g) Family day care center.

(h) Residential home and residential facility.

(i) Signs subject to Section 4.050.

[Amended by Ordinance #277, August 28, 1990]

(2) **Conditional Uses Permitted.** In an R-3 zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6:

(a) Public utility structure, such as a substation.

(b) Government or municipal structure.

(c) Hospital, sanitarium, nursing home, or rest home.

(d) Limited commercial uses in Planned Unit Developments.

(e) Recreational vehicle parks, manufactured dwelling parks, and manufactured dwelling subdivisions.

(f) Parks and publicly owned recreation areas.

(g) Bed and breakfast.

[Amended by Ordinance #277, August 28, 1990]

(3) **Standards.** In an R-3 zone, the following standards shall apply:

(a) Minimum lot size in an R-3 zone shall be 5,000 square feet except for townhouses, where average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet where sanitary sewer service is available, or will be made available, except as provided in (h) below; otherwise, minimum lot size shall be 7,000 square feet.

[Amended by Ordinance #163, May 14, 1979; Am. by Ord. 2025-02, June 11, 2025]

(b) Density limits for townhouses in this area shall be 25 dwellings per acre. Density limits for all other housing types in this area shall be 9 dwellings per acre, except for triplex, quadplex, and cottage cluster developments which are exempt from maximum density, and except as provided in (i) below. [Amended by Ordinance #163, May 14, 1979; Am. by Ord. 2025-02, June 11, 2025]

(c) Minimum lot width is 50 feet, except that for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1993; Am. by Ord. 2025-02, June 11, 2025]

(d) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1993]

(e) Minimum front yard setback shall be 10 feet from the street right-of-way.

[Amended by Ordinance #163, May 14, 1979]

(f) Minimum setback on all other sides shall be 5 feet from the lot line. For townhouses, the minimum side yard along a common

wall lot line where units are attached shall be 0 feet.

[Amended by Ordinance #163, May 14, 1979; Am. by Ord. 2025-02, June 11, 2025]

(g) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet.

[Amended by Ordinance #18-432, January 8, 2020; Am. by Ord. 2025-02, June 11, 2025]

(h) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet. [Added by Ord. 2025-02, June 11, 2025]

(i) Where a proposed use is to be a Planned Unit Development involving residential structures, the Planning Commission may authorize an additional two dwelling units per acre if the development is properly designed. . Planned developments over 20 acres or new planned developments added to the Urban Growth Boundary (UGB) after January 1, 2021, maximum density shall be 15 dwelling units per acre. For sites under 20 acres, middle housing is not subject to density maximums except for townhouses, for which maximum density shall be 25 dwelling units per acre. Aesthetic, geologic and environmental factors shall be taken into account. The Planning Commission may require an engineering, geologic, or structural analysis where it appears that steep slopes or wetlands are to be used for construction purposes rather than open space. The Planning Commission may attach any reasonable conditions it sees fit in the course of the Planned Unit Development process. [Amended by Ord. 2025-02, June 11, 2025]

(j) The requirements of Section 4.041, Shorelands Development Criteria, shall be met where uses are to be located within 50 feet of a lake within the Rockaway Beach Urban Growth Boundary.

(k) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping. [Added by Ordinance #93-299, March 24, 1990]

Section 3.091. Residential Manufactured Dwelling Zone - RMD Zone. In an RMD Zone, the following regulations apply:

(1) **Uses Permitted Outright.** In an RMD Zone, the following uses and their accessory uses are permitted outright:

(a) Single-unit dwellings, including modular and Manufactured homes. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #94-308, February 9, 1994; Am. by Ord. 2025-02, June 11, 2025]

(b) Middle housing. [Amended by Ord. 2025-02, June 11, 2025]

(c) Manufactured dwelling subject to Section 4.095.

(d) Signs subject to Section 4.050.

(e) Manufactured dwelling or recreational vehicle used during the construction or placement of a permitted use for which a building or placement permit has been issued, but not to exceed six months duration.

(f) Recreational vehicle.

(g) Home occupation subject to Section 4.090.

(h) Family day care center.

(i) Residential home.

(j) Structural shoreline stabilization.

[Amended by Ordinance #277, August 28, 1990]

(2) **Conditional Uses Permitted.** In an RMD Zone, the following conditional uses and their accessory uses are permitted

subject to the provisions of Article 6:

(a) Church and community meeting building.

(b) Parks and publicly owned recreation areas.

(c) Public or private school.

(d) Golf course and associated facilities.

(e) Hospital, sanitarium, rest home and nursing home.

(f) Day care center.

(g) Government or municipal structure.

(h) Private recreation use such as tennis court, swimming pool, or racquetball facility.

(i) Public utility structure such as a substation.

(j) Bed and breakfast.

(k) Manufactured dwelling park or recreational vehicle park.

(l) Residential facility.

[Amended by Ordinance #277, August 28, 1990]

(3) **Standards.** In an RMD Zone, the following standards shall apply:

(Title amended by Ordinance #277, August 28, 1990]

(a) For single unit dwellings and duplexes,the minimum lot size shall be 3,500 square feet for lots existing at the time of adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum size of 5,000 square feet.

[Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]

(b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet. [Added by Ord. 2025-02, June 11, 2025]

(c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet. [Added by Ord. 2025-02, June 11, 2025]

[Density of duplexes deleted by Ord. 2025-02, June 11, 2025]

(d) Minimum lot width is 50 feet, except that for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.

[Amended by Ordinance #93-299, March 24, 1990; Am. by Ord. 2025-02, June 11, 2025]

(e) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.

[Amended by Ordinance #93-299, March 24, 1990]

(f) The minimum front yard shall be 15 feet for lots of more than 3,500 square feet. For lots of 3,500 square feet or less, the minimum front yard shall be 10 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #257, May 24, 1988)

(g) Minimum side yard shall be 5 feet except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet. [Amended by Ordinance #235, June 25, 1985; Am. by Ord. 2025-02, June 11, 2025]

(h) The minimum rear yard shall be 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).

[Amended by Ordinance #257, May 24, 1988]

(i) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere, except east of Highway 101 it shall be 29 feet.

[Amended by Ordinance #239, February 11, 1986; Am. by Ordinance #18-432, January 8, 2020; Am. by Ord. 2025-02, June 11, 2025]

(j) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet. [Added by Ord. 2025-02, June 11, 2025]

(k) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

[Amended by Ordinance #93-299, March 24,1990]

Section 3.092. Flood Hazard Overlay Zone - FHO Zone

Purpose and objectives: It is the purpose of this Flood Hazard Overlay Zone to regulate the use of those areas subject to periodic flooding, to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions. In advancing these principles and the general purposes of the Rockaway Beach Comprehensive Plan and Zoning Ordinance, all new construction and substantial improvements in the Flood Hazard Overlay Zone shall ensure that the specific objectives of this zone are met.

(1) To combine with the present zoning requirements certain restrictions made necessary for the known flood hazard areas to promote the general health, welfare and safety of the City.

(2) To prevent the establishment of certain structures and land uses in areas unsuitable for human habitation because of the danger of flooding, unsanitary conditions, or other hazards.

(3) To minimize the need for rescue and relief efforts associated with flooding.

(4) To help maintain a stable tax base by providing for sound use and development in flood-prone areas and to minimize prolonged business interruptions.

(5) To minimize damage to public facilities and utilities located in flood hazard areas.

(6) To ensure that potential home and business buyers are notified that property is in a flood area.

(7) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Section 3.093. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

(1) **Area of Shallow Flooding.**
Means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

(2) **Area of Special Flood Hazard.**
The land in the flood plain subject to a one percent or greater chance of flooding in any given year. Designation on maps always include the letter A or V.

(3) **Base Flood.**
A flood having a one percent chance of being equaled or exceeded in any given year.

(4) **Basement.**
Any area of the building having its floor subgrade (below ground level) on all sides.

(5) **Below Grade Crawlspace**
means an enclosed area below the Base Flood Elevation in which the interior grade does not exceed 2 feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the bottom of the lowest horizontal structural member of the lowest floor does not exceed 4 feet at any point.

(6) **Breakaway Walls.**

Means a wall that is not a part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

(7) **Coastal High Hazard Area.**
An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The map is designated on a FIRM as Zone VI-30 or VE Zone.

(8) **Critical Facility**
A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

(9) **Development.**
Any man-made change to improved or unimproved real property, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, **or** storage of equipment **or** materials.

(10) **Elevated Building**
For insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

(11) **Flood or Flooding.**

a) A general and temporary condition of partial or complete inundation of normally dry land areas from:
- **1)** The overflow of inland or tidal waters.
- **2)** The unusual and rapid accumulation or runoff of surface waters from any source.
- **3)** Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

(12) **Flood Insurance Rate Map (FIRM).**
The official map on which the Federal Insurance Administrator has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

(13) **Flood Insurance Study.**
An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

(14) **Floodway**
The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

(15) **Lowest Floor.**
The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure**, usable solely for parking of vehicles, building access or storage** in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found in Section 3.096(6) (a).

(16) **Manufactured Dwelling.**
A structure, transportable in one or more sections, which is built on a permanent chasses and is designed for use with or without a permanent foundation when attached to the required utilities. The term ‘‘manufactured dwelling’’ does not include a ‘‘recreational vehicle’’.

(17) **Manufactured Dwelling Park or Subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

(a) **Existing manufactured Dwelling Park or Subdivision:**
is one in which the construction of facilities for servicing the lots on which the manufactured dwellings are to be affixed is completed before the effective date of Rockaway Beach's floodplain management regulations. (July 25, 1978) The construction of facilities includes, at a minimum, the installation of utilities, construction of streets, and either final site grading or the pouring of concrete pads.

(18) **Mean Sea Level (MSL).**
The average height of the sea for all stages of the tide.

(19) **New Construction.**
Means, for the purposes of determining insurance rates, structures for which the ''start of construction'' commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

(20) **Start of Construction.**
Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(21) **Structure.**
A walled and roofed building**,** including a gas or liquid storage tank that is principally above ground, as well as a manufactured dwelling and a modular or temporary building. Structure, for insurance purposes, means:

(1) A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;

(2) A manufactured dwelling (''a manufactured dwelling,'' also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or

(3) A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For the latter purpose, ''structure'' does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

(22) **Substantial Improvement.**
Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the ''start of construction'' of the improvement. This term includes structures which have incurred ''substantial damage'', regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or

(2) Any alteration of a ''historic structure'', provided that the alteration will not preclude the structure's continued designation as a ''historic structure''.

(23) **Reinforced Pier.**
At a minimum, a reinforced pier must have a footing adequate to support the weight of the manufactured home under saturated soil conditions. Concrete blocks may be used if vertical steel reinforcing rods are placed in the hollows of the blocks and the hollows are filled with concrete or high strength mortar. Dry stacked

concrete blocks do not constitute reinforced piers.

(24) **Substantial Damage.**
Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(25) **Recreational Vehicle.**
A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4**) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.**

(26) **Recreational Vehicle, Highway Ready.**
A recreational vehicle that is on wheels or a jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(27) **Special Flood Hazard Area (SFHA).**
Areas subject to having a one percent or greater chance of a flood exceeding the base flood in any given year.

Section 3.094. General Provisions.

(1) **Lands To Which This Ordinance Applies.** This ordinance shall apply to all areas of special flood hazards (Flood Hazard Overlay Zone) in combination with present zoning requirements within the jurisdiction of the City of Rockaway Beach.

[Amended by Ordinance #251, May 12, 1987]

(2) **Basis For Establishing The Areas Of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Insurance Administrator through a scientific and engineering report entitled 'The Flood Insurance Study for the Tillamook County, Oregon and incorporated areas dated September 28, 2018, with accompanying Flood Insurance Rate Maps and any revision thereto is hereby adopted by reference and declared to be a part of this Ordinance. The Flood Insurance Study is on file at Rockaway Beach City Hall.

[Amended by Ordinance #18-431, September 12, 2018]

(3) **Compliance.** No structure or land shall hereafter be located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations.

[Amended by Ordinance #251, May 12, 1987]

(4) **Warning and Disclaimer of Liability.** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. The ordinance shall not create liability on the part of the City of Rockaway Beach, or any officer or employee thereof, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

[Amended by Ordinance #251, May 12, 1987]

Section 3.095. Administration.

(1) **Establishment of Development Permit.**

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.094(2). The permit shall be for all structures including manufactured homes, as set forth in the "definitions" and for all developments including fill and other activities, also as set forth in the "definitions". Application for a Development Permit shall be made to the City and shall specifically include the following information:

(a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.

(b) Elevation in relation to mean sea level to which any structure has been floodproofed.

(c) Certification by an appropriately qualified registered professional engineer or architect that the floodproofing method for any non-residential structure meets the floodproofing criteria in Section 3.096(6) (b).

(d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(e) An engineered or City approved stormwater drainage site plan designed to prevent the increase of adverse impacts caused by development in the flood zone.

(2) **Duties and Responsibilities.**

The duties of the City shall include, but not be limited to permit review:

(a) Review of all development permits to determine that the permit requirements of this ordinance have been satisfied.

(b) Review all development permits to require that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.

(c) Review all development permits in the area of special flood hazard to determine if the proposed development adversely affects the flood carrying capacity of the area.

(d) Review all development permit applications to determine if the proposed development qualifies as a “critical facility”, as set forth in the “DEFINITIONS”. If the development qualifies as a “critical facility”, assure that the provisions of section 3.098 are complied with.

(e) Provide Base Flood Elevation and Freeboard

(i) When base flood elevation has been provided, the local floodplain administrator shall provide it to the Building Official along with freeboard requirements established in Section 3.096.

(f) Requirement to Submit New Technical Data.

(i) Notify FEMA within six months of project completion when an applicant had obtained a Conditional Letter of Map Revision (CLOMR) from FEMA, or when development altered a watercourse, modified floodplain boundaries, or modified Base Flood Elevations. This notification shall be provided as a Letter of Map Revision (LOMR).

(ii) The property owner shall be responsible for preparing technical data to support the LOMR application and paying any processing or application fees to FEMA.

[Amended by Ordinance #18-431, September 12, 2018]

(3) **Uses of Other Base Flood Data.**

When base flood elevation data has not been provided in accordance with Section 3.094 (2), Basis for Establishing the Areas of Special Flood Hazard, the City shall obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer Section 3.096(6) (a), Specific Standards, Residential Construction, and Section 3.096(6)(b), Specific Standards, Non-residential Construction.

(4) **Information to be Obtained and Maintained**. Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 3.095(3) the city shall:

(a) Verify and record actual elevation (in relation to Mean Sea Level) of the lowest floor (including basement) of all new or substantially improved structures and whether or not the structure contains a basement.

(b) For all new or substantially improved floodproofed structures:

(i) verify and record the actual elevation (in relation to Mean Sea Level), and

(ii) maintain the floodproofing certifications required in Section 3.096(i)(c).

(c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

(d) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters.

(5) **Alterations of Watercourses.** The City shall:

(a) Notify adjacent communities**,** the Department of Land Conservation and Development, and other appropriate federal and state agencies prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(b) Require that an engineered stormwater drainage plan and maintenance plan is provided within the altered or relocated portion of said watercourse, so that the flood carrying capacity is not diminished.

(6) **Interpretation of FIRM Boundaries.**
The City shall make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretations as provided in Section 3.095(7).

(7) **Appeals and Variance Procedures.**

(a) An appeal of a ruling or interpretation regarding a requirement of this ordinance shall be as established in Section 11.070(1).

(b) The Planning Commission shall hear and decide appeals when it is alleged there is an error in any interpretation, requirement, decision, or determination in the enforcement or administration of this ordinance.

(c) An action or ruling of the Planning Commission may be appealed pursuant to Section 11.030(2).

(d) Variances may be issued for the rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Statewide Inventory of Historic Properties, without regard to the procedures set forth in this section, provided that the alteration will not preclude the structure's continued designation as a "historic structure."

(e) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

(f) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(g) Variances shall only be issued upon:

i. A showing of good and sufficient cause;
ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in this section, or conflict with existing local laws or ordinances.

(h) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

(i) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree

of floodproofing than watertight or dry-floodproofing, where it can be determined that such

action will have low damage potential, complies with all other variance criteria except subsection (1), and otherwise complies with Sections 3.065(1) – 3.065(3).

(j) The administrative procedure for hearing a variance shall be as established in Section 8.050.

(k) When a variance is granted, the City shall give written notice that the structure or manufactured home will be allowed to be built or placed with the lowest floor elevation at or below the base flood elevation, and that:

i. The issuance of the variance to construct a structure below the base flood level will result in a cost of flood insurance that will be commensurate with the increased risk resulting from the lower floor elevation and

ii. Such construction below the base flood level increases risk to life and property. Such notification shall be maintained with a record of all variance actions.

(l) The local floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

[Amended by Ordinance #18-431, September 12, 2018]

(8) Review of Building Permits.

Where elevation data is not available either through the Flood Insurance Study or from another administrative source (Section 3.095(3)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

[Amended by Ordinance #18-431, September 12, 2018]

Section 3.096. Provisions for Flood Hazard Reduction.

General Standards:

In the Flood Hazard Overlay Zone (FHO Zone) the following provisions are required:

(1) **Anchoring.**

(a) All new construction and substantial improvement shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(b) All manufactured dwellings must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques). A certificate signed by a registered architect or engineer which certifies that the anchoring system is in conformance with FEMA regulations shall be submitted prior to final inspection approval.

(2) **Construction Materials and Methods.**

(a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

(c) Electrical, heating, ventilation, plumbing, and air-conditioning equipment, and other service facilities shall be elevated a minimum of one (1) foot above base flood elevation so as to prevent water from entering or accumulating within the components during conditions of flooding.

(3) **Utilities.**

(a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood

waters into the system.

(b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and

(c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

[Amended by Ordinance #18-431, September 12, 2018]

(4) **Subdivision Proposals.**

(a) All subdivision proposals shall provide engineered plans consistent with the need to minimize flood damage.

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

(d) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

(5) **Specific Standards.**

In all areas of special flood hazards (FHO Zone) where base flood elevation data has been provided as set forth in Section 3.094(2), Basis For Establishing The Areas of Special Flood Hazard, or Section 3.095(3), Use of Other Base Flood Data, the following provisions are required:

(a) **Residential Construction.**

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect and must meet or exceed the following minimum criteria:

(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot above grade.

(iii) Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

(b) **Nonresidential Construction.**

New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation, or, together with attendant utility and sanitary facilities, shall:

(i) Be floodproofed so that the portion of the structure that lies below the base flood level is watertight with walls substantially impermeable to the passage of water.

(ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(iii) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the City as set forth in

Section 3.095 (4)(b)(ii).

(iv) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Section 3.096(6)(a).

(v) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building constructed to the base flood level will be rated as one foot below that level).

(vi) Applicants shall supply a comprehensive Maintenance Plan for the entire structure to include but not limited to: exterior envelope of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields, gates, barriers, or components; and, the location of all shields, gates, barriers, and components as well as all associated hardware, and any materials or specialized tools necessary to seal the structure.

(vii) Applicants shall supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.

[Amended by Ordinance #18-431, September 12, 2018]

(c) **Manufactured** Dwellings.

Manufactured dwellings to be placed or substantially improved within areas of special flood hazard Zones A1-30, AH and AE shall meet the following requirements:

(i) Manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with the provisions of subsection 3.096(A)(6)(a);

(ii) Be elevated so that the bottom of the longitudinal chassis frame beam shall be at or above BFE;

(iii) Be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top frame ties to ground anchors (Reference FEMA's Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques), and;

(iv) Electrical crossover connections shall be a minimum of 12 inches above BFE.

[Amended by Ordinance #18-431, September 12, 2018]

(d) **Recreational Vehicles.**

Recreational vehicles may occupy a site in a Special Flood Hazard Area for periods of 180 consecutive days or less providing they are fully licensed and highway ready. Recreational vehicles that do not meet these criteria become manufactured dwellings and must comply with the standards for manufactured dwellings pursuant to Section 3.096(b)(c) of this ordinance.

(6) **Coastal High Hazard Area.**

Coastal high hazard areas (V Zones) are located within the areas of special flood hazard established in Section 3.094. These areas have special flood hazards associated with high velocity waters from tidal surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:

(a) All new construction and substantial improvements in Zones V-1-V30 and VE (V if base flood elevation data is available) shall be elevated on pilings and columns so that:

(i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated at least one foot above the base flood elevation; and

(ii) the pile or column foundation and structure attached thereto is anchored to resist

flotation, collapse and lateral movement due to the effects of wind and water loads

acting simultaneously on all building components. Wind and water loading values shall each have a one percent (1%) chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

A registered professional engineer or architect licensed in the State of Oregon shall certify the structural design, specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (i) and (ii) of Section 3.096(7)(a).

(b) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in zones V1-V30 and VE, and whether or not such structures contain a basement. The City shall maintain a record of all such information.

(c) All new construction shall be located landward of the reach of mean high tide.

(d) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or screened with nonsupporting open wood latticework or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

(i) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a one percent (1%) chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

(e) Space below the lowest horizontal structural member of the elevated structure shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

(f) Prohibit the use of fill for structural support of buildings.

(g) Prohibit man-made alteration of sand dunes which would increase potential flood damage.

(h) If breakaway walls are utilized, enclosed space shall be useable solely for parking of vehicles, building access, or storage. Space shall not be used for habitation. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot.

(i) Manufactured dwellings to be placed or substantially improved on sites within Zones V1-30, V, VE, and Coastal A Zones shall meet the following requirements:

(i) Comply with the provisions for new construction and substantial improvements in subsection 3.096(A)(7)(a) through (g), and (i).

(ii) The bottom of the longitudinal chassis frame beam shall be elevated at minimum to one foot above the BFE.

(iii) Electrical crossover connections shall be a minimum of 12 inches above BFE.

(j) Recreational vehicles may occupy a site within Zones V1-V30, V, and VE on the community's FIRM for periods of 180 days or less providing they are fully licensed and highway ready, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. Recreational vehicles that do not meet these criteria become manufactured dwellings and must meet the standards of this section.

[Amended by Ordinance #18-431, September 12, 2018]

(7) **Areas of Shallow Flooding (AO Zone).**

Areas of shallow flooding appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet where a clearly defined channel does not exist, or where the path of flooding is unpredictable usually characterized as sheet flow. In these areas, the following provisions apply:

(a) New construction and substantial improvements of residential structures, and manufactured dwellings within AO Zones shall have
the lowest floor (including basement) elevated above the highest adjacent grade of the building site, a minimum of one (1) foot above the depth number specified on the FIRM (at least two (2) feet if no depth number is specified).

(b) New construction and substantial improvement of nonresidential structures shall, either:
(i) have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, a minimum of one (1) foot above the depth number specified on the FIRM (at least two (2) feet if no depth number is specified) or

(ii) together with attendant utility and sanitary facilities, be completely floodproofed to or above highest adjacent grade of the building so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect.

(c) Require the installation of an engineered or City approved stormwater drainage plan to ensure adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures to prevent adverse impacts to surrounding properties.

(d) Recreational vehicles may occupy a site within AO Zones for periods of 180 days or less providing they are fully licensed and highway ready, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. Recreational vehicles that do not meet these criteria become manufactured dwellings and must meet the standards of 3.096(A)(8)(a).

[Amended by Ordinance #18-431, September 12, 2018]

9) In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1 – A30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

[Sections 3.092-3.096 Amended by Ordinance 09-407 October 14, 2009] (Amended by Ordinance #13-416, February 27, 2013) [Amended by Ordinance #18-431, September 12, 2018]

Section 3.097. Restrictions and Prohibited Uses.

(1) **Restrictions.** Restrictions regarding height, rear yards, side yards, front yard setbacks, minimum lot area, signs, vision clearance and parking space shall be the same as set forth in each specific zone located within the Flood Hazard Overlay Zone area.

[Amended by Ordinance #251, May 12, 1987]

(2) **Prohibited Uses.** It shall be unlawful to erect, alter, maintain or establish in a flood hazard overlay zone any building, use or occupancy not permitted or allowed in the foregoing provisions, except existing nonconforming uses, which may continue as provided in Article 7.

[Amended by Ordinance #251, May 12, 1987]

Section 3.098. Critical Facilities.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area

(SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative

site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

[Amended by Ordinance #18-431, September 12, 2018]

Section 3.100. Hazards Overlay Zone (HO).

Purpose. The purpose of this zone is to avoid development hazards in areas of the City and the urban growth boundary which have compressible soils, steep slopes, active foredunes, or conditionally stable foredunes subject to ocean undercutting or wave overtopping. The following special regulations apply to all properties which lie wholly or partially within one or more of these areas. (Refer to Section 3.092, Flood Hazard Overlay Zone)

[Amended by Ordinance #94-312, June 8, 1994]

Section 3.102. Zone Boundaries The boundaries of the HO Zone shall be the same as the boundaries of the Braillier (peat) soils, areas with 25% or greater slopes, and active foredunes, or conditionally stable foredunes subject to ocean undercutting or wave overtopping. These areas shall be mapped and shall be a part of the Zoning Ordinance. The underlying zoning regulations shall remain in effect and all development shall be subject to the requirements of both the underlying zone and the Hazards Overlay Zone.

[Amended by Ordinance #243, May 13, 1986]

Section 3.104. Site Investigation Reports Required. A site investigation shall be required by the city for all development in the Hazards Overlay Zone. The city building official shall require the site investigation in all areas in which planning commission approval is not required. Otherwise, the planning commission shall require the investigation as part of a subdivision, partitioning, conditional use, or other development approval. Site investigation reports shall be performed by a qualified engineering geologist, soils scientist, or both, where deemed necessary. In areas requiring specialized knowledge, such as active foredunes, the city shall require that a person with experience or training in such areas be employed.

[Amended by Ordinance #221, August 24, 1982]

Section 3.106. Method For Minimizing Soils Hazards.

(1) Unless the planning commission determines that an adequate soils survey has already been undertaken, for the entire portion of the site proposed for development, the owner or developer will have a new soil survey of the site prepared to determine the nature and extent of compressible soils on the site, near the surface and at varying depths.

(2) The method used to conduct the soil survey must be acceptable to a qualified soil scientist or soils engineer approved by the planning commission.

(3) If the detailed soil survey indicates that significant amounts of compressible soils are in locations desired for development, the developer or owner shall have a report prepared by a licensed soils engineer which indicates suitable techniques to minimize potential soil hazards to facilities on the parcel or nearby property.

[Amended by Ordinance #221, August 24, 1982]

Section 3.108. Method For Minimizing Dune Hazards.

(1) Construction shall be permitted within the following areas only where a valid exception has been taken to Beaches and Dunes Goal Implementation Requirement 2 and only after a dune hazard report has been performed by a qualified person:

(a) Active foredunes.

(b) Conditionally stable foredunes which are located within coastal high hazard areas (V-zones) as identified on FIRM maps, or which are within 200 feet of the oceanward toe of the foredune.

(c) Interdune areas which are located within coastal high hazard areas (v-zones) as identified on FIRM maps.

The purpose of the dune hazard report is to identify and describe the existing or potential hazards in the area proposed for development. The report shall be based on a site inspection conducted by a licensed geologist. The dune hazard report shall include a legal description of the property and the following information presented in a format that is readily understandable to the general public.

[Amended by Ordinance #277, August 28, 1990]

(i)..... Identification of dune landforms.

(ii). ..... History of dune stabilization in the area.

(iii). ..... History of erosion or accretion in the area, including long-term trends.

(iv). ..... General topography including spot elevations.

(v)..... Areas subject to flooding as shown on National Flood Insurance Program maps for Rockaway Beach.

(vi)..... Location of any beachfront protective structures in the vicinity.

Where the dune hazard report finds that the parcel is located in an area subject to recent or active erosion, the report shall present findings on the average retreat of the shoreline and a conclusion that a structure will be reasonably protected from erosional hazard for a minimum of 50 years.

The dune hazard report shall also make recommendations with regard to the following, when found to be appropriate:

(i)..... Temporary and permanent sand stabilization programs;

(ii). ..... Methods of protecting adjacent property from any adverse effects of the proposed development;

(iii). ..... Restrictions on proposed grading activities for placement of structures, road, or dunes.

Where the dune hazard report identifies potential hazards in the siting of a structure, the City shall require that the appropriate elements of the structure be designed by a civil engineer so that proposed alterations and structures are properly designed to address the hazards described in the dune hazard report.

[Amended by Ordinance #277, August 28, 1990]

(2) Removal of vegetation shall be limited to that which is necessary to perform construction activities, and shall not be done earlier than (thirty) 30 days prior to the start of construction. If construction takes place between the months of November and May, temporary sand control measures such as mulching, fencing, or matting shall be employed. Immediately after construction, the site shall be revegetated. Unless an exception to Goal 18 has been taken, foredunes shall be breached only to replenish sand supply in interdune areas, or on a temporary basis in an emergency (e.g., fire control, cleaning up oil spills), and only if the breaching and restoration after breaching is consistent with sound principles of conservation. Foredune grading may be permitted consistent with the requirements of Section 4.130.

[Amended by Ordinance #243, May 13, 1986]

(3) Seawalls of rip-rap or concrete shall be adequately designed to withstand ocean erosion hazards. The impact of seawalls on adjacent property shall be addressed by the applicant. Seawalls shall be as visually unobtrusive as possible; the City may require that seawalls be revegetated with sand and beach grass wherever possible. Seawalls shall not restrict public access to the beach at street ends.

[Amended by Ordinance #221, August 24, 1982]

Section 3.110. Method For Minimizing Steep Slope Hazards.

(1) Site investigation reports shall describe the percent of slope of the property, the existence of previous landslides, the geologic and soils type, and the existing drainage patterns. The report shall discuss the feasibility of construction on the site, appropriate safeguards to counter building hazards, the location of roads and utilities. The report shall also analyze the potential cumulative impact of development in the area. A drainage plan shall be prepared for all proposed development in steep slope areas. The drainage plan shall take into consideration the cumulative impact of development in the area. Drainage improvements shall be designed to minimize down slope impacts.

[Amended by Ordinance #277, August 28, 1990]

(2) The policies pertaining to steep slope areas and hillsides in the Comprehensive Plan shall be addressed by the applicant and adhered to.

[Amended by Ordinance #221, August 24, 1982]

(3) No logging, clearing, or grading of steep slopes shall be permitted prior to the site investigation, and subsequent decision of the Planning Commission.

[Amended by Ordinance #221, August 24, 1982]

Section 3.112. Issuance of Permits in Potential Hazard Areas.

The proposed use will be permitted only if:

(1) The site investigation provides a finding that there is no significant building hazard on the property in question or on surrounding properties which could threaten the safety of a proposed structure; or

(2) A feasibile engineering solution to the building hazard(s) is proposed which could eliminate the hazard to the proposed structure or surrounding properties.

[Amended by Ordinance #221, August 24, 1982]

Section 3.114. Additional Provisions.

(1) The City may charge the applicant, owner, or developer a reasonable fee for the cost of reviewing the adequacy of the site investigation for any potentially hazardous area.

(2) The City may require the owner or developer to post a performance bond to insure against adverse effects of the development.

[Amended by Ordinance #221, August 24, 1982]

Section 3.120. Open Space Zone (OS).

In an OS Zone the following regulations shall apply:

(1) **Uses Permitted Outright.** In an OS Zone the following uses are permitted outright:

(a) Parks and publically owned recreation area.

[Amended by Ordinance #277, August 28, 1990])

(2) **Conditional Uses Permitted.** In an OS Zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6:

(a) Public utility structure such as a substation.

[Amended by Ordinance #277, August 28, 1990])

(3) **Standards.** In an OS Zone the following standards shall apply:

(a) Outdoor recreation areas or parks shall consist of low intensity, primarily nonstructural uses such as city parks, waysides, and natural or scientific research or observation areas;

(b) Structures shall be limited to minimal uses necessary for the activity, such as public restrooms, small shelters, and utility buildings;

(c) Activities involving alterations of wetlands (fill or removal of 50 cubic yards or more of material) shall be done only after a US Army Corps of Engineers and Division of State Lands permit is obtained.

[Amended by Ordinance #277, August 28, 1990]

Section 3.130. Wetland Notification Overlay Zone.

Purpose. It is the purpose of the Wetland Notification Overlay Zone to establish a procedure that ensures that the permitting requirements of the Division of State Lands and the US Army Corps of Engineers are met in those wetland areas of the City which have not been designated Special Area Wetland.

[Amended by Ordinance #277, August 28, 1990]

Section 3.131. Zone Boundaries. The boundaries of the Wetland Notification Overlay Zone shall conform to areas so designated in the Comprehensive Plan map titled 'Wetland Areas of Rockaway Beach'.

[Amended by Ordinance #277, August 28, 1990]

Section 3.132. General Provisions.

(1) No person shall do any site preparation work in conjunction with a use permitted in the underlying zoning district in which the property is located, without first notifying the City of the proposed action. Site preparation work is defined as any grading, filling, drainage, excavation or tree removal on the subject property.

(2) The required notification shall take the form of a description of the location of the property and a sketch describing the site preparation work to be undertaken.

(3) Upon receipt of the notification, the City shall meet with the applicant and inform him/her that the subject property and proposed site preparation activities may be subject to the jurisdiction of the Division of State Lands and the US Army Corps of Engineers.

(4) The applicant shall contact the Division of State Lands and the US Army Corps of Engineers and seek a determination of whether the subject property and proposed site preparation activities are subject to their jurisdiction.

(5) If the US Army Corps of Engineers and/or the Division of State Lands determines that it has jurisdiction, the applicant shall receive a permit from these agencies before site preparation work may begin.

(6) If the Division of State Lands and/or the US Army Corps of Engineers determines that it does not have jurisdiction, the applicant may begin site preparation work upon presenting the City with a written confirmation of such a determination, and subject to applicable City requirements.

[Amended by Ordinance #277, August 28, 1990]

3.140 Tsunami Hazard (TH) Overlay Zone

3.141 Definitions. As used in Section 3.142:

1. “Essential Facilities” means:

a. Hospitals and other medical facilities having surgery and emergency treatment areas;

b. Fire and police stations;

c. Tanks or other structures containing, housing or supporting water or fire- suppression materials or equipment required for the protection of essential or hazardous facilities or special occupancy structures;

d. Emergency vehicle shelters and garages;

e. Structures and equipment in emergency preparedness centers; and

f. Standby power generating equipment for essential facilities.

2. “Hazardous facility” means structures housing, supporting or containing sufficient quantities of toxic or explosive substances to be of danger to the safety of the public if released.

3. “Special occupancy structures” means

a. Covered structures whose primary occupancy is public assembly with a capacity greater than 300 persons;

b. Buildings with a capacity of greater than 250 individuals for every public, private or parochial school through secondary level or child care centers;

c. Buildings for colleges or adult education schools with a capacity of greater than 500 persons;

d. Medical facilities with 50 or more resident, incapacitated persons not included in subsection (a) through (c) of this paragraph;

e. Jails and detention facilities; and

f. All structures and occupancies with a capacity of greater than 5,000 persons.

4. “Substantial improvement” means any repair, reconstruction, or improvement of a structure which exceeds 50 percent of the real market value of the structure.

5. “Tsunami vertical evacuation structure” means a building or constructed earthen mound that is accessible to evacuees, has sufficient height to place evacuees above the level of tsunami inundation, and is designed and constructed with the strength and resiliency needed to withstand the effects of tsunami waves.

6. “Tsunami Inundation Maps (TIMs)” means the map, or maps in the DOGAMI Tsunami Inundation Map (TIM) Series, published by the Oregon Department of Geology and Mineral Industries, which cover(s) the area within the City of Rockaway Beach. The TIMs display five scenarios, labeled as “T-shirt sizes” (i.e., S, M, L, XL, and XXL), showing the impact of a Cascadia Subduction Zone (CSZ) tsunami that reflects the full range of possible inundation. These size ranges are intended to be inclusive of the range of scenarios that a community might expect during a CSZ event.

3.142 Tsunami Hazard Overlay Zone

1. **Purpose**. The purpose of the Tsunami Hazard Overlay Zone is to increase the resilience of the community to a local source (Cascadia Subduction Zone) tsunami by establishing standards, requirements, incentives, and other measures to be applied in the review and authorization of land use and development activities in areas subject to tsunami hazards. The standards established by this section are intended to limit, direct and encourage the development of land uses within areas subject to tsunami hazards in a manner that will:

a. Reduce loss of life;

b. Reduce damage to private and public property;

c. Reduce social, emotional, and economic disruptions; and

d. Increase the ability of the community to respond and recover.

Significant public and private investment has been made in development in areas which are now known to be subject to tsunami hazards. It is not the intent or purpose of this section to require the relocation of or otherwise regulate existing development within the Tsunami Hazard Overlay Zone. However, it is the intent of this section to control, direct and encourage new development and redevelopment such that, over time, the community's exposure to tsunami risk will be reduced.

2. Applicability of Tsunami Hazard Overlay Zone. All lands identified as subject to inundation from the XXL magnitude local source tsunami event as set forth on the applicable Tsunami Inundation Map (TIM) published by the Oregon Department of Geology and Mineral Industries (DOGAMI), Open File Report 0-13-19, Tsunami inundation scenarios for Oregon, 2013, are subject to the requirements of this section. The TIM applicable to the City of Rockaway Beach (TIM-Till-04, Plate 1, Local Source Tsunami Inundation Map for Rockaway Beach, Oregon) is hereby incorporated into this section by reference.

3. Uses. In the Tsunami Hazard Overlay Zone, except for the prohibited uses set forth in subsection (4), all uses permitted pursuant to the provisions of the underlying zone may be permitted, subject to the additional requirements and limitations of this section.

4. Prohibited Uses. Unless authorized in accordance with subsection (5), the following uses are prohibited in the specified portions of the Tsunami Hazard Overlay Zone:

a. In areas identified as subject to inundation from the L magnitude local source tsunami event as set forth on the Tsunami Inundation Map (TIM), the following uses are prohibited:

i. Hospitals and other medical facilities having surgery and emergency treatment areas.

ii. Fire and police stations.

iii. Structures and equipment in government communication centers and other facilities required for emergency response.

iv. Buildings with a capacity greater than 250 individuals for every public, private or parochial school through secondary level or child care centers.

v. Buildings for colleges or adult education schools with a capacity of greater than 500 persons.

vi. Jails and detention facilities.

b. In areas identified as subject to inundation from the M magnitude local source tsunami event as set forth on the Tsunami Inundation Map (TIM), the following uses are prohibited:

i. Tanks or other structures containing, housing or supporting water or fire- suppression materials or equipment required for the protection of essential or hazardous facilities or special occupancy structures.

ii. Emergency vehicle shelters and garages.

iii. Structures and equipment in emergency preparedness centers.

iv. Standby power generating equipment for essential facilities.

v. Covered structures whose primary occupancy is public assembly with a capacity of greater than 300 persons.

vi. Medical facilities with 50 or more resident, incapacitated patients.

c. Notwithstanding the provisions of Article 7, the requirements of this subsection shall not have the effect of rendering any lawfully established use or structure nonconforming.

5. Use Exceptions. A use listed in subsection (4) of this section may be permitted upon authorization of a Use Exception in accordance with the following requirements:

a. Public schools may be permitted upon findings that there is a need for the school to be within the boundaries of a school district and fulfilling that need cannot otherwise be accomplished.

b. Fire or police stations may be permitted upon findings that there is a need for a strategic location.

c. Other uses prohibited by subsection (4) of this section may be permitted upon the following findings:

i. There are no reasonable, lower-risk alternative sites available for the proposed use;

ii. Adequate evacuation measures will be provided such that life safety risk to building occupants is minimized; and,

iii. The buildings will be designed and constructed in a manner to minimize the risk of structural failure during the design earthquake and tsunami event.

d. Applications, review, decisions, and appeals for Use Exceptions authorized by this subsection shall be in accordance with the requirements for a Type III procedure as set forth in Section 11.060.

6. Evacuation Route Improvement Requirements. Except existing single unit dwellings on existing lots and parcels, all new development, substantial improvements and land divisions in the Tsunami Hazard Overlay Zone shall incorporate evacuation measures and improvements, including necessary vegetation management, which are consistent with and conform to the adopted Tsunami Evacuation Facilities Improvement Plan. Such measures may include:

a. On-site improvements:

i. Improvements necessary to ensure adequate pedestrian access from the development site to evacuation routes designated in the Evacuation Route Plan in all weather and lighting conditions.

ii. Frontage improvements to designated evacuation routes that are located on or contiguous to the proposed development site, where such improvements are identified in the Tsunami Evacuation Facilities Improvement Plan. Such improvements shall be proportional to the evacuation needs created by the proposed development.

b. Off-site improvements: Improvements to portions of designated evacuation routes that are needed to serve, but are not contiguous to, the proposed development site, where such improvements are identified in the Tsunami Evacuation Facilities Improvement Plan. Such improvements shall be proportional to the evacuation needs created by the proposed development.

c. Evacuation route signage consistent with the standards set forth in the Tsunami Evacuation Facilities Improvement Plan. Such signage shall be adequate to provide necessary evacuation information consistent with the proposed use of the site.

d. Evacuation route improvements and measures required by this subsection may include the following:

i. Improved streets and/or all-weather surface paths of sufficient width and grade to ensure pedestrian access to designated evacuation routes in all lighting conditions;

ii. Improved streets and paths shall provide and maintain horizontal clearances sufficient to prevent the obstruction of such paths from downed trees and structure failures likely to occur during a Cascadia earthquake; and

iii. Such other improvements and measures identified in the Evacuation Route Plan.

7. Tsunami Evacuation Structures

a. All tsunami evacuation structures shall be of sufficient height to place evacuees above the level of inundation for the XXL

local source tsunami event.

b. Tsunami evacuation structures are not subject to the building height limitations as set forth in Article 3.

8. Flexible Development Option

a. The purpose of the Flexible Development Option is to provide incentives for, and to encourage and promote, site planning and development within the Tsunami Hazard Overlay Zone that results in lower risk exposure to tsunami hazard than would otherwise be achieved through the conventional application of the requirements of this chapter. The Flexible Development Option is intended to:

i. Allow for and encourage development designs that incorporate enhanced evacuation measures, appropriate building siting and design, and other features that reduce the risks to life and property from tsunami hazard; and

ii. Permit greater flexibility in the siting of buildings and other physical improvements and in the creation of new lots and parcels in order to allow the full realization of permitted development while reducing risks to life and property from tsunami hazard.

b. The Flexible Development Option may be applied to the development of any lot, parcel, or tract of land that is wholly or partially within the Tsunami Hazard Overlay Zone.

c. Overall residential density shall be as set forth in the underlying zone or zones. Density shall be computed based on total gross land area of the subject property, excluding street right-of-way.

d. Yards, setbacks, lot area, lot width and depth, lot coverage, building height and similar dimensional requirements may be reduced, adjusted or otherwise modified as necessary to achieve the design objectives of the development and fulfill the purposes of this section.

e. Applications, review, decisions, and appeals for the Flexible Development Option shall be in accordance with the requirements for a Type II procedure as set forth in Section 11.030.

f. Approval of an application for a Flexible Development Option shall be based on findings that the following criteria are satisfied:

i. The applicable requirements of sub-paragraphs (b) and (d) of this subsection are met; and

ii. The development will provide tsunami hazard mitigation and/or other risk reduction measures at a level greater than would otherwise be provided under conventional land development procedures. Such measures may include, but are not limited to:

1. Providing evacuation measures, improvements, way finding techniques and signage at a level greater than required by subsection (6) of this section;

2. Providing tsunami evacuation structure(s) which are accessible to and provide capacity for evacuees from off-site;

3. Incorporating building designs or techniques which exceed minimum structural specialty code requirements in a manner that increases the capacity of structures to withstand the forces of a local source tsunami; and

4. Concentrating or clustering development in lower risk portions or areas of the subject property, and limiting or avoiding development in higher risk areas.

[Section 3.140-3.142 Added. by Ordinance #19-433, July 10, 2019]

3.150 Public Facilities Zone (PF)

1. Purpose and Applicability.

A. Purpose. The Public Facilities Zone is intended to provide area for buildings and facilities that are owned and operated by Federal, State, or local governments, public utilities, and special districts, which are used to provide governmental or public services. This zone also provides for school sites, public park and recreational facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by a local government, school district or special district.

B. Applicability. The PF Zone is identified on the City's official Zoning Map. The properties identified within the PF Zone shall comply with the provisions of this chapter.

2. Permitted and Conditional Uses.

A. Permitted Uses. The land uses listed in Table 3.150.1 are permitted in the PF Zone, subject to the provisions of this code.

B. Existing Uses. Uses and structures previously established within the Public Facilities Zone may continue.

Table 3.150.1 – Permitted and Conditional Uses	
Land Use	**PF**
Publicly owned buildings such as City Hall, County courthouse, administrative buildings, library, museum, fire station, police station, emergency service buildings, public safety training facilities, and similar structures, but excluding correctional facilities	P
Public parks, playgrounds, swimming pool, skateboard park, pedestrian/bicycle trails and similar public recreation facilities	P
Publicly owned and operated community meeting halls, lodges, and conference halls open to and used by the general public	P
Public reservoirs, well sites, pump stations, utilities (above and below ground), utility treatment/processing facilities and similar utility buildings or structures	P
Institution of higher education	P
Schools	P
Trails, natural areas, open space, future park sites, and similar public or special district-owned lands with no or minimal improvements	P
Accessory uses and buildings customarily used to support a permitted use such as public restrooms, showers, temporary bicycle storage lockers, and vehicle charging stations	P
Parking lots and parking areas to serve a permitted use	P
Public utility maintenance facilities and operation yards with outdoor storage of materials and supplies, including fuel and chemical storage tanks	P
Ball fields, sport complexes, and similar outdoor recreational areas that have night lighting, and do not include amplified sound systems	P
Publicly owned and operated wireless and broadcast communication facilities	P
County solid waste disposal sites or solid waste transfer sites	N
Correctional facilities for adults and juveniles including work farms and training centers	N

Key to Permitted Uses

P = Permitted

N = Not Permitted

3. Development Standards.

Development standards provide building separation for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.

Table 3.150.2	
Standard	**PF**
Lot Area	No requirement
Lot Width	No requirement
Lot Depth	No requirement

Table 3.150.2	
Standard	**PF**
Front Yard Setback	None, except when abutting to a Residential Zone, then the front yard setback to a building or parking area shall be the required setback of the abutting Residential Zone
Side and Rear Yard Setback	None, except when abutting a Residential Zone, then the side or rear setback to a building or parking area is 10 feet. The required side and rear yard setback shall be increased by one-half foot for each foot by which the structure exceeds 20 feet in height
Building Height	35 feet except where a setback of 100 feet can be provided the building height may be a maximum of 55 feet. If the abutting zoning district allows buildings taller than 35 feet, the height of the abutting zone may be applied to the PF Zone
Landscaping	No minimum requirement

[Section 3.150 Added. by Ordinance #19-435, June 10, 2020]

Article 4. Supplementary Provisions.

Section 4.010. Access Requirement. Every lot shall abut a street or alley for at least 25 feet, or have vehicular access by means of a recorded easement.

[Amended by Ordinance #277, August 28, 1990]

Section 4.020. Clear Vision Areas. A clear vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad.

(1) A clear vision area shall consist of a triangular area, two sides of which are lot lines, measured from the corner intersection of the street lot lines for a distance specified in this regulation (15 feet), or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection and so measured, and the third side of each is a line across the corner of the lot joining the non-intersecting ends of the other two sides of the triangle.

(2) A clear vision area shall contain no planting, fence, wall structure, or temporary or permanent obstruction exceeding 2.5 feet in height, measured from the street center line grade, except that trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of 8 feet above the grade level.

(3) The minimum distance for the clear vision area shall be 15 feet from the intersection of the streets as illustrated below.

[Section (3) amended by Ordinance #235, June 25, 1985]

Section 4.030. Maintenance of Minimum Ordinance Requirements. No lot area, yard, other open space, or off-street parking or loading area existing on or after the effective date of this ordinance shall be reduced below the minimum required for it by this ordinance.

Section 4.040. Dual Use of Required Open Space. No required open space shall be used for construction of buildings. Satellite receivers shall not be located in the front yard or street side yard.

[Amended by Ordinance #93-299, March 24, 1990]

Section 4.041. Shoreland Development Criteria. The Planning Commission shall review all development within 50 feet of the shore of any lake in the Rockaway Beach Urban Growth Boundary to ensure that the development:

(1) Maintains existing riparian vegetation in accordance with Section 4.150.

(2) Maintains the scenic quality of existing undeveloped shoreline area such as along the east side of Lake Lytle; or improves the appearance of developed shoreline areas such as those adjacent to Clear Lake or Seaview Lake.

(3) Does not require the fill of any wetland or aquatic areas, except for water-dependent uses.

(4) Existing public access to the shoreline shall be maintained in accordance with Section 4.140. New commercial development shall make provision for public access to the shoreline.

[Amended by Ordinance #277, August 28, 1990])

Section 4.043. Multi-Unit Siting Criteria. In any zone where a multi-unit dwelling is proposed, the Planning Commission shall review the plans under the following criteria:

(1) The placement of the structure takes advantage of natural features such as streams, shorelines, or hillsides. Existing trees are retained wherever feasible.

(2) Ingress and egress points shall be located to minimize impact on any adjacent residential uses.

(3) Parking areas are located to minimize impact on any adjacent residential uses. Parking areas which provide for eight or more vehicles shall be screened from adjacent residential uses by means of a fence or sight-obscuring hedge.

(4) A minimum of 25% of the lot area or the percentage of open space required by the land use zone shall be devoted to open space, whichever is greater.

(5) Where the proposed structure is located in a residential zone the following setbacks shall be met:

(a) Front Yard..... one-story structure 10 feet

.....two-story structure 15 feet

.....three-story structure 20 feet

(b) Rear Yard ..... one-story structure 10 feet

.....two-story structure 15 feet

.....three-story structure 20 feet

(c) Side Yard .....one-story structure 5 feet

.....two-story structure 10 feet

.....three-story structure 15 feet

(6) Multifamily dwelling siting approval shall be void one year after the date of approval unless a building permit has been obtained.

(7) Native vegetation is encouraged in required open space. Hardscape features such as benches, walkways, and outdoor seating areas shall be compliant with the American with Disabilities Act Accessibility Guidelines.

[Amended by Ordinance 09-407 October 14, 2009]

Section 4.044 Townhouse Projects

(1) **Sufficient Infrastructure**. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

(2) **Design Standards for Townhouses.**

(a) Entry Orientation. The main entrance of each townhouse must:

(i) Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and

(ii) Either:

(A) Face the street (see Figure 1);
(B) Be at an angle of up to 45 degrees from the street (see Figure 2);
(C) Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
(D) Open onto a porch (see Figure 3). The porch must:
- Be at least 25 square feet in area; and
- Have at least one entrance facing the street or have a roof

(b) Unit definition. Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4):

(i) A roof dormer a minimum of 4 feet in width, or
(ii) A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
(iii) A bay window that extends from the facade a minimum of 2 feet, or
(iv) An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
(v) An entryway that is recessed a minimum of 3 feet, or
(vi) A covered entryway with a minimum depth of 4 feet, or
(vii) A porch meeting the standards of subsection (2)(a)(D) of this section (4.04X.02).

Balconies and bay windows may encroach into a required setback area.

Figure 1. Main Entrance Facing the Street

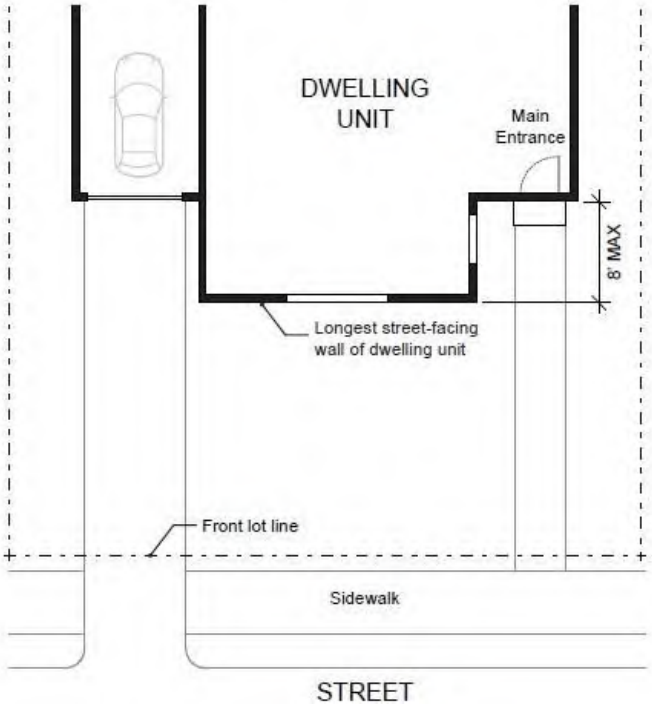


Figure 2. Main Entrance at 45°Angle from the Street

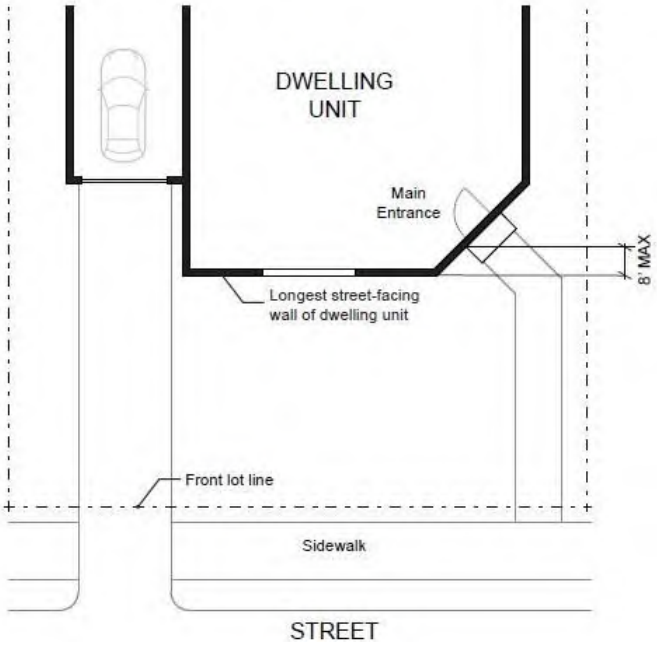


Figure 3. Main Entrance Opening onto a Porch

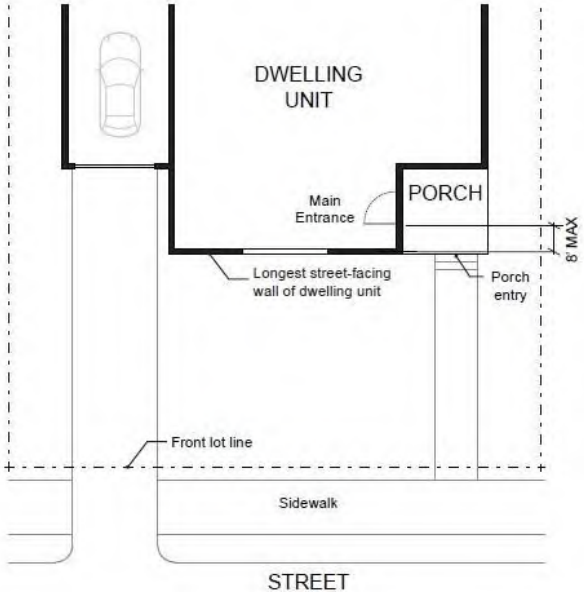
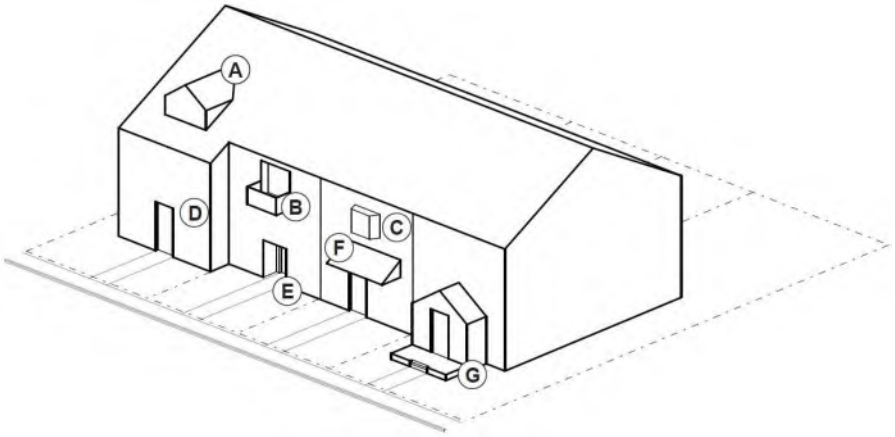


Figure 4. Townhouse Unit Definition



A Roof dormer, minumum of 4 feet wide

B Balcony, minimum 2 deet deep and 4 feet wide. Accessible from interior room.

C Bay window extending minimum of 2 feet from facade

D Facade offset, minimum of 2 feet deep

E Recessed entryway, minimum 3 feet deep

F Covered entryway, minimum of 4 feet deep

G Porch, meets standards of subsection (1)(b)(iv) of section (C)

(c) Windows. A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard (see Figure 5).

Figure 5. Window Coverage

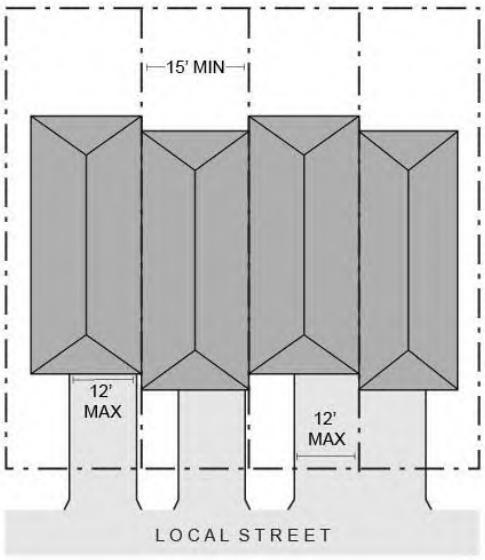
(d) Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:

(i) Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 6).

(A) Each townhouse lot has a street frontage of at least 15 feet on a local street.
(B) A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
(C) Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.

(D) The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 6. Townhouses with Parking in Front Yard



(ii) The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (i).

(A) Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
(B) A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 7.
(C) Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 8.
(D) A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

(iii) Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (ii).

(3) **Process.** Townhouse structures are reviewed for compliance with these standards as part of the building permit application.

Figure 7. Townhouses on Corner Lot with Shared Access

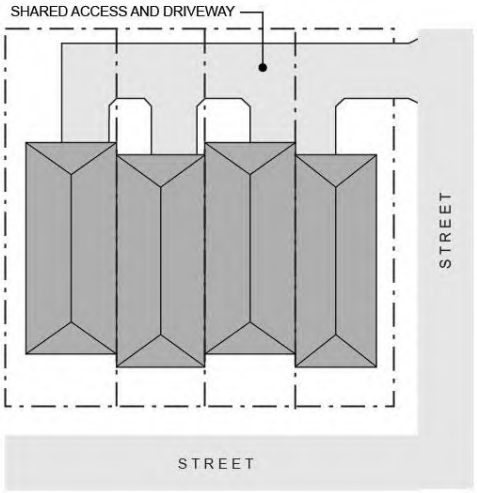
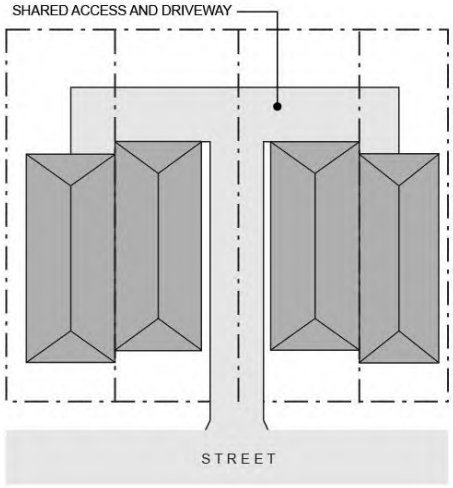


Figure 8. Townhouses with Consolidated Access



Section 4.045. Triplex and Quadplex Dwellings

(1) Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

(2) Design Standards for Triplex and Quadplex Dwellings.

(a) Entry Orientation. At least one main entrance for each triplex or quadplex structure must meet the standards in subsections (i) and (ii) below. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling is exempt from meeting these standards.

(i) The entrance must be within 8 feet of the longest street-facing wall of the dwelling unit; and
(ii) The entrance must either:

(A) Face the street (see Figure 9);
(B) Be at an angle of up to 45 degrees from the street (see Figure 10);
(C) Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 11); or
(D) Open onto a porch (see Figure 12). The porch must:

- Be at least 25 square feet in area; and
- Have at least one entrance facing the street or have a roof.

Figure 9. Main Entrance Facing the Street

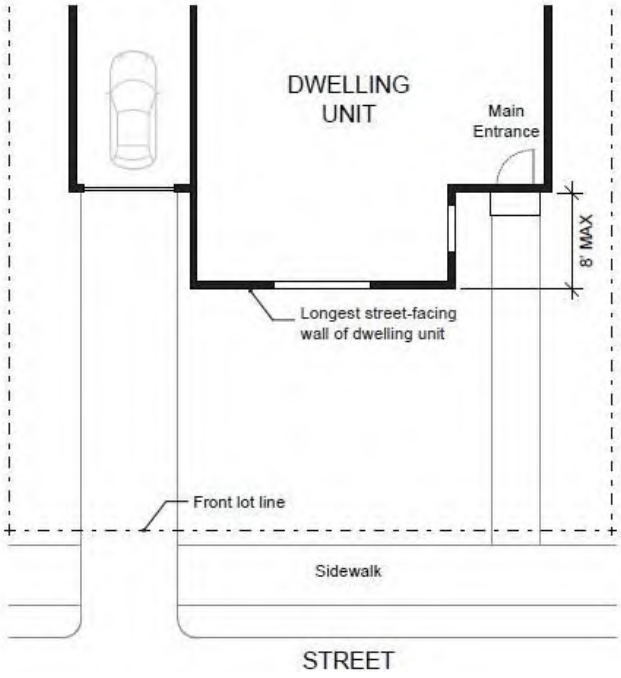


Figure 10. Main Entrance at 45° Angle from the Street

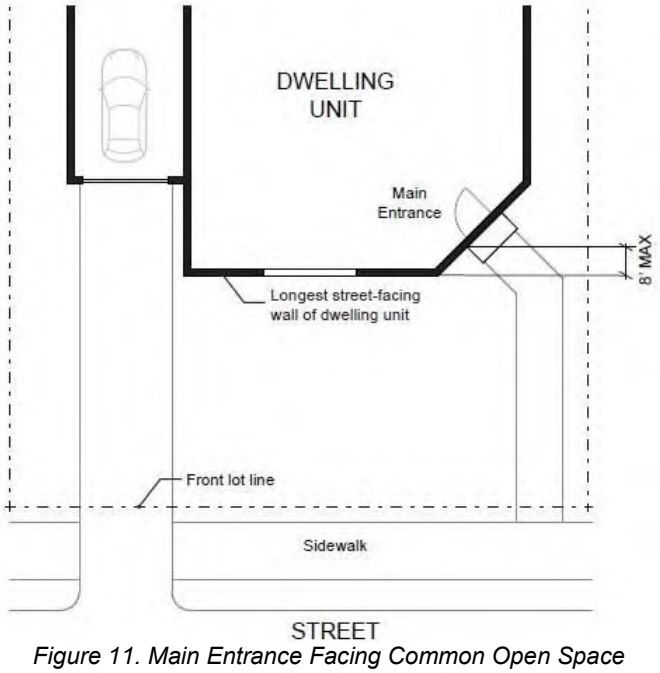


Figure 11. Main Entrance Facing Common Open Space

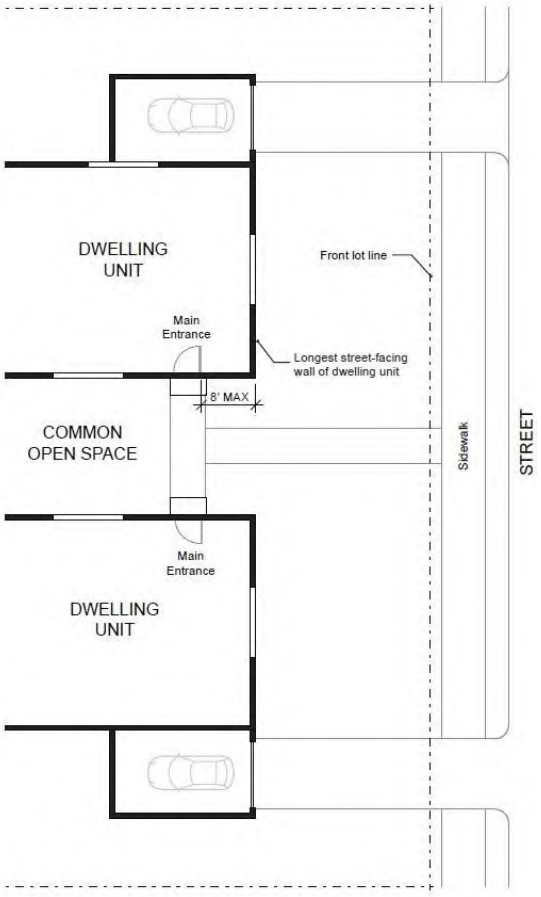
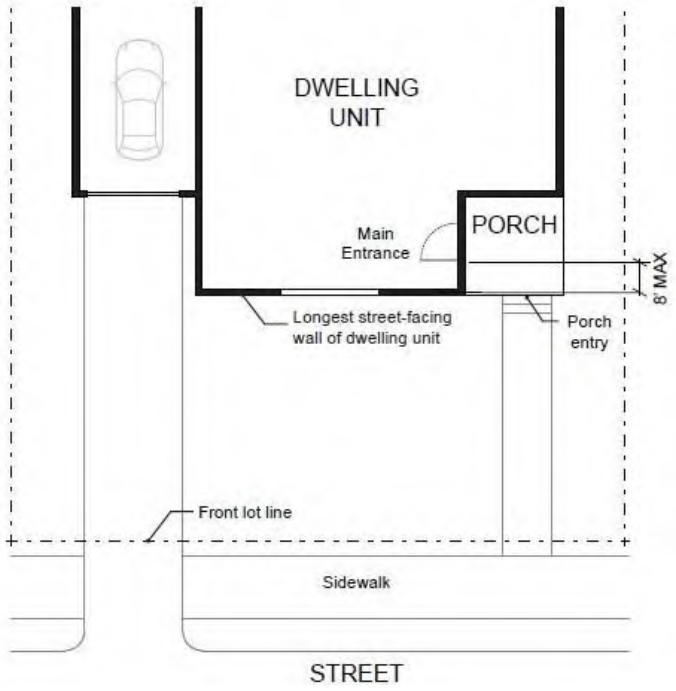


Figure 12. Main Entrance Opening onto a Porch



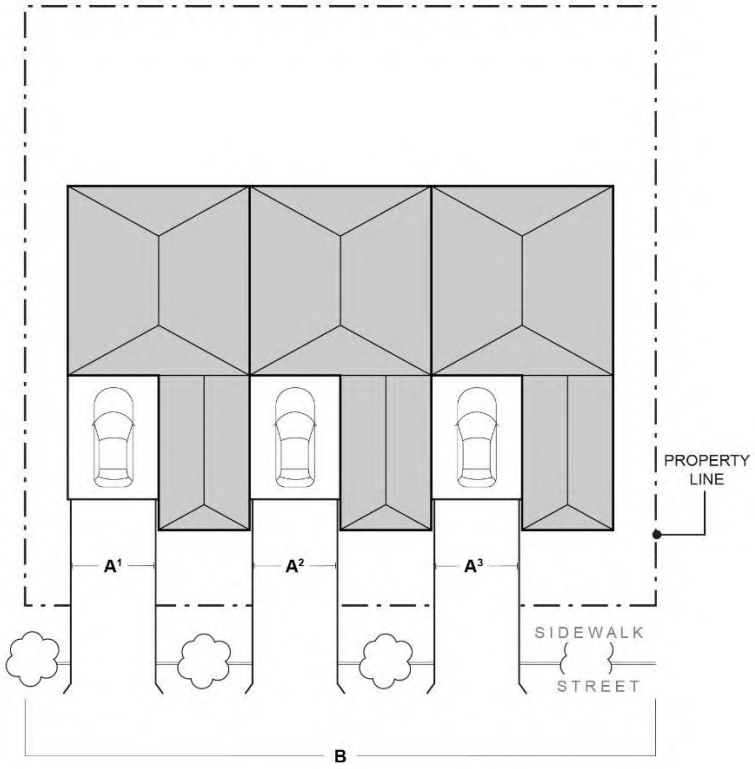
(b) Windows. A minimum of 15 percent of the area of all street-facing facades must include windows or entrance doors. Facades separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 13.

Figure 13. Window Coverage

(c) Garages and Off-Street Parking Areas. Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (i) and (ii) of this subsection (2)(c).

(i) The garage or off-street parking area is separated from the street property line by a dwelling; or
(ii) The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 14).

Figure 14. Width of Garages and Parking Areas



(A) Garage and on-site parking and maneuvering areas

(B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

(d) Driveway Approach. Driveway approaches must comply with the following:

(i) The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line (see Figure 15). For lots or parcels with more than one frontage, see (d)(iii) of this subsection (Section 4.04X(2)).

(ii) Driveway approaches may be separated when located on a local street (see Figure 15). If approaches are separated, they must meet driveway spacing standards applicable to local streets.

(iii) In addition, lots or parcels with more than one frontage must comply with the following:

(A) Lots or parcels must access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley (defined as an alley that meets the jurisdiction's standards for width and pavement), access must be taken from the alley (see Figure 16).

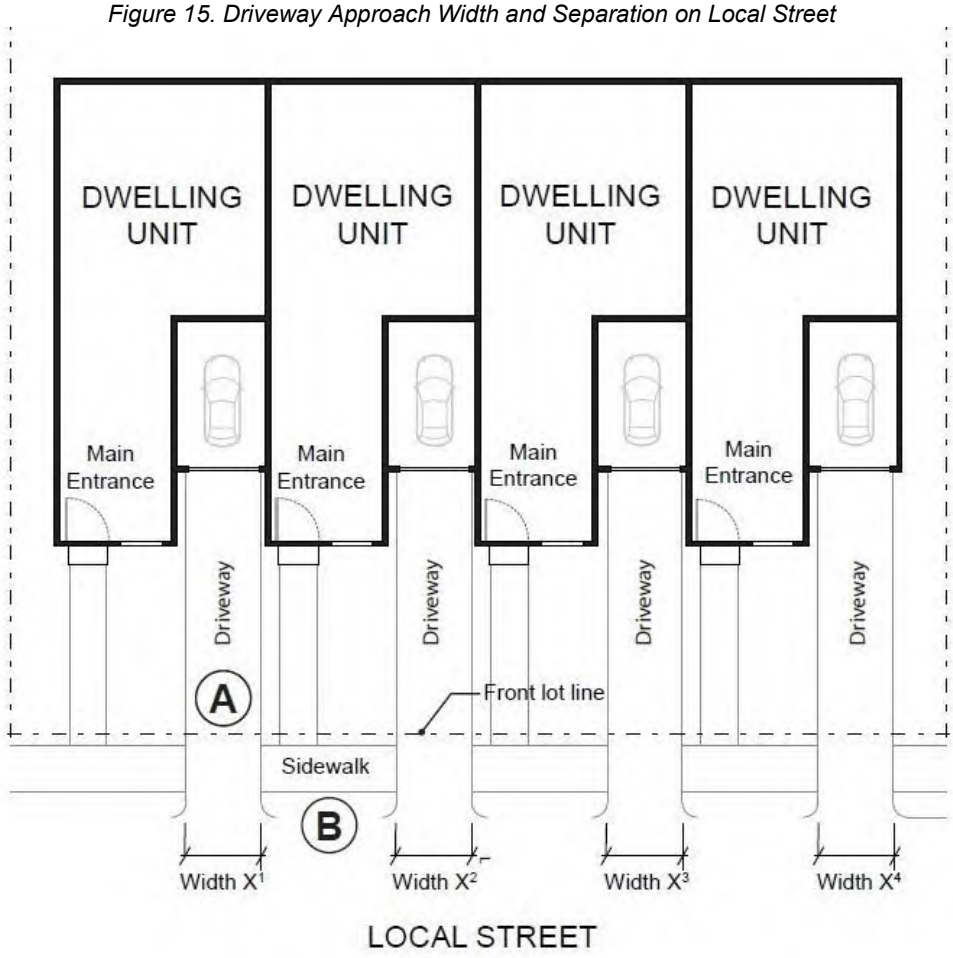
(B) Lots or parcels with frontages only on collectors and/or arterial streets must meet local access standards applicable to collectors and/or arterials.

(C) Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:

- Two driveway approaches not exceeding 32 feet in total width on one frontage; or
- One maximum 16-foot-wide driveway approach per frontage (see Figure 17).

(3) **Process.** Triplexes and quadplexes are reviewed for compliance with these standards as part of the building permit application.

Figure 15. Driveway Approach Width and Separation on Local Street



(A) $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

(B) Driveway approaches may be separated when located on a local street

Figure 16. Alley Access

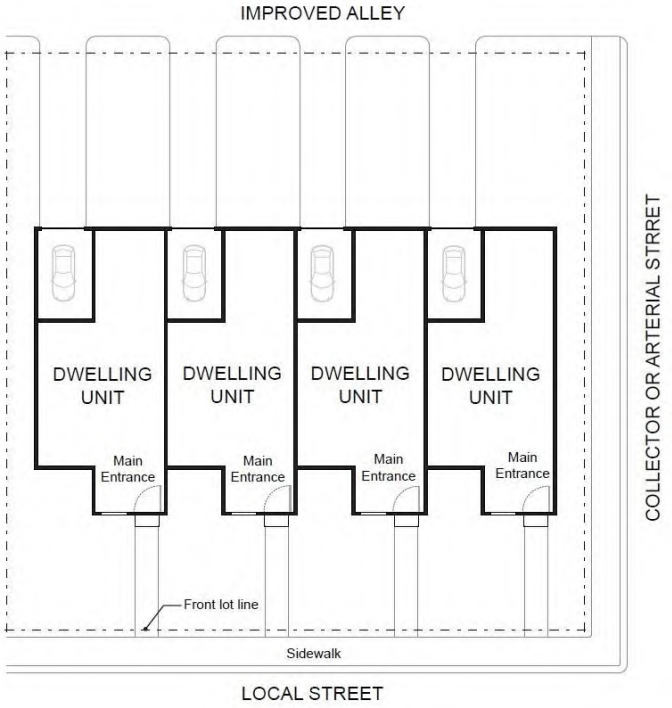
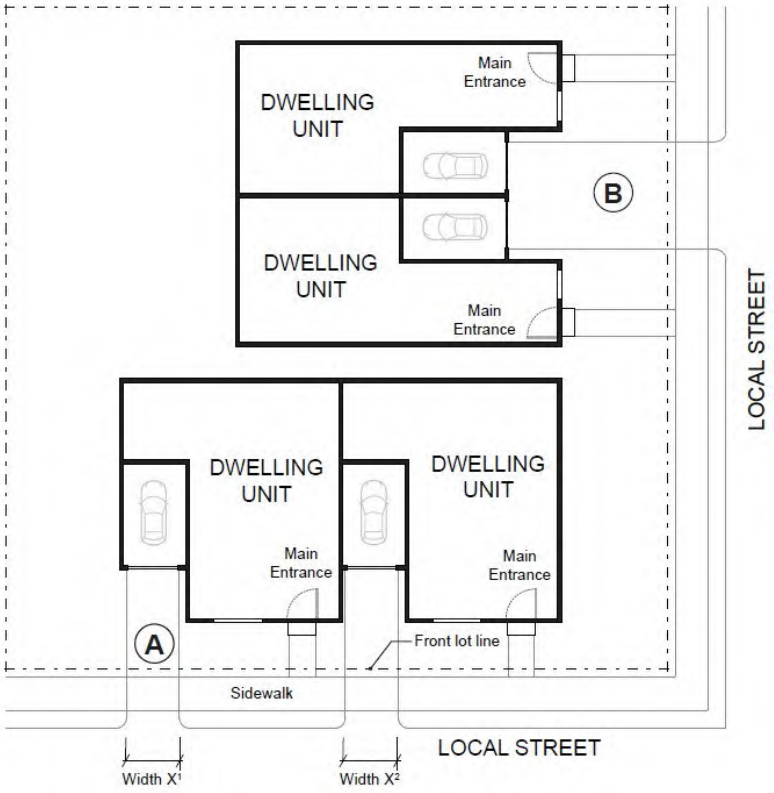


Figure 17. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

(A) Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured X1 + X2); or

(B) One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

Section 4.046. Cottage Clusters.

(1) **Sufficient Infrastructure**. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

(2) **Development Standards for Cottage Clusters.**

(a) Setbacks and Building Separation

(i) Setbacks. The following standards are maximum setbacks for cottage clusters in all zones:
(A) Front setbacks: 10 feet
(B) Side setbacks: 5 feet
(C) Rear setbacks: 10 feet

(ii) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements

(b) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(3) **Design Standards**. Cottage clusters shall meet the design standards in subsections (a) through (h) of this section (3). No other design standards shall apply to cottage clusters unless noted in this section.

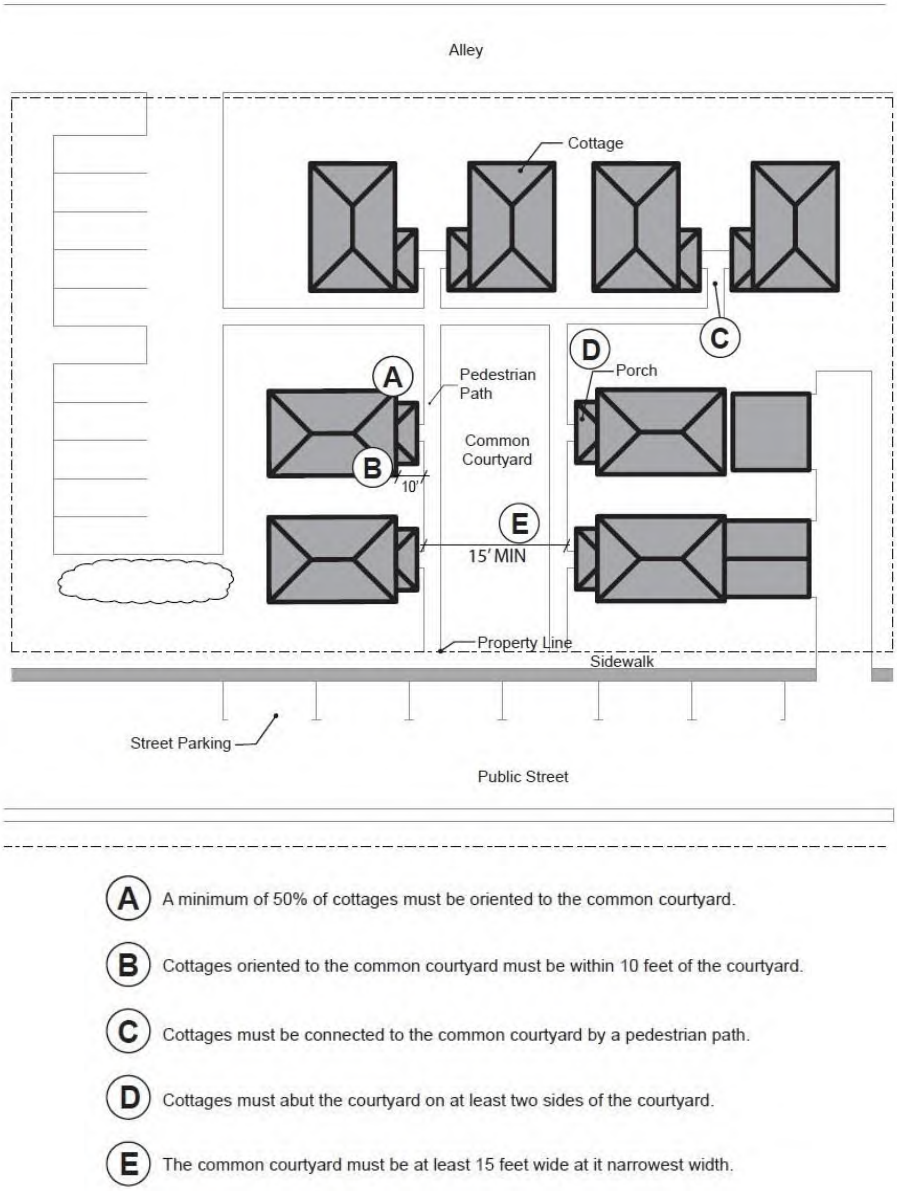
(a) Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 18):

(i) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
(ii) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;
(B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
(C) Be connected to the common courtyard by a pedestrian path.

(iii) Cottages within 20 feet of a street property line may have their entrances facing the street.
(iv) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

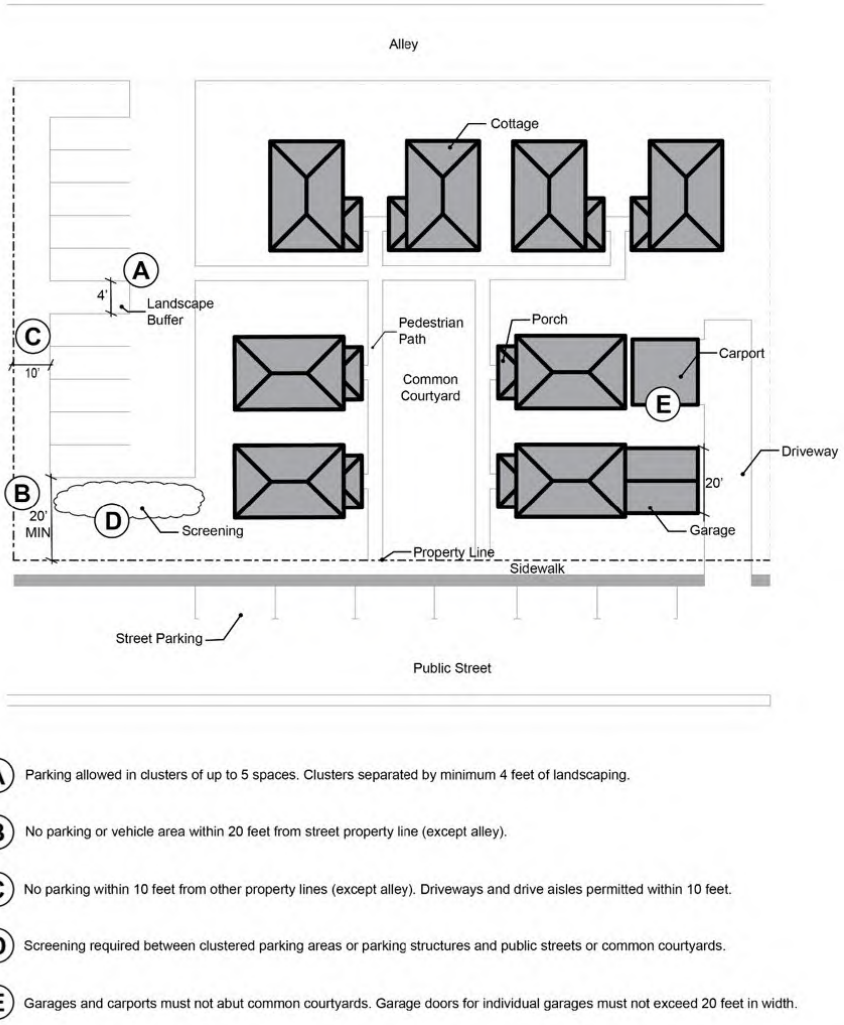
Figure 18. Cottage Cluster Orientation and Common Courtyard Standards



(b) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 19):

(i) The common courtyard must be a single, contiguous piece.
(ii) Cottages must abut the common courtyard on at least two sides of the courtyard.
(iii) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (a) of this section (3)).
(iv) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
(v) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
(vi) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 19. Cottage Cluster Parking Design Standards



(c) Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

(i) Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (2)(b).
(ii) A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

(d) Pedestrian Access.

(i) An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:

(A) The common courtyard;
(B) Shared parking areas;
(C) Community buildings; and
(D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.

(ii) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

(e) Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single unit dwellings in the same zone.

(f) Parking Design (see Figure 20).

(i) Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:

(A) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
(B) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
(C) Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
(D) Clustered parking areas may be covered.

(ii) Parking location and access.

(A) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- within of 20 feet from any street property line, except alley property lines;
- between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.

(B) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.

(iii) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

(iv) Garages and carports.

(A) Garages and carports (whether shared or individual) must not abut common courtyards.
(B) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
(C) Individual detached garages must not exceed 400 square feet in floor area.
(D) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

(g) Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.

(h) Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single unit dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:

(i) The existing dwelling may be nonconforming with respect to the requirements of this code.
(ii) The existing dwelling may be expanded up to the maximum height allowed by the zone district or the maximum building footprint of 900 square feet; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
(iii) The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
(iv) The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (a)(1) of this section (3)**.**

(4) **Process.** Cottage clusters are reviewed for compliance with these standards as part of the building permit application.

Section 4.050. Sign Requirements.

1. Placement. No sign shall be placed in or extend over a required street right-of-way except sidewalks. Signs over sidewalks shall not be less than 8 feet from the sidewalk grade. Where no sidewalk exists, the 6 feet of right-of-way on either side of the street shall be considered the sidewalk.
2. Measurements. The following shall be used in measuring a permanent sign to determine compliance with this Chapter:
    a. Signs shall be limited to the following:
        i. Commercial uses, other than motel, hotel, or timeshare condominium; one square foot of sign area for each lineal foot of street frontage, but not to exceed 75 square feet in area.
        ii. Motel, hotel, or timeshare condominiums; 75 feet in area.
        iii. Light industrial; 24 square feet in area.
        iv. Nonresidential uses such as churches or schools; 12 square feet in area.
        v. Multifamily and condominiums; 12 square feet in area.
        vi. Home occupation; 1 square foot in area.
    b. Sign area shall be calculated such that one side of an opposing-sided or non-parallel sign may be used for the purposes of measuring square footage. The larger side must be used for the determining factor.
    c. Off premise signs shall be no larger than 24 square feet in area.
3. Sandwich board signs. For the purposes of this section, “sandwich board sign” means a sign which consists of two panels hinged or attached at the top or side, designed to be movable and stand on the ground.
    a. One nonilluminated sandwich board sign, with each face not exceeding eight square feet in area, shall be allowed per business.
    b. Sandwich board signs must be placed directly in front of the associated establishment.
    c. The sandwich board sign shall not be located within a street or street right-of -way, except that where sidewalks exist, such a sign may be located on a public sidewalk. The sign shall not obstruct pedestrian traffic. If located on a public or private sidewalk, it shall be placed either adjacent to the curb or adjacent to the building so as to allow a 36- inch minimum walkway.
    d. Sandwich board sign area shall not be deducted from the aggregate sign area allowed in Section 4.050(3).
    e. Nonprofit and community organizations without an associated establishment may display a sandwich board sign during special events in public open spaces related to the event. All dimensions and placement standards outlined in Sections (a) through (d) shall apply.
4. Short Term Rental (STR) Signs. Signage requirements specific to Short Term Rentals (STRs) are governed by Section 113.04(C) of the Rockaway Beach Code of Ordinances. All sign regulations for STRs shall follow the requirements outlined in that section, as defined and enforced separately from the standards in Section 4.050.
5. Prohibitions. The following are expressly prohibited, unless specifically stated otherwise in this Chapter:
    a. There shall be no moving or flashing signs.
    b. Light from a sign shall be directed away from a residential use or zone and shall not be located so as to detract from a motorist's view.
    c. External light sources for a sign shall be directed downward and shielded to limit direct illumination of any object other than the sign.
6. Nonconforming Signs. Nonconforming permanent signs existing at the time this 2025 Ordinance becomes effective, may continue, subject to the restrictions in this section:
    a. A nonconforming sign shall not be:
        i. Expanded in size or height that increases nonconformity; or
        ii. Relocated.
    b. A nonconforming permanent sign may be maintained or altered, including changing the face or repair, provided no changes are made that would increase nonconformity.
        i. If a nonconforming sign is destroyed by wind, fire, rain or by any other natural disaster, the sign shall not be replaced and shall lose its nonconformity and any remaining portions shall be removed; any new signage erected in its place shall comply with the provisions of this Chapter.
7. Exempt Signs. The following signs are exempt from regulations under this Chapter:
    a. Signs erected or maintained by or on behalf of a federal, state, county, or local governmental body.

[Amended by Ordinance #18-432, January 8, 2020; Am. by Ord. 2024-06, December 11, 2024]

Section 4.060. Off-Street Parking and Off-Street Loading Requirements. At the time a new structure is erected, or the use of an existing structure is enlarged, off-street parking spaces, loading spaces, and access thereto shall be provided as set forth in this section, unless greater requirements are otherwise established.

If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this ordinance except as exempted in Subsection (12).

(1) Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.

(2) In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately, except where the Planning Commission determines that the various uses are to be used at different times of the day, such that the same parking spaces may be reduced by the number of spaces required by the smaller use.

(3) Owners of two or more uses, structures, or parcels of land may agree to utilize the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the Planning Commission in the form of deeds, leases, or contracts to establish the joint use.

(4) Required parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located not further than 200 feet from the building or use they are required to serve.

(5) Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use. Spaces required for employees shall be applicable to each shift.

(6) Areas used for standing and maneuvering of vehicles shall have durable surfaces maintained adequately for all weather use and be drained to prevent the ponding of water or the collection of water in a public right-of-way, or the flowing of water across public sidewalks.

(7) Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones or uses, or adjacent to city parks or natural areas, shall be designed to minimize disturbances of residents by the erection between the uses of a sight-obscuring fence of at least four feet and not more than six feet in height, or a buffer of natural vegetation such as trees or shrubs, except that clear vision areas shall be preserved.

(8) Parking spaces along the outer boundaries of a lot shall be contained by a curb or bumper rail at least four inches high.

(9) Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on any adjacent dwelling, community park, or designated natural area.

(10) Uses located on US Highway 101 shall have parking facilities designed so that vehicles do not back into the right-of-way.

[Amended by Ordinance #235, June 25, 1985]

(11) Passenger loading. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity greater than 25 students.

(12) Loading of merchandise, materials, or supplies. Buildings or structures which receive and distribute material or merchandise by truck shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this ordinance may be used for loading and unloading operations during periods of the day when not required to take care of the parking needs. Parking spaces designated 'loading zone only' or 'trucks and delivery only' shall be provided in addition to the required number of spaces.

(13) Retail and service connected businesses excluding residences, hotels, motels, and other transient lodging located in the C-1 Zone within the area between North Third Avenue and South Second Avenue shall be exempt from off-street parking requirements. Residences, hotels, motels, and other transient lodging shall provide the required off-street parking.

[Amended by Ordinance #93-299, March 24, 1990], [Amended by Ordinance #09-407 October 13, 2009] (Amended by Ordinance #13-416, February 27, 2013)

(14) Parking spaces shall be of the following dimensions:

(a) Spaces for normal-sized vehicles: 18 feet by 9 feet.

(b) Spaces for compact vehicles (designated as such) shall be 16 feet by 8 feet.

(15) Spaces for compact vehicles shall be allowed in parking lots with four or more spaces. Up to 50% of the total spaces may be designated for compact cars.

(16) In any parking lot with four or more parking spaces not less than 10% of the gross site area of the lot(s) or parcel(s) devoted to the project site, shall be maintained in natural vegetation landscaping areas contained within concrete curbs installed and maintained at entrances, at the ends of bays, and adjacent to property lines. Native vegetation is encouraged.

(17) Vehicular access points shall be consolidated to the minimum number necessary to serve the use.

(18) Off-Street Parking Space Requirements.

(a) Single unit dwelling .....Two spaces per dwelling unit.
(b) Duplex, townhouse or cottage cluster……One space per dwelling unit.
(c) Triplex……..……..One space for lots less than 3,000 square feet; Two spaces for

lots greater than or equal to 3,000 and less than 5,000 square feet; Three spaces for lots greater than or equal to 5,000 square feet

(d) Quadplex……..One space for lots less than 3,000 square feet; Two spaces for lots greater than or equal to 3,000 and less than 5,000 square feet; Three spaces for lots greater than or equal to 5,000 square feet and less than 7,000 square feet; Four spaces for lots greater than or equal to 7,000 square feet.

(e) Motel, hotel, inn .....One and one-quarter spaces for

guest cottage,..... each guest accommodation plus

or rooming house .....two spaces for any manager's

.....dwelling.

[Amended by Ordinance #277, August 29, 1990; Am. by Ord. 2025-02, June 11, 2025]

(f) Hospital, nursing One space for each three beds

home .....plus one space for each employee.*

(g) Church, club, or.....One space for each six seats,

similar place of. .....or one space for each 50 sq.

assembly.....ft. of floor space.

(h) Library..... One space for each 400 sq. ft.

.....of floor area plus one space

.....for each employee.*

(i) Dance hall, skating.....One space for each 500 sq. ft.

rink or similar use .....of dance floor or skating area

.....plus one space for each employee

(j) Bowling alley..... Two spaces for each alley plus

.....one space for each employee.*

(k) Retail store,..... One space for each 400 sq. ft.

eating or drinking..... of floor area, plus one space

establishment..... for each employee.* [Amended by

.....Ordinance #235, June 25, 1985]

(l) Service or repair..... One space for each 600 sq. ft.

shop, retail store..... of floor area plus one space

handling bulky .....for each employee.*

merchandise

(m) Bank or office .....One space for each 600 sq. ft.

(not medical or..... of floor area plus one space

dental). .....for each employee.*

(n) Medical or dental..... One space for each 300 sq. ft.
clinic.....of floor area plus one space
.....for each employee.

(o) Schools (grades .....One space per employee plus
1-9)..... adequate parking for busses
.....kept on premises.

(p) Schools (grades..... One space for each employee
10-12)..... plus one space for each four
..... students.

(q) Manufacturing uses,.....One space for each employee on
testing, research,..... largest shift, plus visitor
processing, or..... parking as may be determined
assembly.....by the Planning Commission.

*Employees per shift or on duty.

Section 4.065. Street and Drainage Standards. At the time an owner or developer wishes to develop any platted street in the City, they shall comply with the Rockaway Beach Public Works Technical Specifications and Design Standards. Street and road construction shall provide for drainage and shall not be diverted so as to create a drainage problem for other property owners.

[Amended by Ordinance #203, April 28, 1981) (Amended by Ordinance #13-416, February 27, 2013)

(1) Stormwater drainage from new development shall be directed to a system approved by the City Public Works Supervisor.

(2) Any stormwater drainage system shall be designed to prevent erosion of soils and to minimize the impact of stormwater on adjacent properties. Where any stormwater swale is vegetated, landscaping with native vegetation is encouraged.

[Amended by Ordinance #93-299, March 24, 1990], [Amended by Ordinance 09-407 October 13, 2009] (Amended by Ordinance #13-416, February 27, 2013)

Section 4.070. Fence Requirements.

(1) Fences may be constructed up to the property line, unless jointly owned by adjoining property owners in which case it may be on the property line.

(2) All fences or portions thereof shall be located in such a way as to not be detrimental to abutting property, and shall not obstruct views from adjacent property.

(3) Fences shall not be made of barbed wire or other sharp or dangerous material.

(4) Fences greater than six feet in height shall require a building permit. (Amended by Ordinance No. 01-371, September 12, 2001) (Amended by Ordinance #13-416, February 27, 2013)

Section 4.090. Home Occupations. The home occupation provision is included in recognition of the needs of many people who are engaged in small scale business ventures which could not be sustained if it were necessary to lease commercial quarters for them, or which, in the nature of the home occupation, cannot be expanded to full scale enterprise.

It is the intent of this section that home occupations be allowed which are unobtrusive by nature, which do not cause disruption of the surrounding neighborhood, or have an adverse effect on the adjacent properties or environment.

(1) **Standards.** A home occupation shall mean any occupation or profession carried on by a person residing on the premises provided the following conditions are satisfied:

(a) No sign is used other than a nameplate not over one square foot in area.

(b) There is no display or outside storage that would indicate that the lot is being used in whole or primarily for purposes other than residential.

(c) The lot, including the building, retains the characteristics of a residential zone.

(d) No on-site retail sales shall be permitted in conjunction with a home occupation.

(e) No persons other than residents of the dwelling located on the subject property shall be engaged in the home occupation, and in no event shall the number of persons engaged in the home occupation exceed five.

(2) Complaint Procedures. The Planning Commission shall review home occupations upon receipt of two written complaints from two separate households located within 250 feet of the boundary of the affected property, or a complaint from the Building Official of the City. Complaints shall set forth the nature of the objection. The complaints shall be considered by the Planning Commission at a public hearing. The hearing procedure shall be the same as outlined in Article 11. [Amended by Ordinance No. 94-312, June 8, 1994] Criteria for judging objections shall include:

(a) Generation of excessive traffic.

(b) Monopoly of on-street parking areas.

(c) Frequent deliveries and pickups by motor freight.

(d) Noise in excess of that created by normal residential use (either in terms of volume or hours of occurrence).

(e) Smoke, fumes, or odors in excess of those created by normal residential use.

(f) Other offensive activities not in harmony with a residential neighborhood.

(3) Action by Planning Commission. The Planning Commission, upon hearing the evidence may:

(a) Approve the use as it exists.

(b) Require the use to be terminated.

(c) Impose appropriate restrictions, such as limiting the hours of operation, establishing a phasing out of the use, or other measures insuring compatibility with the neighborhood.

(d) The determination of the Planning Commission becomes final 10 days after the date of decision, unless appealed to the City Council, in accordance with Article 11. [Amended by Ordinance No. 94-312, June 8, 1994] (Amended by Ordinance #13-416, February 27, 2013)

Section 4.091. Standard for Manufactured Homes. At the time a manufactured home is sited in any applicable zone the following standards shall apply:

a) The manufactured home shall be multi-sectional and enclose a space of not less than 1000 square feet.

b) The manufactured home shall be placed on a foundation enclosed at the perimeter.

c) The manufactured home shall have a pitched roof with a nominal pitch of at least three feet in height for each twelve feet in width.

d) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single family homes constructed under the state building code as defined in ORS 455.010.

e) All other requirements of the Zone shall apply.

[Section 4.091 added by Ordinance #94-308, February 9, 1994] [Amended by Ordinance 09-407 October 14, 2009]

Section 4.095. Manufactured Dwelling Siting Criteria. At the time a manufactured dwelling is sited in any applicable zone, the following standards shall apply:

[Amended by Ordinance #94-308, February 9, 1994]

(1) A manufactured dwelling shall conform to all state standards at the time of construction, and shall comply with all state and city rules and regulations regarding siting.

[Amended by Ordinance #94-308, February 9, 1994]

(2) A manufactured dwelling used for permanent residency shall have a minimum size of 600 sq. ft. of floor space.

(3) A manufactured dwelling shall be securely anchored to a permanent foundation system recommended by the manufacturer of the manufactured dwelling. This foundation system shall include provisons for tie-downs to protect the manufactured dwelling against wind and storm damage. Plans and specifications for the foundation system shall be submitted to the Building Official in conjunction with the placement permit application. Lacking a continuous foundation, the unit shall have a continuous skirting of non-decaying, non-corroding material extending at least 6 inches into the ground or to an impervious surface. The skirting or continuous foundation shall have provisions for ventilation and access to the space under the unit, but such opening shall be secure against the entrance of animals. The construction of the tie-downs and skirting or continuous foundation, whichever is applicable, shall be completed within 30 days following placement of the unit upon the site.

(4) A storage space having an area of at least 96 square feet shall be provided in an accessory building. The building shall be substantially compatible with the manufactured dwelling and shall be constructed and completed within 90 days following placement of the manufactured dwelling on the site.

(5) A minimum of two off-street parking spaces shall be provided for manufactured dwellings.

(6) Additions may be attached to the manufactured dwelling provided such additions are structurally compatible with the manufactured dwelling. A building permit is required for all additions.

(7) Cabanas and awnings compatible with a manufactured dwelling may be added at any time.

(8) No manufactured dwelling shall be placed on any lot until water and sewer service have been applied for and the proper hookups made.

(9) No manufactured dwelling shall be occupied prior to the issuance of a placement permit.

(10) No roof shall be constructed over the manufactured dwelling which is independent of the unit.

(11) No manufactured dwelling shall be sited which is more than 5 years old.

[Section 4.095 (11), added by Ordinance #94-308, February 9, 1994]

[Section 4.095 amended by Ordinance #277, August 28, 1990]

Section 4.096. Recreational Vehicle Siting Criteria. At the time a recreational vehicle is sited in an RMD zone, the following standards shall apply:

(1) The recreational vehicle shall comply with all state installation and placement requirements.

(2) A minimum of two off-street parking spaces shall be provided for each recreational vehicle.

(3) A storage space having an area of at least 96 sq. ft. shall be provided in an accessory building. The building shall be compatible with the recreational vehicle and shall be constructed and completed within 90 days following placement of the recreational vehicle on the site.

(4) No recreational vehicle shall be occupied prior to the issuance of a placement permit.

[Amended by Ordinance #277, August 28, 1990]

Section 4.100. Recreation Vehicle Parks.

(1) Recreation vehicle (RV) camping areas or parks shall be allowed as conditional uses in the R-3 zone.

(2) RV areas shall be at least one acre in size.

(3) RV areas shall be connected to City water and sewer, and shall have toilet facilities, lavatories and showers with hot water in a ratio of one of each fixture per 10 RV spaces.

(4) Each RV space shall be at least 1,000 sq. ft., exclusive of common streets, restroom areas or common open space areas.

(5) A minimum distance of 10 feet shall separate the location of one recreational vehicle within its space from the interior road right-of-way.

(6) A minimum distance of 10 feet shall separate the location of a recreational vehicle within its space from any community or service buildings constructed in conjunction with the recreational vehicle park.

(7) Each site shall have direct access to an interior road right-of-way.

(8) All recreational vehicles in the park shall be assigned to a space. No space shall have more than one recreational vehicle assigned to it.

(9) Roads shall have a minimum paving width of 20 feet and be constructed to standards required by the Public Works Superintendent. [Amended by Ordinance NO. 94-312, June 8, 1994]

(10) A buffer of at least 10 feet shall be maintained around the perimeter of the park where abutting a residential zone. Within the buffer, either a sight-obscuring fence or dense evergreen vegetation, which attains a mature height of at least eight feet shall be provided.

(11) Wherever possible, existing tree cover and natural vegetation shall be maintained.

(12) Where RV parks are to be located near shoreline areas, recreational vehicle spaces and community and service buildings shall be set back from the shoreline at least 25 feet, and shall maintain public access to the water.

(13) 50% of the total area shall be open space or landscaped area.

(14) All standards of the Oregon Department of Commerce for recreational vehicle parks shall be met.

(15) Preliminary plans which contain all the information specified by OAR 814-29-080 shall be submitted to the City when requesting a conditional use.

[Section 4.100 amended by Ordinance #277, August 28, 1990] (Amended by Ordinance #13-416, February 27, 2013)

Section 4.110. Manufactured Dwelling Park Standards. This section is intended to regulate location of manufactured dwelling parks and to provide additional standards of development for such areas recognizing that a manufactured dwelling park

is a unique type of residential use which deserves special consideration due to its impact upon the community, its road and utilities.

[Amended by Ordinance #277, August 28, 1990]

(1) **Location Standards.** At the time a manufactured dwelling park is sited in any applicable zone, the following standards shall apply

[Section 4.110(1) amended by Ordinance #94-308, February 9, 1994]

(a) The minimum lot area for a manufactured dwelling

park shall be one acre.

(b) Spaces in manufactured dwelling parks shall be sized as follows:

(i). .....Spaces for double-wide units (units with a width of 16 feet or greater) shall be a minimum of 5,000 sq. ft.

(ii). .....Spaces for single-wide units (units with a width greater than 8 feet) shall be a minimum of 3,500 sq. ft.

(iii)..... Spaces for park model units (park model units are defined as small manufactured dwellings designed for permanent occupancy and does not include recreational vehicles) shall be a minimum of 3,000 sq. ft.

[Amended by Ordinance #277, August 28, 1990]

(2) **Setback Requirements.**

(a) Manufactured dwellings shall be located within their designated spaces in such a way that there shall be a minimum of ten feet between any manufactured dwelling and any other building in the manufactured dwelling park other than structures accessory to an individual manufactured dwelling.

(b) Manufactured dwellings shall be located a minimum of ten feet from any street or road and conform to the clear vision requirements of Section 4.020.

(c) Manufactured dwellings shall be located no less than twenty feet from any property line. A vegetated buffer which attains a mature height of at least eight feet and having a width of at least ten feet shall be provided within this twenty foot setback. Any buffer shall conform to the clear vision requirements of Section 4.020.

[Amended by Ordinance #277, August 28, 1990]

(3) **Access Requirements.**

(a) Interior access drives shall be provided within the park, shall be continuous unless provided with adequate turn-around area or cul-de-sac, and shall have a minimum width of 24 feet.

(b) Walkways, not less than four feet wide, shall be provided from each manufactured dwelling space to service buildings and along one side of all access drives.

(c) All access drives and walkways within the manufactured dwelling park shall be surfaced according to standards established by the City.

[Amended by Ordinance #277, August 28, 1990]

(4) **Required Improvements.**

(a) Each manufactured dwelling space shall have a pad with adequate base, with crushed rock or better surface. The pad shall have a minimum area equal to that of the manufactured dwelling which will be located on the space.

(b) Off-street parking shall be provided with a minimum of two parking spaces for each manufactured dwelling space. Parking spaces shall be of crushed rock or better surfacing. Required access drives shall not be considered as fulfilling this requirement.

(c) Provisions for storage shall be made as follows:

(i). .....A storage building with a minimum floor area of 96 square feet shall be provided for each manufactured dwelling space; and

(ii). .....A centralized storage area for such items as boats, trailers and camping vehicles shall be provided. Such a storage area shall contain a minimum of 100 sq. ft. for each manufactured dwelling space and be enclosed by a sight-obscuring fence or a vegetative buffer approved by the Planning Commission.

(d) All manufactured dwelling parks shall be served by the City's sewer system and water system. The design and layout of sewer and water lines is subject to the review and approval of the Public Works Superintendent. [Amended by Ordinance No. 94-312, June 8, 1994]

(e) Drainage improvements shall be made as may be required by the Public Works Superintendent. [Amended by Ordinance No. 94-312, June 8, 1994]

(f) Signs are limited to one identification sign with a maximum area on one side of 12 sq. ft., and limited to 8 feet above the ground level. Such a sign may be indirectly illuminated, but shall not contain exposed neon or similar tubing and shall not flash, rotate, or move in any way.

[Amended by Ordinance #277, August 28, 1990]

(5) **Plans Required** Applications for manufactured dwelling park permits shall be accompanied by complete plans and specifications of the proposed park and all permanent buildings, indicating the proposed methods of compliance with these requirements. Such plans shall be to a scale of not less than 1 inch to 50 feet. A performance bond may be required in an amount to be determined by the Planning Commission to insure that a development proposed is completed as approved and within the time limit agreed to.

[Amended by Ordinance #277, August 28, 1990]

Section 4.120. Shoreline Stabilization Standards.

(A) **General Standards.**

(1) Preferred Methods. Proper management of existing streamside vegetation is the preferred method of stabilization, followed by planting of vegetation. Where vegetative protection is inappropriate (because of the high erosion rate, the use of the site, or other factors), structural means, such as rip-rap, may be used as a last resort.

In the placement of stabilization materials, factors to be considered include, but are not limited t effects on bird and wildlife habitat, uses of lands and waters adjacent to the bank, effects on fishing areas, effects on aquatic habitat, relative effectiveness of the various structures, engineering feasibility, erosion, flooding and sedimentation of adjacent areas.

(2) Emergency repair to shoreline stabilization facilities is permitted, notwithstanding the other regulations in these standards, subject to those standards imposed by the State of Oregon, Division of State Lands, and the US Army Corps of Engineers.

[Section 4.120 added by Ordinance #221, August 24, 1982, amended by Ordinance #277, August 28, 1990]

(B) **Standards for Revegetation and Vegetation Management.**

(1) Plant species shall be selected to insure that they provide suitable stabilization and value for wildlife. Justification shall be presented as to the necessity and feasibility for use of a bank with a slope greater than 2:1 (horizontal to vertical). Trees, shrubs and grasses native to the area are generally preferred.

(2) The area to be revegetated should be protected from traffic or other activities that would hinder plant growth.

[Added by Ordinance #221, August 24, 1982]

(C) **Standards for Rip-Rap and Seawalls.**

(1) There is a critical need to protect a structure that is threatened by erosion hazard.

[Amended by Ordinance #277, August 28, 1990]

(2) Good engineering and construction practices shall be used in the placement of rip-rap, with regard to slope, size, composition and quality of material, excavation of the toe trench, placement of a gravel fill blanket and operation of equipment in the water. State and federal regulations should be consulted in this regard.

[Amended by Ordinance #277, August 28, 1990]

(3) Rip-rapped banks should be vegetated where feasible.

[Amended by Ordinance #277, August 28, 1990]

(4) Shoreline protection measures shall not restrict existing public access to public shorelines.

[Amended by Ordinance #277, August 28, 1990]

(5) Shoreline protection measures shall be designed to minimize their impacts on the aesthetic qualities of the shoreline.

[Amended by Ordinance #277, August 28, 1990]

(6) Shoreline protection measures shall be designed and constructed to minimize negative impacts on adjacent property.

(7) Shoreline protection measures shall be designed and constructed to avoid long-term or recurring costs to the public.

(8) Bankline protection is not in itself a way to increase land surface area. Where severe erosion has occurred, fill may be used to obtain the desired bank slope and restore the previous bankline. Any extension of the bankline into traditional aquatic areas shall be subject to the standards for fill.

(9) Construction of shoreline protection measures shall be coordinated with state and federal agencies and local interests to minimize the effects on aquatic resources and habitats. Relevant state and federal water quality standards shall be met. Stream channelization should be avoided.

(10) Beachfront protective structures for beach and dune areas shall be permitted only where development existed as of January 1, 1977. 'Development' means houses, commercial and industrial buildings, and vacant subdivision lots which are physically improved through construction of streets and provision of utilities to the lot and includes areas where a Goal 18 exception has been approved.

[Amended by Ordinance #277, August 28, 1990]

Section 4.130. Foredune Grading. Grading or sand movement necessary to maintain views or to prevent sand inundation may be allowed for structures in foredune areas only if the area is committed to development, or is within an acknowledged urban growth boundary, and only as part of an overall plan for managing foredune grading. A foredune grading plan prepared by a qualified expert shall include the following elements based on consideration of factors affecting the stability of the shoreline to be managed including sources of sand, ocean flooding, and patterns of accretion and erosion (including wind erosion), and effects of beachfront protective structures and jetties. The plan shall:

(1) Cover an entire beach and foredune area subject to an accretion problem, including adjacent areas potentially affected by changes in flooding, erosion or accretion as a result of dune grading;

(2) Specify minimum dune height and width requirements to be maintained for protection from flooding and erosion. The minimum height for flood protection is 4 feet above the 100 year flood elevation;

(3) Identify and set priorities for low and narrow dune areas which need to be built up;

(4) Prescribe standards for redistribution of sand and temporary and permanent stabilization measures including the timing of these activities; and

(5) Prohibit removal of sand from the beach-foredune system. Foredune grading plans may be submitted to the Tillamook County Soil and Water Conservation Service for their comments.

The foredune grading plan must be adopted as an amendment to the Comprehensive Plan before construction can begin.

(6) Foredune grading in the Nedonna Beach area must conform to the requirements of the adopted Nedonna Beach Foredune Grading Plan.

[Amended by Ordinance #277, August 28, 1990]

Section 4.135. Dune Construction Standards. Removal of vegetation shall be limited to that which is necessary to perform construction activities, and shall not be done earlier than 30 days prior to the start of construction. If construction takes place between the months of November and May, temporary sand control measures such as mulching, fencing or matting shall be employed. Immediately after construction, the site shall be revegetated.

[Added by Ordinance #243, May 13, 1986]

Section 4.140. Maintenance of Access. The City shall review under ORS 271.080 - 271.230, proposals for the vacation of public easements or rights-of-way which provide access to or along ocean beaches or lakes. The City shall review under the provisions of ORS 271.300 - 271.360, proposals for the sale, exchange, or transfer of public ownership which provides access to ocean beaches or lakes. Existing public ownership rights-of-way and similar public easements which provide access to or along ocean beaches or lakes shall be retained or replaced, if they are sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.

[Amended by Ordinance #277, August 28, 1990]

Section 4.150. Riparian Vegetation. Riparian vegetation adjacent to the lakes and streams in Rockaway Beach shall be protected in accordance with the following provisions:

(1) The following areas of riparian vegetation are defined:

(a) Fifteen feet on either side of McMillan, Steinhilber, Finney, Rock, Heitmiller, Saltair, and Spring Creeks and any other known stream bed. [Amended by Ordinance No. 95-325A, May 10, 1995.]

(b) Fifteen feet adjacent to Seaview Lake, Marie Lake and the unnamed lake at Minnihaha Avenue.

(c) Twenty-five feet adjacent to Spring Lake and Lake Lytle where there are no adjacent wetlands.

(d) The extent of wetland vegetation adjacent to Crescent Lake, Lake Lytle, Clear Lake and that portion of Spring Lake that is bordered by wetlands.

(2) All structures and uses shall be located outside of areas listed in (1) above with the following exceptions:

(a) Where direct water access is required in conjunction with a water-dependent use; or

(b) Access to a lot where the proposed access is only reasonable alternative; or

(c) Structural shoreline stabilization; or

(d) Trails or other pedestrian walkways that provide access to the water.

(3) For areas described in (1)(a),(b), and (c) above, all trees 6 inches in diameter at four and one-half feet above grade, and 50% of the understory vegetation shall be retained within the areas listed with the following exceptions:

(a) Removal of dead, diseased, or dying trees, or trees that pose an erosion hazard.

(b) Removal of vegetation necessary to provide for uses listed in (2), above.

(c) Vegetation removal in conjunction with an approved in-water project.

(d) The removal of noxious weeds as defined by the City's nuisance ordinance.

(4) For all areas described in (1) d) above, all riparian vegetation shall be retained with the following exceptions:

(a) Removal of vegetation necessary to provide for uses listed in (2) above.

(b) Removal of dead, diseased, or dying trees.

(c) Vegetation removed in conjunction with an approved in-

water project.

(4) For all areas described in (1)(d) above, all riparian vegetation shall be retained with the following exceptions:

(a) Removal of vegetation necessary to provide for uses listed in (2) above.

(b) Removal of dead, diseased, or dying trees.

(c) Vegetation removed in conjunction with an approved in-water project.

(5) The City may approve the removal of riparian vegetation when vegetation removal and a plan to re-vegetate the riparian area has been reviewed and approved by the Oregon department of Fish and Wildlife.

(Amended by Ordinance #277, August 28, 1990) (Amended by Ordinance #13-416, February 27, 2013)

Section 4.160. Archeological Site Protection.

(1) The City Recorder shall review building permits, and other proposed land use actions, that may affect known archeological sites. If it is determined that a proposed building permit or land use action may affect a known archeological site, the City shall notify the State Historic Preservation Office. Such notification shall request assistance in determining whether the proposed action will in fact affect the identified archeological site. If the State Historic Preservation Office determines that a site would be affected, it shall be requested to also develop appropriate measures protect the site and its contents (appropriate measures are defined in Section 4.160 (3)).

No permit shall be issued unless one of the following has occurred:

(a) The State Historic Preservation Office determines that the proposed action will not affect the archeological site; or

(b) The State Historic Preservation Office has developed a program for the preservation or excavation of the site and the implementation of that program is made a condition of approval for either the building permit, or land use action, e.g., conditional use permit; or

(c) The City has received no comment from the State Historic Preservation Office within twenty days of the date of written notification.

(2) Native American cairns, graves, and other significant archeological resources, uncovered during construction or excavation shall be preserved until a plan for their excavation or reinterment has been developed by the State Historic Preservation Office. In development of the plan, the State Historic Preservation Office shall consider the appropriate measures listed in Section 4.160(3).

(3) In the development of a program to protect an archeological site, the State Historic Preservation Office shall give consideration to the following appropriate measures:

(a) Paving over the site without disturbance of any human remains or cultural objects.

(b) Redesigning the proposed construction or excavation so as to avoid disturbing the site.

(c) Setting the site aside for non-impacting portions of the proposed development, such as storage.

(d) If permitted pursuant to the substantive and procedural requirements of ORS 97.750, contracting with a qualified archeologist to excavate the site and remove any cultural objects and human remains at the developer's expense.

[Section 4.160 added by Ordinance #277, August 28, 1990]

Section 4.170. Accessory Dwelling Units.

(1) 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.

(2) 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.

(3) 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) 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. No additional parking space are required for the accessory dwelling unit. Existing required parking for the house, attached house, or manufactured home must be maintained or replaced on-site.

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. Detached accessory dwelling units must meet the development standards for the base zone.

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

[Section 4.170 Added by Ordinance #18-432, January 8, 2020]

Section 4.180. Mobile Food Unit Pods.

(A) Purpose. The purpose of this section is to facilitate and control the ability of mobile food unit pods to operate while ensuring such use is compatible with nearby properties, fosters an aesthetically appealing streetscape, and does not create a dangerous traffic condition.

(B) Definitions.

(1) Mobile Food Unit Pod. An outdoor commercial center with two (2) or more mobile Food Units in a shared location.

(C) Mobile Food Unit Pods. Mobile food unit pods may be permitted administratively in appropriate zoning districts. A property owner may request a permit from the Planning Department to develop a mobile food unit pod subject to the following standards:

(1) Site Plan. The property owner has provided the Planning Department with a detailed site plan of the mobile food unit pod showing the location and dimensional relationships of the property lines, all proposed mobile vendor locations, building setbacks, vehicle parking (if required/provided), sidewalk location, and proposed dining or sitting areas.

(2) Site Improvement Requirements.

(a) Site Design. Where parking is required, sites shall be improved with a barrier between vehicular and customer service areas, including ordering and dining areas. The barrier may be implied or physical and constructed with landscaping elements; gated fencing; changes in ground surface texture, material or color; or similar treatments. Sites which are not already paved with gravel or another hard surface shall improve their parking areas with gravel or other pavement designed in accordance with the Off-Street Parking and Off-Street Loading requirements. With respect to landscaping requirements, the entire Mobile Food Unit Pod shall be considered a parking lot and perimeter landscaping will be required in accordance with Parking Lot Landscape Standards.

(b) Sanitation. Adequate restroom facilities shall be provided either on-site or through a shared use agreement with a neighboring business. Portable toilets are encouraged to be screened from view of the public.

(c) Utilities. Above ground utility connections shall not interfere with pedestrian or vehicular safety and shall not be located in customer service areas or customer parking areas.

(d) Mobile Food Unit Pods shall not have continuous curb cuts or exacerbate a dangerous pedestrian condition. New pods may close continuous curb cuts or improve pedestrian conditions with temporary materials subject to approval of the City Planning Department. Acceptable materials include planters, plinths, benches, pavers, and other furniture.

Temporary improvements installed by mobile vendor courts shall not reduce access for pedestrians with disabilities.

(D) Exemptions. The provisions of the Mobile Food Unit Pod ordinance do not apply to:

(1) The placing and maintenance of unattended stands or sales devices for the sale or display of newspapers, magazines, periodicals and paperbound books.

(2) The distribution of free samples of goods, wares and merchandise by any individual from his person.

(3) Special events authorized by a special event permit from the City of Rockaway Beach, OR.

(4) Fireworks sales.

(5) Children's lemonade stands.

(6) Temporary tent sales that operate for less than three (3) days. A tent permit from the Planning Department and Fire Marshal inspection is required.

(7) Temporary sales for non-profit entities that operate for less than five (5) consecutive days.

(8) Non-profit organizations that prepare and donate or give away food for free.

(E) Prohibited Conduct. The following conduct is prohibited for Mobile Food Units:

(1) Obstruct pedestrian or vehicular traffic flow.

(2) Obstruct traffic signals or regulatory signs.

(3) Use of any device that produces a loud and raucous noise or operate any loudspeaker, light or light system, public address system, radio, sound amplifier, or similar device to attract public attention.

(4) Conduct business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, create a nuisance, increase traffic congestion or delay, constitute a hazard to traffic, life or property, or obstruct adequate access to emergency and sanitation vehicles.

(F) Suspension and Revocation of Mobile Food Unit Pod Permit. Any permit issued under these regulations may be suspended or revoked by the Planning Department for any of the following reasons:

(1) Fraud, misrepresentation or knowingly false statement contained in the application for the permit or during presentations to the Planning Department.

(2) Conducting the business of mobile vending in a manner contrary to the conditions of the permit.

(3) Conducting the business of vending in such a manner as to create a public nuisance, cause a breach of the peace, constitute a danger to the public health, safety, welfare or interfere with the rights of abutting property owners.

(4) Cancellation of health department authorization for a food or beverage vending unit due to uncorrected health or sanitation violations.

[Section 4.180 Added by Ordinance #18-432, January 8, 2020]

Article 5. Exceptions

Section 5.010. Zone Boundaries. If a zone boundary as shown on the map divides a lot between two zones, the entire lot shall be deemed to be in the zone in which the greater area of the lot lies, provided that this adjustment involves a distance not to exceed 20 feet from the mapped zone boundary.

Section 5.020. Authorization of Similar Uses. The Planning Commission may permit in a particular zone a use not listed in this ordinance, provided the use is of the same general type as the uses permitted there by this ordinance.

Section 5.030. General Provisions Regarding Accessory Uses. An accessory use shall comply with all requirements for a principal use, except as this ordinance specifically allows to the contrary, and shall comply with the following limitations:

(1) A guest house may be maintained accessory to a dwelling provided there are no cooking facilities in the guest house. A guest house may not be occupied as a permanent residence.

(2) An accessory structure separated from the main building may be located in the required rear and side yard, except in the required street side yard of a corner lot, provided it is no closer than five feet to a property line, no higher than 12 feet, and no larger than 120 square feet.

(3) A City Zoning Permit shall be obtained prior to the construction of any structure for which a building permit is not required.

[Amended by Ordinance 09-407 October 14, 2009]

Section 5.040. Projections from Buildings. Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, and flues shall not project more than 24 inches into a required yard, except that unsupported eaves may extend up to one half the distance of a required setback.

Section 5.050. General Exception to Lot Size Requirements.

(1) No parcel of land less than 1,750 square feet shall support a residential use, except townhouses where the average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet. [Amended by Ord. 2025-02, June 11, 2025]

(2) If a lot does not meet the minimum lot size requirements of the zone in which the property is located, residential use shall be limited to a single unit dwelling or duplex or to the number of dwelling units consistent with the density limitations of the zone.

(3) A single unit dwelling may be converted to middle housing per OAR 660-046-0230. [Added by Ord. 2025-02, June 11, 2025]

(4) If two or more contiguous lots held in a single ownership at the time of the passage of this ordinance (January 24, 1978) exceed the minimum lot size requirement of the zone in which the property is located, then a lot or groups of lots may be conveyed or sold separately only if the resulting lots or groups of contiguous lots meet the minimum lot size requirement.

(5) When substandard lots have been aggregated after the passage of this ordinance (January 24, 1978) to meet minimum lot size requirements of the zone, any remaining lots shall meet the minimum lot size requirements of the zone.

[Amended by Ordinance #93-299, March 24, 1990] (Amended by Ordinance #13-416, February 27, 2013)

Section 5.060. General Exceptions to Yard Requirements.

(1) The following exceptions to the front yard requirements for a dwelling are authorized for a lot in any zone:

(a) The required front yard for a dwelling need not exceed the average depth of the nearest front yards of dwellings within 100 feet on both sides of the proposed dwelling on the same side of the street. However, in no event shall the permitted setback be less than 10 feet.

(b) The minimum ocean setback line shall be determined by averaging the minimum distances from the Statutory Vegetation Line (ORS 390.770) to structures located 200 feet in either direction along the shoreline from the subject property boundaries, and applying that average setback to establish a line on the subject property parallel with the Statutory Vegetation Line. The distances used for this methodology shall be determined by a licensed professional surveyor.

In measuring structures, the most oceanward point of a structure which is higher than 36 inches above the existing grade shall be used.

(2) The required width of a side yard may be reduced to 10 percent of the width of the lot, but not less than 3 feet, except for the street side of a corner lot which must maintain an adequate clear vision area. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet. [Amended by Ord. 2025-02, June 11, 2025]

(3) Uncovered access stairs and associated landings required to meet building code for safety may project up to ½ the distance into a required setback, but in no instance shall the setback be less than 3 feet from any property line.

[Amended by Ordinance #277, August 28, 1990] (Amended by Ordinance #13-416, February 27, 2013)

Section 5.070. General Exception to Building Height Limitations. Projections such as chimneys, antennas, flagpoles, and other similar objects (not including satellite dishes) not used for human occupancy are not subject to the building height limitations of this ordinance.

[Amended by Ordinance #93-299, March 24, 1990]

Section 5.080. Planning Commission Exception. The Planning Commission may authorize construction without a variance to the front lot line on oceanfront lots (the front lot line is considered the lot line on the street side at the opposite end of the lot from the oceanfront), in order to protect the structure from ocean erosion, and to maintain the structure within the oceanfront building line.

[Amended by Ordinance #162, April 10, 1979]

Article 6. Conditional Uses.

Section 6.010. Authorization to Grant or Deny Conditional Uses. Conditional uses listed in this ordinance may be permitted, enlarged, or otherwise altered upon authorization by the Planning Commission in accordance with the standards and procedures set forth in Section 6.010 through Section 6.030. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in use or lot area or an alteration of structure shall conform with the requirements dealing with conditional uses.

[Amended by Ordinance #277, August 28, 1990]

Section 6.020. Conditional Use Review Criteria. Before a conditional use is approved, findings will be made that the use will comply with the following:

(1) The proposed use is consistent with the policies of the Comprehensive Plan;

(2) The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties. This standard is not applicable to multi-family dwellings, manufactured dwelling subdivisions and manufactured dwelling parks;

(3) The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated;

(4) Public facilities and services are adequate to accommodate the proposed use;

(5) The site's physical characteristics in terms of topography and soils is appropriate for the intended use; and

(6) The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking areas, loading areas, storage facilities, setbacks, buffers, utilities, or other facilities which are required by City ordinances or desired by the applicant.

[Amended by Ordinance #277, August 28, 1990]

Section 6.030. Conditional Use Procedure.

(1) A property owner may initiate a request for a conditional use or the modification of a conditional use by filing an application with the City Recorder, using forms prescribed pursuant to Section 11.030. The Planning Commission may require other drawings or information necessary to an understanding of the proposed use and its relationship to surrounding properties.

(2) The procedure for reviewing a conditional use is as follows:

(a) Public notice shall be given in accordance with Section 11.040.

(b) A public hearing shall be held in accordance with Section 11.060.

(c) A decision on the conditional use application shall be made in accordance with Section 11.060(6).

(d) A decision of the Planning Commission may be appealed in accordance with Section 11.070.

(e) A Conditional Use Permit shall be null and void after two years, unless substantial construction has taken place.

(3) In permitting a conditional use, or the modification of a conditional use, other than a housing type, the Planning Commission may impose, in addition to those standards and requirements expressly specified for that use, other conditions which are necessary to protect the adjacent property, an identified resource, or the City as a whole.

[Amended by Ordinance #277, August 28, 1990] (Amended by Ordinance #13-416, February 27, 2013)

Section 6.040. Non-Profit Conference Ground or Center. In addition to standards governing conditional uses, the following standards shall also apply:

(1) A minimum lot size of 5 acres.

(2) Sixty (60) percent of the site is devoted to open space.

(3) No structure, tent site, or recreational vehicle site shall be located within 50 feet of a property line.

(4) Transient lodging, such as dormitories, tent sites, or recreational vehicle sites shall be restricted to the use by participants at the conference ground.

[Added by Ordinance #252, June 23, 1987]

Article 7. Nonconforming Uses.

Section 7.010. Continuation of Nonconforming Use. Subject to the provisions of ORS 215.130 and subsequent provisions of this article, a nonconforming use or structure may be continued. The extension of a nonconforming use to a portion of a structure which was arranged or designed for the nonconforming use at the time of passage of this ordinance, is not considered an enlargement or expansion of a nonconforming use, up to 20% in floor area, or in those cases not involving a structure, up to 10% in land area as existing on the effective date of this ordinance.

Section 7.020. Discontinuance of Nonconforming Use.

(1) If a nonconforming use involving a structure is discontinued for a period of one year, further use of the property shall conform to this ordinance.

(2) If a nonconforming use not involving a structure is discontinued for a period of six months, further use of the property shall conform to this ordinance.

Section 7.030. Change of Nonconforming Use.

(1) If a nonconforming use not involving a structure is replaced by another use, the new use shall conform to this ordinance.

(2) If a nonconforming use involving a structure is replaced by another use, the new use shall conform to this ordinance unless the Planning Commission determines that such structure is suitable only for another nonconforming use no more detrimental to surrounding properties than the one to be replaced.

(3) Non-conforming single-unit dwellings may be converted to middle housing through additions or conversions of internal space, provided that the addition or conversion does not increase nonconformance with applicable standards of this ordinance. [Added by Ord. 2025-02, June 11, 2025]

Section 7.040. Destruction of a Nonconforming Use or Structure. If a nonconforming use or structure or a structure containing a nonconforming use is damaged or is destroyed by any cause other than the action of the property owner and / or his agents and it is not reconstructed within two years, a future structure or use on the site shall conform to this ordinance.

[Amended by Ordinance #277, August 28, 1990]

Section 7.050. Completion of Structure. Nothing contained in this ordinance shall require any change in the plans, construction, alteration, or designated use of a structure for which a building permit has been issued and construction work has commenced prior to the adoption of this ordinance, provided the building, if nonconforming or intended for a nonconforming use, is completed and in use within two years from the time the building permit is issued.

Section 7.060. Alterations Necessary to Comply With Other Laws. Alterations of nonconforming uses may be allowed when the Planning Commission determines that alterations are necessary to comply with other City, state, or federal requirements.

Section 7.070. Enlargement or Expansion of a Nonconforming Use. The Planning Commission, pursuant to the procedures of Article 6, Conditional Uses, may authorize the enlargement or expansion of a nonconforming use up to 20% of the existing building's floor area or for uses not involving a building up to 10% of the existing site's lot area.

[Amended by Ordinance #277, August 28, 1990]

Article 8. Variances.

Section 8.010. Purpose.

(1) The purpose of a variance is to provide relief when a strict application of the zoning requirements would impose unusual practical difficulties or unnecessary physical hardships on the applicant. Practical difficulties and unnecessary hardships may result from the size, shape, or dimensions of a site, or the location of existing structures thereon; from geographic, topographic, or other physical conditions on the site or in the immediate vicinity or from population densities, street location, or traffic conditions in the immediate vicinity.

(2) The power to grant variances does not extend to use regulations. In other words, no variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located.

Section 8.020. Criteria.

(1) Variances to a requirement of this chapter with respect to lot area and dimensions, setbacks, yard area, lot coverage, height of structures, vision clearance, fences and walls, and other quantitative requirements may be granted only if, on the basis of the application, investigation, and evidence submitted by the applicant, that all four expressly written findings are made:

(a) That a strict or literal interpretation and enforcement of the specified requirement would result in practical difficulty or unnecessary hardship and would be inconsistent with the objectives of the Comprehensive Plan; and

(b) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same zone; and

(c) That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and

(d) That the granting of the variance would support policies contained within the Comprehensive Plan.

Variances in accordance with this subsection should not ordinarily be granted if the special circumstances upon which the applicant relies are a result of the actions of the applicant or owner.

(2) Variances to requirements of this chapter with respect to off-street parking and loading facilities may be authorized as applied for or as modified, if, on the basis of the application, investigation, and the evidence submitted, the following express written findings are made:

(a) That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this chapter.

(b) That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets.

(c) That the granting of the variance will not create a safety hazard or any other condition inconsistent with the general purpose of this chapter.

Where a variance request is being reviewed under Section 8.020(2), only the criteria of Section 8.020(2) shall be addressed. The criteria of Section 8.020(1) are not applicable.

[Section 8.020(2) amended by Ordinance #277, August 28, 1990]

Section 8.030. Conditions. Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood and otherwise secure the purpose and requirements of this section. Guarantees and evidence may be required that such conditions will be and are being complied with.

[Added Section 8.040, this section was omitted in blue book)

Section 8.040 Application. Application for a variance in conformance with Section 11.030 shall be filed with the City Recorder on the form prescribed by the City, by any person with a legal interest in the property.

Section 8.050. Variance Review Procedures. The following procedures shall be followed in reviewing a request for a variance:

(1) Public notice shall be given in accordance with Section 11.040.

(2) A public hearing shall be held in accordance with Section 11.060.

(3) A decision on the variance application shall be made in accordance with Section 11.060(6).

(4) A decision of the planning commission may be appealed to the City Council in accordance with Section 11.070.

[Section 8.050 amended by Ordinance #277, August 28, 1990]

Section 8.080. Compliance With Conditions of Approval. Compliance with conditions of imposed in the variance, and adherence to the submitted plans as approved is required. Any departure from these conditions of approval and approved plans constitutes a violation of this chapter.

Section 8.090. Vested Interest in Approved Variances. A valid variance supersedes conflicting provisions of subsequent rezonings or amendments to this chapter unless specifically provided otherwise by the provisions of this section or in the conditions of approval of the variance.

Section 8.100. Revocation. Variances shall be automatically revoked if not exercized within one year of the date of approval.

Section 8.110. Limitation on Refiling of Application. Applications for which a substantially similar application has been denied shall be heard by the Planning Commission only after a period of six months has elapsed.

Section 8.120. Time Limit for an Approved Variance. The variance shall be null and void after one year, unless substantial construction has taken place.

Article 9. Amendments.

Section 9.010. Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, Planning Commission, or by application of the property owner(s), contract purchaser(s), or his/her/their authorized agent.

[Amended by Ordinance #277, August 28, 1990]

Section 9.015. Burden of Proof. The burden of proof is placed upon the initiator of the amendment. That burden shall be to prove:

(1) The proposed amendment fully accords with applicable Comprehensive Plan goals and policies; and

(2) The proposed amendment is required to meet a land use need.

[Section amended by Ordinance #277, August 28, 1990]

Section 9.020. Amendment Procedures. The following procedures shall be observed in consideration of an amendment request:

(1) A request shall be initiated by filing an application with the City pursuant to Section 11.030.

(2) Notice of a public hearing shall be given pursuant to Section 11.040.

(3) The Planning Commission shall hold a public hearing on the request pursuant to Section 11.060.

(4) The Planning Commission will foward its recommendation to the City Council and the City Council will hold a public hearing pursuant to Section 11.060.

(5) The City Council will make a decision on the request pursuant to Section 11.060(6).

[Amended by Ordinance #277, August 28, 1990]

Section 9.030. Record of Amendments. The City Recorder shall maintain records of amendments to the text and zoning map.

[Amended by Ordinance #193, December 9, 1980]

Section 9.040. Limitation of Reapplications. No application of property owner(s), contract purchaser(s), or his/her/their authorized agent, for an amendment to the text of this ordinance or to the zoning map shall be considered by the Planning Commission within the one-year period immediately following a previous denial of such request, except the Planning Commission may permit a new application, if in the opinion of the Planning Commission, new evidence of a change of circumstances warrant it.

[Amended by Ordinance #193, December 9, 1980]

Section 9.050. Change of Zone for Manufactured Dwelling Parks. If an applicant would change the zone of property which includes all or part of a manufactured dwelling park as defined by ORS 446.003, the City shall give written notice by first class mail to each existing mailing address for tenants of the manufactured dwelling park at least 20 days but not more than 40 days, before the date of the first hearing on the application. The failure of a tenant to receive notice which was mailed shall not invalidate any zone change.

[Amended by Ordinance #277, August 28, 1990]

Article 10. Planned Unit Development (PUD)

Section 10.010. Intent. This article is intended to provide for developments incorporating a single type or variety of housing types and related uses which are planned and developed as a unit. Such developments may consist of individual lots as part of a larger holding or as common building sites. Commonly owned land which is an essential and major element of the plan should be related to and preserve the long-term value of the homes and other development. It is the intent of this section to foster a more innovative approach to land development than is possible under the traditional lot by lot methods.

Section 10.020. Purpose. The purpose of this article is to provide a more desirable environment through the application of flexible and diversified land development standards following an overall comprehensive site development plan.

Section 10.030. Permitted Buildings and Uses. The following buildings and uses may be permitted as hereinafter provided. Buildings and uses may be permitted either singly or in combination provided the overall density of the Planned Unit Development does not exceed the density of the parent zone as provided in this ordinance.

(1) Single unit dwellings, middle housing, and multi-unit dwellings. [Amended by Ord. 2025-02, June 11, 2025].

(2) Duplexes and multiple-family dwellings.

(3) Accessory buildings and uses.

(4) Commercial uses only when supported mainly by the PUD and only when economic feasibility can be shown.

(5) Buildings or uses listed as permitted outright or conditionally in the parent zone on which the PUD is located.

Section 10.040. Development Standards.

(1) **Minimum Lot Size.** Planned Unit Developments shall be established only on parcels of land which are suitable for the proposed development and are determined by the planning commission to be in keeping with the intent of this ordinance. (This says 'site size' in 143, not 'lot size')

(2) **Open Spaces.** In all residential developments, or in combination residential-commercial developments, 50% of the total area should be devoted to open space. Of this area, 25% of said open space may be utilized privately by individual owners or users of the PUD; however, 75% of this area should be common or shared open space. The Planning Commission may increase or decrease the open space requirement depending on the particular site and the needs of the development. In no case should the open space be less than 40% of the site.

(3) **Density.** The maximum density of a planned development over 20 acres shall be 15 dwelling units per acre. A planned development less than 20 acres shall have no density maximum. When calculating density, the gross area is used (total area including street dedications). Areas of public uses may be included in calculating allowable density. [Amended by Ord. 2025-02, June 11, 2025]

(4) **Subdivision of Lot Sizes.** Minimum area, width, depth, and frontage requirements for subdivision lots in a PUD may be less than the minimums set forth elsewhere in City ordinances, provided that the overall density is in conformance, and that lots conform to the approved preliminary development plan.

(5) **Off-Street Parking.** Parking spaces shall conform to all provisions of this ordinance, except that the Planning Commission may authorize exceptions where warranted by unusual circumstances.

(6) **Signs.** All signs of any type within a PUD are subject to design review and approval of the Planning Commission. They shall consider each sign on its merits based on its aesthetic impact on the area, potential traffic hazards, potential violation of property and privacy rights of adjoining property owners, and need for said sign.

(7) **Height Guidelines.** The same restrictions shall prevail as permitted outright in the zone in which such development occurs, except that the Planning Commission may allow a variance of heights where it is determined that surrounding property will not be harmed.

(8) **Streets and Roads.** Necessary streets and roads within the PUD shall be dedicated to the public and constructed to City standards or shall be private roads maintained by an owner's association and constructed to standards as determined by the Planning Commission and City Engineer.

(9) **Dedication and Maintenance of Facilities.** The Planning Commission, or on appeal, the City Council may, as a condition of approval for a PUD require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated to the following uses:

(a) **Recreation Facilities:** The Planning Commission may require that suitable area for parks or playgrounds be set aside, improved, or permanently reserved for the owners, residents, employees or patrons of the PUD.

(b) **Common Area:** Whenever common area is provided, the Planning Commission or City Council may require that an association of owners or tenants be created into a non-profit corporation under the laws of the State of Oregon, which shall adopt such Articles of Incorporation and By-Laws and adopt and impose such Declaration of Covenants and Restrictions on such common areas that are acceptable to the Planning Commission. Said association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said common areas for the purposes intended. The period of existence of such association shall not be less than 20 years, and it shall continue thereafter and until a majority vote of the members shall terminate it.

(c) **Easements:** Easements necessary to the orderly extension of public utilities may be required as a condition of approval.

(10) **Approvals.** The Planning Commission shall submit the preliminary development plan to the Fire District, City Engineer, County Sanitarian, power company, and other utilities which will serve the PUD and shall consider their recommendations in regard to approval of the proposal.

Section 10.050. Procedure - Preliminary Development Plan.

(1) The applicant shall submit four copies of the preliminary development plan to the Planning Commission prior to formal application for rezoning. Applications shall be accompanied by a fee prescribed in Section 11.050 of this ordinance. This plan

and any written statements shall contain at least the following information:

(a) Proposed land uses and densities.

(b) Location and approximate dimensions and heights of structures.

(c) Plan of open spaces or common spaces.

(d) Map showing existing features of site and topography.

(e) Proposed method of utilities service and drainage.

(f) Road and circulation plan including off-street parking.

(g) Relation of the proposed development to the surrounding area and the Comprehensive Plan.

(h) Lot layout.

(i) A schedule, if it is proposed that the final development plan will be executed in stages.

(2) The Planning Commission shall consider the preliminary development plan at a public meeting, at which time they shall determine whether the proposal conforms to City ordinances. In addition, in considering the plan, the Planning Commission shall seek to determine that:

(a) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.

(b) Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area.

(c) The proposed development will be in substantial harmony with the surrounding area, including vegetation and topography and any important natural areas such as marshes or wildlife habitats.

(d) The plan can be completed within a reasonable period of time.

(e) Any proposed commercial development can be justified economically.

(f) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

(g) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

(3) The Planning Commission shall notify the applicant whether, in its opinion, the foregoing provisions have been satisfied and, if not, whether they can be satisfied with further plan revision.

(4) Following this preliminary meeting, the applicant may proceed with his/her request for approval of the planned development by filing an application for an amendment to this ordinance with the City Recorder.

Section 10.060. Procedure - Final Approval.

(1) Within one year after concept approval or modified approval of a preliminary development plan, the applicant shall file a final plan for the entire development or, when submission in stages has been authorized, for the first unit of the PUD, with the Planning Commission. The final plan shall conform in all respects with the approved preliminary development plan. The final plan shall include all information included in the preliminary plan, plus the following:

(a) Contour map showing at least 2-foot intervals.

(b) Grading plan showing future contours if existing grade is to be changed more than two feet.

(c) Existing and proposed utility lines.

(d) Preliminary subdivision plan if property is to be subdivided.

(e) Location and dimensions of pedestrian ways, roads, malls, common open space, recreation area and parks.

(f) Location, dimensions, and arrangement of off-street parking including width of aisles, spaces, and other design criteria.

(g) Preliminary planting and landscaping plan.

(h) Preliminary architectural plans and elevations of typical structures.

(i) The applicant shall also submit drafts of appropriate deed restrictions or protective covenants to provide for the maintenance of common areas and to assure that the objectives of the PUD shall be followed.

(2) Upon receipt of the final development plan, the Planning Commission shall examine such plan and determine whether it conforms to all applicable criteria and standards and whether it conforms in all substantial respects to the previously approved preliminary development plan, or require such changes in the proposed development or impose such conditions of approval as are, in its judgment, necessary to insure conformity to the applicable criteria and standards. In so doing, the Planning Commission may permit the applicant to revise the plan and resubmit it as a final development plan within 30 days.

[Amended by Ordinance #18-432, January 8, 2020]

Section 10.080. Adherence to Approved Plan and Modification Thereof.

(1) Building permits in a PUD shall be issued only on the basis of the approved plan. Any changes in the approved plan shall be submitted to the Planning Commission for processing as an amendment to this ordinance.

(2) A performance bond may be required, in an amount to be determined by the Planning Commission, to insure that a development proposal is completed as approved and within the time limits agreed to.

(3) The developer shall show to the satisfaction of the Planning Commission that the proposal will be carried out in such a way that no significant damage will be done to the lakes, streams, beaches or wetlands in the City. Special attention will be paid to the impact of the PUD on slide-prone hillsides to insure that the damage will not be caused to surrounding property.

Article 11. Administrative Provisions.

Section 11.020. Building Permits.

(1) No permit shall be issued by the Building Official for the construction, reconstruction, alteration or change of use of a structure or lot that does not conform to the requirements of this ordinance.

(2) Building permits are required for any change, alteration or addition that affects the foundation, roofline, area of structure, or enclosure of existing porches, decks, patios, or carports.

(3) No building permit shall be issued for any new construction, or any alteration or addition to an existing structure that increases the structural area toward any lot line, unless an official survey accompanies the application for a building permit. The survey shall also show the elevation of the building site.

(4) Construction on property for which a permit has been issued must be started within 120 days from the date of issue. Construction must not be abandoned for over 120 days, or a new permit must be obtained at one-half the original fee. Building permits may be renewed only once.

(5) If manufactured dwellings, recreational vehicles, or other temporary structures are used during the construction, water and sewer facilities must be installed within 90 days.

[Section (5) amended by Ordinance #277, August 28, 1990]

(6) Premises may not be occupied unless furnished with water and sewer facilities.

Section 11.030. Application Information and Procedures.

(1) An application for a permit or zone change provided for in this ordinance shall consist of:

(a) A complete application form; and

(b) Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all partners in ownership of the affected property; and

(c) The required filing fee.

(2) If the application is complete when first submitted, or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based on standards and criteria that were applicable at the time the application was first submitted.

(3) If an application for a permit or zone change is incomplete, the City shall notify the applicant of the additional information required within 30 days of the receipt of the application. The applicant shall be given the opportunity to submit the additional information required. The application shall be deemed complete upon receipt of such additional information required. If the applicant refuses to submit the required additional information, the application shall be deemed complete on the 31st day after the governing body first received the application.

(4) Where a proposed development requires more than one permit, or zone change request from the City, the applicant may request that the City consider all necessary permit and zone change requests in a consolidated manner. If the applicant requests that the City consolidate its review of the development proposal, all necessary public hearings before the Planning Commission shall be held on the same date.

(5) All documents or evidence provided by the applicant shall be submitted to the City and be made available to the public at the time the notice of public hearing required by Section 11.040 is provided.

[Amended by Ordinance #277, August 28, 1990]

Section 11.040. Notice of Public Hearing.

(1) **Content of Legal Notice.** Notice of a public hearing shall be reasonably calculated to give actual notice and shall contain the following information:

(a) The name of the applicant.

(b) The date, time, place of hearing and who is holding the public hearing.

(c) A description reasonably calculated to inform a person of the location of the property for which a permit or other action is pending, including the street address, and the subdivision lot and block designation, or tax map designation of the County Assessor. This is not required for legislative actions under this ordinance.

(d) A concise description of the proposed development action.

(e) A listing of the applicable criteria from the Zoning Ordinance and Comprehensive Plan known to apply to the issue.

(f) A statement that a failure to raise an issue in person or by letter precludes appeal and that failure to specify as to which criteria the comment is directed precludes an appeal based on that criteria.

(g) A statement describing where the complete application, criteria and other relevant information is available for review and how written comments may be submitted.

(h) The name and phone number of a local government representative to contact for more information.

(i) A statement that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost, and that copies can be provided at reasonable cost.

(j) A statement that a copy of the staff report will be available for inspection at no cost at least seven days prior to the

hearing, and that copies can be provided at reasonable cost.

(k) A general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

(2) **Mailed Notice.**

(a) Mailed notice shall be sent to property owners with the following distances from the exterior boundary of the subject property:

(i) Legislative change to the Zoning Ordinance ..... None.

(ii) Quasi-judicial change to the ZoningOrdinance ..... 200 feet.

(iii) Conditional use:..... 200 feet.

(iv) Variance request: .....200 feet.

(v) Appeals:.....parties of record.

(b) Mailed notice shall be sent to the applicant.

(c) Addresses for a mailed notice required by this ordinance shall be obtained from the County Assessor's Real Property Tax records. The failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to comply with the requirements of this ordinance for notice.

(3) **Published Notice.**

(a) Notice shall be given for the proposed actions described below by publication in a newspaper of general circulation of the City of Rockaway Beach.

(i) Legislative changes to the Zoning Ordinance.

(ii) Quasi-judicial change to the Zoning Ordinance.

(iii) Conditional use.

(iv) Variance subject to a public hearing.

(v) Appeal of a Planning Commission decision.

(4) **Deadlines for Public Notice.** Notice shall be mailed or published not less than 20 days prior to the hearing requiring the notice.

[Amended by Ordinance #18-432, January 8, 2020]

Section 11.050. Date of Public Hearing. The Planning Commission shall hold a public hearing within 40 days of the filing of a complete application, unless the applicant grants an extension. [Amended by Ordinance #277, August 28, 1990]

Section 11.055. Availability of Staff Reports. Any staff report to be used at a public hearing shall be available at least seven days prior to the hearing. If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. This continuance period shall not be counted as part of the 120 day time limit in Section 11.080. [Amended by Ordinance #277, August 28, 1990]

Section 11.060. Public Hearing Procedure and Requirements.

(1) Public hearings conducted under this ordinance shall follow the procedures and requirements of this section.

(2) The following Procedural Entitlements shall be provided at the public hearing:

(a) An impartial review as free from conflicts of interest, personal bias, and pre-hearing ex-parte contact as is reasonably possible.

(b) No member of a hearing body shall participate in a discussion of the proposal or vote on the proposal when any of the following conditions exist:

(i). ..... Any of the following have a direct or substantial financial interest in the proposal: the hearing body member or the member's spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which the member is then serving or has served within the last two years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

(ii). ..... The member owns property within the area entitled to receive notice of the public hearing.

(iii). ..... The member has a direct private interest in the proposal.

(iv). ..... For any other valid reason, the member has determined that participation in the hearing and decision cannot be in an impartial manner.

(c) Hearing body members shall reveal any pre-hearing or ex-parte contacts with regard to any matter at the commencement of the first public hearing following the pre-hearing or ex-parte contact where action will be considered or taken on the matter. If such contacts have not impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall participate in the public hearing. If the member determines that such contact has affected his impartiality or ability to vote on the matter, the member shall remove himself from the deliberations. Disqualifications due to ex-parte contact may be ordered by a majority of the members present. The person who is the subject of the motion may not vote on the motion.

(d) A party to a hearing, or a member of a hearing body, may challenge the qualifications of a member of the hearing body to participate in the hearing and decision regarding the matter. The challenge shall state the facts relied upon by the challenger relating to a person's bias, pre-judgment, personal interest, ex-parte contact or other facts from which the challenger has concluded that the member of the hearing body cannot participate in an impartial manner. The hearing body shall deliberate and vote on such a challenge. The person who is the subject of the challenge may not vote on the motion.

(e) A party to a hearing may rebut the substance of the communication that formed the basis for an ex-parte contact declared by a member of the hearing body.

(f) No officer or employee of the City who has a financial or other private interest in a proposal shall participate in discussion with or give an official opinion to the hearing body on the proposal without first declaring for the record the nature and extent of each interest.

(g) A reasonable opportunity for those persons potentially affected by the proposal to present evidence.

(h) A reasonable opportunity for rebuttal of new material.

(3) **Rights of Disqualified Member of the Hearing Body.**

(a) An abstaining or disqualified member of the hearing body may be counted for purposes of forming a quorum. A member who represents personal interest at a hearing may do so only by abstaining from voting on the proposal, physically joining the audience and vacating the seat on the hearing body, and making full disclosure of his or her status and position at the time of addressing the hearing body.

(b) A member absent during the presentation of evidence in a hearing may not participate in the deliberations or final decision regarding the matter of the hearing unless the member has reviewed the evidence received.

(4) **Burden and Nature of Proof.** The burden of proof is upon the proponent. The proposal must be supported by proof that it conforms to the applicable provisions of this ordinance, especially the specific criteria set forth for the particular type of decision under consideration.

(5) **Nature of Proceedings.** An order of proceedings for a hearing will depend in part on the nature of the hearing. The following shall be supplemented by administrative procedures as appropriate.

(a) Before receiving information on the issue, the following shall be addressed:

(i). .....Any objections on jurisdictional grounds shall be noted in the record and if there is objection, the person presiding has the discretion to proceed or terminate.

(ii). ..... Any abstentions or disqualifications shall be determined, based on conflict of interest, personal bias, or ex-parte contacts.

(iii). ..... A statement by the person presiding that:

(a). .....Describes the applicable substantive criteria against which the application will be reviewed.

(b). .....Testimony and evidence must be directed toward the criteria which will be used to review the land use action, or other criteria in the Plan or land use regulation which a party believes to apply to the land use action; and

(c). .....Failure to raise an issue or address a criteria with sufficient specificity to afford the decision makers and parties to the hearing an opportunity to respond to the issues during the hearing precludes an appeal based on that issue or criteria.

(d). .....Describes the review and appeal process provided for by this ordinance.

(b) **Presentation.**

(i). .....The presiding officer shall preserve order at the public hearing and shall decide questions of order subject to a majority vote.

(ii). ..... The presiding officer may set reasonable time limits for oral presentations. The presiding officer may determine not to receive cumulative, repetitive, immaterial or derogatory testimony.

(c) Evidence shall be received from the staff and from proponents and opponents.

(i). .....Evidence shall be admissible if it is of a type commonly relied upon by reasonable and prudent persons in the conduct of serious affairs. Erroneous evidence shall not invalidate or preclude action unless shown to have prejudiced the substantial rights of a party to the hearing.

(ii). ..... Members of the hearing body may take official notice of judicially cognizable facts of a general or technical nature within their specialized knowledge. Such notice shall be stated and may be rebutted.

(iii). ..... The presiding officer may approve or deny a request from a person attending the hearing to ask a question. Unless the presiding officer specifies otherwise, if the request to ask a question is approved, the presiding officer will direct the question to the person submitting testimony.

(d) The hearing body may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. The time and date when the hearing is to resume shall be announced.

(e) The hearing body may view the area in dispute with notification to the parties, of the time, manner and circumstances of such a visit.

(f) At the conclusion of the public hearing, a participant in the public hearing may request that the record remain open for at least seven days for the purpose of submitting additional evidence. Such a request may only be made at the first de novo hearing held in conjunction with a permit application or Zoning Ordinance text or map amendment.

Whenever the record is supplemented in this manner, any person may raise new issues which relate to the new evidence, testimony or criteria for decision making which apply to the matter at issue. This extension of time shall not be counted as part of the 120 day limit in Section 11.060.

(g) When the hearing has been closed, the hearing body shall openly discuss the issue and may further question a person submitting information or the staff, if opportunity for rebuttal is provided.

(i). .....No testimony shall be accepted after the close of the public hearing unless the hearing body provides an

opportunity for review and rebuttal of that testimony.

(6) **Decision.** Following the procedure described in Section 11.060(1)-(5), the hearing body shall approve, approve with conditions, or deny the application. If the hearing is in the nature of an appeal, the hearing body may affirm, affirm with modifications, or additional conditions, reverse, or remand the decision that is on appeal.

(a) The decision of the hearing body shall be by a written order signed by the chair or his/her designee.

(b) The order shall incorporate findings of fact and conclusions that include:

(i). .....A statement of the applicable criteria and standards against which the proposal was tested.

(ii). ..... A statement of the facts which the hearing body relied upon in establishing compliance or noncompliance with each applicable criteria or standard, briefly state how those facts support the decision.

(iii). ..... In the case of a denial, it shall be sufficient to address only those criteria upon which the applicant failed to carry the burden of proof or, when appropriate, the facts in the record that support denial.

(c) The written order is the final decision on the matter and the date of the order is the date that it is signed. The order becomes effective on the expiration of the appeal period, unless an appeal has been filed.

(7) **Record of Proceedings.** The secretary to the hearing body shall be present at each hearing and shall cause the proceedings to be recorded stenographically or electronically.

(a) Testimony shall be transcribed if required for judicial review or if ordered by the hearing body.

(b) The hearing body shall, where practicable, retain as part of the hearing record each item of physical or documentary evidence presented and shall have the items marked to show the identity of the person offering the same and whether presented on behalf of a proponent or opponent. Exhibits received into evidence shall be retained in the hearing file until after the applicable appeal period has expired, at which time the exhibits may be released to the person identified thereon, or otherwise disposed of.

(c) The findings shall be included in the record.

(d) A person shall have access to the record of proceedings at reasonable times, places and circumstances. A person shall be entitled to make copies of the record at the person's own expense.

(8) **Notice of Decision.** Notice of a decision of a hearing body shall be provided to all parties to the hearing within five working days of the date that the final order was signed. The notice of the decision shall include:

(a) A brief description of the decision reached.

(b) A statement that the decision may be appealed by filing, with the City, an appeal within 15 calendar days of the date the final order was signed.

(c) A description of the requirements for an appeal, including the type of appeal that may be requested.

(d) A statement that an appeal may only be filed concerning criteria that were addressed at the initial public hearing.

(e) A statement that the complete case, including the final order, is available for review at the City.

[Amended by Ordinance #277, August 28, 1990]

Section 11.070. Request for Review of a Decision (Appeals).

(1) A decision of a City administrative officer regarding a requirement of this ordinance may be appealed to the Planning Commission by an affected party filing an appeal with the City Recorder within 15 days of the date that notice of the decision was mailed by the City. The notice of appeal that is filed with the City shall indicate the interpretation that is being appealed. The matter at issue will be a determination of the appropriateness of the interpretation of the requirements of this ordinance.

(2) A decision of the Planning Commission may be appealed to the City Council by a party to the hearing by filing an appeal within 15 days of the date the final order is signed. The notice of appeal filed with the City shall contain the information outlined in Section 11.070(3).

(3) An appeal of a Planning Commission decision shall contain:

(a) An identification of the decision sought to be reviewed, including the date of the decision;

(b) A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;

(c) The specific grounds relied upon for the review, including a statement that the criteria against which review is being requested were addressed at the Planning Commission hearing; and

(d) If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Section 11.070(6).

(4) **Scope of Review.** The City Council shall determine, as a non-public hearing item, that the scope of the review will be one of the following:

(a) Restricted to the record made in the decision being appealed.

(b) Limited to the presentation of additional evidence on such issues as the reviewing body determines necessary for a proper resolution of the matter.

(c) A de novo hearing.

(d) A remand of the matter to the hearing body for additional consideration.

(5) **Review on the Record.**

(a) Unless otherwise provided for by the City Council, review of the decision on appeal shall be confined to the record of the proceeding as specified in this section. The record shall include:

(i). .....All exhibits, materials, pleadings, memoranda, and motions submitted by any party and received or considered in reaching the decision under review.

(ii). .....The final order and findings of fact adopted in support of the decision being appealed.

(iii) The request for an appeal filed by the appellant.

(iv)..... The minutes of the public hearing. The reviewing body may request that a transcript of the hearing be prepared.

(b) All parties to the initial hearing shall receive a notice of the proposed review of the record. The notice shall indicate the date, time and place of the review and the issues that are the subject of the review.

(c) The City Council shall makes its decision based upon the record after first granting the right of argument, but not the introduction of additional evidence, to parties to the hearing.

(d) In considering the appeal, the City Council need only consider those matters specifically raised by the appellant. The reviewing body may consider other matters if it so desires.

(e) The appellant shall bear the burden of proof.

(6) **Review Consisting of Additional Evidence or De Novo Review.**

(a) The City Council may hear the entire matter de novo; or it may admit additional testimony and other evidence without holding a de novo hearing. The City Council shall grant a request for a new hearing only where it finds that:

(i). .....The additional testimony or other evidence could not reasonably have been presented at the prior hearing; or

(ii). .....A hearing is necessary to fully and properly evaluate a significant issue relevant to the proposed development action; and

(iii)..... The request is not necessitated by improper conduct of the requesting party or by a failure to present evidence that was available at the time of the previous review.

(b) Hearings on appeal, either de novo or limited to additional evidence on specific issues, shall be conducted in accordance with the requirements of Sections 11.040 - 11.060.

(7) **Review Body Decision.**

(a) Upon review, the City Council may affirm, reverse, or modify in whole or in part, a determination or requirement of the decision that is under review. When the City Council modifies or renders a decision that reverses a decision of the Planning Commission, the City Council shall set forth its findings and state its reasons for taking the action and shall be in conformance with the requirements of Section 11.060(6). When the City Council elects to remand the matter back to the Planning Commission for further consideration as it deems necessary, it shall include a statement explaining the error found to have materially affected the outcome of the original decision and the action necessary to rectify such.

(b) Notice of the City Council decision shall be provided to all parties to the hearing within five working days of the date that the final order is signed. The notice of the decision shall include:

(i). .....A brief description of the decision reached.

(ii). .....A statement that the decision may be appealed to the Land Use Board of Appeals by filing a notice of intent to appeal within 21 days.

(iii)..... A statement that the complete case, including the final order, is available for review at the City.

[Amended by Ordinance #277, August 28, 1990]

Section 11.080. Final Action on Application for Permit or Zone Change Request. The City shall take final action on an application for a permit or a zone change within 120 days of the receipt of a complete application. The 120 day period does not apply to an amendment to the Comprehensive Plan or Zoning Ordinance, or the adoption of a new land use regulation. At the request of the applicant, the 120 day period may be extended for a reasonable period of time.

[Amended by Ordinance #277, August 28, 1990]

Section 11.090. Filing Fees. Following permit fees will be set by the Council by resolution.

(1) Zoning amendment proposed by property owner

(2) Conditional use request

(3) Variance request

(4) Planned development

(5) Appeal

(6) Plan review

(7) Street vacation request

[Amended by Ordinance #93-299, March 24, 1990]

Section 11.100. Authorization of Similar Uses. The Planning Commission may permit in a particular zone a use not listed in the ordinance, provided the use is of the same general type as the uses permitted there by this ordinance. However, this section does not authorize the inclusion in a zone where it is not listed of a use specifically listed in another zone.

Section 11.200. Interpretation. Where a provision of this ordinance is less restrictive than another ordinance or requirement of the City, the provision or requirements which are more restrictive shall govern.
In the interpretation and application of this ordinance all provisions shall be

(1) Considered as minimum requirements;
(2) Liberally construed in favor of the governing body, and;
(3) Deemed neither to limit nor repeal any other powers granted under state statutes, including Oregon State Specialty Codes

[Amended by Ordinance #18-431, September 12, 2018]

Section 11.300. Severability. The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 11.400. Repeal and Continuity. Interim Zoning Ordinance No. 92, and all amendments thereto, are hereby repealed, effective upon the date of the enactment of this Ordinance No. 143. All violations of Ordinance No. 92 or previous zoning ordinances of this City, including nonconforming uses, shall continue as violations of this ordinance unless specifically authorized herein, and all permits, including temporary permits, and conditional uses granted under previous ordinances shall continue in effect and no rights shall be acquired by the repeal of Ordinance No. 92 that are not specifically approved herein.

Section 11.500. Enforcement and Penalties.

(1) **Enforcement.** It shall be the duty of the City Council to enforce this ordinance. All departments, officials and public employees of the City of Rockaway Beach, vested with the duty or authority to issue permits shall conform to the provisions of this ordinance and shall issue no permit, certificate or license for any use, building or purpose which violates or fails to comply with conditions or standards imposed by this ordinance. Any permit, certificate, or license issued in conflict with the provisions of this ordinance, intentionally or otherwise, shall be void.

(2) **Penalties for Violation.** Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than $200.00 or by imprisonment in the county jail for a term not to exceed 100 days or both such fine and imprisonment. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed or continued by such person, firm or corporation and shall be punishable as herein provided.

(3) **Injunctive Relief.** The foregoing sanctions shall not be exclusive, and where the public health, safety, morals or general welfare will be better served thereby, the City Council may institute such proceedings for injunctive relief against a continuing violation as may be authorized by the statutes of the State of Oregon. In the enforcement of provisions prohibiting nuisances caused by odor, sound, vibration and the like, the City Council may seek injunction against the specific device, activity or practice causing the nuisance.

(4) **Evidence.** In any prosecution for causing or maintaining any condition or use of, or activity on, or constructing, moving or maintaining any structure on, any premises in violation of this zoning ordinance, a person in possession or control of the premises, as owner or lessee at the time of the violation, or continuance thereof, shall be presumed to be the person who constructed, moved, caused or maintained the unlawful activity, use, condition or structure. This presumption shall be rebuttable and either the City or the defendant in such prosecution shall have the right to show that the offense was committed by some person other than, or in addition to, an owner or lessee or other person in possession or control of the premises; but this shall not be construed as relieving a person in possession and control of property from any duty imposed upon him or her by this ordinance. For the purposes hereof, the person to whom the premises are taxed according to the records of the Tillamook County Assessor and/or Tillamook County Tax Collector shall be prima facie the person in possession or control of the premises.

Where premises on which the violation is committed are commercial or industrial premises on which a sign is situated identifying the commercial or industrial activity conducted thereon, or displaying the real or assumed business name of a person or proprietor thereof, the same shall constitute prima facie evidence that the person whose name is thus displayed is in possession or control of the premises as owner or lessee, but this shall not be construed to relieve from responsibility any agent, manager, employee or other person who actually committed the violation.

(5) **Abatement.** Where, because of the absence of the responsible person, or persons from the City or from the state, as the case may be, the courts of the City of Rockaway Beach or the State of Oregon cannot secure effective jurisdiction over the person or persons responsible for the cause or continuation of a structure or condition erected or maintained in violation of this ordinance, or where the City Council deems it important to the public interest that the unlawful structure or condition be removed or corrected without delay, the City Council may, after notice and hearing, order the removal of the unlawful structure or condition and, if such removal or correction is not effected within the time prescribed in the order, the City Council shall cause such abatement, going upon the premises with such men or equipment as may be necessary and the City Council shall thereafter by ordinance assess the cost of abatement against the real property. The lien of the assessment shall be enforced in the same manner as in the case of street improvement liens. Notice of hearing shall be sufficient if given 30 days in advance of the hearing, either by personal delivery or by mailing the same to the last known address of the owner of the property as shown by the County Assessor's and/or County Tax Collector's records. The order shall be served upon the owner or responsible person in the manner prescribed for the notice of hearing, and the owner or responsible person shall have such period of time after service of the order but no less than 30 days, as the City Council may deem to be reasonably necessary to accomplish the requirements of the order. The notice of hearing and the abatement order shall contain a notice to the property owner, or other persons served, that the City of Rockaway Beach shall not be responsible for the condition or storage of the component parts of, or personal property situated within, the structure following abatement by the City. The remedy of abatement shall be in addition to, and not in lieu of, the other remedies prescribed by this section.

[Amended by Ordinance #181, March 25, 1980]

CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 2025-03

AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH SUBDIVISION ORDINANCE RELATED TO MIDDLE HOUSING

WHEREAS, the City of Rockaway Beach ("City") recognizes that certain amendments to the Rockaway Beach Subdivision Ordinance are needed to implement HB 2001 (2019), as directed by Senate Bill (SB) 406 ("Proposed Amendments"); and

WHEREAS, at a minimum, cities and unincorporated communities within Tillamook County served by water and sewer must permit all forms of middle housing - duplexes, triplexes, quadplexes, townhouses, and cottage clusters - in zones where single-family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities; and

WHEREAS, the Proposed Amendments also put in place design standards for triplex, quadplex, townhouse, and cottage cluster projects consistent with the Oregon Department of Land Conservation and Development's Model Code for Large Cities; and

WHEREAS, through regular Planning Commission meetings in September 2024 and March 2025, City staff and consultants Cascadia Partners worked with the Planning Commission to develop the Proposed Amendments to address updates for middle housing; and

WHEREAS, on March 13, 2025, the City provided proper notice of the Proposed Amendments to the Department of Land Conservation and Development; and

WHEREAS, on April 17, 2025, the Rockaway Beach Planning Commission conducted a properly noticed public hearing on the Proposed Amendments, and having received no objections, recommended that City Council adopt the Proposed Amendments; and

WHEREAS, on_____, 2025, the City Council conducted a properly noticed public hearing and first and second reading on the Proposed Amendments; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Rockway Beach Planning Commission, and testimony and comments submitted at the public hearings, both orally and in writing, the Rockaway Beach City Council has made the findings of fact as set forth in Exhibit A.

NOW, THEREFORE, The City of Rockaway Beach ordains as follows:

Section 1. Findings. The City Council hereby adopts the Findings of Fact set forth in the above recitals and attached as Exhibit A as its basis for adopting the Proposed Amendments to the Rockaway Beach Subdivision Ordinance.

Section 2. Amendments. The Rockaway Beach Subdivision Ordinance is hereby amended, as shown in attached Exhibit B, to now read in full as shown in Exhibit C.

Section 3. Unamended Provisions. All unamended provisions of the Subdivision Ordinance shall remain in full force and effect.

Section 4. Severability. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 5. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council _____.
2nd reading by the Rockaway Beach City Council _____.

Adopted and Approved by the Rockaway Beach City Council _____.

_____
Charles McNeilly, Mayor

City Council	Aye/Nay
Penny Cheek	/
Kiley Konruff	/
Tom Martine	/
Mary McGinnis	/
VACANT	/

Attest:

_____
Melissa Thompson, City Recorder

CITY OF ROCKAWAY BEACH
CITY COUNCIL ACTION

STAFF REPORT

Middle Housing Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan Changes
Case File: Ordinance 2025-02, 2025-03, and 2025-04
DLCD PAPA File: Amendment 001-25
Hearing Date: June 11, 2025

APPLICANT: City of Rockaway Beach

NATURE OF THE APPLICATION AND BACKGROUND ON THE REQUEST: The City of Rockaway Beach is proposing to amend the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan. The amendments to the Ordinances and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters. The City must take action to amend its development code and Comprehensive Plan policies by June 30, 2025, as directed by Senate Bill (SB) 406. The bill directs cities and unincorporated communities within Tillamook County served by water and sewer to permit all forms of middle housing—duplexes, triplexes, quadplexes, townhouses, and cottage clusters—in zones where single family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities which are implemented through state rules (OAR Division 660-046) and Middle Housing Model Code adopted by reference.

Zoning Ordinance Amendments:

- Section 1.030. Definitions
- Section 2.020. Classification of Zones
- Section 3.010. Single Family Zone (R-1)
- Section 3.020. Residential Zone (R-2)
- Section 3.030. Residential/Resort Zone (R-R)
- Section 3.040. Special Residential/Resort Zone (SRR)
- Section 3.050. Commercial Zone (C-1)
- Section 3.090. Lower Density Residential Zone (R-3)
- Section 3.091. Residential Manufactured Dwelling Zone (RMD)
- Section 3.142. Tsunami Hazard Overlay Zone
- Section 4.043. Multifamily Sitting Criteria
- Section 4.044. Townhouse Projects
- Section 4.045. Triplex and Quadplex Dwellings
- Section 4.046. Cottage Clusters
- Section 4.060. Off-Street Parking and Off-Street Loading Requirements
- Section 5.050. General Exceptions to Lot Size Requirements
- Section 5.060. General Exceptions to Yard Requirements
- Section 7.030. Change of Nonconforming Uses
- Section 10.030. Permitted Buildings and Uses
- Section 10.040. Development Standards

Subdivision Ordinance Amendments:

- Middle Housing Land Divisions
  - Section 43. Applicability
  - Section 44. Process
  - Section 45. Submittal Requirements
  - Section 46. Decision Criteria
  - Section 47. Decision
  - Section 48. Conditions of Approval
  - Section 49. Process for Final Plat Approval
  - Section 50. Appeals

Comprehensive Plan Amendments:

- Beaches and Dunes Policy
- Land Use Categories
- The Manhattan Residential/Resort Area
- The Special Residential/Resort Area
- The Single Family or Duplex Residential Area
- The Saltair Creek Residential/Resort Area (R-R)
- The East Rockaway Beach Residential Area (R)
- Housing Element
- Policies

Staff recommend to the Rockaway Beach City Council on June 11, 2025, adoption of the above listed amendments.

RELEVANT CRITERIA: The following standards apply to this request:

> **Rockaway Beach Zoning Ordinance. Article 9. Amendments.**
> Section 9.010. Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, Planning Commission, or by application of the property owner(s), contract purchaser(s), or his/her/their authorized agent.
>
> Section 9.015. Burden of Proof. The burden of proof is placed upon the initiator of the amendment. That burden shall be to prove:
>
> 1. The proposed amendment fully accords with applicable Comprehensive Plan goals and policies; and
> 2. The proposed amendment is required to meet a land use need.

- **Rockaway Beach Comprehensive Plan. The Planning Process.**
  Amendments to the text of the comprehensive plan shall be made only where findings have been adopted that the following criteria are met:
  A. The amendment is consistent with the comprehensive plan's goals and policies; and
  B. The amendment is necessary to meet a land use need.

- **Oregon's Statewide Land Use Planning Goals. 1-19.**

NOTIFICATION: The Department of Land Conservation and Development (DLCD) was provided notice of the proposed legislative amendments on March 13, 2025. Notice of this public hearing was posted online on the City website and was published in the Headlight Hearld.

COMMENTS: Comments from the Department of Land Conversation and Development and the Oregon Fair Housing Council are attached to this report.

DISCUSSION OF REQUEST: This draft set of amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, implement HB 2001 (2019), as directed by Senate Bill (SB) 406. At a minimum, cities and unincorporated communities within Tillamook County served by water and sewer must permit all forms of middle housing - duplexes, triplexes, quadplexes, townhouses, and cottage clusters - in zones where single-family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities. The amendments also put in place design standards for triplex, quadplex, townhouse, and cottage cluster projects consistent with DLCD's Model Code for Large Cities.

FINDINGS: Planning staff finds the following:

1. The amendment is consistent with applicable Comprehensive Plan goals and policies.

   FINDING: This criterion has been met. As stated in this report, the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters, as directed by Senate Bill (SB) 406. The proposed amendments correspond with one another to allow for consistency of the Comprehensive Plan. The amendments are consistent with current Comprehensive Plan policies as follows:

   - Cluster development is to be encouraged, thus saving energy in construction, maintenance and heating.
   - The City shall support all efforts to provide low or moderate income housing in and around Rockaway Beach, and shall cooperate with the Tillamook County Housing Authority, and Northwest Oregon Housing Association.
   - The Land use Element of the comprehensive plan and the zoning ordinance shall designate areas within the City where multifamily dwellings may be located, and where mobile home parks may be developed. It is assumed that low cost multi-family housing developed with public or private financing can be located anywhere other multi-family housing is allowed.

2. The amendment is required to meet a land use need.

   FINDING: This criterion has been met. As stated in this report, the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters, as directed by Senate Bill (SB) 406. The bill directs cities and unincorporated communities within Tillamook County served by water and sewer to permit all forms of middle housing—duplexes, triplexes, quadplexes, townhouses, and cottage clusters—in zones where single family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities which are implemented through state rules (OAR Division 660-046) and Middle Housing Model Code adopted by reference.

3. Oregon's Statewide Land Use Planning Goal 1. Citizen Involvement: *to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

   FINDING: This criterion has been met. The Rockaway Beach City Council, Planning Commission and the public had numerous opportunities to become aware and engaged in the process related to the required middle housing amendments. These opportunities included work sessions, a Town Hall meeting, a public hearing with the Planning Commission and this public hearing. Additionally, notice of this public hearing was posted online on the City website and was published in the Headlight Hearld.

4. Oregon's Statewide Land Use Planning Goal 2. Land Use Planning: *to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

   FINDING: This criterion has been met. The proposed amendments reflect due consideration of housing related state laws and administrative rules consistent with providing a factual basis for land use decisions.

5. Oregon's Statewide Land Use Planning Goal 3. Agricultural Lands

   FINDING: This criterion is not applicable.

6. Oregon's Statewide Land Use Planning Goal 4. Forest Lands

   FINDING: This criterion is not applicable.

7. Oregon's Statewide Land Use Planning Goal 5. Natural Resources, Scenic and Historic Areas, and Open Spaces

   FINDING: This criterion is not applicable.

8. Oregon's Statewide Land Use Planning Goal 6. Air, Water and Land Resources Quality

   FINDING: This criterion is not applicable.

9. Oregon's Statewide Land Use Planning Goal 7. Areas Subject to Natural Hazards

   FINDING: This criterion is not applicable.

10. Oregon's Statewide Land Use Planning Goal 8. Recreational Needs

    FINDING: This criterion is not applicable.

11. Oregon's Statewide Land Use Planning Goal 9. Economic Development

    FINDING: This criterion is not applicable.

12. Oregon's Statewide Land Use Planning Goal 10. Housing: *to provide for the housing needs of the citizens of the state*

    FINDING: This criterion has been met. The proposed amendments will allow duplexes, triplexes, quadplexes, townhouses, and cottage clusters in zones where single-family dwellings are permitted. These amendments are made at the direction of the state to make room for middle housing to address the state's housing shortfall and meet the public need. The allowance of middle housing in all residentially zoned areas should address the housing production needs identified in the 2019 Housing Needs Analysis (HNA). At the time the HNA was drafted, "66-80% of the total housing stock [was] owned by part-time residents". While the Buildable Lands Inventory (BLI) identified a surplus of residential buildable lands, low wages and high housing costs have been barriers to housing production for full-time residents.

13. Oregon's Statewide Land Use Planning Goal 11. Public Facilities and Services: *to plan efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

    FINDING: This criterion has been met. The proposed amendments address the coordination for public facilities and services necessary to provide for middle housing within the UGB.

14. Oregon's Statewide Land Use Planning Goal 12. Transportation

    FINDING: This criterion is not applicable.

15. Oregon's Statewide Land Use Planning Goal 13. Energy Conservation

    FINDING: This criterion is not applicable.

16. Oregon's Statewide Land Use Planning Goal 14. Urbanization

    FINDING: This criterion is not applicable.

17. Oregon's Statewide Land Use Planning Goal 15. Wilamette River Greenway

    FINDING: This criterion is not applicable.

18. Oregon's Statewide Land Use Planning Goal 16. Estuarine Resources

    FINDING: This criterion is not applicable.

19. Oregon's Statewide Land Use Planning Goal 17. Coastal Shorelands

    FINDING: This criterion is not applicable.

20. Oregon's Statewide Land Use Planning Goal 18. Beaches and Dunes

    FINDING: This criterion is not applicable.

21. Oregon's Statewide Land Use Planning Goal 6. Ocean Resources

    FINDING: This criterion is not applicable.

CONCLUSION: The findings of the planning staff support the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, which were recommended for approval by the Rockaway Beach Planning Commission on April 17, 2025.

The amendments are consistent with the applicable criteria.

Accordingly, the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan shall be updated to reflect the changes as presented.

In making a decision, the Rockaway Beach Council Commission may recommend approval of the amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, as recommended by planning staff or with modifications.

From: MARQUARDT Ryan * DLCD
To: City Planner
Cc: ESTES Brett * DLCD
Subject: RE: HB 4064
Date: Wednesday, May 14, 2025 8:20:17 AM

Hi Mary,
Apologies that it took me a while to do a more in-depth review. Everything in the zoning code amendments looks to be in good shape.

I have one observation about the middle housing land division amendments. The codification of ORS 92.031 looks good overall. There are some parts of the amendments that go beyond what is in ORS (e.g. existing conditions requirements, city manager approval process). While I don't see those as inherently problematic, the city does assume some risk in codifying requirements, processes, and criteria beyond what is established in statute. We'd recommend consulting the city's legal counsel if you have questions or concerns about this.

Ryan Marquardt, AICP
Housing Planner | Housing Accountability and Production Office
Pronouns: he/him
Cell: 971-375-5659 | Main: 503-373-0050
ryan.marquardt@dlcd.oregon.gov | www.oregon.gov/LCD

From: City Planner <cityplanner@corb.us>
Sent: Thursday, April 17, 2025 3:14 PM
To: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>
Subject: RE: HB 4064

> You don't often get email from cityplanner@corb.us. Learn why this is important

Hi Ryan,

Thank you for your response. I look forward to hearing if you have any concerns regarding our middle housing code once you've had a chance to review it more thoroughly.

Mary Johnson
City Planner
City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
www.corb.us | cityplanner@corb.us

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From: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>

Sent: Thursday, April 17, 2025 11:02 AM
To: City Planner <cityplanner@corb.us>
Cc: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Subject: RE: HB 4064

Hi Mary,
Regarding the middle housing code revisions – the amendments look good. On the whole, it appears that the amendments are in alignment with OAR 660-046 and ORS 92.031, though I didn't do a line-by-line reading of the amendments compared with the state statute and rules.

Regarding manufactured dwellings and regulations in 4.091 and 4.095 – it does appear that these sections are out of compliance with SB 406. See highlighted text in ORS 197.478(4) for the regulations that can apply to a manufactured dwelling - https://www.oregonlegislature.gov/bills_laws/ors/ors197.html#:~:text=(4)%20A%20local%20government%20may%20not%20subject,Dwelling%20Code%20as%20defined%20in%20ORS%20455.010. Consistent with ORS 197.646, the city should review manufactured housing consistent with the ORS until amendments to these code sections are adopted.

In the next week, I'll try to do a more thorough review of the middle housing amendments. Please let me know if you have any questions at this point.
Thanks!
-Ryan

Ryan Marquardt, AICP
Housing Planner | Housing Accountability and Production Office
Pronouns: he/him
Cell: 971-375-5659 | Main: 503-373-0050
ryan.marquardt@dlcd.oregon.gov | www.oregon.gov/LCD

From: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Sent: Thursday, April 17, 2025 10:14 AM
To: City Planner <cityplanner@corb.us>
Cc: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>
Subject: RE: HB 4064

Hi Mary,

I am pulling in Ryan Marquardt on this question to see if he can fill in any gaps on this issue the consultant raised. Ryan, see below from Mary in Rockaway Beach.

Mary, I would note that Ryan is also working to review the code amendments going to Planning Commission. He is doing his best to get any comments to you as soon as possible. I wanted to let you know that the amendments are being looked at.

Thanks!
Brett

Brett Estes
North Coast Regional Representative | Coastal Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 503-881-0667 | Main: 503-373-0050
brett.estes@dlcd.oregon.gov | www.oregon.gov/LCD

From: City Planner <cityplanner@corb.us>
Sent: Thursday, April 17, 2025 9:33 AM
To: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Subject: HB 4064

Hi Brett,

When our consultants were reviewing our code for SB 406, they noted that our manufactured dwelling sitting criteria is out of compliance with HB 4064 – noting that our standards are no longer authorized by statute unless they also apply to site-built homes.

I was curious if DLCD had any guidance or information they could share on this? I plan to make updates to this once we finish the SB406 and PICM updates.

Thanks,

Mary Johnson
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City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
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From: Mathew Hogan from Fair Housing Council of Oregon
To: City Planner
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04
Date: Thursday, April 17, 2025 9:33:29 AM

I look forward to it. Thanks for all your communication, Mary!

Mathew Hogan
Fair Housing Council of Oregon
Phone: (406) 439 0950

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Thu, Apr 17, 2025 at 9:29 AM, City Planner <cityplanner@corb.us> wrote:

> Hi Mathew,
>
> Of course – we are working with Cascadia Partners. I've added their contacts below.
>
> Also, I will be adding a supplemental staff report for this evening's meeting to address Goal 10. I'll send you a copy shortly.
>
> Jamin Kimmell jamin@cascadia-partners.com;
>
> Rachel Cotton rachel@cascadia-partners.com
>
> Mary Johnson
> *City Planner*
>
> City of Rockaway Beach
> (503) 374-1752
> 276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
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> www.corb.us | cityplanner@corb.us
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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Thursday, April 17, 2025 9:25 AM
To: City Planner <cityplanner@corb.us>
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Good morning Mary,
I was thing about this amendment, and I was wondering if you could share who your consultants are.

Mathew Hogan
Fair Housing Council of Oregon
Phone: (406) 439 0950

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Wed, Apr 16, 2025 at 4:00 PM, Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com> wrote:

> Hi Mary, Thank you for the prompt reply. Yes, you will need to cite the HNA and BLI so that you can find how this will impact housing based on what it says in those documents. We will need to see more as far as Goal 10 is concerned. Please see this link for help https://www.oregon.gov/lcd/UP/Documents/HB_2001_Findings_Guidance.pdf.
>
> **Mathew Hogan**
> Fair Housing Council of Oregon
> **Phone: (406) 439 0950**

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Wed, Apr 16, 2025 at 2:06 PM, City Planner <cityplanner@corb.us> wrote:

> Hi Matthew,
>
> Thanks for reviewing the report. I had prepared a slightly more detailed version, but our consultants advised that I should hold off on that until the Council hearing. I've attached it here and am curious if you think this sufficiently addresses Goal 10? I didn't reference the HNA or BLI, so I'm not sure if it is enough.

Thanks for your thoughts.

Mary Johnson
City Planner

City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136

www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Wednesday, April 16, 2025 2:00 PM
To: City Planner <cityplanner@corb.us>
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Hi Mary,
Thank you for sending the link to the Staff Report. It's a great amendment, I think the board here would just like to see the section addressing Goal 10 be a bit more specific.
It currently says that you will address Goal 10 when you implement the ordinance but it should be addressed at this stage.
How, specifically, will Ordinance 2025-02, 2025-03, & 2025-04 meet the city's housing goals? Many cities make reference to Housing Needs Assessment (HNA) or their Buildable Lands Inventory (BLI).
This may be helpful to you, Findings Guidance. Let me know if I can help in some way, we would love to submit a positive letter in support of this amendment for the hearing on 4/17/25.

Powered by HubSpot.

On Tue, Apr 8, 2025 at 10:05 AM, City Planner <cityplanner@corb.us> wrote:

Hi Mathew,

The staff report is not yet available. Please check back on our website this Thursday for all of the requested documents. Here's the link to the page where they will be posted: Planning Commission – City of Rockaway Beach

Mary Johnson
City Planner

City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136

www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Tuesday, April 8, 2025 9:57 AM
To: City Planner <cityplanner@corb.us>
Subject: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Good morning Mary,

My name is Mathew Hogan and I am conducting outreach for the Fair Housing Council of Oregon (FHCO). I was hoping to obtain the staff report and all corresponding attachments for Ordinance 2025-02, 2025-03, & 2025-04 the "Text changes to the City's Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance to make room for Middle Housing Types in Tillamook County in response to SB406." when available. We will be reviewing the staff report predominantly for Statewide Planning Goal 10 compliance.

If we do have any commentary or concerns my colleagues and I will be in touch to advise. We hope this can be a collaborative process. Please confirm receipt of this e-mail, and I look forward to hearing from you soon.

Very Respectfully,

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Fair Housing Council of Oregon
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For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

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SUBDIVISION AND LAND PARTITION

GENERAL PROVISIONS

[…]

MINOR LAND PARTITION

[…]

Section 42. Proposed Name of Subdivision.

No tentative subdivision plat or subdivision plan or subdivision shall be approved which bears a name approved by the County Surveyor or County Assessor, which is the same as similar to or pronounced the same as the name of any other subdivision in Tillamook County unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name, or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot numbers and if used, the block numbers of the subdivision plat of the same name last filed.

MIDDLE HOUSING LAND DIVISIONS

Section 43. Applicability

A middle housing land division applies to partition or subdivision of duplexes, triplexes, quadplexes, or cottage cluster dwellings and projects within residential zoning districts.

Section 44. Process

(1) Unless an applicant requests that the application be reviewed under the procedures set forth in this Article, a middle housing land division shall be processed as provided under ORS 197.360 through ORS 197.380, in-lieu of the procedures set forth in this Article.

(2) A middle housing land division application may be submitted when:

(a) The site is developed with middle housing;

(b) The site has an active building permit to construct middle housing;

(c) The application is being reviewed concurrently with a building permit application for construction of middle housing; or

(d) The application is being reviewed with a site plan for proposed detached middle housing in compliance with Section 45 of this Article.

(3) Completeness Review. The City Recorder, or his or her designee, shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 21 calendar days after the City receives the application submittal.

(a) If the application for a land division is incomplete, the local government shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.

(b) If the application was complete when first submitted or the applicant submits the additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were in effect at the time the application was first submitted.

(4) Notification.

(a) The City Recorder, or his or her designee, shall provide written notice of the receipt of the completed application for a Middle Housing Land Division or Expedited Land Division to all of the following:

(i) The applicant and/or authorized representative;

(ii) The owner(s) of record of the subject property;

(iii) Owners of record within 100 feet of the perimeter of the subject property; and

(iv) Any state agency, local government or special district responsible for providing public facilities or services to the development.

(b) The notice shall state:

(i) The street address or other easily understood geographical reference to the subject property;

(ii) The place, date and time that comments are due;

(iii) A time and place where copies of all evidence submitted by the applicant will be available for review;

(iv) The applicable criteria for the decision;

(v) The name and telephone number of a local government contact person;

(vi) A brief summary of the local decision-making process for the Middle Housing Land Division;

(vii) The deadline for submitting written comments;

(viii) That issues that may provide the basis for an appeal to the hearings officer must be raised in writing prior to the expiration of the comment period; and

(ix) That issues must be raised with sufficient specificity to enable the local government to respond to the issue.

(c) After notification according to the procedure set out above, the City Recorder, or his or her designee, shall provide a 14-day period for submission of written comments prior to the decision.

Section 45. Submittal Requirements

The following submittal requirements shall apply to a middle housing land division application:

(1) General Information:

(a) Vicinity map showing all streets, property lines, streams, and other pertinent data to locate the proposal.

(b) North arrow and scale of drawing.

(c) Tax map and tax lot number or tax account of the subject property.

(d) Dimensions and size in square feet or acres of the subject property and of all proposed parcels.

(2) Existing Conditions

(a) Location of all existing easements within the property.

(b) Location of City utilities (water, sewer, and storm drainage) within or adjacent to the property proposed for use to serve the development.

(c) The location and direction of water courses or drainage swales on the subject property.

(d) Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.

(e) The location, width, and names of all existing streets, flag lot accessways, and public accessways abutting the perimeter of the lot;

(f) Driveway locations, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;

(3) Proposed Site Plan:

(a) Locations, approximate dimensions and area in square feet of all proposed lots. All lots shall be numbered consecutively;

(b) Location, width, and purpose of any proposed easements;

(c) The location, width, and names of all existing streets, flag lot accessways, and public accessways abutting the perimeter of the subject property;

(d) The location and use of all buildings and accessory structures that will be located on each proposed lot, indicating the distance of such buildings and accessory structures to proposed lot lines and to adjacent structures on abutting lots;

(e) The location, dimensions, and use of all existing and proposed public areas, including, but not limited to, stormwater management facilities and detention facilities;

(f) Landscaping plan indicating location of existing vegetation and proposed improvements.

(g) Statement of improvements to be made or installed including streets, sidewalks, bikeways, trails, lighting, tree planting, landscaping, and time such improvements are to be made or completed.

(h) Written statement outlining proposals for ownership and maintenance of all open space areas and any commonly owned facilities.

(4) Proposed Site Plan for Detached Middle Housing. Middle housing land division applications being reviewed with a site plan for proposed detached middle housing under subsection 44(2)(d) must include the following to identify the buildable area for each resulting lot or parcel:

(a) Existing and proposed easements.

(b) Percent of lot coverage allocated for each child lot or parcels.

(c) Setback dimensions for all existing and proposed buildings.

Section 46. Decision Criteria

The tentative plan of a middle housing land division shall be approved if all of the following criteria are met:

(1) The middle housing land division is for an existing or proposed middle housing development.

(2) The existing or proposed middle housing development will comply with the applicable provisions of the Building Code and the Oregon residential specialty code, as those standards apply to the buildings and accessory structures on the proposed lots subsequent to division.

(3) The tentative plan results in exactly one dwelling unit on each proposed lot, except for lots or tracts used as common areas.

(4) Separate utilities are provided for each dwelling unit.

(5) All access and utility easements necessary to serve each dwelling unit are provided on the tentative plan for:

(a) Locating, accessing, servicing, and replacing all utilities
(b) Pedestrian access from the primary entrance of each dwelling unit to a public or private street;
(c) Any driveways or off-street parking;
(d) Any common use areas or shared building elements; and
(e) Any common area.

(6) The type of middle housing on the existing lot is not altered by the proposed middle housing land division.

Section 47. Decision.

The City Recorder, or his or her designee, shall make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the applicable requirements of This Article.

(1) Approval may include conditions to ensure that the application meets the applicable regulations.

(2) For Middle Housing Land Division applications, the City Recorder, or his or her designee:

(a) Shall not hold a hearing on the application; and

(b) Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination.

(3) The decision shall include a statement of the facts upon which the decision authority relied to determine whether the application satisfied or failed to satisfy each applicable approval criteria.

(4) Notice of the decision shall be provided to the applicant and to those who received notice under subsection 44(4) within 63 days of the date of a completed application. The notice of decision shall include:

(a) The summary statement included with the written decision; and

(b) An explanation of appeal rights under ORS 197.375 (Appeal of decision on application for expedited land division).

Section 48. Conditions of Approval.

Conditions may not be placed on the approval of a middle housing land division except to:

(1) Prohibit further division of the resulting lots;

(2) Prohibit the construction of an accessory dwelling unit on any of the resulting lots;

(3) Require dedication of right-of-way when an existing street abutting the property does not conform to the requirements of city standards;

(4) Require boundary street improvements when an existing street abutting the property does not conform to the requirements of city standards; and

(5) Require a notation on the final plat indicating that the approval of the land division was given under ORS 92.031.

Section 49. Process for Final Plat Approval

(1) A final plat shall be submitted to the City Recorder. After the final plat has been submitted, the City Staff shall review and compare it with the approved tentative plat to ascertain whether the final plat conforms substantially to the approved tentative plat and with such conditions of approval as may have been imposed.

(2) No final plat shall be approved unless:

(a) The plat is in substantial conformance with this Ordinance and the provisions of the tentative plat as approved, including any conditions imposed in connection therewith;

(b) The plat contains land free and clear of all liens and encumbrances. All dedications to the public of all public improvements, including but not limited to streets, roads, sewage disposal and water supply systems, the donation of which is required by this Ordinance or was made a condition of the approval of the tentative plat;

(c) Any common areas or improvements to be held jointly by the future owners of the lots or by a Homeowners Association are indicated on the plat with the appropriate references to the structure of ownership. Any bylaws or agreements subject to approval by the City will be approved before the City Recorder signs the plat.

(d) The City received adequate assurances that the applicant has agreed to make all public improvements which are required as conditions of approval of the tentative plan, including but not limited to streets, alleys, pedestrian ways, storm drainage, sewer, and water systems. The provisions for providing adequate assurance are subject to the Public Works Department and City Engineer requirements.

(e) A notice in the form of a restrictive covenant must be recorded with the County which states:

i) The middle housing lot or parcel cannot be further divided.

ii) No more than one dwelling unit of middle housing can be developed on each middle housing lot.

iii) Accessory dwelling units are not permitted.

iv) The dwelling developed on the middle housing lot or parcel is a unit of middle housing and is not an attached or detached dwelling unit or any other housing type.

(f) If the middle housing land division application is being reviewed with a site plan for proposed detached middle housing, the covenant described in subsection (2)(e) of this section must limit the buildable area for each resulting lot or parcel in compliance with the site plan submitted.

(3) If the City Recorder finds that conditions specified in subsection (2) of this section have not been met, the applicant shall be advised of the changes that must be made and afforded the opportunity to comply. Rejection of a final plat shall not affect the tentative plan approval.

(4) When the City Recorder finds that the final plat is in substantial conformity to the approved tentative plan and is otherwise in lawful form, and is approved by the City Engineer, the City Recorder shall sign and date the final plat.

(5) Following endorsement of the plat by the City Recorder and the City Engineer, the applicant shall submit the plats to the Tillamook County Surveyor for final review and compliance with applicable state and county regulations.

(6) Effective Date for Final Plat Approval. The approval process for a development shall become final upon the recording of the approved final plat with the County, together with any required documents. A copy of the recorded plat and documents shall be submitted to the City. Approved final plats shall become void one year after final City approval if they are not recorded.

(7) A middle housing land division tentative plan is void if and only if a final plat is not approved within 3 years of the tentative approval.

Section 50. Appeals

Any appeal of a middle housing land division must be as provided in ORS 197.375.

IMPROVEMENTS

[Renumber remaining sections]

SUBDIVISION AND LAND PARTITION

GENERAL PROVISIONS

Section 1. TITLE. This ordinance shall be known as the 'Subdivision and Land Partitioning Ordinance' of the City of Rockaway Beach, Oregon.

Section 2. PURPOSE. The purpose of this ordinance is to enact subdivision and land partitioning regulations for the City which will provide for better living conditions within new land divisions; assure necessary streets, open space, utilities and public areas and provide for their installation or improvement; enhance and secure property values in land divisions and adjacent land; simplify and make land descriptions more certain and in general to promote the health, safety, convenience and general welfare of the people of Rockaway Beach.

Section 3. COMPLIANCE REQUIRED.

1. No person shall sell any lot in any subdivision or convey any interest in a parcel in any partition until the plat of the subdivision or partition has been acknowledged and recorded with the recording officer of Tillamook County.

2. No person shall sell any lot in any subdivision or convey any interest in a parcel in any partition by reference to or exhibition or other use of a plat of such subdivision or partition before the plat for such subdivision or partition has been so recorded. In negotiating to sell a lot in a subdivision or convey any interest in a parcel in any partition under ORS 92.016(1) and (2), a person may use the approved tentative plan for such subdivision or partition.

Section 4. DEFINITIONS.

As used in this ordinance, unless the context otherwise requires, the following words and phrases shall mean:

(1) Building Line: A line on a plat or map indicating the limit beyond which buildings or structures may not be erected.

(2) City: The City of Rockaway Beach, a municipal corporation of the State of Oregon, where the provision involves a duty owed the City in either its governmental or its corporate capacity; otherwise, that officer, department or agency of the City indicated by the context, or where the context does not clearly indicate a specific officer, department or agency, then the City Recorder of said City.

(3) City Recorder: The duly appointed administrative officer of the City of Rockaway Beach or a person designated by the City Council to fulfill his obligations as set forth in this ordinance.

(4) City Engineer: The duly appointed Engineer of the City of Rockaway Beach.

(5) Easement: A grant of the right to use a strip of land for specific purposes.

(6) Lot: A unit of land that is created by a subdivision of land.

(a) Reversed Corner Lot: A corner lot the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

(b) Through Lot: A lot having frontage on two parallel or approximately parallel streets other than an alley.

(7) Map: A final diagram, drawing or other writing concerning a major or minor partition.

(8) ORS: Oregon Revised Statutes - (State Law)

(9) Parcel: A unit of land that is created by a partitioning of land.

(10) Partition: Either an act of partitioning land or an area or tract of land partitioned as defined in this Section.

(a) Major Partition: A partition which includes the creation of a street.

(b) Minor Partition: A partition that does not include the creation of a street.

(11) Partition Land: To divide land into two or three parcels of land within a calendar year, but does not include:

(a) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots.

(b) An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zoning ordinance requirement.

(c) A sale or grant by a person to a public agency or public body for State highway, County road, City street or other right of purposes provided such road or right-of-way conforms with the Comprehensive Plan and ORS 215.213(2)(g) to (s) and ORS 215.283(2)(p) to (r).

(12) Partition Plat. A final map and other writing containing all the descriptions, locations, specification, provisions and information concerning a major or minor partition.

(13) Pedestrian Way: A right-of-way for pedestrian traffic.

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

(15) Planning Commission: The City Planning and Zoning Commission of the City.

(16) Plat: A final subdivision plat, replat or partition plat.

(17) Replat: A final map of the reconfiguration of lots and easements of a recorded subdivision or partition plat and other writings containing all the description, locations, specifications, dedications, and provisions and information concerning a recorded subdivision.

(18) Right-of-Way: The area between the boundary lines of a street or other easement.

(19) Roadway: The portion of a street right-of-way developed for vehicular traffic.

(20) Sidewalk: A pedestrian walkway with rock or paved surfacing.

(21) Street: A public or private way being the entire width from lot line to lot line that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land and including the term 'road', 'highway', 'lane', 'avenue', 'alley' or similar designations.

(a) Alley: A narrow street through a block which affords only secondary means of access to abutting property at the rear or sides thereof.

(b) Arterial: A street of considerable continuity which is primarily a traffic artery for intercommunication among large areas

(c) Collector: A street supplementary to the arterial street system and a means of intercommunication between this system and smaller area; used to some extent for through traffic and to some extent for access to abutting properties.

(d) Cul-de-sac: (Dead End Street) A short street having one end open to traffic and being terminated by a vehicle turnaround.

(e) Half street: The dedication of a portion only of the width of a street, usually along the edge of a subdivision, where the remaining portion of a street has been or could be dedicated in another subdivision.

(f) Marginal access street: A minor street parallel and adjacent to a major arterial street, providing access to abutting properties, but protected from through traffic.

(g) Minor street: A street intended primarily for access to abutting properties.

(22) Subdivide Land: To divide an area or tract of land into four or more lots within a calendar year.

(23) Subdivision: Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

(24) Subdivision Plat: A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

Section 5. PROCEDURE FOR REVIEW.

(1) Prior to the filing of a tentative plan, a subdivider shall submit to the City Recorder plans and other information concerning a proposed or contemplated development. The City Recorder shall then, within thirty-five (35) days, schedule a conference with the subdivider, City Engineer, and City Planner on such plans and other data, and make recommendations to the subdivider as shall seem proper regarding such plans or other data, and shall recommend consultation by the subdivider with other public or private agencies as may be disclosed by the plans to be interested. This subdivision conference is an optional procedure which may be elected by the subdivider and is not required by this ordinance.

(2) The applicant shall submit ten (10) copies of a tentative plan, a completed application form and a fee as required by Section 57. The tentative plan shall follow the format outlined in Sections 6 and 7.

(3) The City shall review the submitted tentative plan to determine whether the application is complete. If the application is complete, a public hearing before the Planning Commission shall be scheduled. If the application is incomplete, the applicant will be informed of the additional information that is required. Upon submission of that information, a public hearing will be scheduled.

(4) Public notice shall be mailed to property owners within 200 feet of the boundary of the proposed subdivision. The content of the public notice shall be in accordance with Section 11.040(1) of the Zoning Ordinance.

(5) The City Recorder shall transmit one (1) copy of the tentative subdivision plan to the City Engineer, all affected special districts and any county, state or federal agency that may have an interest in the proposed subdivision. Written comments will be incorporated into the record of the public hearing.

(6) The City Recorder shall notify the subdivider of the requirement to file a statement of water rights and if a water rights is appurtenant, a copy of the acknowledgment from the Water Resources Department must be attached before the county recording officer may accept the plat of the subdivision for recording pursuant to ORS 92.120.

(7) The Planning Commission shall hold a public hearing on the tentative subdivision plan in accordance with Section 11.060 of the Zoning Ordinance.

(8) The Planning Commission shall make a decision on the tentative subdivision plan in accordance with Section 11.060 of the Zoning Ordinance.

(9) A decision of the Planning Commission may be appealed to the City Council in accordance with Section 11.070 of the Zoning Ordinance.

(10) The tentative subdivision plan approval shall be binding on the City and the subdivider for the purpose of preparing a final plat, provided that there are no changes of the plat of the subdivision and that it complies with all conditions set forth by the city in its tentative subdivision plan approval.

(11) The tentative subdivision plan shall be valid for one year from the date of its approval. The Planning Commission, upon written request by the applicant, may grant an extension of the tentative subdivision plan approval for a period of one year. In granting an extension, the Planning Commission shall make a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan.

(12) Any final subdivision not submitted prior to the expiration of the tentative subdivision plan approval shall be considered void.

Section 6. TENTATIVE PLAN SCALE Tentative plans shall be to a scale of one inch equals 50 feet or better except tracts over 10 acres which may be to a scale of one inch equals 100 feet, and shall be clearly and legibly produced.

Section 7. INFORMATION ON TENTATIVE PLAN

(1) Proposed name, date, northpoint and scale of drawing.

(2) Location of the subdivision sufficient to define its location and boundaries and a legal description of the tract boundaries.

(3) Name and address of the subdivider.

(4) Appropriate identification of the drawing as a tentative plan.

(5) Name, business address, and number of the registered engineer or licensed surveyor who prepared the plan of the proposed subdivision.

(6) The locations, names, widths, approximate radii of curves and grades of all existing and proposed streets and easements in the proposed subdivision and along the boundaries thereof, and the names of adjoining platted subdivisions and portions of the subdivisions as shall be necessary to show the alignment of streets and alleys therein with the streets and alleys in the proposed subdivision.

(7) Names of the record owners of all contiguous land.

(8) The approximate location and character of all existing and proposed easements and public utility facilities except water and sewer lines in the subdivision or adjacent thereto.

(9) The location and approximate dimensions of each lot and each to be numbered.

(10) Setback lines, if any, proposed by the subdivider.

(11) The outline of any existing buildings and their use showing those which will remain.

(12) Contour lines where the data is made available by the city.

(13) The location of at least one temporary bench mark within the subdivision boundaries.

(14) City limit or Urban Growth Boundary lines crossing or bounding the subdivision.

(15) Approximate location of all areas subject to inundation or storm water overflow and the location, width, high water elevation flood flow and direction of flow of all watercourses.

(16) Any area proposed to be cut or filled or otherwise graded or protected from flooding.

(17) If impractical to show on the preliminary plat, a key map showing the location of the tract in relationship to section and township lines and to adjacent property and major physical features such as streets, railroads and watercourses.

(18) Streets to be held for private use shall be so indicated and all reservations or restrictions relating to such private streets shall be fully described.

Section 8. PARTIAL DEVELOPMENT If the subdivision proposal pertains to only part of the tract owned or controlled by a subdivider, the Planning Commission may require a sketch of a tentative layout for streets in the unsubdivided portion.

Section 9. INFORMATION IN STATEMENT The statement to accompany the tentative plan shall contain the following information:

(1) A general explanation of the improvements and public utilities, including water supply and sewage disposal proposed to be installed.

(2) Deviations from subdivision ordinance, if any.

(3) Public areas proposed, if any.

(4) A preliminary draft of restrictive covenants proposed, if any.

Section 10. Supplemental Proposals With Tentative Plan Any of the following may be required to the Planning Commission to supplement the plan of a subdivision.

(1) Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and the nature and extent of street construction.

(2) A plan for domestic water supply lines and related water service facilities.

(3) Proposals for sewage disposal, storm water drainage and flood control, including profiles of proposed drainageways.

(4) If lot areas are to be graded, a plan showing the nature of the cuts and fills and information on the character of the soil.

(5) Proposals for other improvements such as electric utilities and sidewalks.

(6) Site investigations as required by the Hazards Overlay Zone provisions of the Zoning Ordinance. Where such an investigation indicates the potential for erosion, an erosion control plan shall also be submitted.

(7) If an area is to be graded, a plan showing the nature of the cuts and fills and evidence provided in a site investigation that such a grading will be stable.

SUBDIVISION, FINAL PLAT

Section 11. Procedure For Review

(1) Within one (1) year after approval of the preliminary plat, or such extension as may have been granted by the City, the subdivider shall cause the proposed subdivision, or any part thereof to be surveyed and a plat thereof prepared in conformance with the preliminary plat as approved or conditionally approved.

An original reproducible drawing and five (5) blueline or blackline prints of the plat shall be submitted to the City. The tracing and prints are in addition to those required by Oregon Statutes.

The final plat shall conform to the requirements of Section 12 - 15.

No subdivider shall submit a plat of a subdivision for record, until all the requirements of ORS 209.250 and the plat requirements of the subdivision have been met.

(2) The City Recorder shall forward a copy of the plat and other data submitted to the City Engineer who shall examine it to determine that the subdivision as shown is substantially the same as it appeared on the tentative plan, as approved; that all provisions of the law and this ordinance applicable at the time of approval of the tentative plan have been complied with; and that the plan is technically correct.

The City Engineer may make checks in the field as he may desire to verify that the map is sufficiently correct on the ground and he may enter the property for this purpose.

If the City Engineer determines that full conformity has not been made, the City shall advise the subdivider of the changes or additions that must be made for these purposes, and shall afford the subdivider an opportunity to make the changes or additions. If the City Engineer determines that full conformity has been made, he shall so certify on the plat and shall transmit the plat to the City for further review.

(3) The Planning Commission shall review the final plat to determine that it conforms with the preliminary plat and with changes permitted and all requirements imposed as a condition of its acceptance.

If the Planning Commission determines that the plat submitted does not conform to the tentative plan or applicable conditions, the subdivider shall be afforded an opportunity to make corrections.

(4) Prior to the approval of the final plat by the Planning Commission, the subdivider shall complete improvements as proposed or enter into an agreement for improvements together with a bond, pursuant to the provisions of Sections 21 & 22.

(5) If the final plat conforms to the preliminary plat and applicable conditions have been met, the Chairman of the Planning Commission shall sign and date the final plat.

(6) The applicant shall deliver the final plat to the County Surveyor for review according to the requirements of ORS 92. Approval of the plat shall be null and void if the plat is not recorded within 90 days after the date the last required approving signature has been obtained.

(7) The subdivision is considered complete after the final plat is recorded by the County Clerk.

(8) The County Surveyor shall furnish the City with a copy of the recorded plat.

Section 12. FORM OF PLAT.

(1) The subdivision plat shall be prepared in accordance with the requirements of Section 54, State laws, including but not limited to ORS 92.080 and ORS 92.120.

(2) The format of the plat shall be as follows

Permanent black india type ink or silver halide permanent photocopy, upon material that is 18 inches by 24 inches in size with an additional three inch binding edge on the left side when required by the County Clerk or the County Surveyor, that is suitable for binding and copying purposes, and that has such characteristics of strength and

permanency as may be required by the County Surveyor. The subdivision or partition plat shall be of such a scale as required by the County Surveyor. The lettering of the approvals, the dedication, the affidavit of the surveyor, and all other information shall be of such a size or type as will be clearly legible, but no part shall come nearer any edge of the sheet than one (1) inch. The subdivision plat may be placed on as many sheets as necessary, but a face sheet and index page shall be included for subdivision plats upon three or more sheets.

(3) The plat shall contain the information is contained in Section 13, 14 & 15.

Section 13. Information on Final Plat

(1) The name of the subdivision, the date the plat was prepared, the scale, northpoint, legend and existing features such as highways and railroads.

(2) Legal description of the subdivision boundaries.

(3) Reference and bearings, to adjoining surveys.

(4) The locations and descriptions of all monuments found or set shall be carefully recorded upon all plats and the proper courses and distances of all boundary lines shall be shown.

(5) Exact location and width of streets and easements intersecting the boundary of the subdivision.

(6) Subdivision block and lot boundary lines.

Numbering of lots and blocks, as follows:

a. Lot numbers beginning with the number '1' and numbered consecutively in each block. Number sequence to generally follow the same system as sections are numbered in a township

b. Block numbers beginning with the number '1' and continuing consecutively without omission or duplication throughout the subdivision only when the subdivision is a continued phase of a previously recorded subdivision bearing the same name that previously used block numbers or letters. The numbers shall be solid, of sufficient size and thickness to stand out and so placed not to obliterate any figure, block and lot numbers, in addition to a subdivision of the same name, shall be a continuation of the numbering in the original subdivision.

(7) Acreage of each parcel.

(8) Street right-or-way center lines with dimensions to the nearest 1/100th of a foot, bearings or deflection angles, radii, arc, points of curvature, chord bearings and distances, and tangent bearings. Subdivision boundaries, lot boundaries, and street bearings shall be shown to the nearest 30 seconds.

(9) The name and width of the streets being dedicated, the width of any existing right-of-way, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.

(10) Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, there shall be written statement of the easement. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.

(11) Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the subdivision.

(12) Parcels to be dedicated shall be distinguished from lots intended for sale with acreage and alphabetical symbols for each parcel indicate.

(13) Any conditions specified by the Planning Commission upon granting preliminary approval.

(14) A statement of water rights noted on the subdivision plat.

Section 14. Certification The following certificates shall appear on the plat as submitted. The certificates may be combined where appropriate.

(1) A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the plat.

(2) A certificate signed and acknowledged as above, offering for dedication all parcels of land shown on the final plat and intended for any public use except those parcels other than streets, which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants.

(3) A certificate signed and acknowledged by the engineer or surveyor responsible for the survey and plat, the signature of such engineer or surveyor, to be accompanied by his seal.

(4) Provisions for additional certificates and acknowledgments required by law.

Section 15. SUPPLEMENTAL DATA At the time of the submission of the final plat, the subdivider shall also submit to the City the following:

(1) A preliminary title report issued by a recognized title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.

(2) Sheets and drawings showing the following:

(a) Traverse data including the coordinates of the boundary of the subdivision and ties to section corners, donation land claim corners, if any, or triangulation systems, and showing the error of closure, if any.

(b) The computation of all distances, angles and courses shown on the final plat.

(c) Ties to existing monuments, proposed monuments, adjacent subdivisions, street corners, and State highway stationing.

(d) Coordinates of all block corners and all street center points.

(3) A copy of any deed restrictions applicable to the subdivision.

(4) A list of all taxes and assessments on the tract which have become a lien on the tract.

(5) A copy of the acknowledgment from the State Water Resources Dept. under ORS 97.122, if the person offering the subdivision or partition plat for filing indicates on the statement of water rights that a water right is appurtenant to the subdivision.

Section 16. AGREEMENT FOR IMPROVEMENTS Before City Council's approval of a final plat, the subdivider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and record an agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for reimbursement to the City for the cost of inspection by the City of the improvements to be installed. The agreement may also provide for the construction of the improvements in units and for an extension of time under conditions therein specified.

Section 17. Bond.

(1) The subdivider shall file with the agreement to assure his full and faithful performance thereof, one of the following:

(a) A personal bond cosigned by at least one additional person who shall not be related to the subdivider by blood, marriage or other legal arrangement. The subdivider and cosigner shall submit evidence of financial responsibility and the financial resources of those signing the bond to provide reasonable assurance of the ability of the subdivider to proceed in accordance with the agreement.

(b) A surety bond executed by a surety company authorized to transact business in the State of Oregon.

(c) Cash.

(2) The assurance of full and faithful performance shall be for a sum approved by the Public Works Director sufficient to cover the cost of the improvements, engineering, inspection and incidental expenses, and to cover replacement and repair of existing streets and other public improvements damaged in the development of the subdivision and must be approved by the City Attorney as to form.

(3) In the event the subdivider fails to complete all improvement work in accordance with the provisions of this ordinance, and the City has to complete same, or if the subdivider fails to reimburse the City for the cost of inspection, engineering and incidental expenses, and to cover cost of replacement and repair of existing streets or other improvements damaged in the development of the subdivision, the City shall call on the surety for reimbursement, or shall appropriate from any cash deposit funds for reimbursements. In any such case, if the amount of surety bond or cash deposit exceeds all cost and expense incurred by the City, it shall release the remainder of the bond or cash deposit, and if the amount of the surety bond or cash deposit is less than the cost and expense incurred by the City, the subdivider shall be liable to the City for the difference.

MAJOR LAND PARTITION

(Includes Creation of a Street)

Section 18. MINIMUM STANDARDS. The minimum standards for design and improvements in a major land partitioning shall conform to Sections 32-42 & 51-53. The Planning Commission may approve the creation of a street to be established by deed without full compliance with the regulations applicable to subdivisions provided any of the following conditions exists:

(1) The establishment of the public street is initiated by the City Council or Board of County Commissioners and is declared essential for the purpose of general traffic circulation, and the partitioning of land is an incidental effect rather than the primary objective of the street.

(2) The tract in which the street is to be dedicated is a major partition within a solitary ownership situation either of not over one acre or of such size and characteristics for more than three dwelling units.

(3) The street is the only reasonable method by which the rear portion of an extraordinarily deep land parcel of a size to warrant partitioning into not over two parcels may be provided with access.

Section 19. PROCEDURE FOR REVIEW. The minimum standards for design and improvements in a major land partitioning shall conform to Sections 32-42 & 51-53. The Planning Commission may approve the creation of a street to be established by deed without full compliance with the regulations applicable to subdivisions provided any of the following conditions exists:

(1) The applicant shall submit ten copies of a tentative partition plan, a completed application form and the fee required by Section 57. The tentative partition plan shall follow the format outlined in Section 20 & 21.

(2) The City shall review the submitted tentative partition plan to determine whether the application is complete. If the application is complete, a public hearing before the Planning Commission shall be scheduled. If the application is incomplete, the applicant will be informed of the additional information that is required. Upon submission of the information, a public hearing shall be scheduled.

(3) Public notice shall be mailed to property owners within 200 feet of the boundary of the proposed partition. The content of the public notice shall be in accordance with Section 11.040(1) of the Zoning Ordinance.

(4) The City Recorder may transmit one copy of the tentative partition plan to the City Engineer, and affected special districts and any county, state or federal agency that may have an interest in the proposed partition. Written comments will be incorporated into the record of the public hearing.

(5) The City Recorder shall notify the partitioner of the requirement to file a statement of water right and if a water right is appurtenant, a copy of the acknowledgment from the Water Resources Department must be attached before the county recording officer may accept the plat of the subdivision for the recording pursuant to ORS 92.120.

(6) The Planning Commission shall hold a public hearing on the tentative partition in accordance with Section 11.060 of the Zoning Ordinance.

(7) The Planning Commission shall make a decision on the tentative partition in accordance with Section 11.060 of the Zoning Ordinance.

(8) A decision of the Planning Commission may be appealed to the City Council in accordance with Section 11.070 of the Zoning Ordinance.

(9) The tentative partition plan approval shall be binding on the City and the partitioner for the purpose of preparing a final partition plat, provided that there are no changes of the plan of the partition and that it complies with all conditions set forth by the City in its tentative partition plan approval.

(10) Any final partition not submitted prior to the expiration of the tentative plan approval shall be considered valid.

The tentative partition plan shall be valid for one year from the date of its approval. The Planning Commission, upon written request by the applicant may grant an extension of the tentative plan approval for a period of one year. In granting an extension, the Planning Commission shall make a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan.

(11) The applicant shall submit a final partition plat prior to the expiration of the tentative partition plan approval.

(12) The final partition plat shall conform to the information requirements of Section 25. The Planning Commission shall review the final partition plat to determine that it conforms with the tentative plan and any applicable conditions. The Planning Commission may request that the City Engineer review the final partition plat in conformance with Section 11(2).

If the Planning Commission determines that the partition plat submitted does not conform to the tentative plan or applicable conditions, the applicant shall be afforded an opportunity to make corrections.

(13) Prior to the approval of the final partition plat, the applicant shall complete improvements as proposed or enter into an agreement for improvements together with a bond, pursuant to the provisions of Section 21 and 22.

(14) If the final plat conforms to the tentative plan and applicable conditions, the Chair of the Planning Commission shall sign and date the final plat.

(15) The applicant shall deliver the final plat to the County Surveyor for review and recording according to the requirements of ORS 92. Approval of the final plat shall be null and void if the plat is not recorded within 90 days after the date the last required approving signature has been obtained.

(16) The major partition is considered complete after the final plat is recorded by the County Clerk.

(17) The County Surveyor shall furnish the City with a copy of the recorded plat.

Section 20. SCALE. The preliminary plat map shall be drawn on a tracing 18 inches by 24 inches or an even multiple thereof at a scale of one (1) inch equals 50 feet or, for areas over 10 acres, one (1) inch equals 100 feet.

Section 21. INFORMATION ON TENTATIVE PARTITION PLAN.

(1) The date, northpoint, and scale of the drawing.

(2) Names and addresses of the owner, partitioners, engineer and or surveyor employed in the preparation of the plan.

(3) The amount of acreage in the original parcel and the acreage of the resulting parcels, and dimensions of all parcels.

(4) The location, names and widths of all streets and easements adjacent to and within the parcel to be partitioned.

(5) The existing use or uses of the property, including locations of all structures on the property.

(6) The width and location of all proposed easements for drainage or public purposes.

(7) Approximate location of physical features such as wetlands and streams on the property, when required by the City Recorder.

(8) Location, name, width, approximate radius of curves and grade of all proposed streets, the relationship of such streets to any projected or existing streets adjoining the proposed partition.

Section 22. TENTATIVE PARTITION PLAN SUBMISSION REQUIREMENTS, SUPPLEMENTAL DATA

Any of the following may be required by the City to supplement the tentative partition plan of a major partition.

(1) Contour lines at two (2) foot contour intervals.

(2) Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed major partition showing the finished grade of streets and the nature and extent of street construction.

(3) Site investigations as required by the Hazards Overlay Zone provisions of the Zoning Ordinance. Where such an investigation indicates the potential for erosion and erosion control plan shall also be submitted.

If the area is to be graded, a plan showing the nature of cuts and fills and evidence provided in a site investigation that such grading will be stable.

Section 23. MAJOR LAND PARTITION, FINAL PLAT - PROCEDURE FOR REVIEW.

(1) Within one year after approval of the preliminary plat, or such extension as may have been granted by the City, the partitioner shall cause the proposed partition to be surveyed and a plat thereof prepared in conformance with the preliminary plat as approved or conditionally approved.

An original reproducible drawing and five (5) blueline or blackline prints of the plat shall be submitted to the City. The tracing and prints are in addition to those required by Oregon Statutes.

The final plat shall conform to the requirements of Sections 24, 25 and 26.

No partitioner shall submit a plat of a partition for record, until all requirements of ORS 209.250 and the plat requirements of the partition have been met

(2) The City Recorder shall forward a copy of the plat and other data to the City Engineer, who shall examine it to determine that the partition as shown is substantially the same as it appeared on the preliminary plat, as approved; that all provisions of the law and this ordinance applicable at the time of approval of the preliminary plat have been complied with; and that the plan is technically correct.

The City Engineer may make checks in the field as he may desire to verify that the map is sufficiently correct on the ground and he may enter the property for this purpose.

If the City Engineer determines that full conformity has not been made, the City shall advise the applicant of the changes or additions that must be made for these purposes, and shall afford the applicant an opportunity to make the changes or additions. If the City Engineer determines that full conformity has been made, he shall so certify on the plat and shall transmit the plat to the City for further review.

(3) The Planning Commission shall review the final plat to determine that it conforms with the preliminary plat and with changes permitted and all requirements imposed as a condition of its acceptance.

If the Planning Commission determines that the plat submitted does not conform to the preliminary plat or applicable conditions, the applicant shall be afforded an opportunity to make corrections.

(4) Prior to the approval of the final plat by the Planning Commission, the applicant shall complete improvements as proposed or enter into an agreement for improvements together with a bond, pursuant to the provisions of Sections 16 and 17.

(5) If the final plat conforms to the preliminary plat and applicable conditions have been met, the President of the Planning Commission shall sign and date the final plat.

(6) The applicant shall deliver the final plat to the County Surveyor for review and recording according to the requirements of ORS 92. Approval of the plat shall be null and void if the plat is not recorded within 90 days after the date the last required approving signature has been obtained.

(7) The partition is considered complete after the final plat is recorded by the County Clerk.

(8) The County Surveyor shall furnish the City with a copy of the recorded plat.

Section 24. FORM OF PLAT.

(1) The partition plat shall be prepared in accordance with the requirements of Section 54 and State laws, including but not limited to ORS 92.080 and ORS 92.120.

(2) The format of the plat shall be as follows:

Permanent black india type ink or silver halide permanent photocopy, upon material that is 18 inches by 24 inches in size with an additional three inch binding edge on the left side when required by the County Clerk or the County Surveyor, that is suitable for binding and copying purposes, and that has such characteristics of strength and permanency as may be required by the County Surveyor. The partition plat shall be of such a scale as required by the County Surveyor. The lettering of the approvals, the dedication, the affidavit of the surveyor, and all other information shall be of such a size or type as will be clearly legible, but no part shall come nearer any edge of the sheet than one (1) inch. The partition plat may be placed on as many sheets as necessary, but a face sheet and index page shall be included for partition plats of three (3) or more sheets.

(3) The plat shall contain the information contained in Section 25 and 26.

Section 25. INFORMATION ON FINAL PARTITION PLAT.

(1) The name of the partition, the date the plat was prepared, the scale, northpoint, legend and existing features such as highways and railroads.

(2) Legal description of the partition boundaries.

(3) Reference and bearings to adjoining surveys.

(4) The locations and descriptions of all monuments found or set shall be carefully recorded upon all plats and the proper courses and distances of all boundary lines shall be shown.

(5) Exact location and width of streets and easements intersecting the boundary of the subdivision.

(6) Partition and lot boundary lines.

Numbering of lots as follows:

a. Lot numbers beginning with the number '1' and numbered consecutively in each block. Number sequence to generally follow the same system as sections are numbered in a township.

(7) Acreage of each parcel.

(8) Street right-of-way center lines with dimensions to the nearest .01 of a foot, bearings or deflection angles, radii, arc, points of curvature, chord bearings and distances, and tangent bearings. Partition boundaries, lot boundaries, and street bearings shall be shown to the nearest 30 seconds.

(9) The name and width of the streets being dedicated, the width of any existing right-of-way, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.

(10) Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, there shall be written statement of the easement. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the partition must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.

(11) Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the partition.

(12) Parcels to be dedicated shall be distinguished from lots intended for sale with acreage and alphabetical symbols for each parcel indicated.

(13) Any conditions specified by the Commission or Council upon granting preliminary approval.

(14) A statement of water rights noted on the partition plat.

Section 26. Certification and Supplemental Data. The certification and supplemental data shall be submitted with the final map as required by Section 14 & 15.

MINOR LAND PARTITION

(Includes Creation of a Street)

Section 27. Procedure for Review.

(1) The applicant shall submit ten copies of a tentative partition plan, a completed application form and the fee required by Section 57. The tentative partitions plan shall follow the format outlined in Section 29.

(2) The City shall review the tentative partition plan to determine its conformity with the minimum standards of Section 28. The City Recorder shall coordinate his review with county, state and federal agencies and special districts that may have an interest in the partition.

(3) The City Recorder may approve, deny or attach conditions to the approval of a tentative partition plan. The City Recorder may apply only those conditions necessary to bring the tentative partition plan in conformance with the minimum standards of Section 28. The City Recorder's decision shall meet the requirements of 11.060(6) of the Zoning Ordinance.

(4) A decision of the City Recorder may be appealed by the applicant to the Planning Commission in conformance with the provisions of Section 11.070(1) of the Zoning Ordinance.

(5) The tentative partition plan approval shall be binding on the City and the partitioner for the purpose of preparing a final partition plat, provided that there are no changes of the plan of the partition and it complies with all conditions set forth by the City in its tentative partition plan approval.

(6) The tentative partition plan shall be valid for one year from the date of its approval. The City Recorder may, upon written request by the applicant, grant an extension of the tentative plan approval for a period of one year. In granting an extension, the City Recorder shall make a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan.

(7) The applicant shall submit a final partition plat prior to the expiration of the tentative partition plan approval.

(8) No partitioner shall submit a plat of a partition for record until all requirements of ORS 209.250 and the plat requirements of the partition have been met.

(9) The final partition plat shall conform to the information requirements of Section 42. The City Recorder shall review the final partition plat to determine that it conforms with the tentative plan and any applicable conditions.

(10) If the City Recorder determines that the partition plat submitted does not conform to the tentative plan or applicable conditions, the applicant shall be afforded an opportunity to make corrections.

(11) If the final plat conforms to the tentative plan and applicable conditions, the City Recorder shall sign and date the final plat.

(12) The applicant shall deliver the final plat to the County Surveyor for review and recording according to the requirements of ORS 92.

(13) The partition is considered complete after the final plat is recorded by the County Clerk.

(14) The County Surveyor shall furnish the City with a copy of the recorded plat.

Section 28. Minimum Standards. The minimum standards for design and improvements in a minor land partitioning shall conform to Sections 34, 35, 37, 38, 41 and 53.

Section 29. Information on Tentative Partition Plan. The tentative partition plan shall include the following information:

The preliminary plat shall include the following information:

(1) A sketch of the original parcel of land (all contiguously owned land) on an 8 1/2' by 11' sheet of paper. If a surveyor has prepared a preliminary or final survey for the property, the sketch may be submitted at one of the following standard survey sizes: 8 1/2' x 13', 11' x 17', or 18' x 24'.

(2) The date, northpoint, and scale of the drawing.

(3) Names and addresses of the owner, applicants, engineer and or surveyor employed in the preparation of the plan.

(4) The amount of acreage in the original parcel and the acreage of the resulting parcels, and dimensions of all parcels.

(5) The location, names and widths of all streets and easements adjacent to and within the parcel to be partitioned.

(6) The existing use or uses of the property, including locations of all structures on the property.

(7) The width and location of all proposed easements for drainage or public purposes.

(8) Approximate location of physical features such as wetlands and streams on the property, when required by the City Recorder.

(9) When required, a site investigation as required by the Hazards Overlay Zone provisions of the Zoning Ordinance.

Section 30. Form of Plat.

(1) The partition plat shall be prepared in accordance with the requirements of this Section 54, and State laws, including but not limited to ORS 92.080 and ORS 92.120.

(2) The format of the plat shall be as follows:

Permanent black india type ink or silver halide permanent photocopy, upon material that is 18 inches by 24 inches in size with an additional three (3) inch binding edge on the left side when required by the County Clerk or the County Surveyor, that is suitable for binding and copying purposes, and that has such characteristics of strength and permanency as may be required by the County Surveyor. The subdivision or partition plat shall be of such a scale as required by the County Surveyor. The lettering of the approvals, the dedication, the affidavit of the surveyor, and all other information shall be of such a size or type as will be clearly legible, but no part shall come nearer any edge of the sheet than one (1) inch. The partition plat may be placed on as many sheets as necessary, but a face sheet and index page shall be included for partition plats of three (3) or more sheets.

(3) The plat shall contain the information contained in Section 31.

Section 31. Information on Final Plat. The following information shall be shown on the final plat:

(1) The date, northpoint and scale of the partition plat.

(2) The partition plat number.

(3) Legal description of the partition boundaries.

(4) Reference and bearings to adjoining surveys.

(5) The locations and descriptions of all monuments found or set shall be carefully recorded upon all plats and the proper courses and distances of all boundary lines shall be shown.

(6) Exact location and width of streets and easements intersecting the boundary of the partition.

(7) Lot boundary lines and their dimensions.

(8) Acreage of each lot.

(9) Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, there shall be a written statement of the easement. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the partition must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.

(10) Any conditions specified by the City upon granting preliminary approval.

(11) A statement of water rights noted on the partition plat.

(12) Certifications as required by the County Surveyor.

(13) A copy of the acknowledgment from State Water Resources Department under ORS 97.122 if the person offering the partition plat for filing indicates on the statement of water rights that a water right is appurtenant to the partition.

Section 32. Principles of Acceptability A land division, whether by a subdivision, creation of a street, or a partitioning, shall conform to any development plans, shall take into consideration any preliminary plans made in anticipation thereof, and shall conform to the design standards established by this ordinance. The City Engineer shall prepare and submit to the City Council specifications to supplement the standards of this ordinance, based on standard engineering practices, concerning streets, drainage facilities, sidewalks, sewer and water systems.

Section 33. Streets.

(1) The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. Where location is not shown in a development plan, the arrangement of streets shall either:

a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

b. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

(2) Street Widths. Street widths shall conform with City standards, except where it can be shown by the land divider, to the satisfaction of the Planning Commission, that the topography or the small number of lots or parcels served and the probable future traffic development are such as to unquestionably justify a narrower width. Increased widths may be required where streets are to serve commercial property, or where probable traffic conditions warrant. Approval or determination of street and area classification shall be made by the Planning Commission taking into consideration the zoning designations imposed by the Comprehensive Plan and the Development Code, the present use and development of the property in the area, the logical and reasonable prospective development of the area based upon public needs and trends, and the public safety and welfare.

(3) Alignment. As far as is practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in 'T' intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction, and in no case, shall be less than 150 feet.

(4) Future Street Extension. Where necessary to give access to, or permit a satisfactory future division of adjoining land, streets shall extend to the boundary of the subdivision or partition, and the resulting dead-end streets may be approved without a turnaround. Reserve strips including street plugs may be required to preserve the objectives of street extensions.

(5) Intersection Angles. Streets shall intersect at angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 60 degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an

acute angle of less than 80 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, the intersection of more than two streets at any one point will not be approved.

(6) Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land division.

(7) Reserved Strips. No reserved strips controlling the access to public ways will be approved unless the strips are necessary for the protection of the public welfare, and in these cases they may be required. The control and disposal of the land comprising the strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission.

(8) Half Streets. Half streets shall be prohibited except they may be approved where essential to the reasonable development of the subdivision or partitions when in conformity with the other requirements of these regulations, and when the Planning Commission finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be platted within the tract. Reserve strips may be required to preserve the objectives of half streets.

(9) Cul-de-Sac. A cul-de-sac shall be as short as possible and shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a circular turnaround.

(10) Alleys. When any lots or parcels are proposed for commercial or industrial usage, alleys of at least 20 feet in width may be required at the rear thereof with adequate ingress and egress for truck traffic unless alternative commitments for off-street service truck facilities without alleys are approved. Intersecting alleys shall not be permitted.

(11) Grades and Curves. Grades shall not exceed 6% on arterials, 10% on collector streets, or 12% on other streets. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 feet. Where existing conditions, particularly the topography, make it otherwise impracticable to provide buildable sites, the Planning Commission may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least .5%.

(12) Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(13) Street Names. All street names shall be approved by the Planning Commission for conformance with the established pattern and to avoid duplication and confusion.

(14) Private Streets. The design and improvement of any private street shall be subject to all requirements prescribed by this ordinance for public streets. The land divider shall provide for the permanent maintenance of any street required for access to property in a private street subdivision or a major partition.

Section 34. Utility Easements. Easements for sewer, drainage, water mains, public utility installations, including overhead or underground systems, and other like public purposes shall be dedicated, reserved or granted by the land divider in widths not less than five (5) feet on each side of the rear lot or parcel lines, alongside lot or parcel lines and in planting strips wherever necessary, provided that easements of width, such as for anchorage, may be allowed when the purposes of easements may be accomplished by easements of lesser width as approved by the City.

Section 35. Building Sites.

(1) Size and Shape. The size, width, shape and orientation of building sites shall be consistent with the residential lot size provisions of the Development Code with the following exceptions.

(a) In areas that will not be served by a public sewer, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and shall take into consideration problems of sewage disposal, particularly problems of soil structure and water table as related to sewage disposal by septic tank.

(b) Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(2) Access. Each lot and parcel shall abut upon a street other than an alley for a width of at least 25 feet.

(3) Through Lots and Parcels. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide and across which there shall be no right of access may be required along the line of building sites abutting such a traffic artery or other incompatible use.

(4) Lot and Parcel Side Lines. The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

Section 36. Blocks.

(1) General. The length, width and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the limitations of the topography.

(2) Size. No block shall be more than 1,000 feet in length between street corner lines unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,800 feet. A block shall have sufficient width to provide for two tiers of building sites unless topography or the location of adjoining streets justifies an exception.

(3) Walkways. The applicant may be required to dedicate and improve ten (10) foot walkways across blocks over 600 feet in length or to provide access to school, park, or other public areas.

Section 37. Large Building Sites. In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size.

Section 38. Water Courses. The land divider shall, subject to riparian rights, dedicate a right-of-way for storm drainage purposes, conforming substantially with the lines of any natural water course or channel, stream or creek that traverses the subdivision or partitions, or, at the option of the land divider, provide, by dedication, further and sufficient easements or construction, or both to dispose of the surface and storm waters.

Section 39. Land for Public Purposes.

(1) The Planning Commission may require the reservation for public acquisition, at a cost not to exceed acreage values in the area prior to subdivision, or appropriate areas within the subdivision for a period not to exceed one year providing the City has an interest or has been advised of interest on the part of the State Highway Commission, school district or other public agency to acquire a portion of the area within the proposed subdivision for a public purpose, including substantial assurance that positive steps will be taken in the reasonable future for the acquisition.

(2) The Planning Commission may require the dedication of suitable areas for the parks and playgrounds that will be required for the use of the population which is intended to occupy the subdivision.

Section 40. Unsuitable Land.

The Planning Commission may refuse to approve a subdivision or partition when the only practical use which can be made of the property proposed to be subdivided or partitioned is a use prohibited by this code or law, or if the property is deemed unhealthful or unfit for human habitation or occupancy by the County or State health authorities, or, if the property is deemed unhealthful or unfit for human habitation or occupancy by the county or state health authorities.

Section 41. Land Subject to Inundation. If any portion of land proposed for development is subject to overflow, inundation or flood hazard by, or collection of, storm waters, an adequate system of storm drains, levees, dikes and pumping systems shall be provided.

Section 42. Proposed Name of Subdivision.

No tentative subdivision plat or subdivision plan or subdivision shall be approved which bears a name approved by the County Surveyor or County Assessor, which is the same as similar to or pronounced the same as the name of any other subdivision in Tillamook County unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name, or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot numbers and if used, the block numbers of the subdivision plat of the same name last filed.

MIDDLE HOUSING LAND DIVISIONS

Section 43. Applicability

A middle housing land division applies to partition or subdivision of duplexes, triplexes, quadplexes, or cottage cluster dwellings and projects within residential zoning districts.

Section 44. Process

(1) Unless an applicant requests that the application be reviewed under the procedures set forth in this Article, a middle housing land division shall be processed as provided under ORS 197.360 through ORS 197.380, in-lieu of the procedures set forth in this Article.

(2) A middle housing land division application may be submitted when:

(a) The site is developed with middle housing;

(b) The site has an active building permit to construct middle housing;

(c) The application is being reviewed concurrently with a building permit application for construction of middle housing; or

(d) The application is being reviewed with a site plan for proposed detached middle housing in compliance with Section 45 of this Article.

(3) Completeness Review. The City Recorder, or his or her designee, shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 21 calendar days after the City receives the application submittal.

(a) If the application for a land division is incomplete, the local government shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.

(b) If the application was complete when first submitted or the applicant submits the additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were in effect at the time the application was first submitted.

(4) Notification.

(a) The City Recorder, or his or her designee, shall provide written notice of the receipt of the completed application for a Middle Housing Land Division or Expedited Land Division to all of the following:

(i) The applicant and/or authorized representative;

(ii) The owner(s) of record of the subject property;

(iii) Owners of record within 100 feet of the perimeter of the subject property; and

(iv) Any state agency, local government or special district responsible for providing public facilities or services to the development.

(b) The notice shall state:

(i) The street address or other easily understood geographical reference to the subject property;

(ii) The place, date and time that comments are due;

(iii) A time and place where copies of all evidence submitted by the applicant will be available for review;

(iv) The applicable criteria for the decision;

(v) The name and telephone number of a local government contact person;

(vi) A brief summary of the local decision-making process for the Middle Housing Land Division;

(vii) The deadline for submitting written comments;

(viii) That issues that may provide the basis for an appeal to the hearings officer must be raised in writing prior to the expiration of the comment period; and

(ix) That issues must be raised with sufficient specificity to enable the local government to respond to the issue.

(c) After notification according to the procedure set out above, the City Recorder, or his or her designee, shall provide a 14-day period for submission of written comments prior to the decision.

Section 45. Submittal Requirements

The following submittal requirements shall apply to a middle housing land division application:

(1) General Information:

(a) Vicinity map showing all streets, property lines, streams, and other pertinent data to locate the proposal.

(b) North arrow and scale of drawing.

(c) Tax map and tax lot number or tax account of the subject property.

(d) Dimensions and size in square feet or acres of the subject property and of all proposed parcels.

(2) Existing Conditions

(a) Location of all existing easements within the property.

(b) Location of City utilities (water, sewer, and storm drainage) within or adjacent to the property proposed for use to serve the development.

(c) The location and direction of water courses or drainage swales on the subject property.

(d) Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.

(e) The location, width, and names of all existing streets, flag lot accessways, and public accessways abutting the perimeter of the lot;

(f) Driveway locations, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements;

(3) Proposed Site Plan:

(a) Locations, approximate dimensions and area in square feet of all proposed lots. All lots shall be numbered consecutively;

(b) Location, width, and purpose of any proposed easements;

(c) The location, width, and names of all existing streets, flag lot accessways, and public accessways abutting the perimeter of the subject property;

(d) The location and use of all buildings and accessory structures that will be located on each proposed lot, indicating the distance of such buildings and accessory structures to proposed lot lines and to adjacent structures on abutting lots;

(e) The location, dimensions, and use of all existing and proposed public areas, including, but not limited to, stormwater management facilities and detention facilities;

(f) Landscaping plan indicating location of existing vegetation and proposed improvements.

(g) Statement of improvements to be made or installed including streets, sidewalks, bikeways, trails, lighting, tree planting, landscaping, and time such improvements are to be made or completed.

(h) Written statement outlining proposals for ownership and maintenance of all open space areas and any commonly owned facilities.

(4) Proposed Site Plan for Detached Middle Housing. Middle housing land division applications being reviewed with a site plan for proposed detached middle housing under subsection 44(2)(d) must include the following to identify the buildable area for each resulting lot or parcel:

(a) Existing and proposed easements.

(b) Percent of lot coverage allocated for each child lot or parcels.

(c) Setback dimensions for all existing and proposed buildings.

Section 46. Decision Criteria

The tentative plan of a middle housing land division shall be approved if all of the following criteria are met:

(1) The middle housing land division is for an existing or proposed middle housing development.

(2) The existing or proposed middle housing development will comply with the applicable provisions of the Building Code and the Oregon residential specialty code, as those standards apply to the buildings and accessory structures on the proposed lots subsequent to division.

(3) The tentative plan results in exactly one dwelling unit on each proposed lot, except for lots or tracts used as common areas.

(4) Separate utilities are provided for each dwelling unit.

(5) All access and utility easements necessary to serve each dwelling unit are provided on the tentative plan for:

(a) Locating, accessing, servicing, and replacing all utilities
(b) Pedestrian access from the primary entrance of each dwelling unit to a public or private street;
(c) Any driveways or off-street parking;
(d) Any common use areas or shared building elements; and
(e) Any common area.

(6) The type of middle housing on the existing lot is not altered by the proposed middle housing land division.

Section 47. Decision.

The City Recorder, or his or her designee, shall make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the applicable requirements of This Article.

(1) Approval may include conditions to ensure that the application meets the applicable regulations.

(2) For Middle Housing Land Division applications, the City Recorder, or his or her designee:

(a) Shall not hold a hearing on the application; and

(b) Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination.

(3) The decision shall include a statement of the facts upon which the decision authority relied to determine whether the application satisfied or failed to satisfy each applicable approval criteria.

(4) Notice of the decision shall be provided to the applicant and to those who received notice under subsection 44(4) within 63 days of the date of a completed application. The notice of decision shall include:

(a) The summary statement included with the written decision; and

(b) An explanation of appeal rights under ORS 197.375 (Appeal of decision on application for expedited land division).

Section 48. Conditions of Approval.

Conditions may not be placed on the approval of a middle housing land division except to:

(1) Prohibit further division of the resulting lots;

(2) Prohibit the construction of an accessory dwelling unit on any of the resulting lots;

(3) Require dedication of right-of-way when an existing street abutting the property does not conform to the requirements of city standards;

(4) Require boundary street improvements when an existing street abutting the property does not conform to the requirements of city standards; and

(5) Require a notation on the final plat indicating that the approval of the land division was given under ORS 92.031.

Section 49. Process for Final Plat Approval

(1) A final plat shall be submitted to the City Recorder. After the final plat has been submitted, the City Staff shall review and compare it with the approved tentative plat to ascertain whether the final plat conforms substantially to the approved tentative plat and with such conditions of approval as may have been imposed.

(2) No final plat shall be approved unless:

(a) The plat is in substantial conformance with this Ordinance and the provisions of the tentative plat as approved, including any conditions imposed in connection therewith;

(b) The plat contains land free and clear of all liens and encumbrances. All dedications to the public of all public improvements, including but not limited to streets, roads, sewage disposal and water supply systems, the donation of which is required by this Ordinance or was made a condition of the approval of the tentative plat;

(c) Any common areas or improvements to be held jointly by the future owners of the lots or by a Homeowners Association are indicated on the plat with the appropriate references to the structure of ownership. Any bylaws or agreements subject to approval by the City will be approved before the City Recorder signs the plat.

(d) The City received adequate assurances that the applicant has agreed to make all public improvements which are required as conditions of approval of the tentative plan, including but not limited to streets, alleys, pedestrian ways, storm drainage, sewer, and water systems. The provisions for providing adequate assurance are subject to the Public Works Department and City Engineer requirements.

(e) A notice in the form of a restrictive covenant must be recorded with the County which states:

i) The middle housing lot or parcel cannot be further divided.

ii) No more than one dwelling unit of middle housing can be developed on each middle housing lot.

iii) Accessory dwelling units are not permitted.

iv) The dwelling developed on the middle housing lot or parcel is a unit of middle housing and is not an attached or detached dwelling unit or any other housing type.

(f) If the middle housing land division application is being reviewed with a site plan for proposed detached middle housing, the covenant described in subsection (2)(e) of this section must limit the buildable area for each resulting lot or parcel in compliance with the site plan submitted.

(3) If the City Recorder finds that conditions specified in subsection (2) of this section have not been met, the applicant shall be advised of the changes that must be made and afforded the opportunity to comply. Rejection of a final plat shall not affect the tentative plan approval.

(4) When the City Recorder finds that the final plat is in substantial conformity to the approved tentative plan and is otherwise in lawful form, and is approved by the City Engineer, the City Recorder shall sign and date the final plat.

(5) Following endorsement of the plat by the City Recorder and the City Engineer, the applicant shall submit the plats to the Tillamook County Surveyor for final review and compliance with applicable state and county regulations.

(6) Effective Date for Final Plat Approval. The approval process for a development shall become final upon the recording of the approved final plat with the County, together with any required documents. A copy of the recorded plat and documents shall be submitted to the City. Approved final plats shall become void one year after final City approval if they are not recorded.

(7) A middle housing land division tentative plan is void if and only if a final plat is not approved within 3 years of the tentative approval.

Section 50. Appeals

Any appeal of a middle housing land division must be as provided in ORS 197.375.

IMPROVEMENTS

Section 51. Improvement Standards and Approval In addition to other requirements, all improvements shall conform to the requirements of this ordinance and any other improvement standards or specifications adopted by the City, and shall be installed in accordance with the following procedure:

(1) Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for the evaluation of the proposal, the plans may be required before approval of the preliminary plat of a subdivision or partition. All plans shall be prepared in accordance with requirements of the City.

(2) Improvement work shall not be commenced until the City has been notified in advance, and if work has been discontinued for any reason, it shall not be resumed until the City has been notified.

(3) All required improvements shall be constructed under the inspection, and to the satisfaction, of the City. The City may require changes in typical section and details if unusual conditions arise during construction to warrant such change in the interests of the City.

(4) All underground utilities, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of such streets. Stubs for service connections for all underground utilities and sanitary sewers shall be placed to such length as will obviate the necessity for disturbing the street improvements when service connections are made.

(5) A map showing all public improvements as built shall be filed with the City Recorder upon completion of the improvements.

Section 52. Improvement Requirements. Improvements to be installed at the expense of the subdivider or applicant and at the time of subdivision or partition:

(1) Streets. Public streets, including alleys, within the subdivision and public streets adjacent but only partially within the subdivision shall be improved. Upon completion of the street improvement, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency on their center lines.

(2) Structures. Structures specified as necessary by the City, for drainage, access and public safety shall be installed.

(3) Sidewalks. Sidewalks shall be installed along both sides of each street and in pedestrian ways unless a variance has been granted by the Planning Commission.

(4) Sewers. Sanitary sewer facilities connecting with the existing City sewer system and storm water sewers, of design, layout and location approved by the City, shall be installed.

(5) Water. Water mains and fire hydrants of design, layout and locations approved by the City shall be installed.

(6) Railroad Crossings. Provision shall be made for all railroad crossings necessary to provide access to or including the preparation of all documents necessary for application to the Oregon State Public Utilities Commissioner for the establishment and improvement of such crossing. The cost of such railroad crossing improvement including, but not limited to, the construction of signals, and other protective devices required by the Public Utilities Commissioner, shall, except for that portion payable by the railroad company, be borne by the subdivider or applicant.

(7) Underground Utilities. This provision shall apply only to utility lines to be installed to provide service within the area to subdivided. Utility lines, including, but not limited to, electricity, communications, street lighting and cable television, shall be required to be placed underground. Appurtenances and associated equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets may be placed above the ground. The Planning Commission may waive the requirements of this section if topographical, soil, or other conditions make such underground installations unreasonable or impractical. The applicant shall make all necessary arrangements with the serving utility or agency for underground installations provided hereunder; all such installations shall be made in accordance with the tariff provisions of the utility, as prescribed by the State Public Utilities Commissioner.

(8) Street Lighting. Street lighting of an approved type shall be installed on all streets at locations approved by the City.

(9) Street trees. Street trees may be required by the City.

(10) Street Name Signs. All streets shall be legibly marked with street name signs, not less than two (2) in number at each intersection, according to specifications furnished by the City.

(11) Improvement of Easements. Whenever the safety of adjoining property may demand, any easement for drainage or flood control purposes shall be improved in a manner approved by the City.

(12) Off-Site Street Improvements. All off-site street improvements, where required shall conform to the standards of the City.

Section 53. Monuments.

(1) All monuments shall be set according to the provisions of ORS 92.060. In making the survey for the subdivision or partition, the surveyor shall set sufficient permanent monuments prior to recording so that the survey or any part thereof may be retraced according to Oregon Revised Statutes.

(2) Interior boundary and lot monuments for the subdivision or partition shall be marked by a registered land surveyor in accordance with ORS 92.060, and referenced in the plat. If the monuments are in place at the time the subdivision or partition is recorded, no performance bond is necessary. If monumentation is delayed beyond the date on which the subdivision is recorded, a bond must be posted to assure that the monuments will be set by a certain date, in accordance with ORS 92.065. The City shall determine the length of time and estimated amount of bond or cash deposit to guarantee payment of the cost of setting the interior monuments in the subdivision or partition.

Section 54. Survey Requirements.

(1) The survey and plat of the subdivision or partition shall be made by a registered professional land surveyor.

(2) The plat of the subdivision or partition shall be of such scale that all survey and mathematical information, and all other details may be clearly and legibly shown thereon.

(3) The survey for the plat of the subdivision or partition shall be of such accuracy that the linear error of closure shall not exceed one foot in 10,000 feet.

(4) All dimensions to be in feet and decimals of a foot, to the nearest .01 of a foot.

(5) In addition to showing bearing in degree, minutes and seconds of a degree and distances in feet and hundredths of a foot, the following curve information shall be shown on the subdivision or partition plat either on the face of the map or in a separate table:

(a) Arch length;

(b) Chord length;

(c) Chord bearing;

(d) Radius; and

(e) Central angle.

(6) The surveyor submitting any subdivision, condominium or partition plat that is within one-half mile of an established geodetic control monument, that has been approved by the National Geodetic Survey or has been approved and filed with the County Surveyor, shall by field survey according to Federal Geodetic Control Committee guidelines for Third Order Class II show the measured angles and distances from the geodetic control monument to the initial point of a subdivision or condominium or to a monumented boundary corner of a partition. If there is an azimuth mark for the geodetic control monument or if there is another geodetic control monument that is intervisible to the primary geodetic control monument, the bearing shall be based, if practicable, on the bearings between the geodetic control monument and the azimuth mark or the intervisible geodetic control monument.

(7) Not withstanding the provisions of Subsection (F) of this Section, the County Surveyor may waive the requirement of a distance and bearing to a geodetic control monument if the subdivision or condominium, or partition thereof, has previously furnished the required information.

VARIANCES, FEES AND ENFORCEMENT

Section 55. VARIANCE PROCEDURE.

(1) A property owner may initiate a request for a variance from the requirements of this ordinance by filing an application with the City pursuant to Section 12.070 of the Development Code. The Application shall be submitted at the same time as the application for a preliminary plat for a subdivision or major partition.

(2) Public notice shall be mailed to property owners within 200 feet of the boundary of a proposed subdivision and 200 feet of the boundary of a proposed partition. The content of the public notice shall be in accordance with Section 11.040(1) of the Zoning Ordinance.

(3) The Planning Commission shall hold a public hearing on the variance request in accordance with Section 11.060 of the Zoning Ordinance. For subdivisions and major partitions the hearing shall be held in conjunction with the hearing held on the subdivision or partition request.

(4) Planning Commission shall make a decision on the variance request in accordance with Section 11.060(6) of the Zoning Ordinance.

(5) A decision of the Planning Commission may be appealed to the City Council in accordance with Section 11.070 of the Zoning Ordinance.

Section 56. VARIANCE CRITERIA. Variances to the requirements of this ordinance may be granted where the following criteria are met:

(1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same vicinity, and result from tract size or shape, topography or other circumstances over which the owners of property since enactment of this ordinance have had no control.

(2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same vicinity possess.

(3) The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

(4) The variance requested is the minimum variance which would alleviate hardship.

Section 57. FILING FEES.

It shall be the responsibility of the applicant to pay for the full cost of processing permit applications. Such fees shall not be refundable. The applicant shall be billed for costs incurred at the conclusion of the City action on the permit request. However, in no case shall the actual cost exceed the cost to the City. Fees shall not include the cost of preparing transcripts for appeals. Fees for preparation of written transcripts shall not exceed the actual cost of preparing the transcript, up to $500, plus one half of the actual cost over $500.

Minimum Filing Fees:

Subdivision	$150
Major Partition	$100
Minor Partition	$50
Variance	$75
Appeal (No appeal Fee is Required for an appeal of the City Recorder's decision, on a minor partition, to the Planning Commission)	$75

Section 58. SEVERABILITY.

The provisions of this ordinance are severable. Should any section, clause, or provision of the ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 59. PENALTIES FOR VIOLATION.

In addition to penalties provided by State law, a person who violates or fails to comply with a provision of this ordinance shall, upon conviction thereof, be punished by a fine of not more than $500 or imprisonment for not more than 100 days, or both. A violation of the ordinance shall be considered a separate offense for each day the violation continues.

CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 2025-04

AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH COMPREHENSIVE PLAN RELATED TO MIDDLE HOUSING

WHEREAS, the City of Rockaway Beach ("City") recognizes that certain amendments to the Rockaway Beach Comprehensive Plan are needed to implement HB 2001 (2019), as directed by Senate Bill (SB) 406 ("Proposed Amendments"); and

WHEREAS, at a minimum, cities and unincorporated communities within Tillamook County served by water and sewer must permit all forms of middle housing - duplexes, triplexes, quadplexes, townhouses, and cottage clusters - in zones where single-family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities; and

WHEREAS, the Proposed Amendments also put in place design standards for triplex, quadplex, townhouse, and cottage cluster projects consistent with the Oregon Department of Land Conservation and Development's Model Code for Large Cities; and

WHEREAS, through regular Planning Commission meetings in September 2024 and March 2025, City staff and consultants Cascadia Partners worked with the Planning Commission to develop the Proposed Amendments to address updates for middle housing;

WHEREAS, on March 13, 2025, the City provided proper notice of the Proposed Amendments to the Department of Land Conservation and Development;

WHEREAS, on April 17, 2025, the Rockaway Beach Planning Commission conducted a properly noticed public hearing on the Proposed Amendments, and having received no objections, recommended that City Council adopt the Proposed Amendments;

WHEREAS, on_____, 2025, the City Council conducted a properly noticed public hearing and first and second reading on the Proposed Amendments; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Rockway Beach Planning Commission, and testimony and comments submitted at the public hearings, both orally and in writing, the Rockaway Beach City Council has made the findings of fact as set forth in Exhibit A.

NOW, THEREFORE, The City of Rockaway Beach ordains as follows:

Section 1. Findings. The City Council hereby adopts the Findings of Fact set forth in the above recitals and attached as Exhibit A as its basis for adopting the Proposed Amendments to the Rockaway Beach Comprehensive Plan.

Section 2. Amendments. The Rockaway Beach Comprehensive Plan is hereby amended, as shown in attached Exhibit B, to now read in full as shown in Exhibit C.

Section 3. Unamended Provisions. All unamended provisions of the Comprehensive Plan shall remain in full force and effect.

Section 4. Severability. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 5. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council _____.
2nd reading by the Rockaway Beach City Council _____.

Adopted and Approved by the Rockaway Beach City Council _____.

_____
Charles McNeilly, Mayor

City Council	Aye/Nay
Penny Cheek	/
Kiley Konruff	/
Tom Martine	/
Mary McGinnis	/
VACANT	/

Attest:

_____
Melissa Thompson, City Recorder

CITY OF ROCKAWAY BEACH
CITY COUNCIL ACTION

STAFF REPORT

Middle Housing Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan Changes
Case File: Ordinance 2025-02, 2025-03, and 2025-04
DLCD PAPA File: Amendment 001-25
Hearing Date: June 11, 2025

APPLICANT: City of Rockaway Beach

NATURE OF THE APPLICATION AND BACKGROUND ON THE REQUEST: The City of Rockaway Beach is proposing to amend the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan. The amendments to the Ordinances and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters. The City must take action to amend its development code and Comprehensive Plan policies by June 30, 2025, as directed by Senate Bill (SB) 406. The bill directs cities and unincorporated communities within Tillamook County served by water and sewer to permit all forms of middle housing—duplexes, triplexes, quadplexes, townhouses, and cottage clusters—in zones where single family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities which are implemented through state rules (OAR Division 660-046) and Middle Housing Model Code adopted by reference.

Zoning Ordinance Amendments:

- Section 1.030. Definitions
- Section 2.020. Classification of Zones
- Section 3.010. Single Family Zone (R-1)
- Section 3.020. Residential Zone (R-2)
- Section 3.030. Residential/Resort Zone (R-R)
- Section 3.040. Special Residential/Resort Zone (SRR)
- Section 3.050. Commercial Zone (C-1)
- Section 3.090. Lower Density Residential Zone (R-3)
- Section 3.091. Residential Manufactured Dwelling Zone (RMD)
- Section 3.142. Tsunami Hazard Overlay Zone
- Section 4.043. Multifamily Sitting Criteria
- Section 4.044. Townhouse Projects
- Section 4.045. Triplex and Quadplex Dwellings
- Section 4.046. Cottage Clusters
- Section 4.060. Off-Street Parking and Off-Street Loading Requirements
- Section 5.050. General Exceptions to Lot Size Requirements
- Section 5.060. General Exceptions to Yard Requirements
- Section 7.030. Change of Nonconforming Uses
- Section 10.030. Permitted Buildings and Uses
- Section 10.040. Development Standards

Subdivision Ordinance Amendments:

- Middle Housing Land Divisions
  - Section 43. Applicability
  - Section 44. Process
  - Section 45. Submittal Requirements
  - Section 46. Decision Criteria
  - Section 47. Decision
  - Section 48. Conditions of Approval
  - Section 49. Process for Final Plat Approval
  - Section 50. Appeals

Comprehensive Plan Amendments:

- Beaches and Dunes Policy
- Land Use Categories
- The Manhattan Residential/Resort Area
- The Special Residential/Resort Area
- The Single Family or Duplex Residential Area
- The Saltair Creek Residential/Resort Area (R-R)
- The East Rockaway Beach Residential Area (R)
- Housing Element
- Policies

Staff recommend to the Rockaway Beach City Council on June 11, 2025, adoption of the above listed amendments.

RELEVANT CRITERIA: The following standards apply to this request:

> **Rockaway Beach Zoning Ordinance. Article 9. Amendments.**
> Section 9.010. Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, Planning Commission, or by application of the property owner(s), contract purchaser(s), or his/her/their authorized agent.
>
> Section 9.015. Burden of Proof. The burden of proof is placed upon the initiator of the amendment. That burden shall be to prove:
>
> 1. The proposed amendment fully accords with applicable Comprehensive Plan goals and policies; and
> 2. The proposed amendment is required to meet a land use need.

- **Rockaway Beach Comprehensive Plan. The Planning Process.**
  Amendments to the text of the comprehensive plan shall be made only where findings have been adopted that the following criteria are met:
  A. The amendment is consistent with the comprehensive plan's goals and policies; and
  B. The amendment is necessary to meet a land use need.

- **Oregon's Statewide Land Use Planning Goals. 1-19.**

NOTIFICATION: The Department of Land Conservation and Development (DLCD) was provided notice of the proposed legislative amendments on March 13, 2025. Notice of this public hearing was posted online on the City website and was published in the Headlight Hearld.

COMMENTS: Comments from the Department of Land Conversation and Development and the Oregon Fair Housing Council are attached to this report.

DISCUSSION OF REQUEST: This draft set of amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, implement HB 2001 (2019), as directed by Senate Bill (SB) 406. At a minimum, cities and unincorporated communities within Tillamook County served by water and sewer must permit all forms of middle housing - duplexes, triplexes, quadplexes, townhouses, and cottage clusters - in zones where single-family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities. The amendments also put in place design standards for triplex, quadplex, townhouse, and cottage cluster projects consistent with DLCD's Model Code for Large Cities.

FINDINGS: Planning staff finds the following:

1. The amendment is consistent with applicable Comprehensive Plan goals and policies.

   FINDING: This criterion has been met. As stated in this report, the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters, as directed by Senate Bill (SB) 406. The proposed amendments correspond with one another to allow for consistency of the Comprehensive Plan. The amendments are consistent with current Comprehensive Plan policies as follows:

   - Cluster development is to be encouraged, thus saving energy in construction, maintenance and heating.
   - The City shall support all efforts to provide low or moderate income housing in and around Rockaway Beach, and shall cooperate with the Tillamook County Housing Authority, and Northwest Oregon Housing Association.
   - The Land use Element of the comprehensive plan and the zoning ordinance shall designate areas within the City where multifamily dwellings may be located, and where mobile home parks may be developed. It is assumed that low cost multi-family housing developed with public or private financing can be located anywhere other multi-family housing is allowed.

2. The amendment is required to meet a land use need.

   FINDING: This criterion has been met. As stated in this report, the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan are necessary to meet state requirements for duplexes, triplexes, quadplexes, townhouses and cottage clusters, as directed by Senate Bill (SB) 406. The bill directs cities and unincorporated communities within Tillamook County served by water and sewer to permit all forms of middle housing—duplexes, triplexes, quadplexes, townhouses, and cottage clusters—in zones where single family dwellings are permitted, consistent with the state's adopted rules for Middle Housing in Large Cities which are implemented through state rules (OAR Division 660-046) and Middle Housing Model Code adopted by reference.

3. Oregon's Statewide Land Use Planning Goal 1. Citizen Involvement: *to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

   FINDING: This criterion has been met. The Rockaway Beach City Council, Planning Commission and the public had numerous opportunities to become aware and engaged in the process related to the required middle housing amendments. These opportunities included work sessions, a Town Hall meeting, a public hearing with the Planning Commission and this public hearing. Additionally, notice of this public hearing was posted online on the City website and was published in the Headlight Hearld.

4. Oregon's Statewide Land Use Planning Goal 2. Land Use Planning: *to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

   FINDING: This criterion has been met. The proposed amendments reflect due consideration of housing related state laws and administrative rules consistent with providing a factual basis for land use decisions.

5. Oregon's Statewide Land Use Planning Goal 3. Agricultural Lands

   FINDING: This criterion is not applicable.

6. Oregon's Statewide Land Use Planning Goal 4. Forest Lands

   FINDING: This criterion is not applicable.

7. Oregon's Statewide Land Use Planning Goal 5. Natural Resources, Scenic and Historic Areas, and Open Spaces

   FINDING: This criterion is not applicable.

8. Oregon's Statewide Land Use Planning Goal 6. Air, Water and Land Resources Quality

   FINDING: This criterion is not applicable.

9. Oregon's Statewide Land Use Planning Goal 7. Areas Subject to Natural Hazards

   FINDING: This criterion is not applicable.

10. Oregon's Statewide Land Use Planning Goal 8. Recreational Needs

    FINDING: This criterion is not applicable.

11. Oregon's Statewide Land Use Planning Goal 9. Economic Development

    FINDING: This criterion is not applicable.

12. Oregon's Statewide Land Use Planning Goal 10. Housing: *to provide for the housing needs of the citizens of the state*

    FINDING: This criterion has been met. The proposed amendments will allow duplexes, triplexes, quadplexes, townhouses, and cottage clusters in zones where single-family dwellings are permitted. These amendments are made at the direction of the state to make room for middle housing to address the state's housing shortfall and meet the public need. The allowance of middle housing in all residentially zoned areas should address the housing production needs identified in the 2019 Housing Needs Analysis (HNA). At the time the HNA was drafted, "66-80% of the total housing stock [was] owned by part-time residents". While the Buildable Lands Inventory (BLI) identified a surplus of residential buildable lands, low wages and high housing costs have been barriers to housing production for full-time residents.

13. Oregon's Statewide Land Use Planning Goal 11. Public Facilities and Services: *to plan efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

    FINDING: This criterion has been met. The proposed amendments address the coordination for public facilities and services necessary to provide for middle housing within the UGB.

14. Oregon's Statewide Land Use Planning Goal 12. Transportation

    FINDING: This criterion is not applicable.

15. Oregon's Statewide Land Use Planning Goal 13. Energy Conservation

    FINDING: This criterion is not applicable.

16. Oregon's Statewide Land Use Planning Goal 14. Urbanization

    FINDING: This criterion is not applicable.

17. Oregon's Statewide Land Use Planning Goal 15. Wilamette River Greenway

    FINDING: This criterion is not applicable.

18. Oregon's Statewide Land Use Planning Goal 16. Estuarine Resources

    FINDING: This criterion is not applicable.

19. Oregon's Statewide Land Use Planning Goal 17. Coastal Shorelands

    FINDING: This criterion is not applicable.

20. Oregon's Statewide Land Use Planning Goal 18. Beaches and Dunes

    FINDING: This criterion is not applicable.

21. Oregon's Statewide Land Use Planning Goal 6. Ocean Resources

    FINDING: This criterion is not applicable.

CONCLUSION: The findings of the planning staff support the proposed amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, which were recommended for approval by the Rockaway Beach Planning Commission on April 17, 2025.

The amendments are consistent with the applicable criteria.

Accordingly, the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan shall be updated to reflect the changes as presented.

In making a decision, the Rockaway Beach Council Commission may recommend approval of the amendments to the City of Rockaway Beach Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan, as recommended by planning staff or with modifications.

From: MARQUARDT Ryan * DLCD
To: City Planner
Cc: ESTES Brett * DLCD
Subject: RE: HB 4064
Date: Wednesday, May 14, 2025 8:20:17 AM

Hi Mary,
Apologies that it took me a while to do a more in-depth review. Everything in the zoning code amendments looks to be in good shape.

I have one observation about the middle housing land division amendments. The codification of ORS 92.031 looks good overall. There are some parts of the amendments that go beyond what is in ORS (e.g. existing conditions requirements, city manager approval process). While I don't see those as inherently problematic, the city does assume some risk in codifying requirements, processes, and criteria beyond what is established in statute. We'd recommend consulting the city's legal counsel if you have questions or concerns about this.

Ryan Marquardt, AICP
Housing Planner | Housing Accountability and Production Office
Pronouns: he/him
Cell: 971-375-5659 | Main: 503-373-0050
ryan.marquardt@dlcd.oregon.gov | www.oregon.gov/LCD

From: City Planner <cityplanner@corb.us>
Sent: Thursday, April 17, 2025 3:14 PM
To: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>
Subject: RE: HB 4064

> You don't often get email from cityplanner@corb.us. Learn why this is important

Hi Ryan,

Thank you for your response. I look forward to hearing if you have any concerns regarding our middle housing code once you've had a chance to review it more thoroughly.

Mary Johnson
City Planner
City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
www.corb.us | cityplanner@corb.us

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From: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>

Sent: Thursday, April 17, 2025 11:02 AM
To: City Planner <cityplanner@corb.us>
Cc: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Subject: RE: HB 4064

Hi Mary,
Regarding the middle housing code revisions – the amendments look good. On the whole, it appears that the amendments are in alignment with OAR 660-046 and ORS 92.031, though I didn't do a line-by-line reading of the amendments compared with the state statute and rules.

Regarding manufactured dwellings and regulations in 4.091 and 4.095 – it does appear that these sections are out of compliance with SB 406. See highlighted text in ORS 197.478(4) for the regulations that can apply to a manufactured dwelling - https://www.oregonlegislature.gov/bills_laws/ors/ors197.html#:~:text=(4)%20A%20local%20government%20may%20not%20subject,Dwelling%20Code%20as%20defined%20in%20ORS%20455.010. Consistent with ORS 197.646, the city should review manufactured housing consistent with the ORS until amendments to these code sections are adopted.

In the next week, I'll try to do a more thorough review of the middle housing amendments. Please let me know if you have any questions at this point.
Thanks!
-Ryan

Ryan Marquardt, AICP
Housing Planner | Housing Accountability and Production Office
Pronouns: he/him
Cell: 971-375-5659 | Main: 503-373-0050
ryan.marquardt@dlcd.oregon.gov | www.oregon.gov/LCD

From: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Sent: Thursday, April 17, 2025 10:14 AM
To: City Planner <cityplanner@corb.us>
Cc: MARQUARDT Ryan * DLCD <Ryan.Marquardt@dlcd.oregon.gov>
Subject: RE: HB 4064

Hi Mary,

I am pulling in Ryan Marquardt on this question to see if he can fill in any gaps on this issue the consultant raised. Ryan, see below from Mary in Rockaway Beach.

Mary, I would note that Ryan is also working to review the code amendments going to Planning Commission. He is doing his best to get any comments to you as soon as possible. I wanted to let you know that the amendments are being looked at.

Thanks!
Brett

Brett Estes
North Coast Regional Representative | Coastal Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 503-881-0667 | Main: 503-373-0050
brett.estes@dlcd.oregon.gov | www.oregon.gov/LCD

From: City Planner <cityplanner@corb.us>
Sent: Thursday, April 17, 2025 9:33 AM
To: ESTES Brett * DLCD <Brett.Estes@dlcd.oregon.gov>
Subject: HB 4064

Hi Brett,

When our consultants were reviewing our code for SB 406, they noted that our manufactured dwelling sitting criteria is out of compliance with HB 4064 – noting that our standards are no longer authorized by statute unless they also apply to site-built homes.

I was curious if DLCD had any guidance or information they could share on this? I plan to make updates to this once we finish the SB406 and PICM updates.

Thanks,

Mary Johnson
City Planner
City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon
To: City Planner
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04
Date: Thursday, April 17, 2025 9:33:29 AM

I look forward to it. Thanks for all your communication, Mary!

Mathew Hogan
Fair Housing Council of Oregon
Phone: (406) 439 0950

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Thu, Apr 17, 2025 at 9:29 AM, City Planner <cityplanner@corb.us> wrote:

> Hi Mathew,
>
> Of course – we are working with Cascadia Partners. I've added their contacts below.
>
> Also, I will be adding a supplemental staff report for this evening's meeting to address Goal 10. I'll send you a copy shortly.
>
> Jamin Kimmell jamin@cascadia-partners.com;
>
> Rachel Cotton rachel@cascadia-partners.com
>
> Mary Johnson
> *City Planner*
>
> City of Rockaway Beach
> (503) 374-1752
> 276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136
>
> www.corb.us | cityplanner@corb.us
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> *PUBLIC RECORDS LAW DISCLOSURE: Emails are generally public records and therefore subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. Emails can be sent inadvertently to unintended recipients and contain confidential or privileged information. If you are not the intended recipient (or authorized to receive for the recipient), please advise by return email and delete immediately without reading or forwarding to others.*

From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Thursday, April 17, 2025 9:25 AM
To: City Planner <cityplanner@corb.us>
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Good morning Mary,
I was thing about this amendment, and I was wondering if you could share who your consultants are.

Mathew Hogan
Fair Housing Council of Oregon
Phone: (406) 439 0950

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Wed, Apr 16, 2025 at 4:00 PM, Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com> wrote:

> Hi Mary, Thank you for the prompt reply. Yes, you will need to cite the HNA and BLI so that you can find how this will impact housing based on what it says in those documents. We will need to see more as far as Goal 10 is concerned. Please see this link for help https://www.oregon.gov/lcd/UP/Documents/HB_2001_Findings_Guidance.pdf.
>
> **Mathew Hogan**
> Fair Housing Council of Oregon
> **Phone: (406) 439 0950**

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

On Wed, Apr 16, 2025 at 2:06 PM, City Planner <cityplanner@corb.us> wrote:

> Hi Matthew,
>
> Thanks for reviewing the report. I had prepared a slightly more detailed version, but our consultants advised that I should hold off on that until the Council hearing. I've attached it here and am curious if you think this sufficiently addresses Goal 10? I didn't reference the HNA or BLI, so I'm not sure if it is enough.

Thanks for your thoughts.

Mary Johnson
City Planner

City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136

www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Wednesday, April 16, 2025 2:00 PM
To: City Planner <cityplanner@corb.us>
Subject: RE: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Hi Mary,
Thank you for sending the link to the Staff Report. It's a great amendment, I think the board here would just like to see the section addressing Goal 10 be a bit more specific.
It currently says that you will address Goal 10 when you implement the ordinance but it should be addressed at this stage.
How, specifically, will Ordinance 2025-02, 2025-03, & 2025-04 meet the city's housing goals? Many cities make reference to Housing Needs Assessment (HNA) or their Buildable Lands Inventory (BLI).
This may be helpful to you, Findings Guidance. Let me know if I can help in some way, we would love to submit a positive letter in support of this amendment for the hearing on 4/17/25.

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On Tue, Apr 8, 2025 at 10:05 AM, City Planner <cityplanner@corb.us> wrote:

Hi Mathew,

The staff report is not yet available. Please check back on our website this Thursday for all of the requested documents. Here's the link to the page where they will be posted: Planning Commission – City of Rockaway Beach

Mary Johnson
City Planner

City of Rockaway Beach
(503) 374-1752
276 S Hwy 101 | PO Box 5 | Rockaway Beach, OR 97136

www.corb.us | cityplanner@corb.us

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From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Tuesday, April 8, 2025 9:57 AM
To: City Planner <cityplanner@corb.us>
Subject: PAPA file Ordinance 2025-02, 2025-03, & 2025-04

Good morning Mary,

My name is Mathew Hogan and I am conducting outreach for the Fair Housing Council of Oregon (FHCO). I was hoping to obtain the staff report and all corresponding attachments for Ordinance 2025-02, 2025-03, & 2025-04 the "Text changes to the City's Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance to make room for Middle Housing Types in Tillamook County in response to SB406." when available. We will be reviewing the staff report predominantly for Statewide Planning Goal 10 compliance.

If we do have any commentary or concerns my colleagues and I will be in touch to advise. We hope this can be a collaborative process. Please confirm receipt of this e-mail, and I look forward to hearing from you soon.

Very Respectfully,

Mathew Hogan
Fair Housing Council of Oregon
Phone: (503) 928-8597
E-mail: Mathew.JamesFHCO@gmail.com
For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, here.

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CITY OF

ROCKAWAY BEACH

COMPREHENSIVE

PLAN

ORDINANCE 194 AMENDED BY ORDINANCE 08-01

[…]

Beaches and Dunes Policies

The following policies shall apply to the City's beaches:

[…]

14. Rockaway Beach shall protect the groundwater in dune areas from drawdown, which could lead to loss of stabilizing vegetation, loss of water quality, or intrusion of salt water into water supplies, by reviewing all proposed wells to ensure that findings are made to address the above factors. Building permits for single ~~family~~ unit dwellings and middle housing are exempt from this requirement if appropriate findings are provided at the time of subdivision approval. [Policy 14, added by Ord. 243, May 13, 1986.]

[…]

Land Use Categories

Land use categories are intended to establish certain uses for certain areas based on neighborhood characteristics, physical limitations, the availability of public services such as streets, sewer and water, the desires to build a strong economy and maintain a clean environment, and other factors.

The plan establishes rather high density limits (generally up to 24 units per acre, with exceptions for middle housing) in the developed areas. The basic philosophy is that there is little land available in the City that does not pose limitations to development, and those areas where development can occur should be more intensively used than sensitive lands such as the wetlands around the lakes, and steep slopes.

[…]

The Manhattan Residential/Resort Area

This area extends from the northern City limits of Rockaway Beach south to NW 18th Ave. on the west side of US Highway 101, and south to NW 10th Ave. on the east side of the highway. [Manhattan Residential/Resort Area, amended by Ord. 277, Aug. 29, 1990.]

This is a mixed use area combining commercial activity on the east side of the highway, with motels, weekend cabins and permanent residences throughout the area. Essentially,

it is a thin strip of land bounded by the Pacific Ocean on the west and Crescent Lake and Lake Lytle on the east, separated by the federal highway and the railroad tracks.

The area is also characterized by poor traffic circulation in the northern part west of the railroad tracks. There are no north-south streets throughout most of this area, and the streets that exist are not capable of handling large amounts of traffic.

1. Expansion of existing motels or other tourist facilities should be planned to provide sufficient parking and circulation space.

2. Density in the area is designated to be high, with a maximum of 24 dwelling units per acre. Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre. (Specific lot size requirements to be established by the zoning ordinance.)

3. Development adjacent to the wetlands associated with Crescent Lake shall be undertaken in a manner that protects those wetlands. [Policy 3, amended by Ord. 277, Aug. 29, 1990.]

4. Permitted uses in this area are residences (single~~-family, duplex~~ unit, middle housing, and multi-unit~~family~~ structures), hotels and motels, and limited commercial uses along US Highway 101, which are resort oriented.

5. Previous policies concerning dunes and wetlands are applicable in this area.

6. An area between NE 17th and NE 21st on the east side of US Highway 101 shall be designated for commercial uses. [Policy 6, added by Ordinance No. 277, passed August 29, 1990.]

The Special Residential/Resort Area

This area extends from NW 18th Ave. to NW 11th Ave. on the west side of US Highway 101. This area is similar in character to the area north of it, but through the citizen involvement process it has been determined that it should have a specific policy [Special Residential/Resort Area, amended by Ord. 277, Aug. 29, 1990.]:

1. No new motels shall be allowed to establish in this area, but existing motels shall be allowed to reasonably expand with planning commission review to insure that proper parking and street access is permitted.

2. Restaurants and other retail commercial uses shall be allowed with conditions to insure that they are compatible with the area. Additional motel units may be added to an existing motel if the owner can satisfy the planning commission with regard to parking and traffic requirements. The additions do not require a conditional use permit.

3. Density in this area is designated to be the same as the Manhattan Residential/Resort Area, 24 dwellings per acre. Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre.

4. Uses permitted in this area are residential ~~(single-family, duplex and multi-family structures)~~, and the expansion of existing motel uses. [Policy 4, amended by Ord. 277, Aug. 29, 1990.]

~~The Single Family or Duplex~~ Low Density Residential Area

This area extends from NW 11th Ave. to N 6th Ave., west of US Highway 101. This area is in the vicinity of the "Ridge", or high stabilized sand dune in the northern part of the City. It is a stable neighborhood composed primarily of single-family homes. There are large motels on either end of this area, and a limited amount of vacant land dispersed among existing structures. The last community questionnaire indicated a strong desire of the townspeople to keep the area a single-family neighborhood. [Single-Family or Duplex Residential Area, amended by Ord. 277, Aug. 29, 1990.] However, SB406 was enacted by the Oregon Legislature in 2023 to improve housing availability and affordability in Tillamook County. It requires "middle housing"–including duplexes, triplexes, quadplexes, townhouses and cottage clusters—to be allowed in the city's residential zones. The Low-Density Residential area will accommodate single-unit homes and middle housing types.

1. ~~The area should remain one of primarily single-family homes, although duplexes may be allowed on a conditional use basis.~~

2. The density of this area should not exceed 24 dwelling units per acre. [Policy 2, amended by Ord. 277, Aug. 29, 1990.] Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre.

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.]

4. [Policy 4, deleted by Ord. 277, Aug. 29, 1990.]

[…]

The Saltair Creek Residential/Resort Area (R/R)

This area extends from S. 3rd Avenue to Alder Street, and is entirely west of US Highway 101. [Saltair Creek Residential/Resort Area, amended by Ord. 277, Aug. 29, 1990.]

This is primarily an area of small beach cottages and homes, on small lots. The streets are very narrow (S. Pacific is 20 feet wide, S. Miller is 30 feet wide), and as such cannot accommodate large traffic volume. There are presently few commercial land uses in this area, and little vacant property.

1. Active and conditionally stable foredunes are identified in Figure 2 (after page

19). Much of the land in this area falls into this category, and therefore the beaches and dunes policy applies.

2. The Clear Lake ocean outlet in this area poses some flooding hazards that must be considered for any construction in the vicinity.

3. This area should remain primarily resort residential, with a density limitation of 24 dwelling units per acre. This density limitation does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre. Motels should be allowed conditionally with attention paid to vehicle access on the narrow streets. Off-street parking is especially important.

[…]

The East Rockaway Beach Residential Area [R]

This area comprises a large portion of the City's residential area east of US Highway 101; it extends from S. 7th Avenue to N. 6th Avenue and from NE 12th Avenue to NE 24th Avenue. The area includes fairly large tracts of undeveloped land east of Crescent Lake. Development in these areas may be limited by the existence of steep slopes and wetlands. [East Rockaway Beach Residential Area, amended by Ord. 277, Aug. 29, 1990.]

1. Densities in these areas are designated from 9 dwelling units per acre in the area zoned R-3 to 24 dwelling units per acre for multi-~~family~~ unit dwellings permitted as conditional uses in the R-2 area. [Policy 1, amended by Ord. 277, Aug. 29, 1990.] Density limits do not apply to duplexes, triplexes, quadplexes, or cottage clusters in these areas. Maximum density for townhouses is 25 dwelling units per acre.

2. Riparian vegetation shall be protected by city riparian corridor regulations. Rockaway Beach will consider options in the future to adopt local standards to protect riparian corridors and wetlands, inventoried on the Rockaway Beach Local Wetland Inventory (LWI), consistent with Statewide Planning Goal 5 which balance protection of these resources with community development objectives. [Policy 2, deleted by Ord. 277, Aug. 29, 1990.]

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.]

4. [Policy 4, deleted by Ord. 277, Aug. 29, 1990.]

5. Special consideration must also be given to development on steep slope areas to insure that landslide hazard and erosion is minimized. As part of the approval of a subdivision or planned unit development the planning commission may require that a grading and erosion control plan be prepared and implemented. [Policy 5, amended by Ord. 277, Aug. 29, 1990.]

6. [Policy 6, deleted by Ord. 277, Aug. 29, 1990.]

7. The City encourages the use of planned developments for the development of larger parcels in order to provide for the clustering of development as a means

of minimizing the impact on sensitive areas such as steep slopes and wetland areas. [Policy 7, amended by Ord. 277, Aug. 29, 1990.]

8. [Policy 8, deleted by Ord. 277, Aug. 29, 1990.]

9. Multi-~~family~~unit structures built closer to the downtown area should include dwellings for the elderly, who can benefit from proximity to the shopping areas.

10. [Policy 10, deleted by Ord. 277, Aug. 29, 1990.]

[…]

Housing Element

The state-wide goal applicable to this plan element is: *"To provide for the housing needs of citizens of the state."*

The housing needs of Rockaway Beach differ from communities elsewhere primarily because of its coastal location, its lack of industry other than tourism, and its size. Rockaway Beach is a resort area, with approximately 65 percent of its housing used on a weekend or vacation basis. A large percentage of its permanent residents, about 30 percent, are senior citizens, which is typical of communities in the coastal area. The major housing needs of the City are basically two-fold:

1. Housing for low-income workers employed by tourist-oriented businesses, and
2. Housing for low-income senior citizens.

The City's housing strategy is to:

- Permit development on smaller lots, 5,000 square feet;
- To permit development of ~~duplex~~ middle housing and multi-~~family~~ unit dwellings throughout most of the City ~~on an outright or conditional use basis~~;
- To encourage higher densities~~, generally 24 dwellings per acre,~~ for middle housing and multi- ~~family~~ unit development;
- To permit manufactured dwellings on individual lots in some zones; and
- To designate zones that provide manufactured dwelling subdivisions and manufactured dwelling parks.

The City has also encouraged the development of low cost federally subsidized land in conjunction with the school district. Up to the present time, housing development in the City has mostly been in the form of single-family dwellings.

[…]

Policies

1. The City shall support all efforts to provide low or moderate income housing in and around Rockaway Beach, and shall cooperate with the Tillamook County Housing Authority, and Northwest Oregon Housing Association.

2. The Land use Element of the comprehensive plan and the zoning ordinance shall designate areas within the City where multifamily dwellings may be located, and where mobile home parks may be developed. It is assumed that low cost multi-family housing developed with public or private financing can be located anywhere other multi-family housing is allowed.

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.] The City shall designate sufficient buildable land within the UGB to meet housing needs identified in the *Urbanization Report* (ECONorthwest, June 2007). Approval standards for needed housing shall be clear and objective, as required by state statute and the Goal 10 (Housing) administrative rule.

4. Manufactured dwellings shall be permitted in areas zoned for single-family dwellings, subject to clear and objective design standards**.** [Policy 4, amended by Ord. 277, Aug. 29, 1990.]

5. Federal and state housing programs should be used to upgrade the existing housing in Rockaway Beach and to provide new dwellings.

6. The City shall review the impacts of vacation rentals on the demand for public facilities and services, neighborhood identity and community, and the City's tax structure**.** [Policy 6, deleted by Ord. 277, Aug. 29, 1990.]

7. The City shall encourage the development of middle housing in its residential zones.

[…]

CITY OF

ROCKAWAY BEACH

COMPREHENSIVE

PLAN

AMENDED JUNE 2025

Introduction

The City of Rockaway enjoys a beautiful beachside setting on the north Oregon coast. Throughout the years the town's choice location has been the main reason for its growth and development. As Oregon's population and rate of tourism increases, the pressures of growth will increase for Rockaway and other coastal resorts.

If this growth assumes haphazard patterns, unnecessary burdens on public facilities and incompatible uses of land will be inevitable. Comprehensive planning gives the community control over these types of problems before they occur. According to Oregon law, a comprehensive plan includes maps and policy statements, linking those factors that affect land use.

This plan establishes such policies, in keeping with the Statewide Planning Goals originally adopted in 1974-5 by the Oregon Land Conservation and Development Commission. The Statewide Planning Goals have been amended substantially over the years, and most have corresponding administrative rules.

The comprehensive plan is designed to perform several functions:

- Govern the city staff, planning commission, and city council on development proposals
- Provide a capital improvement program on water, sewer, drainage and street proposals for the budget committee and city council;
- Suggest some useful ideas for the enhancement of the city, and
- Establish a land use planning process or procedure for making decisions, involving citizens and agencies in that process.

The plan is set up to comply with the Statewide Planning Goals and guidelines of Senate Bill 100 (ORS 197). The goals stated at the start of each element are mandatory requirements under state law.

2007 Comprehensive Plan Review and Update

In 2007, the City contracted with ECO Northwest to prepare the *Rockaway Beach Urbanization Study (Urbanization Study).* The *Urbanization Study* is a background document to the comprehensive plan. Key findings from this study include the following:

- Rockaway Beach is expected to grow from 1,394 year-round residents in 2007 to 1,709 residents in 2027, an increase of 315 residents at an average

annual rate of 1.02% The numbers are based on forecasts done by the state Office of Economic Analysis for Counties. They are, at best, estimates and may not have any basis in terms of actual trends. The City of Rockaway Beach should review these numbers every five years, and if there is a considerable discrepancy, initiate a process with the county to potentially reallocate. Since the number of vacation homes is disproportionate to the number of homes occupied by permanent residents and since tourism is the only industry of Rockaway Beach, it is vital that higher numbers be factored into public facility planning, utilizing the best available information. Employment is expected to grow from 342 jobs to 419 jobs, an increase of 77 jobs at an average annual rate of 1.02%.

- Rockaway Beach has about 162 buildable acres within the UGB. More than 96% of the land available in the Rockaway Beach UGB is zoned for residential uses.

- Rockaway Beach will need about 160 new dwelling units to accommodate planned population growth between 2007 and 2027. The forecast shows that an average of eight new dwelling units will be needed annually. Rockaway Beach will need about 24 gross buildable residential acres to accommodate new housing for residents between 2007 and 2027. This forecast does review both a low and a high scenario for the demand for second homes for recreational and investment purposes. The Buildable Lands Inventory indicates that the City has a surplus of approximately 57 residential acres.

- Rockaway Beach will need about 12 gross buildable acres of commercial land to meet planned employment needs. The Buildable Lands Inventory indicates that the City has a shortfall of approximately five commercial acres. Therefore, some land that is currently designated for residential use will need to be re-designated for commercial land.

Rockaway Beach considered the data and analysis found in the *Urbanization Report* to support amendments to the 2007 comprehensive plan amendment package.

Specific policies that pertain to the land use planning process are as follows:

Citizen Involvement

1. Citizens shall be given the opportunity to be involved in all phases of the comprehensive planning process, the citizen Involvement Program emphasizes the following points:

A. All planning decisions shall be made in open, well publicized meetings;

B. Minutes shall be kept of all planning commission meetings, and shall be made available to citizens.
C. During the development or amendment of the plan or supporting ordinances, the planning commission (the City's committee for citizen involvement or CCI) shall take a lead roll in the preparation of documents;
D. Planning commission members shall be chosen in an open, well-publicized manner;
E. Through public meetings, the press and other means of communication, townspeople shall be informed of the workings of the city government and the planning process;
F. All planning information and policies shall be written in a manner that is understandable to the general public;
G. Citizen involvement in Rockaway Beach shall receive adequate technical assistance and financial support from the city government through the budget process;
H. The city shall take into account public input during the planning process and respond to those who participate, and
I. The planning commission shall serve as the permanent citizen's involvement committee.

Coordination

2. Local governments and special purpose districts, state and federal agencies and jurisdictions shall be given the opportunity to participate in the City's planning process, and to coordinate their plans with the City.

The Planning Process

3. The Oregon Supreme Count case Baker v. the City of Milwaukie, 1975, established the comprehensive plan as a city's controlling land use document. When the plan and zoning ordinance disagree on an area or subject, it is, according to the decision, the plan that takes precedence over the ordinance. All conflicts between the two must be resolved early in the planning process for either document to be of value.

4. The planning process is a continuous one, consisting of the following phases:

A. Identification of problems and issues;
B. Development of information and data;
C. Development of alternative policies and recommendations;
D. Adoption of the plan by the city council;
E. Development, adoption and application of implementing ordinances and other measures. Review of proposed land use actions; and

F. Periodic review and evaluation of all planning documents, including the citizen involvement program.

5. At a minimum, a major review of the comprehensive plan will be undertaken at an interval as required by the Land Conservation and Development Commission's periodic review requirement pursuant to ORS 197.640 – 197.649. The city may undertake other amendments to the comprehensive plan, as necessary, to address issues of community concern. [Planning Process Policy 5, amended by Ord. 277, Aug. 29, 1990.]

6. Amendments to the text of the comprehensive plan shall be made only where findings have been adopted that the following criteria are met:

   A. The amendment is consistent with the comprehensive plan's goals and policies; and
   B. The amendment is necessary to meet a land use need.

7. Amendments to the comprehensive plan map shall be made only where findings have been adopted that the following criteria are met:

   A. The amendment is consistent with the comprehensive plan's goals and policies;
   B. The amendment is necessary to meet a land use need;
   C. The land is physically suitable for the uses to be permitted in terms of slope, geologic stability, flood hazard and other relevant considerations;
   D. The area can be served by the appropriate level of public facilities and adjacent streets can accommodate the traffic generated by uses permitted;
   E. The amendment is compatible with the land use development pattern in the vicinity of the request. [Planning Process Policy 7, amended by Ord. 277, Aug. 29, 1990.]

8. An exception to the requirements of the applicable state-wide planning goal shall be adopted as an amendment to the comprehensive plan where the City is proposing a plan amendment, which does not conform to the requirements of the goal. The exception shall be supported by the following:

   A. Reasons justify why the state policy embodied in the applicable goals should not apply;
   B. Areas which do not require a new exception cannot reasonably accommodate the use;
   C. The long-term environmental, economic, social, and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse

than would typically result from the same proposal being located in areas requiring a goal exception other than the proposal site; and

D. The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impact.

Notice of public hearing on proposed amendments shall state the nature of the goal exception being taken and a summary of the issues that are involved. [Planning Process Policy 8, amended by Ord. 277, Aug. 29, 1990.]

9. The planning commission and the city council shall hold public hearings on proposed amendments to the comprehensive plan text or map. Notice of public will be published in a newspaper of general circulation that serves the city at least ten days prior to the public hearing. [Planning Process Policy 9, amended by Ord. 277, Aug. 29, 1990.]

Implementation

The relationship or the difference between the plan and the zoning ordinance is often misunderstood. The plan can be viewed as a “constitution” for all land use within the city. It is intended to be general and directive in scope, as opposed to the zoning ordinance which is intended to be more specific.

Other types of implementation measures are the subdivision ordinance, which prescribes standards for the subdivision of land, and any specific ordinances or actions which carry out the intent of the comprehensive plan.

Zoning and subdivision ordinances may be revised as need arises so long as the change is consistent with the plan. Changes to implementing measures must follow the amendment procedure set out in each document. [Implementation section, amended by Ord. 277, Aug. 29, 1990.]

General Considerations

The main thrust of a community comprehensive plan pertains to land use and to public facilities and services. However, there are other more general planning considerations which must be included in a comprehensive plan; considerations such as energy conservation, economy, air, land and water resources.

This section of the comprehensive plan takes into account these general considerations, and provides policies relating these considerations to other parts of the plan.

Economic Considerations

The state-wide economic planning goal encourages "improvement" and "diversity" of the economy of the state. The economic base of Rockaway Beach is tourism, and has been so historically. Whereas neighboring communities rely on agriculture, forestry, fishing or port activities for their livelihood, Rockaway Beach's lakes and Pacific beaches have provided the City with a specific economy. Without a harbor, farmland or industry other than recreation, Rockaway Beach shares with the cities of Lincoln City, Seaside and Cannon Beach the tourist trade of the north Oregon coast. People come to Rockaway Beach to fish, to walk on the beach, to "get away from it all". Rockaway Beach is primarily a family resort, with inexpensive room rates and unsophisticated recreation. [Economic considerations, amended by Ord. 277, Aug. 29, 1990.]

Chapter 5 of the *Rockaway Beach Urbanization Study* (ECO Northwest 2007) is the community's "Economic Opportunities Analysis." This analysis was prepared in accordance with the Economic Development Rule (OAR Chapter 660, Division 009) and identifies the types of employment opportunities that are appropriate for Rockaway Beach, given its locational characteristics and local policy preferences. The EOA (pp. 5-17 to 5-18) summarizes key conclusions regarding Rockaway Beach's economic future:

> The mix of productive factors present in Rockaway Beach, relative to other communities and regions in Oregon, are the foundation of the region's comparative advantage. Primary comparative advantages in Rockaway Beach are its location on Highway 101, location along the northern Oregon Coast, and proximity to Portland and the Willamette Valley. These factors make Rockaway Beach attractive to residents and visitors to the Oregon Coast.
> The characteristics of Rockaway Beach will affect the types of businesses most likely to locate in Rockaway Beach:
>
> - Retail and Services: Tourism and seasonal housing will drive the growth of retail and services to serve visitors and residents of Rockaway Beach. Examples include: specialty retailers, firms engaged in recreational or entertainment services, restaurants, gas stations, financial services, and other small retailers.
>
> - Health Services: Growth in population and changing demographics may drive the growth of Health services in Rockaway Beach. Health services for the aging population, especially residential facilities for people over 70 years, may locate in Rockaway Beach because of its location and amenities.
>
> The report by the Oregon Downtown Development Association "Resources Team Report for Rockaway Beach, Oregon" identified the following types of businesses as having the greatest chances for success in Rockaway Beach's downtown:

- Retail: Bookstore/gift shop; specialty apparel and accessories; gifts, cards, unique arts; specialized sporting goods for beach activities; local arts and crafts; beach toys and apparel; quality antiques and gifts; and toys like kites and games.

- Service: Entertainment lines, gym and fitness center; bowling alley; movie theater/dance hall; and a microbrewery.

- Restaurants: Coffee shop; bakery; specialty foods; and family-style restaurants.

The report recommended that these businesses have the best chance of success if they are flexible and responsive to customer needs. For instance, they should serve residents and visitors and they could offer multiple complementary product lines. These services will also need to have good visibility from Highway 101 to attract tourists passing through the City.

The *Urbanization Study* (pp. 5-21 to 5-22) describes kinds of commercial and retail sites that will be needed to accommodate planned retail and service growth needs over the 20-year planning period. Rockaway Beach needs to designate approximately 12 gross buildable acres of land to meet the needs of from 8-18 future businesses. Table 5-9 is taken from the Urbanization Study and summarizes commercial site needs.

Table 5-9. Needed commercial sites by site size, Rockaway Beach, 2007-2027

Size of Firm	Est. Acres Needed	Average Site Size	Total Sites Needed
>20	3	2-4 ac	1
10-19	3	1-2 ac	1-2
1-9	6	<1 ac	6-16
Total	12		8-18

Source: Estimates by ECONorthwest

In 2007, Rockaway Beach had less than four acres of buildable commercial land remaining within the urban growth boundary. Therefore, the City needs to designate approximately four additional acres for commercial use. To address this unmet need, Rockaway Beach needs to re-designate land for commercial use east of Highway 101, encourage appropriate redevelopment of existing commercial areas, and require condominium developments in commercial areas to construct ground floor commercial space. (Urbanization Study, p.6-5).

Policies Relating to the Economy

1. The City shall support economic development activities which enhance its tourism oriented economic base.

2. The City shall encourage the expansion of tourist accommodations, with particular emphasis on those accommodations that incorporate meeting room or conference facilities.

3. The City will work with the local business community to strengthen the downtown commercial area as an important tourist and commercial center. To achieve this objective, consideration should be given to the following:

A. Upgrading the physical appearance of the area and its buildings including consideration of a unifying theme that reflects the historic development of the City;

B. Provision of additional conveniently located off-street parking; and

C. Development of a pedestrian oriented environment, through the provision of pedestrian amenities.

4. The City supports the efforts of the Chamber of Commerce and local business persons to expand visitor attractions and events that are available to tourists.

5. The City will cooperate with the Chamber of Commerce in developing a marketing program that effectively promotes the City's attractions and facilities. Such a program should be fully coordinated with other communities in the area.

6. The City will provide sufficient commercial land to allow for the reasonable expansion of the community's businesses. Care should be taken to ensure that future commercial development is well designed and relates well to the surrounding neighborhoods and the natural environment.

7. The City will encourage local residents to develop small scale home occupations.

8. The City will use its designation as part of the Tillamook Enterprise Zone to attract new businesses to Rockaway Beach.

9. The City will cooperate with the Tillamook Economic Development Committee in its efforts to strengthen and diversify the economy of Tillamook County.

10. The City will work with the Tillamook Economic Development Committee to see that projects supportive of Rockaway Beach's economy are incorporated into the Oregon Tourism Alliance's overall strategy.

11. The City recognizes that its retirement community represents an important element of the economy. The City will cooperate with community groups on making community improvements that will enhance the City's attractiveness as a retirement community. Particular attention should be given to enhancing the medical facilities available in the region.

[Policies Relating to the Economy, amended by Ord. 277, August 29, 1990.]

12. To meet commercial retail and service land needs the City should:

A. Amend the Comprehensive Plan and Zoning maps to increase the supply of commercial land by approximately four acres;
B. Encourage commercial redevelopment of existing commercial areas; and
C. Require condominiums in commercially zoned areas to have ground floor commercial space.

Air, Water and Land Resource Considerations

The state-wide goals applicable to this discussion are:

- "To maintain and improve the quality of the air, water and land resources of the state.
- To preserve and maintain agricultural lands.
- To conserve forest lands for forest uses."

The high quality of air, land and water resources in Rockaway Beach can be protected by the joint efforts of local and state government. Oregon's Department of Environmental Quality regulates the abatement of air and water pollution, establishes clean air standards and sewer and water regulations.

Water Quality

City ordinances regarding land use can maintain land resource quality and guard against degradation of water quality.

Sanitary sewer service and drinking water facilities are regulated by the federal government and state agencies. All development within the City must utilize these services. Information on each of these is contained in the public facilities element.

Air Quality

Air quality has never been a problem in the Rockaway Beach area due to population and its location on the ocean. Its population is small. The major source of air pollution is the automobile. Reduced use of the automobile and continued enforcement of federal

automobile engine emission regulations can help eliminate this as a source of pollution. Should an industry propose to locate in Rockaway, its potential for pollution – thermal, acoustic, water or air would come under city and DEQ scrutiny. The importance of Rockaway's air quality to residents and visitors must be considered in any development proposal.

Forest Resources

Forest resources are obviously important to the Rockaway area. The forest industry has a long tradition in the area. Rockaway is bordered on the east by forest lands. Considering the fragile terrain of much of Rockaway – the dunes on the west and the steep hillsides on the east – owners should be encouraged to leave undeveloped land in its natural state in order to prevent erosion, provide habitat for wildlife, enhance the natural beauty of the area, and provide recreation space.

Agricultural Land

There is no agricultural land in Rockaway (soil conservation Class I-IV). Some minor grazing takes place near the south side of Lake Lytle, but the area is not considered to be a functioning farm unit.

Wetlands and Riparian Corridors

Rockaway Beach completed its Local Wetlands Inventory (LWI) in June, 1993. Riparian vegetation shall be protected by city riparian corridor regulations. For future city consideration, Statewide Planning Goal 5 and the Goal 5 administrative rule set forth options for protecting riparian corridors and locally significant wetlands identified on the LWI.

Policies

1. The City will cooperate with the Department of Environmental Quality to ensure that applicable state and federal air and water quality standards and requirements are met [Policy 1, as amended by Ord. 223, Aug. 24, 1982; and Ord. 277, Aug. 29, 1990.]

2. The City shall continue to improve its sanitary sewer system, in conformance with applicable state and federal requirements. [Policy 2, amended by Ord. 277, Aug. 29, 1990.]

3. The City recognizes that Rockaway Beach lies in a critical groundwater area and shall refuse to permit uses which the Department of Environmental Quality determines could pollute or adversely affect the aquifer. The city shall rely on the Department of Environmental Quality and other qualified experts to determine the impacts of proposed uses and to develop a program to protect the aquifer from such uses. [Policy 3, amended by Ord. 277, Aug. 29, 1990.]

4. Cluster developments shall be encouraged, especially in area with steep slopes, or wetlands, as a means of minimizing the potential adverse impacts of development in such areas. [Policy 4, amended by Ord. 277, Aug. 29, 1990.]

5. Cluster developments around Lake Lytle, Crescent Lake and Spring Lake shall be encouraged in order to prevent filling of wetlands, protect riparian vegetation and minimize the impact of development on the visual quality of the lakes. [Policy 5, amended by Ord. 277, Aug. 29, 1990.]

6. The City will control storm run-off, sedimentation and erosion resulting from development through its subdivision ordinance. [Policy 6, amended by Ord. 277, Aug. 29, 1990]

7. The City will continue to cooperate with Tillamook County in finding long-term solutions to the disposal of solid waste, including efforts to increase recycling. [Policy 6, amended by Ord. 277, Aug. 29, 1990.]

8. The City will cooperate with the Department of Environmental Quality in preventing and abating noise pollution problems in the city. [Policy 8, as amended by Ord. 223, Aug. 24, 1982; and Ord. 277, Aug. 29, 1990.]

9. The City's actions shall be consistent with state and federal hazardous waste regulations. [Policy 9, added by Ordinance No. 277, passed August 29, 1990.]

10. Rockaway Beach will consider options in the future to adopt local standards to protect riparian corridors and wetlands inventoried on the Rockaway Beach Local Wetlands Inventory) consistent with Statewide Planning Goal 5 which balance protection of these resources with community development objectives.

Energy Considerations

The state-wide goal applicable to this discussion is: - "To conserve energy."

The economic base of Rockaway Beach – recreation and tourism does not place a burden on energy resources locally, the way a manufacturing economy might, but the lifeline of a coastal resort economy is transportation. Tourist and summer residents have to get to Rockaway Beach and the most common type of transportation for this is the automobile, a voracious-consumer of non-renewable petroleum-resources. The City of Rockaway Beach is in no position to alter the transportation habits of its visitors beyond the immediate area, but improved facilities for pedestrians and cyclists and expanded bus service might relieve dependence on the auto within the City itself.

There are other means of energy conservation amenable to city policies and actions. Several are dealt with in other elements of the plan.

1. Cluster development is to be encouraged, thus saving energy in construction, maintenance and heating.

2. Land use planning designed to maintain an identifiable downtown commercial core saves energy by concentrating activity and by encouraging foot traffic rather than driving.

3. Development of vacant land within the urbanized area of Rockaway Beach before the development of un-urbanizable tracts is also encouraged for its energy savings.

4. Enforcement of the building code also serves to conserve energy. The insulation requirements for new construction reduce energy consumption for heating and cooling.

5. The City shall cooperate in area efforts to recycle materials such as metals, glass and paper. [Policy 5, amended by Ord. 277, Aug. 29, 1990.]

6. Providing sidewalks and centralized parking facilities in the downtown and other areas can contribute to energy conservation by encouraging people to walk to several destinations.

Land Use Element

The state-wide goals applicable to this plan element are:

- *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*
- *To conserve open space and protect natural and scenic resources.*
- *To protect life and property from natural disasters and hazards.*
- *To provide for an orderly and efficient transition from rural to urban land use."*

The land use element of this comprehensive plan is based on the patterns of existing land use. Effective land use planning encourages the positive aspects of existing land use. It also establishes guidelines for future growth, which are intended to prevent the recurrence of past land use conflicts and abuses.

Before the land use element of a comprehensive plan can be developed, existing land uses must be identified. Undeveloped land must be analyzed for building suitability, and a system of land use designation (for present and future application) must be developed in accordance with existing land uses and expressed community needs.

Development Suitability

Physical Limitations
The natural attractions of the Rockaway Beach area have traditionally drawn people to the area; the beaches, bays, rivers, lakes and mountains appeal to residents and visitors alike, and that appeal translates into a demand for land. Quite naturally, the most desirable land was developed first – primarily that on the ocean front. Development then spread to other areas physically suited to building, until now. Rockaway Beach is faced with a very straightforward problem: most undeveloped land in the area suffers substantial physical limitations to building suitability. Compressible soils, poor drainage and landslide hazards are some of the special construction problems often facing today's builder in Rockaway Beach. The physical limitations map (fig. #1) shows four areas that present problems to development: 1) beaches, 2) dunes, 3) wetlands and flood areas and 4) steep slopes.

The Local Wetlands Inventory (LWI) shows the location, quantity and quality of streams and wetlands within the Rockaway Beach UGB.

These problems and opportunities are discussed in some detail in Part II of the comprehensive plan.

Beaches and Dunes

Implementation Requirement 2**,** of the Beaches and Dunes goal states

> *"Local government and state and federal agencies shall prohibit residential developments and commercial and industrial building on beaches, active foredunes, or other foredunes, which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and on interdune areas (deflation plains) that are subject to ocean flooding. Other development in these areas shall be permitted only if the findings required in (1) above are presented and it is demonstrated that the proposed development:*
>
> *a) is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves; or is of minimal value; and*
>
> *b) is designed to minimize adverse environmental effects."*

There are a number of active foredunes and other foredunes which are conditionally stable and that are subject to ocean undercutting and wave overtopping, and on interdune areas (deflation Plains) that are subject to ocean flooding. These dune areas are described by FIRM rate maps as being located V zones (velocity zones) and AO zones (areas of shallow flooding). These areas of the City's foredunes are shown on the map (fig. #2). This line was developed by examination of aerial photography, flood maps, and field work.

The City is taking an exception to a portion of the requirement to permit residential, commercial development and industrial on active foredunes and other foredunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping and on interdune areas (deflation plains) that are subject to ocean flooding. This exception is being taken for the following areas:

NEDONNA BEACH

1) The subdivisions of Nedonna Beach subdivision , Nedonna First, Second, Third, Fourth, Fifth, Sixth and Seventh Additions, and other lawful parcels**,** lie within active foredunes and other foredunes, which are conditionally stable and that are subject to ocean undercutting and wave overtopping and on interdune areas (deflation plains) that are subject to ocean flooding. The lots are located within either a velocity zone (V zone) or areas of shallow marine flooding (AO zone) as described by FIRM maps. See Appendix I for boundary description of this exception area.

2) ROCKAWAY BEACH
The subdivision of Manhattan Subdivision , Highland Park Subdivision, Lake Lytle Subdivision, Sea View Park Subdivision, Elmore Park Subdivision, Midway Beach Subdivision, Tillamook Beach Subdivision, and other lawful parcels lie within active foredunes and other foredunes, which are conditionally stable and that are subject to ocean undercutting and wave overtopping, and on interdune areas (deflation plains) that are subject to ocean flooding. The lots are located within either a velocity zone (V zone) or areas of shallow marine flooding (AO zone) as described by FIRM maps. See Appendix 1 for boundary description of this exception area.

3) TWIN ROCKS
The subdivisions of Rose City Beach Subdivision, Twin Rocks Subdivision, Oceanlake Park Subdivision, and other lawful parcels, lie within foredunes, which are conditionally stable and are subject to wave overtopping, and on interdune areas

(deflation plains) that are subject to ocean flooding. The lots are located within areas of shallow marine flooding (AO zone) as described by FIRM maps. In addition, one lot, Tax Lot 6100, Map IN10-5CB, which is located within active foredunes and other foredunes that are conditionally stable and that are subject to ocean undercutting. The lot is located within a velocity zone (V zone) as described by FIRM maps. [Beaches Policy, amended by Ord. 223, Aug. 24, 1982; and Ord. 243, May 13, 1986, II Dunes Policy, amended by Ord. 243, May 13, 1986, Beaches Policy; Dunes Policy, titles amended by Ord. 243, May 13, 1986.] See Appendix 1 for boundary description of this exception area.

Documentation for these Statewide Planning Goal exceptions and findings related to Implementation Requirement 1 are included as part of the comprehensive plan in Appendix 1.

Beaches and Dunes Policies

The following policies shall apply to the City's beaches:

1. Beach uses other than recreation shall be prohibited.

2. Vehicle access to the beach shall be restricted to emergency purposes. [Policy 1, amended by Ord. 243, May 13, 1986.]

3. Beachfront protective structures (rip-rap, seawalls) shall be permitted only if:
   A. Visual impacts are minimized;
   B. Necessary access to the beach is maintained;
   C. Negative impacts on adjacent property are minimized; and
   D. Long-term or recurring costs to the public are avoided. [Policy 3, amended by Ord. 243, May 13, 1986.]
   E. Development existed on January 1, 1977, consistent with Goal 18, Implementation Requirement 2.

4. Residential developments and commercial and industrial buildings on active foredunes or other foredunes, which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and on interdune areas that are subject to ocean flooding shall be permitted only where consistent with the exceptions the City has taken to Goal 18 requirements.

   Development other than residential and commercial buildings in these areas shall be permitted only if it is demonstrated that the proposed development:

A. Is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm wave; or is of minimal value; and
B. Is designed to minimize adverse environmental effects. [Policy 3, added by Ord. 243, May 13, 1986.]

The state Beaches and Dunes Goal, Implementation Requirement 1, states that "*The following findings shall be made for all development in beach and dune areas, other than older stabilized dunes:*

a. The type and use proposed and the adverse effects it might have on the site and adjacent areas;
b. *Temporary and permanent stabilization programs and planned maintenance of new existing vegetation;*
c. *Methods for protecting the surrounding area from adverse effects of the development; and*
d. *Hazards to life, public and private property, and the natural environment, which may be caused by the proposed use."*

These findings will be made either by site-specific investigation for areas listed in Beaches and Dunes Policy 5 or by findings adopted as part of the comprehensive plan. [Policy 4, added by Ord. 243, May 13, 1986.]

5. Site-specific investigations shall be required for future construction in:

A. All beach front properties.
B. All areas lying within velocity flood zones (V10, V14, V19) as delineated on the HUD Flood Insurance Rate Map.
C. Any site on which proposed excavation will produce cut slopes greater than five feet in height or steeper than two horizontal to one vertical (2:1). [Policy 5, amended by Ord. 243, May 13, 1986.]

6. Vegetation removal shall be kept to the minimum required for the placement of structures. Structures shall be designed as much as possible to minimize the removal of existing vegetation. [Policy 6, amended by Ord. 243, May 13, 1986.]

7. A detailed description of a dune stabilization program shall be a part of the application for a building permit for any proposed development, which potentially will reduce the level of stability of a dune area and threaten adjacent property. The re-vegetation program shall be designed to return areas at least to their predevelopment levels of stability within a specified period of time. The programs shall be initiated as soon as possible during or following construction. The City may submit site investigations or re-vegetation programs to the Soil Conservation Service or other agency for

verification prior to issuance of a building permit. [Policy 7, amended by Ord. 243, 1986.]

8. During construction, adequate measures shall be required and included in the permit application to minimize wind erosion, such as temporary ground cover. [Policy 8, amended by Ord. 243, May 13, 1986.]

9. In addition to the recommendations of site-specific investigation reports, future residential and commercial construction shall be sited in accordance with the Ocean Setback Line (OSL). The OSL shall constitute the minimum setback from the ocean, unless a greater setback is required by a site specific investigation report or development is further limited by lot or parcel boundaries. The OSL shall be determined by averaging the minimum distances from the Statutory Vegetation Line (ORS 390.770) to structures located 200 feet in either direction along the shoreline from the subject property boundaries, and applying that average setback to establish a line on the subject property parallel with the Statutory Vegetation Line [Policy 9, amended by Ord. 243, May 13, 1986; and Ord. 277, Aug. 29, 1990

10. All construction shall be in conformance with the recommendations of the site investigation report and applicable HUD Flood Management requirements. The developer shall establish a time period for re-vegetation of open dune sand. [Policy 10, amended by Ord. 243; May 13, 1986.]

11. Breaching of foredunes shall be permitted only for extreme measures, such as fighting fires, or cleaning up oil spills. The dunes shall be restored to their original contour and re-vegetated after breaching occurs. [Policy 8 added by Ord, 223, Aug. 24, 1982; and renumbered by Ord. 243, May 13, 1986.]

12. Grading or sand removal necessary to maintain views or to prevent sand inundation may be allowed for structures in foredune areas, only if the area is committed to development or is within an acknowledged urban growth boundary and only as part of an overall plan for managing foredune grading. A foredune grading plan shall include the following elements based on consideration of factors affecting the stability of the shoreline to be managed including sources of sand, ocean flooding, and patterns of accretion and erosion (including wind erosion) and effects of beachfront protective structures and jetties. The plan shall:

    A. Cover an entire beach and foredune area subject to an accretion problem, including adjacent areas potentially affected by changes in flooding, erosion, or accretion as a result of dune grading;

    B. Specify minimum dune height and width requirements to be maintained for protection from flooding and erosion. The minimum height and width requirements to be maintained for protection from flooding and

erosion. The minimum height for flood protection is 4 feet above the 100 year flood elevation.

C. Identify and set priorities for low and narrow dune areas, which need to be built up;

D. Prescribe standards for redistribution of sand and temporary and permanent stabilization measures including the timing of these activities; and

E. Prohibit removal of sand from beach foredune system. Before construction can begin, the foredune grading plan must be adopted as an amendment to the comprehensive plan. [Policy 12, added by Ord. 243, May 13, 1986; and amended by Ord. 277, Aug. 29, 1990.]

13. The Nedonna Foredune Grading Plan is adopted by reference and incorporated into the comprehensive plan. (This includes the Technical Report, Management Plan, and Grading Plan.) [Policy 13, added by Ord. 243, May 13, 1986.]

14. Rockaway Beach shall protect the groundwater in dune areas from drawdown, which could lead to loss of stabilizing vegetation, loss of water quality, or intrusion of salt water into water supplies, by reviewing all proposed wells to ensure that findings are made to address the above factors. Building permits for single unit dwellings and middle housing are exempt from this requirement if appropriate findings are provided at the time of subdivision approval. [Policy 14, added by Ord. 243, May 13, 1986; Am. by Ord. 2025-04, June 11, 2025.]

Coastal Shorelands

1. Major marshes and significant wildlife habitat shall be protected. Uses in these areas shall be consistent with the protection of natural values.

2. Riparian vegetation shall be maintained and where appropriate, restored and enhanced consistent with the provision of water-dependent uses.

3. Proposed major developments adjacent to Crescent Lake and Lake Lytle shall provide public access to the lake consistent with the protection of riparian vegetation and the minimization of impacts on wetland.

4. Existing public ownerships, right-of-way and similar public easements, which provide access to coastal beach areas or lakes shall be retained or replaced if sold, exchanged or transferred.

5. Rights-of-way may be vacated to permit redevelopment of shoreland areas

provided public access across the affected site is retained.

6. Clustering of residential development in shoreland areas is encouraged where such clustering will protect identified wetlands, wildlife habitat or other identified coastal shoreland resources.

7. The City will rely on the requirements of its flood hazard overlay zone to regulate development in flood hazard areas to ensure that provisions of the National Flood Insurance program are met.

8. Where shoreline stabilization measures are required, priority shall be given to non-structural, rather than structural, solutions. [Coastal shorelands, amended by Ord. 277, Aug. 29, 1990.]

Hazards

1. Where development is proposed for areas with a slope of 25% or greater, a site investigation report prepared by a registered geologist shall be required prior to the approval of a building permit, land division or other proposed development.

2. Where development is proposed for areas containing Brenner, Coquille, Braillier or Peat soils, the City may require an on-site soil survey to determine whether significant amounts of these soils exist in locations where development is desired. If the detailed soil survey indicates that significant amounts of compressible soils exist, the developer or owner shall have a report prepared by a licensed civil engineer which indicates suitable techniques to minimize potential soil hazards to the proposed construction.

3. The City will rely on the requirements of its flood hazard overlay zone to regulate development in flood hazard areas. [Hazards, amended by Ord. 277, Aug. 29, 1990.]

Natural Features

1. The maintenance of natural terrain and vegetation shall be encouraged throughout the City. In areas with a slope exceeding 25% the City shall require a geological study**,** grading plan and erosion control plan prior to grading activities or tree removal to ensure that adverse impacts are minimized.

2. Cluster development is encouraged as a method of minimizing development impacts in areas with sensitive natural features.

3. New development shall protect existing streams, riparian corridors**,** wetlands**,**

and drainage ways. Proposed developments' drainage systems shall be designed to minimize the impact of storm water on adjacent properties. [Natural Features, added by Ord. 277, Aug 29, 1990.]

Land Use Categories

Land use categories are intended to establish certain uses for certain areas based on neighborhood characteristics, physical limitations, the availability of public services such as streets, sewer and water, the desires to build a strong economy and maintain a clean environment, and other factors.

The plan establishes rather high density limits (generally up to 24 units per acre, with exceptions for middle housing) in the developed areas. The basic philosophy is that there is little land available in the City that does not pose limitations to development, and those areas where development can occur should be more intensively used than sensitive lands such as the wetlands around the lakes, and steep slopes.

An important standard in land use designation is density, or the number of dwelling units that are to be permitted on a given unit of land. Density, in terms of net density per acre, is based on the total square footage of the site, less areas of public or private streets.

Density of development determines present and future demand for public facilities and services such as schools, sewer and water service, police and fire protection.

Density calculations shall not prevent owners of individual lots of record (prior to the adoption of the plan) from building on their property if their lots are substandard in size. The City currently allows construction on lots of less than 3,500 square feet unless the owner has contiguous property. The plan recognizes the ability of owners to build on small lots (therefore at higher densities) where this situation exists.

The most important application of density standards is in areas that are largely undeveloped at the present time. It is not intended to prevent the use of scattered lots that exist in already developed areas. Density is generally expressed in number of dwelling units per acre, with dwelling units defined as permanent housing units, not motel units. The zoning ordinance of the City is the document that establishes lot size requirements, setbacks, and height restrictions, but the zoning ordinance must agree with the comprehensive plan.

The Manhattan Residential/Resort Area

This area extends from the northern City limits of Rockaway Beach south to NW 18th Ave. on the west side of US Highway 101, and south to NW 10th Ave. on the east side of the highway. [Manhattan Residential/Resort Area, amended by Ord. 277, Aug. 29, 1990.]

This is a mixed use area combining commercial activity on the east side of the highway, with motels, weekend cabins and permanent residences throughout the area. Essentially,

it is a thin strip of land bounded by the Pacific Ocean on the west and Crescent Lake and Lake Lytle on the east, separated by the federal highway and the railroad tracks.

The area is also characterized by poor traffic circulation in the northern part west of the railroad tracks. There are no north-south streets throughout most of this area, and the streets that exist are not capable of handling large amounts of traffic.

1. Expansion of existing motels or other tourist facilities should be planned to provide sufficient parking and circulation space.

2. Density in the area is designated to be high, with a maximum of 24 dwelling units per acre. Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre. (Specific lot size requirements to be established by the zoning ordinance.) [Policy 2 Am. by Ord. 2025-04, June 11, 2025]

3. Development adjacent to the wetlands associated with Crescent Lake shall be undertaken in a manner that protects those wetlands. [Policy 3, amended by Ord. 277, Aug. 29, 1990.]

4. Permitted uses in this area are residences (single-unit, middle housing and multi-unit structures), hotels and motels, and limited commercial uses along US Highway 101, which are resort oriented. [Policy 4 Am. by Ord. 2025-04, June 11, 2025]

5. Previous policies concerning dunes and wetlands are applicable in this area.

6. An area between NE 17th and NE 21st on the east side of US Highway 101 shall be designated for commercial uses. [Policy 6, added by Ordinance No. 277, passed August 29, 1990.]

The Special Residential/Resort Area

This area extends from NW 18th Ave. to NW 11th Ave. on the west side of US Highway 101. This area is similar in character to the area north of it, but through the citizen involvement process it has been determined that it should have a specific policy [Special Residential/Resort Area, amended by Ord. 277, Aug. 29, 1990.]:

1. No new motels shall be allowed to establish in this area, but existing motels shall be allowed to reasonably expand with planning commission review to insure that proper parking and street access is permitted.

2. Restaurants and other retail commercial uses shall be allowed with conditions to insure that they are compatible with the area. Additional motel units may be added to an existing motel if the owner can satisfy the planning commission with regard to parking and traffic requirements. The additions do not require a

conditional use permit.

3. Density in this area is designated to be the same as the Manhattan Residential/Resort Area, 24 dwellings per acre. Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre. [Policy 3 Am. by Ord. 2025-04, June 11, 2025.]

4. Uses permitted in this area are residential, and the expansion of existing motel uses. [Policy 4, amended by Ord. 277, Aug. 29, 1990; Am. by Ord. 2024-04, June 11, 2025.]

Low Density Residential Area

This area extends from NW 11th Ave. to N 6th Ave., west of US Highway 101. This area is in the vicinity of the "Ridge", or high stabilized sand dune in the northern part of the City. It is a stable neighborhood composed primarily of single-family homes. There are large motels on either end of this area, and a limited amount of vacant land dispersed among existing structures. The last community questionnaire indicated a strong desire of the townspeople to keep the area a single-family neighborhood. However, SB406 was enacted by the Oregon Legislature in 2023 to improve housing availability and affordability in Tillamook County. It requires "middle housing"–including duplexes, triplexes, quadplexes, townhouses and cottage clusters—to be allowed in the city's residential zones. The Low-Density Residential area will accommodate single-unit homes and middle housing types. [Single-Family or Duplex Residential Area, amended by Ord. 277, Aug. 29, 1990. Category name and description amended by Ord. 2025-04, June 11, 2025.]

1. [Policy 1, deleted by Ord. 2025-04, June 11, 2025]

2. The density of this area should not exceed 24 dwelling units per acre. Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre. [Policy 2, amended by Ord. 277, Aug. 29, 1990; Am. by Ord. 2025-04, June 11, 2025]

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.]

4. [Policy 4, deleted by Ord. 277, Aug. 29, 1990.]

The Downtown Commercial Area [C]

N.6th Avenue to S. 7th Avenue, west of Beacon Street on the east side of US Highway 101 and N. 6th Avenue to S. 3rd Avenue on the west side of US Highway 101.

This area encompasses the downtown business core with its commercial uses such as the grocery stores, hardware store, drugstore, bank, bowling alley, taverns, restaurants and other primary retail uses. Public buildings, such as the post office and the City Hall are here, as is the state wayside and public restrooms. Most of this activity is centered around US Highway 101, but the side streets such as Nehalem, Miller and Pacific are important to the overall circulation in this area.

1. The state wayside and the city parking lot can provide parking for businesses in the immediate downtown area. However, the City and downtown property owners should work together to increase the supply of off-street parking. The possibility of purchasing property for additional off-street parking should be explored. Purchases could be financed by a combination of City funds and a local improvements district. [Policy 1, amended by Ord. 277, Aug. 29, 1990.]
2. Uses allowed in the downtown core area should be those that predominate there now: primary retail and service commercial activities. Large land uses, such as car lots, service stations and drive-in restaurants should be allowed within the commercial area on a conditional use basis. [Policy 2, amended by Ord. 277, Aug. 29, 1990.]

3. The plan supports the location of housing in this commercial area, particularly in conjunction with businesses. Where new residential uses are allowed in the Downtown Commercial Area, ground floor retail uses should be required**.** This is common with many of the businesses that are presently there, and should continue.

4. It is the intention of the plan to support the economy of Rockaway by maintaining scarce ocean front commercial property for commercial purposes, and to maintain an identifiable downtown commercial core.

[Amended by Ord. 204, Apr. 28, 1981; and deleted by Ordinance No. 277, passed August 29, 1990.]

The Saltair Creek Residential/Resort Area (R/R)

This area extends from S. 3rd Avenue to Alder Street, and is entirely west of US Highway 101. [Saltair Creek Residential/Resort Area, amended by Ord. 277, Aug. 29, 1990.]

This is primarily an area of small beach cottages and homes, on small lots. The streets are very narrow (S. Pacific is 20 feet wide, S. Miller is 30 feet wide), and as such cannot accommodate large traffic volume. There are presently few commercial land uses in this

area, and little vacant property.

1. Active and conditionally stable foredunes are identified in Figure 2 (after page 19). Much of the land in this area falls into this category, and therefore the beaches and dunes policy applies.

2. The Clear Lake ocean outlet in this area poses some flooding hazards that must be considered for any construction in the vicinity.

3. This area should remain primarily resort residential, with a density limitation of 24 dwelling units per acre. This density limitation does not apply to duplexes, triplexes, quadplexes, or cottage clusters. Maximum density for townhouses is 25 dwelling units per acre. Motels should be allowed conditionally with attention paid to vehicle access on the narrow streets. Off-street parking is especially important. [Policy 3, Am. by Ord. 2025-04, June 11, 2025]

Nature Conservancy Area

This is a 43 acre undeveloped, natural area between S. 7th Avenue and Alder Street, and US Highway 101 on the west and Reed Street on the east. It was annexed to the City in June, 1980 and is designated as special area wetlands. [Nature Conservancy Area, amended by Ord. 277, Aug. 29, 1990.]

1. To reduce the possibility of conflicts with the natural area, the city will retain the rights-of-way to S. 7th Avenue and Alder Street as undeveloped buffer areas, using them only for the placement of utilities.

2. The City will use its rights to the water of Heitmiller Creek in such a way as to insure an adequate flow in the city's water supply but that in no way diminishes the value of the Nature Conservancy Natural Area.

Special Area Wetlands Zone (SA)

1. The perimeter of Lake Lytle and Crescent Lake contains extensive wetlands and lowlands that are subject to flooding, provide wildlife habitat, and are a significant scenic resource for Rockaway Beach. Uses in this area should respect these qualities by being low intensity, by either having a low intensity impact or being water dependent, such as boat docks or launching ramps. Public access should be provided consistent with the protection of wetland values. The perimeter of Spring Lake and Clear Lake also contains wetlands that must be protected. [Policy 1, amended by Ord. 277, Aug. 29, 1990]

2. All proposed development in this area must be reviewed to insure that there is appropriate use made of the wetlands areas, such that:

A. Riparian vegetation shall be protected by city riparian corridor regulations.

B. The use of piling and floating devices is the preferred method for locating water-dependent uses. Where fill is necessary, fill will be kept to the minimum necessary to locate the water-dependent use.

C. Residences are located in upland areas in order to preserve the natural condition of the lakefront.

D. State and federal agencies that have authority in these areas are informed of any proposed filling, dredging, or other significant alteration of the shorelands. (Agencies such as the US Corps of Engineers, Department of State Lands, Oregon Department of Fish and Wildlife). [Policy 2, amended by Ord. 277, Aug. 29, 1990.]

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.]

4. [Policy 4, deleted by Ord. 277, Aug. 29, 1990.]

5. [Policy 5, deleted by Ord. 277, Aug. 29, 1990.]

6. In order to provide better fishing access to Lake Lytle, the City shall work with the Oregon Department of Fish and Wildlife (which stocks the lake) to determine if vegetarian management or other means is feasible. The possibility of providing improved parking and public access along US Highway 101 should be explored. [SA Zone as amended by Ord. 223, Aug. 24, 1982.]

Lake Lytle Wetlands Area (W)

[Zone included in SA Zone by Ord. 223, Aug. 24, 1982.]

The East Rockaway Beach Residential Area [R]

This area comprises a large portion of the City's residential area east of US Highway 101; it extends from S. 7th Avenue to N. 6th Avenue and from NE 12th Avenue to NE 24th Avenue. The area includes fairly large tracts of undeveloped land east of Crescent Lake. Development in these areas may be limited by the existence of steep slopes and wetlands. [East Rockaway Beach Residential Area, amended by Ord. 277, Aug. 29, 1990.]

1. Densities in these areas are designated from 9 dwelling units per acre in the area zoned R-3 to 24 dwelling units per acre for multi-unit dwellings permitted as conditional uses in the R-2 area. Density limits do not apply to duplexes, triplexes, quadplexes, or cottage clusters in these areas. Maximum density for townhouses is 25 dwelling units per acre. [Policy 1, amended by

Ord. 277, Aug. 29, 1990; Am. by Ord. 2025-04, June 11, 2025]

2. Riparian vegetation shall be protected by city riparian corridor regulations. Rockaway Beach will consider options in the future to adopt local standards to protect riparian corridors and wetlands, inventoried on the Rockaway Beach Local Wetland Inventory (LWI), consistent with Statewide Planning Goal 5 which balance protection of these resources with community development objectives. [Policy 2, deleted by Ord. 277, Aug. 29, 1990.]

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.]

4. [Policy 4, deleted by Ord. 277, Aug. 29, 1990.]

5. Special consideration must also be given to development on steep slope areas to insure that landslide hazard and erosion is minimized. As part of the approval of a subdivision or planned unit development the planning commission may require that a grading and erosion control plan be prepared and implemented. [Policy 5, amended by Ord. 277, Aug. 29, 1990.]

6. [Policy 6, deleted by Ord. 277, Aug. 29, 1990.]

7. The City encourages the use of planned developments for the development of larger parcels in order to provide for the clustering of development as a means of minimizing the impact on sensitive areas such as steep slopes and wetland areas. [Policy 7, amended by Ord. 277, Aug. 29, 1990.]

8. [Policy 8, deleted by Ord. 277, Aug. 29, 1990.]

9. Multi-unit structures built closer to the downtown area should include dwellings for the elderly, who can benefit from proximity to the shopping areas. [Policy 9, Am. by Ord. 2025-04, June 11, 2025]

10. [Policy 10, deleted by Ord. 277, Aug. 29, 1990.]

Conditional Use Area (CU)

[Conditional Use Area, deleted by Ord. 277, Aug. 29, 1990.]

Twin Rocks Area

[Twin Rocks Area, deleted by Ord. 277, Aug. 29, 1990.]

Public Facilities Zone

The Public Facilities Zone is intended to provide area for buildings and facilities that are owned and operated by the Federal, State, or local governments, public utilities, and special

districts which are used to provide governmental or public services. This zone also provides for school sites, public park and recreation facilities, natural areas, trails, wetlands, and similar types of open space owned and managed by local government, school district or special district. [Public Facilities Zone, added by Ord. 19-435, June 10, 2020.]

Open Space, Scenic and Historic Areas and Natural Resources

1. The City will protect the Nature Conservancy's forested swamp site from incompatible uses through a special area wetlands designation.

2. The City shall protect significant riparian corridors and wetlands as follow:

   A. The City has identified significant Goal 17 wetland areas adjacent to Crescent Lake, Lake Lytle, Clear Lake and Spring Lake. These wetlands will be protected by the City's special area wetlands area designation.
   B. Other riparian corridors and locally significant wetlands shall be protected by city riparian corridor regulations. Rockaway Beach will consider options in the future to adopt local standards to protect riparian corridors and wetlands, inventoried on the Rockaway Beach Local Wetland Inventory (LWI), consistent with Statewide Planning Goal 5 which balance protection of these resources with community development objectives
   C. However, wetlands that do not qualify as "significant" under Department of State Lands (DSL) administrative rules still require a permit from the US Army Corp of Engineers or the Department of State Lands before construction can begin. The City will establish a mechanism to ensure that appropriate state and federal permits are obtained prior to any site development activities in these wetlands.

3. Indian cairns, graves and other significant archaeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or re-internment has been developed by the State Historic Preservation office. Upon discovery of any new archaeological sites, the City will address the Goal 5 requirements through a comprehensive plan amendment. [Open Space, et al, amended by Ord. 277, Aug. 29, 1990.]

Rockaway Urban Growth ~~Boundary~~ Management Policies

Description

1. [Description 1, deleted by Ord. 277, Aug. 29, 1990.]

2. The urban growth boundary is the area in which the City may provide full or partial services (sewer, water, police and fire protection), and the area in which annexations may occur in the next 20 years. Extension of services within the area is the decision of the city council, and is contingent upon the

ability of the services to support additional development.

3. The city council and planning commission shall review the urban growth boundary as part of the periodic review of the comprehensive plan in order to make necessary changes and to account for changing conditions. [Description 3, amended by Ord. 277, Aug. 29, 1990.]

YEAR 2026 LAND NEED AND SUPPLY

In accordance with Policy 3, and as documented in the *Urbanization Report* (pp. 6-4 to 6-5), Rockaway Beach has enough land within its urban growth boundary (UGB) to accommodate growth needs through the Year 2026:

Table 6-5 shows total land demand for the 2007 to 2027 period. The results lead to the following findings:

- Total land demand for all uses is estimated to be 108 gross buildable acres for the 2007-2027 period.

- The City will need about 98 gross acres for residential uses between 2007 and 2027. Of this, 24 acres will be needed for primary homes of residents of Rockaway Beach and 74 acres will be needed for vacation homes under the high demand scenario.

- The City will need about 8 gross acres for employment between 2007 and 2027.

- The City will need about 2 gross acres for public and semi-public uses between 2007-2027.

Table 6-5 Estimated total land need, Rockaway Beach UGB, 2007-2027

Land Use	Land Need (Gross Acres)
Residential	
Primary homes	
Single-family detached	16.3
Manufactured	5.2
Condo/Townhomes	1.3
Multifamily	1.2
Sub-total – Primary homes	23.9
Vacation homes (high demand)	
Single-family	50.0
Multifamily	23.5
Sub-total – Vacation homes	73.5
Subtotal – Residential	**97.5**
Non-Residential (Employment)	
Retail Services	5.0
Industrial	0.9
Government	2.3
Subtotal – Non-Residential	**8.2**
Other (Public/Semi-Public	
Churches	1.9
Fraternal	0.1
Subtotal – Public/Semi-Public	**2.0**
Total Land Need	**107.6**

Source: ECO Northwest

Table 6-6 shows a comparison of estimated land need and land demand for the Rockaway Beach UGB between 2007 and 2027. The results lead to the following findings:

- The City has a surplus of about 57 acres of residential land [including seasonal home need projected at the high demand scenario, which is unlikely.]

- The City has a deficit of 4.4 acres of land for commercial uses.

Table 6-6 Comparison of land need and land supply Rockaway Beach UGB, 2007-2027

Land use type	Land demand	Supply 2007	Surplus (deficit)
Residential	99.4	156.4	57.0
Commercial	8.2	3.7	(4.4)
Total	107.6	160.1	(4.4)

In summary, Rockaway Beach has enough residential land to accommodate both year-round residential growth as well as seasonal units. The City appears to have a small deficit of commercial land. As noted in the economic development section of the plan, the City will meet the need for commercial land by expanding the commercial district east of Highway 101. Part of this need will also be met through redevelopment of existing commercial uses, and by requiring condominium developments to include ground floor commercial space.

Procedure

4. The land within the urban growth boundary but outside the City limits (including Nedonna and a portion of Twin Rocks) is considered to be a joint management area between the City and County. Tillamook County shall have responsibility for land use decisions in this area, including zoning, street improvements and standards, and subdivisions. However, the City and County will cooperate in regulating development through the urban growth boundary policies.

5. Either jurisdiction initiating actions such as rezoning, subdivision, planned development, major sewer or water extensions or other major activities shall notify the other within 15 working days after receipt of the proposed activity. If additional time is required for a response, the jurisdiction in receipt of such a notice shall notify the other. This procedure shall apply to all actions within the urban growth boundary outside the city limits.

Urbanization Criteria

6. To preserve large parcels of land for future urban development, and to prevent premature and inefficient parcelization and development of the urbanizable land supply, new land brought into the UGA based on a demonstrated need consistent with state law, will remain in its County rural zoning classification until:

a) the City determines that urban services are available and adequate to serve the subject property and support planned urban services, and
b) the land is annexed to the City, and
c) the land is zoned for urban development.

6a. Pursuant to provisions in Goal 2, Land Use Planning, the City and County are required to have coordinated and consistent comprehensive plans, which establish an Urban Growth Boundary (UGB) and a plan for the Urban Growth Area (UGA) within the boundary. In addition, the City and County share a common concern regarding the accommodation of population growth and utilization of lands within the UGB and consider it mutually advantageous to establish an Urban Growth Area Management Agreement (UGAMA) for the

purpose of facilitating the orderly transition from rural to urban land uses within the City's UGA. Therefore, the City and County currently have an UGMA and the City will work with the County to develop a revised UGMA which reflects more clearly the policies and strategies within the Rockaway Urban Growth Management Policies section of the comprehensive plan.

7. Changes in the urban growth boundary must be done by amendment of the City and County comprehensive plans consistent with the Goal 14 administrative rule (OAR 660, Division 024) and ORS 197.298 Priorities for urban growth boundary expansion**.**

Coordination

8. The Twin Rocks Sanitary District and the Nedonna Fire Protection District may be involved in major land use decisions, which affect their areas of influence.

A. Coordination with the Twin Rocks Water District. The Twin Rocks Water District provides fire protection services (under contract with the City of Rockaway Beach) and street lighting services (under contract with the Tillamook County PUD) to an unincorporated area known as Twin Rocks. The City shall consult with the district prior to annexations within the district boundaries to coordinate public facilities and service planning; however, upon annexation, the annexed area shall be withdrawn from the district and the City will provide, or contract for, the services presently provided by the district.

B. Coordination with the Twin Rocks Sanitary District. The Twin Rocks Sanitary District provides sanitary sewage services to the unincorporated areas known as Twin Rocks. The City shall consult with the district prior to any annexation proposal. In order to coordinate public facilities and services planning. In the plan formulation process, it was evident that the sanitary district was concerned, lest the premature withdrawal of territory from the district upon annexation to the City be untimely and otherwise result in adverse financial consequences for the district. In order to accommodate the district as far as possible, the City shall:

(1) Consult with the district before acting upon any proposed annexation of territory served by the district to determine whether annexation should be accompanied by a withdrawal of territory from the district.

(2) If there be no proposal for withdrawal accompanying annexation, the district shall continue to provide sanitary sewage services to its service area, including that area annexed.

(3) If there be a proposal for withdrawal accompanying annexation or shortly after annexation, the City and the district

shall consider the respective ability of each other to provide sanitary sewage services, the economic, social , environmental and energy consequences of withdrawal to the City, the district, and the area proposed to be annexed, and the plant and line capacities of the city and district systems.

(4) The City and the district recognize the need for coordinating Planning for Public facilities and services and the need for attendant fiscal security. This will occur at the time of periodic review. [Policy 9(B) (4), amended by Ord. 277, Aug. 29, 1990.]

C. The city shall coordinate major land use actions with the Twin Rocks Sanitary District, Twin Rocks water district, or Nedonna Fire Protection District if such actions would affect their provision of services to their service areas. [9.C added by Ord. 204, Apr. 28, 1981.)

Extension of Services – Conversion Factors

9. City services are an integral part of the City/County urban growth management strategies with extension of these services guided by the following:

A) The City and County shall not authorize urban levels of development without the provision of necessary urban services (public water and sewer services, storm drainage and urban streets) to support planned levels of development. Rural levels of development, sited without services on urbanizable land, shall be sited in such a way as to not interfere with urban levels of development and services when conversion from urbanizable land to urban lands occurs. Shadow platting and other conversion tools can be used to help satisfy this provision.

B) Proposed annexation areas must demonstrate that sufficient urban services are available or will be installed in conjunction with any land development.

C) The City and County shall require property owners and/or developers to pay their fair share of the cost of extending community services to their property and to pay for or build necessary on site public facilities and site improvements.

9a. It is anticipated that the City of Rockaway Beach and Tillamook County will cooperate in managing the urban growth area to maintain the potential for planned urban development on urbanizable lands until the land is converted to urban land. The following guiding principles will apply:

A) The City/County will require provisions of urban services to residential, commercial, and industrial lands as these lands are urbanized. Lands adjacent to the City limits are generally preferred for service over areas on the fringe (near the UGB) so that services are extended in a logical and orderly fashion.

B) Conversion of this urbanizable land to urban development generally should occur once public facilities and services are available and adequate to serve urban levels of development and the land is annexed into the City and zoned for urban development. The City and County, in managing land within the urbanizable and unincorporated portion of the Urban Growth Area may adopt language, if necessary, within its land use ordinance consistent with this provision.

C) The following definitions are associated with the urban growth management policies and strategies above:

Urban Level of Service/Development: Urban Level of Development is development which generally requires supporting full urban services, as indicated above, to be capable of reaching development levels planned for within the City of Rockaway Beach Comprehensive Plan. Any proposed subdivision partition shall be required to be developed with full urban services (i.e., public water and sewer, urban streets and adequate storm drainage facilities.)

Urban Lands: Lands inside the City of Rockaway Beach Urban Growth Boundary for which sewer and water services are available and capable of supporting planned levels of development, including associated open space and unbuildable land.

Urbanizable Lands: Land inside the City of Rockaway Beach Urban Growth Boundary that is designated for urban development for which sewer and water services capable of supporting planned development are not available.

Justification for the Rockaway Beach Urban Growth Boundary

1. The justification for the Rockaway Beach Urban Growth Boundary (UGB), previously found in the Comprehensive Plan Background Report is found in Appendix 2.

Housing Element

The state-wide goal applicable to this plan element is: *"To provide for the housing needs of citizens of the state."*

The housing needs of Rockaway Beach differ from communities elsewhere primarily because of its coastal location, its lack of industry other than tourism, and its size. Rockaway Beach is a resort area, with approximately 65 percent of its housing used on a weekend or vacation basis. A large percentage of its permanent residents, about 30 percent, are senior citizens, which is typical of communities in the coastal area. The major housing needs of the City are basically two-fold:

1. Housing for low-income workers employed by tourist-oriented businesses, and
2. Housing for low-income senior citizens.

The City's housing strategy is to:

- Permit development on smaller lots, 5,000 square feet;
- To permit development of middle housing and multi-unit dwellings throughout most of the City;
- To encourage higher densities for middle housing and multi- unit development;
- To permit manufactured dwellings on individual lots in some zones; and
- To designate zones that provide manufactured dwelling subdivisions and manufactured dwelling parks.

[Housing strategy amended by Ord. 2025-04, June 11, 2025.]

The City has also encouraged the development of low cost federally subsidized land in conjunction with the school district. Up to the present time, housing development in the City has mostly been in the form of single-family dwellings.

Revised Housing Needs Analysis (2007)

In 2007, the City revised its housing needs analysis based on work completed by ECONorthwest. *The Urbanization Report* (p. 4-23) summarizes the results of the 2007 Housing Needs Analysis as follows:

Table 4-15 shows the forecast of new dwelling units and land need by type. The historical residential mix was 73% single-family, 18% manufactured (mobile home), and 9% multiple family. The needs analysis forecasts a higher level of multifamily housing production and shifts the housing split to 80% single-family types [including manufactured homes] and 20% multifamily types for residents. Rockaway Beach already allows for relatively high density housing; development on small lots, typically 5,000 square feet for single-family dwellings, 3,500 square feet for duplexes, and 1,750 square feet per unit for multifamily dwellings. The needs analysis also forecasts increasing densities for all types of housing. These increases are based on national, state, and regional trends of building on smaller lots and increased need for multifamily housing.

The forecast indicates that Rockaway Beach will need about 19 net residential acres, or about 24 gross residential acres to accommodate new housing for residents between 2007 and 2027.

Table 4-15. Forecast of needed new dwelling units and land need by type, Rockaway Beach, 2007-2027

Housing Type	New DU	Percent	Density (DU/net) res ac)	Net Res. Acres	Net to Gross Factor	Gross Res. Acres	Density (DU/gross res. Ac)
Single-family							
Single-family detached	98	60%	8.0	12.3	25%	16.3	6.0
Manufactured	33	20%	8.0	4.1	20%	5.2	6.4
Subtotal	**131**	**80%**	**8.0**	**16.4**		**21.5**	**6.1**
Multifamily							
Condo/Townhomes	16	10%	15.0	1.1	15%	1.3	12.8
Multifamily	16	10%	15.0	1.1	10%	1.2	13.5
Subtotal	**32**	**20%**	**15.0**	**2.1**		**2.4**	**13.1**
Total	**163**	**100%**	**8.8**	**18.5**		**23.9**	**6.8**

Coastal Vacation (Second or Seasonal) Homes

A major issue faced by northern coastal communities is accommodation of second homes used primarily for recreational and income purposes. The Urbanization Report (pp. 4-10 to 4-12) looked carefully at this issue and reported the following:

> "Rockaway Beach has a large number of homes that are used seasonally or recreationally. About half of Rockaway Beach's 1,600 homes were vacant for recreational or seasonal reasons during the 2000 Census….The Tillamook County Assessor's data suggests that the majority of recent building activity in the City has been for seasonal housing….The challenges that Rockaway Beach faces as a result of the vacation and second homes include:
>
> - Housing is less affordable to people living within Rockaway Beach. The City's average wage is lower than the state average. People who can afford to purchase a second home can afford to pay more for housing than many people working in Rockaway Beach.
>
> - Dense multifamily residential developments are being built in the commercial zone. Rockaway Beach allows residential development in land zoned for commercial use. The high value of housing for seasonal and recreational purposes has resulted in redevelopment of properties in the commercial zone from commercial to residential uses.
>
> - Owners of vacation and second homes may be less likely to be directly engaged in the community than full-time residents. People living in Rockaway Beach may be more involved with community activities and concerns than owners of second homes, resulting in less engagement on the part of a significant share of property

owners.

The benefits of the large share of seasonal and recreational housing are predominantly economic in nature. Second homeowners and tourists are likely to patronize retail and commercial businesses in Rockaway Beach, such as stores and restaurants. In addition, property owners pay property taxes, which fund City services that they probably use less frequently than full-time residents."

The *Urbanization Report* (p. 4-22) projects that second and vacation homes will account for half of future new home construction in Rockaway Beach:

"Table 4-14 presents a forecast for seasonal housing units for Rockaway Beach for 2007 to 2027. This forecast is based on the assumption that seasonal housing will continue to account for 50% of the housing stock in Rockaway Beach, as it did in 2000. This forecast also assumes that seasonal housing units will be developed at a greater density than housing for year-around residents, with a mix of 50% multifamily dwellings.

Table 4-14. Forecast of seasonal units, Rockaway Beach, 2007-2027

Vacation homes	Mix	Low demand	High demand
Single-family	50%	175	600
Multifamily	50%	175	600
Total	**100%**	**350**	**1200**

Source: ECONorthwest

The high level of uncertainty in the demand for seasonal housing means that it is possible that this forecast for seasonal housing may be inaccurate. If development trends from 2005 and 2006 continue over the planning period, with more than 100 permits issued annually, the 20-year demand for seasonal housing could be as much as 1,200 dwellings. This scenario represents a possible, if somewhat unlikely, future for Rockaway Beach. The City can set policies that limit or encourage seasonal housing development."

The *Urbanization Report* (p. 4-24) also projects how much buildable land is likely to be consumed by vacation or "seasonal" homes over the 20-year planning period:

"Table 4-16 shows a forecast of land needed as a result of demand for seasonal housing from 2007 to 2027… . The estimated buildable land need is between 21 and 74 gross residential acres.

Table 4-16. Forecast of demand for seasonal housing and land need by type, Rockaway Beach, 2007-2027

			Low Demand		High Demand	
Vacation homes	**Mix**	**Density (DU/gross) res ac)**	**Dwellings**	**Gross Res Acres**	**Dwellings**	**Gross Res Acres**
Single-family	50%	6.0	175	29.2	600	100.0
Multi-family	50%	12.8	175	13.7	600	47.1
Total	**100%**	**8.16**	**350**	**42.9**	**1200**	**147.1**

Redevelopment		
Assumptions		
Percent of units	50%	50%
Vacant acres needed	21.4	73.5

Source: ECONorthwest

The *Urbanization Report (*p.6-5) determines that Rockaway Beach has 157 gross buildable residential acres. Even under the "high demand" scenario, the existing UGB has more than sufficient land to accommodate project needs for year-around and seasonal dwellings.

The following policies are meant to anticipate the needs for housing in Rockaway Beach, using public and private resources. Emphasis is placed on housing for the low and moderate income, primarily because it is the most difficult to provide in today's housing market. It is a basic goal of the plan to allow flexibility in the location and density of this type of housing. [Housing Element, amended by Ord. 277, Aug. 29, 1990.]

Policies

1. The City shall support all efforts to provide low or moderate income housing in and around Rockaway Beach, and shall cooperate with the Tillamook County Housing Authority, and Northwest Oregon Housing Association.

2. The Land use Element of the comprehensive plan and the zoning ordinance shall designate areas within the City where multifamily dwellings may be located, and where mobile home parks may be developed. It is assumed that low cost multi-family housing developed with public or private financing can be located anywhere other multi-family housing is allowed.

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.] The City shall designate sufficient buildable land within the UGB to meet housing needs identified in the *Urbanization Report* (ECONorthwest, June 2007). Approval standards for needed housing shall be clear and objective, as required by state statute and the Goal 10 (Housing) administrative rule.

4. Manufactured dwellings shall be permitted in areas zoned for single-family dwellings, subject to clear and objective design standards**.** [Policy 4, amended by Ord. 277, Aug. 29, 1990.]

5. Federal and state housing programs should be used to upgrade the existing housing in Rockaway Beach and to provide new dwellings.

6. The City shall review the impacts of vacation rentals on the demand for public facilities and services, neighborhood identity and community, and the City's tax structure**.** [Policy 6, deleted by Ord. 277, Aug. 29, 1990.]

7. The City shall review potential impacts on buildable residential lands resulting from implementation of riparian corridor and wetland protection measures**.**[Policy 7, deleted by Ord. 277, Aug. 29, 1990.]

8. Housing development shall be located within the urban growth boundary established in this plan to insure that efficient, logical extensions of urban services such as sewerage, water, roads and fire and police protection will adequately serve new development.

9. Street, sidewalk and other development and subdivision improvement standards should be realistically sized so as to not add undue costs to housing development. Street widths and paving techniques should reflect the density of development, the projected traffic loads, whether the development will be permanent or vacation use, and the character of the surrounding streets.

10. Housing information, projections and needs and the buildable lands inventory must be continually reviewed and, where necessary, updated. The 2007 Housing Needs Analysis prepared by ECONorthwest is adopted as part of the comprehensive plan and supersedes previous housing needs analyses.

11. Efforts must be made through zoning, enforcement of the building code and other ordinances to repair, and where necessary, remove dilapidated structures in the City.

12. The City shall encourage the development of middle housing in its residential zones.

Transportation Element

The statewide goal applicable to this plan element is: "*To provide and encourage a safe, convenient and economic transportation system."*

The size, geography and location of Rockaway Beach obviously limit the variety of transportation types available to residents and visitors. The automobile is the predominant form of transportation, but pedestrian and bicycle traffic, especially in the summer tourist season, must be considered as an important part of the overall transportation system. Limited public transportation is available in Rockaway Beach. Twice daily commercial bus service connects Rockaway Beach with other cities, and a bus system for the elderly has been established in Tillamook County to improve transportation access for that segment of the population.

Although a Port of Tillamook Bay rail line extends through the City, there are no rail freight or passenger facilities in Rockaway Beach. In the early part of the century, rail service was the most important means of access to the City, for both the summer recreation trade and for goods.

This plan element is intended to provide policies concerning all forms of transportation in the City, including street construction and improvement, motor vehicle, bicycle and pedestrian circulation, parking and the special needs of the elderly and the handicapped, in order to promote an efficient, safe and balanced transportation system. Only by addressing the need for different forms of transportation can reliance on the automobile be decreased and some measure of energy conservation take place. Conservation of energy resources can also be aided by limiting the width of pavement in street construction, and by encouraging cluster or higher density.

Circulation

1. Pedestrian and bicycle needs should be considered in all proposed street construction and in the improvement of existing rights-of-way, in order to increase safety and encourage the use of non-automobile transportation.

2. Construction of streets and roads in steep hillside areas should follow contour lines and natural topography wherever possible to minimize the danger of slides. [Policy 2, amended by Ord. 277, Aug. 29, 1990.]

3. Street and road construction should include provisions for drainage unless it is an area to be served by the City drainage system. Drainage in steep areas should not introduce storm runoff into the ground (except in culverts) and thereby increase the danger of landslides. Culverts shall be included in road projects where heavy runoff could cause erosion or slumping of the road bed.

4. Streets constructed by private developers must meet all applicable City standards before acceptance into the city street system. [Policy 4, amended by Ord. 277, Aug. 29, 1990.]

5. [Policy 5, deleted by Ord. 277, Aug. 29, 1990.]

6. [Policy 6 deleted by Ord. 277, Aug. 29, 1990.]

7. Street categories in Rockaway are depicted in Rockaway Beach Technical Standards and are hereby incorporated by reference.

8. In areas of steep topography or other unusual circumstances, the planning commission may waive the street standards in order to minimize slide or other hazards, especially the street width requirements. (On-street parking should be banned where necessary, with additional off-street parking required to compensate for it.)

9. [Policy 9, deleted by Ord. 277, Aug. 29, 1990.]

10. The City will cooperate with the State Department of Transportation in developing any major improvements to US Highway 101. Any major improvements shall give consideration to the following:

    A. The enhancement of vehicular and pedestrian access across US Highway 101;

    B. The maintenance or "improvement of parking facilities along US Highway 101;

    C. The provision of appropriate landscaping; and

    D. The minimization of short-term disruptions of downtown business and an enhancement of the long range viability of the downtown area. [Policy 10, added by Ord. 277, Aug. 29, 1990.]

Parking

Parking needs in Rockaway are obviously most severe during the summer tourist season. The state Highway Division provides a wayside parking lot to provide access to the beach and the downtown area, but parking problems persist in the downtown area. The City has established a long narrow parking lot between US Highway 101 and the Southern Pacific railroad tracks between Nehalem Avenue and S. 3rd Avenue separated from the highway by a curb.

Special Transportation Needs

1. Sidewalks should be constructed along all heavily traveled streets, including US Highway 101. The state Highway Division should be encouraged to provide a sidewalk on the east side of the highway from S. 3rd Avenue to S. Stark Street.

2. Pedestrian crosswalks across US Highway 101 should be clearly marked and defined with devices such as pedestrian refuges and curbside islands.

3. Beach access should be made as easy as possible for all residents and visitors. The City should construct or maintain accesses where necessary to insure that persons of limited mobility, such as elderly and handicapped persons, can get to the beach.

4. The City should consider placing wheelchair ramps at key points in the downtown area. These ramped curbs would also be of value to people using walkers and those with poor walking ability.

5. The Tillamook County special bus service for the elderly program should be well-publicized. At present it serves Rockaway Beach with regular stops. The possibility of constructing stop shelters should be investigated. These could also be used by school children and passengers on the commercial inter-city buses.

Parks and Recreation

[Title, amended by Ord. 277, Aug. 29, 1990.]

The state-wide goals applicable to this plan element are: *"To encourage open space and protect natural and scenic resources. To satisfy the recreational needs of the citizens of the state and visitors."*

This element of the Comprehensive Plan is intended to describe the parks, recreational facilities, and open space in the Rockaway Beach area, evaluate the availability of such areas, and maintain and expand such areas, in keeping with the appropriate state-wide goals.

The City of Rockaway Beach is naturally endowed with various types of undeveloped land suitable for recreation. The beach and forest lands, the ocean, bays and rivers in the area afford residents and visitors a wide variety of opportunities for both active and passive outdoor recreation. Strolling on the beach, stalking elk in nearby forests, fishing or boating on Lake Lytle, or swimming in other City lakes are some of the recreation possibilities. These natural recreation opportunities constitute the base of the Rockaway Beach economy.

Recognizing the scenic and recreational value of the coast, the state of Oregon long ago took steps to insure that the beach itself would remain a recreational resource available to the public. In 1915, Governor Oswald West declared the ocean beach to be a state highway, thus assuring free access to the waterfront. In 1967, the beach was declared a state recreation area. It has been state policy since that time to provide access to the beach and other state-owned recreational areas, and it is anticipated that the policy will be continued. The state Highway Division uses state revenues and federal funds to acquire and develop these access points.

It is a basic philosophy of the land use plan that, where dwellings are close to the beach, such as the land west of US Highway 101, less lot area is required. This is in recognition that the beach and ocean provide great amounts of open space and recreation opportunities to the residents in these areas.

Recreation opportunities are needed for residents of the City's neighborhoods. The City Park is undeveloped, the ball field at the school has fallen into disrepair, and the downtown has no outdoor areas at present for people to sit and relax. A small park has been developed around the City Hall building with funds from the US Bureau of Outdoor Recreation.

Policies

1. The planning commission shall work closely with the state or county parks departments early in the design stage to assist in planning park developments in the urban growth boundary. The City will cooperate with the state Parks Division in any planning for the upgrading of the Manhattan Beach Wayside and restroom improvements at the Rockaway Beach state Wayside. [Policy 1, amended by Ord. 277, Aug. 29, 1990.]

2. Existing public ownership, rights-of-way and similar public easements, which provide access to the ocean beaches or coastal lakes in Rockaway Beach shall be retained or replaced, if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment provided public access across the affected site is retained. [Policy 2 as amended by Ord. 223, Aug. 24, 1982 and Ord. 277, Aug. 29, 1990.]

3. Beach accesses of both the state and City should afford access to elderly and handicapped people.

4. Review of county and state park development should encourage maintenance of natural vegetation, prevention of water or wind erosion, good traffic circulation, design of restrooms or other structures to be as unobtrusive as possible, and should be in harmonious design with the surrounding environment.

5. The plan recognizes the state waysides and the state controlled beach as significant open space resources to the area.

6. Local groups such as the volunteer fire department, fraternal organizations and the local National Guard unit should be encouraged by the City to participate in development of existing parks. Playground equipment, sanitary facilities, picnic areas and landscaping are needed.

7. Preservation of open space shall be encouraged through the use of the cluster development concept in land development. Small play areas, parks and other recreational facilities should be incorporated in cluster developments and subdivisions for the benefit of their residents.

8. [Policy 8, deleted b y Ord. 277, Aug. 29, 1990.]

9. [Policy 9, deleted by Ord. 277, Aug. 29, 1990.]

10. The City shall identify and provide adequate parks and recreation opportunities for its citizens.

11. Land that becomes available for public ownership through tax foreclosure or other means shall be considered for potential park, open space or recreation use, especially in the areas around Lake Lytle and Crescent.

12. [Policy 12, deleted by Ord. 204, Apr. 28, 1981; and Ord. 277, Aug. 29, 1990.]

13. [Policy 13, deleted by Ord. 277, Aug. 29, 1990.]

14. [Policy 14, deleted by Ord. 277, Aug. 29, 1990.]

15. The City recognizes the Oregon Coast Hiking Trail along the beach and the Oregon Coast Bicycle Trail along US Highway 101 as important recreation opportunities for visitors and residents of the area. These resources shall be protected.

16. [Policy 16 as amended by Ord. 204, Apr. 28, 1981; and deleted by Ord. 277, Aug. 29, 1990.]

Public Facilities and Services

The Public Facilities Plan contains an assessment of the sewer, water and storm drainage systems, with improvements projected, including a capital improvements program. Policy statements concerning sewer and water systems are found in Ordinance Nos. 93-297 and 06-399 respectively.

General policies and recommendations on each public system are as follows:

Sewerage System

(See map 11, following pages)

1. Costs of extension of the sewer system should generally be borne by those requesting service. This can be accomplished by the property owner or developer paying for the extension, or by the formation of a local improvement district (LID) for the purpose.

2. Extension of sewer lines should consider the capacity of the treatment facility, and the costs to the City versus anticipated benefits. Sewer services should be provided only if there is adequate treatment capacity available, or if there would be capacity provided within one year from the installation of the sewer

services as certified by the city Engineer or the Department of Environmental Quality.

3. Sewer service shall not be provided to those areas outside the City.

Water System

(See map 1.0, next page)

1. Water system extensions will be considered only for those areas inside the Rockaway Beach. Urban Growth Boundary [Policy 1, amended by Ord. 277, Aug. 29, 1990.]

2. The City may attach any conditions to the extension of sewer or water lines concerning the development (or non-development) of properties along the length of extensions, based on physical features of the land, density requirements, development limitations, and other considerations.

Schools

1. The City and School District should jointly develop sports and recreation facilities that could benefit each other, such as tennis courts at the high school, or a ball field next to the administration building. [Policy 1, amended by Ord. 277, Aug. 29, 1990.]

2. [Policy 2, deleted by Ord. 277, Aug. 29, 1990.]

3. [Policy 3, deleted by Ord. 277, Aug. 29, 1990.]

4. The school district should consult the city planning commission prior to the development or disposition of any land or buildings in the City or on its fringe. [Policy 4, amended by Ord. 277, Aug. 29, 1990.]

Solid Waste Disposal

The City's solid waste is trucked to the Nehalem Bay transfer station. The City is cooperating with Tillamook County's efforts to improve the recycling of solid waste. [Solid Waste Disposal, amended by Ord. 277. Aug. 29, 1990.]

Police Service

The City presently maintains a police force of three full-time officers. The City also has a mutual aide agreement with Tillamook County's Sheriff Department who also furnish police services outside the City and in the urban growth boundary. [Police Service, amended by Ord. 277, Aug. 29, 1990.]

Fire Protection and Ambulance Service

The City maintains a volunteer fire department, and contracts with surrounding areas such as Twin Rocks and Nedonna Beach. Full ambulance service is provided by the Tillamook County General Hospital which has state approved equipment and personnel. [Fire Protection and Ambulance Service, amended by Ord. 277, Aug. 29, 1990.]

Public Buildings

1. [Policy 1, deleted by Ord. 277, Aug. 29, 1990.]

2. [Policy 2, deleted by Ord. 277, Aug. 29, 1990.]

Senior Citizen Services

The City supports a Rockaway Senior Citizens Center and a nutrition program. The City has and should continue to demonstrate its commitment to this large segment of the town's population. [Senior Citizens Services, amended by Ord. 277, Aug.. 29, 1990.]

Health Services

1. [Policy 1, deleted by Ord. 277, Aug. 29, 1990.]

2. [Policy 2, deleted by Ord. 277, Aug. 29, 1990.] [Health Services provisions as amended by Ord. 204, Apr. 28, 1981; and Ord. 277, Aug. 29, 1990.]

3. The city provides facilities for a public health clinic sponsored by the Tillamook County Health Department.

Adding ADA Compliant Back Entertainment Patio area

Rockaway Beach Facade Improvement Grant
2024 - 2025

JOES SNACKS AND BEER

DEBRA REEVES
101 S Miller St
PO Box 1429
Rockaway Beach, OR, OR 97136

O: 503-702-2002

DEBRA REEVES

dereeves77@gmail.com
O: 503-702-2002

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
JOES SNACKS AND BEER

Property Map and Tax Lot#

Property Owner Names*
Debra Reeves and Bryce Zehrung

Property Owners Address - if different from applicant
[Unanswered]

Project Title*
Adding ADA Compliant Back Entertainment Patio area

Grant Amount Request - Cannot exceed $30,000*
$19,250.00

Total Project Cost*
This number may differ from the grant request, and will show total project cost.

$19,250.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Functional design for those who need ADA-compliant areas as tourists who want to enjoy the outside patio without constraints. ADA-compliant tables will allow tourists to sit, eat, and drink with others in our newly designated area outside.
Structural components include a new concrete area that will be extended onto the back property and fenced for convenient access. Shade for each table will be provided.
The intended function is to provide a specific area for ALL tourists to come to listen to music, sit, visit, and eat or drink outside.
Electrical outlet plugs must be installed for all musical instruments or grills for food preparation.

What are the anticipated challenges in completing this project on time?*

I do not anticipate any challenges outside of the weather when pouring concrete.

List the contractors, estimates and predicted timelines for this project*

Angus Electric - $2,246.97
Todd Spencer contractor/builder CCB 209114 - $17,000.00
Picnic tables are subject to availability of vendors during that time frame-$2000.00

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

JOE'S SNACKS & BEER.pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Deb Back property grant 2025.docx

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Facade Grant	$19,250.00	
0	19250	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
Todd Spencer	$17,000.00	
Angus Electric	$2,246.97	

	19246.97	

PROJECT WORK PLAN

Goal #1*

Remove old concrete, pour new concrete

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$6,000.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Contractor will remove old and pour new concrete and set in fence post. Timeline to complete removal of old 2 weeks, timeline for pouring new concrete and installing new fence posts 3 days.

Goal #2*

Install Electrical conduit from present building to outside area and install plugs for use of Instruments and grills.

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$2,246.97

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Set up appointment with Electrician, order all parts. Timeline 1 entire day with 2 electricians to complete

Goal #3*

Order 6 to 8 picnic tables from local vendors

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$2,000.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Install new hurricane rubberized fencing and gate. Timeline 2 weeks. This type of fencing will provide a view for tourist to see the beach area and any events going on in the wayside.

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Debra Reeves

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Debra Reeves

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Debra Reeves

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Debra Reeves

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Debra Reeves

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
Type your full name to e-sign

Debra Reeves

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
Type your full name to e-sign

Debra Reeves

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.

Type your full name to e-sign

Debra Reeves

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Debra Reeves

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Debra Reeves

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.

Type your full name to e-sign

Debra Reeves

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.

Type your full name to e-sign

Debra Reeves

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Debra Reeves

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Debra Reeves

File Attachment Summary

Applicant File Uploads

- JOE'S SNACKS & BEER.pdf
- Deb Back property grant 2025.docx

ESTIMATE

2 N. Main Avenue
Tillamook, OR 97141
Phone: 503-815-8145

DATE	3/31/2025
JOB #	
JOB TITLE	
VALID UNTIL	4/30/2025

CUSTOMER (Billing)

JOES SNACKS & BEER

PO BOX 1429
ROCKAWAY BEACH, ORE

503-702-2002
dereeves77@gmail.com

SERVICE LOCATION (Job)

101 S MILLER ST
ROCKAWAY BEACH, ORE 97136

SCOPE OF WORK

ADD NEW OUTLETS & CIRCUITS IN REAR FOR MUSIC; ADD OUTLET & COVERS FOR BEER STORAGE.

ESTIMATED COSTS	QTY	UNIT COST	AMOUNT
LABOR - JOURNEYMAN (HOURS)	8	150	$ 1,200.00
LABOR - APPRENTICE (HOURS)	8	50	$ 400.00
MATERIALS	1	634.27	$ 934.27
			$ -
			$ -

Subtotal	2,234.27
Cat Tax 0.50%	12.67
Deposit	
TOTAL	**$ 2,246.94**

TERMS AND CONDITIONS

This serves as an initial estimate and is not binding. The final cost of the project will be determined upon its completion, taking into account any unknown or unforeseen conditions that may arise during the course of the work.

We commit to executing all work in a diligent and professional manner, adhering to industry standards and local building codes, ensuring a high level of workmanship.

Customer Acceptance (sign below):

x _____

Print Name: _____ Date: _____

If you have any questions about this estimate, please contact
Angus Electric
503-815-8145
elec@rbslumber.com

Thank You For Your Business!

Todd M. Spencer, LLC 5083 Territorial dr. West Linn, Or 97068 CCB#209114

Joe's Snacks and Beers Debra Reeves 101 S. Miller st. Rockaway, Or 97136

Bid for back patio/entertainment area;

Concrete cutting and flat work 9 yards Labor and materials $6,000

Fence; cyclone and cedar Labor and materials; $7,500

Picnic tables $2,000

Dumping fees/hall off old concrete and fencing materials, garage $1,500

Half down for material due upon signed contract

Thanks, Todd (503)209-8164

Storefront Makeover

Rockaway Beach Facade Improvement Grant
2024 - 2025

Troxel's Rock Garden

Victor Troxel
156 hwy 101 s
Rockaway Beach, OR 97136

O: 541-418-2842

Victor Troxel

Rockawayrocks@gmail.com
O: 541-418-2842

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

No

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Not Applicable (I am not the property owner)

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Troxels gem and jewelry co

Property Map and Tax Lot#

Property Owner Names*
Michael and Janice Losli

Property Owners Address - if different from applicant
9905 se 222nd Ave Damascus, OR 97089

Project Title*
Storefront Makeover

Grant Amount Request - Cannot exceed $30,000*
$22,286.00

Total Project Cost*
This number may differ from the grant request, and will show total project cost.

$22,286.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Troxel's currently occupies one of the oldest buildings in town (built in 1912). This building sits in the center of town and is visible from the wayside. No downtown business facade improvement plan would be successful without including this important location.

After multiple consultations and much consideration, we have identified the following work that needs to be done:
Replace outdated wood frame window on right front of store with new vinyl frame to match left window. Install new front door, replace crooked, leaking awning, remove rusted iron sign at top of building, install new cement board siding on front, top of building, repaint trim with lighter color for more inviting appearance.

What are the anticipated challenges in completing this project on time?*

I will be using a local contractor who has already sourced the needed materials. The only anticipated challenge I can think of is weather related, but i plan to have work started asap to take advantage of dry season.

List the contractors, estimates and predicted timelines for this project*

Dan Hanson - 22,833 Estimated timeline: 2-3weeks to completion from start of work. His schedule allows start anytme in May/June of this year.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

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Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Facade Grant	$22,286.00	
0	22286	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
Front Window	$1,500.00	
Awning	$3,500.00	
Front Door	$1,500.00	
Siding (Cement Board)	$2,000.00	

Total Labor Cost	$13,786.00	
	22286	

PROJECT WORK PLAN

Goal #1*

Secure all materials, confirm start date with contractor

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$8,500.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Contact contractor upon grant approval, schedule start date of work, secure required permits (contractor says he will complete this action), pay contractor for materials purchase
2. Immediately upon grant approval with 1st payment to contractor immediately upon 1st grant disbursement
3. Will have hard start/finish dates, permit compliance and materials stored/secured on site
4. to evaluate each step of the process, I will be in daily communication with Dan Hanson (contractor) until steps are complete.

Goal #2*

Begin Work

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$2,643.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Pay contractor remaining 50% of downpayment (half of quote required at start of work minus materials cost = $2,43.00), prior to scheduled start date
2. Upon receipt of 1st grant payment disbursement
3. Work will begin
4. I will be present during the building makeover, and will ensure work is completed according to plan.

Goal #3*

Work Coompletion

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$11,143.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1.Upon satisfactory completion of project, pay remaining balance due to contractor
2. 2 or 3 weeks after start of work
3. contract with contractor and grantor will be fulfilled.
4. Building in the heart of Rockaway will look nice

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

victor troxel

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

victor troxel

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
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Legal Title Affirmation*

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victor troxel

My project fits within eliglbe use of tourism funds*

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victor troxel

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properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
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victor troxel

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victor troxel

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victor troxel

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
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victor troxel

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victor troxel

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

victor troxel

File Attachment Summary

Applicant File Uploads

No files were uploaded

Landmark Makeover

Rockaway Beach Facade Improvement Grant
2024 - 2025

Troxel's Rock Garden

Victor Troxel
156 hwy 101 s
Rockaway Beach, OR 97136

O: 541-418-2842

Victor Troxel

Rockawayrocks@gmail.com
O: 541-418-2842

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

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Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

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Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
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- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

No

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Not Applicable (I am not the property owner)

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Troxel's Rock Garden

Property Map and Tax Lot#

Property Owner Names*
Michael and Janice Losli

Property Owners Address - if different from applicant
9905 se 222nd Ave Damascus, OR 97089

Project Title*
Landmark Makeover

Grant Amount Request - Cannot exceed $30,000*
$24,500.00

Total Project Cost*
This number may differ from the grant request, and will show total project cost.

$24,500.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

The Rock Garden is an important landmark in downtown Rockaway. Every year it continues to draw hundreds of people on its own but has fallen into a state of disrepair. Given its high visibility and tourism draw, we feel investment into this important Rockaway Beach institution is necessary and wise.
Here are the improvements we feel will provide the biggest bang:
professional rebuilding of bike rental pad with posts and covering
re-pouring and re-carpeting of 9 hole mini-golf course
rebuilding dilapidated Oz Throne Room (the small, painted wizard of oz building in the garden at the 9th hole that houses the famous Oz Hologram)
Relaying and leveling yellow brick road and extending to sidewalk level to allow easier navigation and wheelchair use

What are the anticipated challenges in completing this project on time?*

Weather and timing will have to be considered carefully. The garden must remain open during the summer months.

List the contractors, estimates and predicted timelines for this project*

Dan Hanson (contractor) estimates completion by Fall 2025. His quote for all work is 24,500

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
facade improvement grant	$24,500.00	
0	24500	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
bricks	$500.00	
concrete/carpet	$5,500.00	
Oz Room bldg. materials	$1,000.00	
Misc materials (posts, canopy)	$1,000.00	

Labor	$16,500.00	
	24500	

PROJECT WORK PLAN

Goal #1*

relay yellow brick road/rebuild concrete bike rental pad

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$5,500.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. remove existing brick, level ground, lay and paint re-laid brick, frame and pour concrete bike pad, secure posts, fit canopy
2.The brick road is expected to take a week to complete, the bike rental pad will be done in 1 or 2 days
3. the new road will allow safer access to the rock garden, increasing the number of people who can enjoy it (including disabled individuals), while the new bike rental pad will be an attrractive addition to the downtown look and feel
4. Tests with standard wheelchairs and walkers will be conducted on yellow brick road to make sure getting in, out and through is feasible.

Goal #2*

repour/carpet holes

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$13,500.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. The holes will be repoured, railed and carpeted 1 at a time to allow the public to access the golf course through the summer. No changes are planned to the current footprint.
2. All nine holes will be completed by September
3. The golf course will be a much safer and more attractive outdoor activity for families
4. The public will be able to utilize each green upon completion, so feedback during the process will be invited with a focus on a balance between aesthetics, safety and fun

Goal #3*

rebuild Oz hologram room

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$5,500.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. tear down existing outer wood from frame of building. Re-using the existing frame, we will wrap with flexible fiberglass to resemble an actual 10-foot-high emerald, which will house the Wizard of Oz hologram and 9th hole
2. One week to complete this final step
3. an attraction to draw the eye, excite the imagination and improve the rock garden aesthetics as well as secure the existing hologram in a waterproof setting

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

victor troxel

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

victor troxel

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
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Legal Title Affirmation*

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Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
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TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to

properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
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My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
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Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
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Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
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File Attachment Summary

Applicant File Uploads

No files were uploaded

Mall Facade Project

Rockaway Beach Facade Improvement Grant
2024 - 2025

Seaquest Treasures , LLC

Patricia Swain
111 S Miller Street
Rockaway Beach, OR 97136

O: 503-812-0122
M: 503-812-0122

Patricia Swain

swainpatti@gmail.com
O: 503-812-0122
M: 503-812-0122

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

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Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Seaquest Treasures, LLC

Property Map and Tax Lot#
Map# 2N1032CC09700 Block 56 Lot 12 and 13

Property Owner Names*
Patricia A Swain

Property Owners Address - if different from applicant
112 S Pacific Street, PO Box 34, Rockaway Beach, OR 97136

Project Title*
Mall Facade Project

Grant Amount Request - Cannot exceed $30,000*
$28,689.02

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$28,689.02

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Eastside: Replace facade on 1st floor of building and facade on top of building where the business signs are. Replace 4 windows, front door & add gutters.
North & Southside: Replace approximately 10 feet up to gates on both North & South Side and 1 window on south side .
Paint facade & side of North & south (approximately 10')
Install gutters & downspouts around facade & sides up to gate. Install 5 signs

What are the anticipated challenges in completing this project on time?*

Builders schedule (weather) and price changes.

List the contractors, estimates and predicted timelines for this project*

Woodpecker Roofing & Remodel, LLC - $27,889.02 2nd Bid -
Construction 101 LLC - $77,000.00 (4.4 work weeks (approximately 23.2 working days)
Siding, Windows & Door - $22,139.02 (4 days) I do not have time line by days from this bid.
Paint - $4,850.00 (1-2 day)
Gutters/downspouts - $900.00 - (1-2 day)

mvp printing and apparel - $800.00
5 signs $95.00 each & 1 hour graphic design at $65.00 each =$160.00 each x 5 = $800.00

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Woodpecker Quote.pdf

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Upload photos, bids, and other supporting documents.

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Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*
List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant	$28,689.02	
0	28689.02	

Project Budget - Expenses*
Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
Siding & Windows & door	$22,139.02	
Paint	$4,850.00	
Gutters & Downspouts	$900.00	
Five 2' x 5' signs	$800.00	
	28689.02	

PROJECT WORK PLAN

Goal #1*

Siding, windows & Door

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$22,139.02

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Install door - 1 day
2. Install windows - 1 day
3. Install Siding - 1-2 days
Timeline - 3-4 days
Expected outcome: All 3 items installed successfully and ready for the next step
Evaluation method. Meet with contractor to review this phase and ensure this has been completed to my satisfaction.

Goal #2*

Paint Facade

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$4,850.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Paint both facades - 1 day
2. Paint Trim - 1 day
Timeline to complete - 2 days
Expected outcome: That all the new siding has been painted and the trim completed on this project.
Evaluation Method. Meet with contractor to review this phase and to ensure this has been completed to my satisfaction.

Goal #3*

Install gutters & signs

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$800.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Install gutters and downspouts - 1 day
2. Install signs - 1 day
Timeline to complete - 2 days
Expected outcome. All gutters & downspouts have been installed. All signs have been installed.
Evaluation method: Meet with contractor to review this phase and ensure it has been compeleted to my satisfaction.

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
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Patricia A. Swain

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Type your full name to e-sign.

Patricia A. Swain

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Patricia A. Swain

File Attachment Summary

Applicant File Uploads

- Woodpecker Quote.pdf

*****'Exhibit "A"**

WOODPECKER ROOFING & REMODEL LLC
1601 2nd St, Tillamook OR, 97141
OFFICE: 503-354-7437
WA: WOODPRL824L1 OR: CCB 225783
woodpeckerinfo9@gmail.com
woodpeckerroofingandremodel.com

Woodpecker ROOFING & REMODEL LLC.
Roofing, Siding, Decks and much more!

DESCRIPTION OF SERVICE. PROPOSAL MAY BE WITHDRAWN BY WOODPECKER ROOFING IF NOT ACCEPTED WITHIN 30 DAYS FROM ITS ORIGINAL QUOTED DATE.

Date:	4/16/2025
Estimator :	JOSE
Customer ID :	0

Name (Owner's):	Property Address:	Contact Information:	
Patty Swain	111 S Miller St, Rockaway OR. 97136	**Email:**	swainpatti@gmail.com
		Phone:	503 - 812 - 0122

Siding Material Type

Lap Siding				Panel/Shake Siding	
Y	Primed 8.25"	N	Color Plus 8.25"	N	T1-11 (Unpainted)
N	Primed 7.25"			N	Fiber Cement Boards
N	Primed 6.25"			N	Shake Siding
		Color:		N	Board and Batten

Existing Siding Conditions

Aprox. Siding Sq Footage	6 SQ.	**Existing Siding Material**	T1-11
Stories (Height)	1		
Total Layers	1		
Leaking?	YES		

Work to be performed on: ( ) House (Y) Comercial building ( ) Shed ( ) Other _____

Completly Remove (Y) layers of existing siding material to bare wood sheeting. Note: Removal and disposal of additional layers of existing siding materials will be an additional cost of $55 per square (100sq ft.) per layer.

Underlayment (Wrap):

N	Weathersmart Darinable
Y	Hydrogap Drainable

Soffit:

N	Vertical Siding 4x8
N	Solid 12"x12'
N	Solid 16"x12'
N	Solid 24"x8'
N	Vented 12"x12'
N	Vented 16"x12'
N	Vented 24"x8'

Metal:

N	Z-Metal 3"x3/8"
Y	Z-Metal 3"x1"
N	Z-Metal 3"x1-1/4"
N	Z-Metal 3"x1-1/2"

Window Flashing:

N	HydroGap 2.5"
N	HydroGap 4"
Y	HydroGap 6"
N	HydroGap 9"

Trim HZ10:

Y	3.5"
N	5.5"
N	7.25"
N	9.25"
N	11.25"

Workmanship Warranty

Woodpecker Roofing & Remodel LLC warrants your new siding system for a 3 year protection period starting from the project completion date. Warranty protection covers only installation defects and will be performed by Woodpecker Roofing & Remodel at no additional cost to customer. Warranty is transferable once.

Window Removal/Adjustment

If windows are not to be replaced, we will not remove windows. If windows need to be removed because of pre-existing structural conditions, the house had too many extra layers or any other pre-existing reason, we will do our best to remove it carefully but if the window is damaged we are not responsible for its replacement.

Additional Job Description: ***This estimate is for the main entry of the business home facing the east side, toward the rail line. It includes five new Milgard picture windows and one exterior fiberglass entry door, all matching the size of the existing doors and windows. The siding will be Hardie plain siding, primer only. The paint work is only for the main front side East facing The rail line.***

Note: If plywood needs to be installed for sheathing, a fee of $105 per plywood sheet will apply. Plywood fee subject to change due to high demand and constant increase in price by suppliers.

Additional Work: Any additional repairs required beyond the description service indicated in this agreement will be completed as an addendum signed by both the property owner and Woodpecker Roofing & Remodel LLC.

FEES & SERVICE:	SUBTOTAL	
Siding, Windows & Door $ 22,139.02	DEPOSIT	
Sherwin Williams Paint $ 4,850.00		
Gutters Approx.43'Ft Downspouts Approx. 10'Ft $ 900.00	TAX	
	BALANCE	

We offer financing!

For additional information please contact us at: 503-354-7437

Window and Water mitigation

Rockaway Beach Facade Improvement Grant
2024 - 2025

Sea Breeze Ice Cream

Corinne Rupp
102 Highway 101 S
Sea Breeze Ice Cream
Rockaway Beach, OR 97136

O: 503-961-2753

Corinne Rupp

rockseaoregon@gmail.com
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Application Form

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Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Sea Breeze Ice Cream

Property Map and Tax Lot#
2N1032CC 08900

Property Owner Names*
Don Allgeier and Corinne Rupp

Property Owners Address - if different from applicant

Project Title*
Window and Water mitigation

Grant Amount Request - Cannot exceed $30,000*
$30,000.00

Total Project Cost*
This number may differ from the grant request, and will show total project cost.

$43,580.22

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

This grant will facilitate an upgrade to the building envelope and create a better water barrier. During a previous flooring project we discovered that our front wall facing US 101 was dry rot up above the level of the windows, and that our old and creaky door was letting in a significant amount of water when the wind comes from the west. This project will remove and replace the exterior siding up to the level of the rot, remove and repair the existing windows and replace and reframe the door. We will be using an exterior membrane as well as flashing to help mitigate further water intrusion. Once the repair is finished, we will repaint the building, keeping the familiar purple that has become an iconic part of the Rockaway Beach landscape. While the project will include the entire building, this grant is exclusively focused on the frontages to Highway 101 and Nehalem Ave.

What are the anticipated challenges in completing this project on time?*

The two major challenges will be weather and what we will find once we break into the walls. We are prepared to cover any additional costs that fall outside of the grant award.

List the contractors, estimates and predicted timelines for this project*

Woodpecker Construction
Painter (TBD)
Timeline: late Spring or early fall 2025

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Don Siding Repair Rstimate (1).pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Don Windows & siding Estimate - Updated.pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant	$30,000.00	
Rocksea LLC	$13,580.00	
0	43580	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
West Side Facade Repairs	$9,954.23	$0.00
North Side Facade Repairs	$11,170.10	$0.00
North and East Side Repairs	$0.00	$10,980.00

West and North Paint and additional repair	$8,875.67	$1,000.00
East Side Paint	$0.00	$1,600.00
	30000	13580

PROJECT WORK PLAN

Goal #1*

Repair Building Exterior

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$32,051.55

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Accept bids for repairs, schedule repairs
2. Bids will be accepted once grant award has been determined.
3. New siding installed in grant timeframe
4. Owner oversight

Goal #2*

Paint building and Additional Repairs

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$11,475.67

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Deteremine the timeline for building repair and schedule painting to follow
2. After completion of siding
3. The building is painted
4. Owner oversight

Goal #3*

n/a

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$0.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

n/a

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Corinne Rupp

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Corinne Rupp

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Corinne Rupp

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Corinne Rupp

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Corinne Rupp

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
Type your full name to e-sign

Corinne Rupp

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
Type your full name to e-sign

Corinne Rupp

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.
Type your full name to e-sign

Corinne Rupp

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Corinne Rupp

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Corinne Rupp

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Corinne Rupp

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

Corinne Rupp

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Corinne Rupp

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Corinne Rupp

File Attachment Summary

Applicant File Uploads

- Don Siding Repair Rstimate (1).pdf
- Don Windows & siding Estimate - Updated.pdf

*****'Exhibit "A"**

WOODPECKER ROOFING & REMODEL LLC
1601 2nd St, Tillamook OR, 97141
OFFICE: 503-354-7437
WA: WOODPRL824L1 OR: CCB 225783
woodpeckerinfo9@gmail.com
woodpeckerroofingandremodel.com

Woodpecker ROOFING & REMODEL LLC.
Roofing, Siding, Decks and much more!

DESCRIPTION OF SERVICE. PROPOSAL MAY BE WITHDRAWN BY WOODPECKER ROOFING IF NOT ACCEPTED WITHIN 30 DAYS FROM ITS ORIGINAL QUOTED DATE.

Date:	3/6/2025
Estimator :	JOSE
Customer ID :	0

Name (Owner's):	Property Address:	Contact Information:	
Don	102 U.S. 101 Rockaway Beach, OR 97136	**Email:**	dallgeier@gmail.com
		Phone:	503 - 984 - 1348

Siding Material Type

Lap Siding				Panel/Shake Siding		
Y	18' Cedar shake	N	Color Plus 8.25"	N	T1-11 (Unpainted)	
N	Primed 7.25"	N		N	Fiber Cement Boards	
N	Primed 6.25"	N		N	Shake Siding	
		Color:		N	Board and Batten	

Existing Siding Conditions

Aprox. Siding Sq Footage	3 SQ.	**Existing Siding Material**	Shake
Stories (Height)	2		
Total Layers	1		
Leaking?	N/A		

Work to be performed on: (Y) House ( ) Detached Garage ( ) Shed ( ) Other _____

Completly Remove (1) layers of existing siding material to bare wood sheeting. Note: Removal and disposal of additional layers of existing siding materials will be an additional cost of $55 per square (100sq ft.) per layer.

Underlayment (Wrap):

N	Weathersmart Darinable
Y	Hydrogap Drainable

Soffit:

N	Vertical Siding 4x8
N	Solid 12"x12'
N	Solid 16"x12'
N	Solid 24"x8'
N	Vented 12"x12'
N	Vented 16"x12'
N	Vented 24"x8'

Metal:

N	Z-Metal 3"x3/8"
Y	Z-Metal 3"x1"
N	Z-Metal 3"x1-1/4"
N	Z-Metal 3"x1-1/2"

Window Flashing:

N	HydroGap 2.5"
N	HydroGap 4"
Y	HydroGap 6"
N	HydroGap 9"

Trim HZ10:

Y	3.5"
N	5.5"
N	7.25"
N	9.25"
N	11.25"

Workmanship Warranty

Woodpecker Roofing & Remodel LLC warrants your new siding system for a 3 year protection period starting from the project completion date. Warranty protection covers only installation defects and will be performed by Woodpecker Roofing & Remodel at no additional cost to customer. Warranty is transferable once.

Window Removal/Adjustment

If windows are not to be replaced, we will not remove windows. If windows need to be removed because of pre-existing structural conditions, the house had too many extra layers or any other pre-existing reason, we will do our best to remove it carefully but if the window is damaged we are not responsible for its replacement.

Additional Job Description: **We will replace the bottom lines of the cedar shake siding, cover holes near the garage doors, and install new metal flashing above the doors. We will also install new trim around the windows on the north side, replace trim wood on some spouts at the corners, and paint the repaired areas to match the house color. Additionally, we will remove the flat section on the wall covering the cedar shake shingles.**

Note: If plywood needs to be installed for sheathing, a fee of $105 per plywood sheet will apply. Plywood fee subject to change due to high demand and constant increase in price by suppliers.

Additional Work: Any additional repairs required beyond the description service indicated in this agreement will be completed as an addendum signed by both the property owner and Woodpecker Roofing & Remodel LLC.

FEES & SERVICE:	SUBTOTAL	
Repair Siding Shake $ 11,117.10	DEPOSIT	
	TAX	
	BALANCE	

We offer financing!

For additional information please contact us at: 503-354-7437

*****'Exhibit "A"**

WOODPECKER ROOFING & REMODEL LLC
1601 2nd St, Tillamook OR, 97141
OFFICE: 503-354-7437
WA: WOODPRL824L1 OR: CCB 225783
woodpeckerinfo9@gmail.com
woodpeckerroofingandremodel.com

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Date:	3/6/2025
Estimator :	JOSE
Customer ID :	0

Name (Owner's):	Property Address:	Contact Information:	
Don	102 U.S. 101 Rockaway Beach, OR. 97136	**Email:**	dallgeier@gmail.com
		Phone:	503 -984 - 1348

Siding Material Type

Lap Siding				Panel/Shake Siding	
Y	Cedar Sidewall shakes	N	Color Plus 8.25"	N	T1-11 (Unpainted)
N	Primed 7.25"			N	Fiber Cement Boards
N	Primed 6.25"			N	Shake Siding
		Color:		N	Board and Batten

Existing Siding Conditions

Aprox. Siding Sq Footage	1 SQ.	**Existing Siding Material**	shakes
Stories (Height)	1		
Total Layers	1		
Leaking?	YES		

Work to be performed on: (Y) House ( ) Detached Garage ( ) Shed ( ) Other _____

Completly Remove (1) layers of existing siding material to bare wood sheeting. Note: Removal and disposal of additional layers of existing siding materials will be an additional cost of $55 per square (100sq ft.) per layer.

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Y	Hydrogap Drainable

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Y	Z-Metal 3"x1"
N	Z-Metal 3"x1-1/4"
N	Z-Metal 3"x1-1/2"

Window Flashing:

N	HydroGap 2.5"
N	HydroGap 4"
Y	HydroGap 6"
N	HydroGap 9"

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N	5.5"
N	7.25"
N	9.25"
N	11.25"

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Window Removal/Adjustment

If windows are not to be replaced, we will not remove windows. If windows need to be removed because of pre-existing structural conditions, the house had too many extra layers or any other pre-existing reason, we will do our best to remove it carefully but if the window is damaged we are not responsible for its replacement.

Additional Job Description: We will replace the 2 front windows of the house, which includes adding the trim and flashing to the windows. Additionally we will remove and replace a door .

Note: If plywood needs to be installed for sheathing, a fee of $105 per plywood sheet will apply. Plywood fee subject to change due to high demand and constant increase in price by suppliers.

Additional Work: Any additional repairs required beyond the description service indicated in this agreement will be completed as an addendum signed by both the property owner and Woodpecker Roofing & Remodel LLC.

FEES & SERVICE:	SUBTOTAL	
Repair, Window and Door Install - $9,954.23	DEPOSIT	
	TAX	
	BALANCE	

We offer financing!

For additional information please contact us at: 503-354-7437

Owner

Rockaway Beach Facade Improvement Grant
2024 - 2025

Pho Real

Tammy Vo
162 N. Hwy. 101
N/A
Rockaway Beach, OR 97136

O: 503-812-6347

Susie Johnson

yurikosusan53@gmail.com
O: 503-812-6347
M: 503-812-6347

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Pho Real

Property Map and Tax Lot#
2N10 32CC 07901

Property Owner Names*
Tammy Vo

Property Owners Address - if different from applicant
Mailing address: 2203 Main Ave. N, Suite D, Tillamook, OR 97141

Project Title*
Owner

Grant Amount Request - Cannot exceed $30,000*
$30,000.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$166,920.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Cleaning, preparation and painting of exterior walls and trim. Repair, replacement of installation windows, exterior lighting and doors. Repairs of entryways including removal of barriers for those those disabilities (ADA entrance ways). Repair, placement of installation of exterior masonry. Removal of signs. New business sign. Work on cornices, gutters and downspouts. While improving ADA accessibility, improvement to floor space. Adding attractive fencing to reduce traffic noise/visual for outdoor dining area located along Highway 101. Beautification elements, such as planters, benches or other street scaping will be added.

What are the anticipated challenges in completing this project on time?*

We honestly were surprised all the work needed on this property after we purchased it. Each time we went to "fix" a wall, it lead to black mold, as we chased the black mold, it lead throughout the building and affected the outside siding as well. The ceiling also contained mold and we found structural problems and needed to replace beams that were structural support, but non standing.

List the contractors, estimates and predicted timelines for this project*

SL Construction CCB 22098, $166,920.00 for the basic phase in 3 months.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

DBA SLConstruction.pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant	$30,000.00	$30,000.00
0	30000	30000

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
40% Deposit		$36,694.00
(6) x 2 wks $16,692.00		$100,152.00

		136846

PROJECT WORK PLAN

Goal #1*

Prepare an ADA entrance way, replace electrical wire and new electrical panel. Front area ceiling with new 24 x 48 ceiling tile and new can lights.

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$14,580.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Preparation of ADA entrance way; Timeline: Completed
Replace electrical wire and new electrical panel, Timeline: 3 months
Front area ceiling with new 24 x 48 ceiling tile and new can lights. Timeline: 2 months
Expected outcome: Pass building inspection for the 3 steps above.
Evaluation method: Job completed in the timely manner.

Goal #2*

Install 12 x 12 new tile floor whole building. Install dry wall both inside and out. Install new wall sconces for front area and install reception counter

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$37,760.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Installation of 12 x 12 new tile floor whole building. Timeline: 4 months
Install dry wall both inside and out. Timeline: 2-3 weeks
Installation of new wall sconces for front area and install reception center. Timeline: 5-7 weeks
Expected outcome: pass building inspection for the 5 steps above.
Evaluation method: Job completed in a timely manner.

Goal #3*

Remove kitchen wall, fix back area floor, install new beam in bathroom and cut opening for kitchen to hallway. Change the kitchen hood vent to the roof.

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$114,580.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Remove kitchen wall. Timeline: 3-4 months
Fix back area floor. Timeline: 3-4 months
Install new beam in bathroom and cut opening for kitchen to hallway. Timeline: 3-4 months
Change the kitchen hood vent up to the roof. Timeline: 3-4 months
Pass building inspection for each step above.
Job completed in a timely manner.

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Tammy Vo

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Tammy Vo

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Tammy Vo

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Tammy Vo

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Tammy Vo

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to

properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
Type your full name to e-sign

Tammy Vo

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
Type your full name to e-sign

Tammy Vo

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.
Type your full name to e-sign

Tammy Vo

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Tammy Vo

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Tammy Vo

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Tammy Vo

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

Tammy Vo

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Tammy Vo

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Tammy Vo

File Attachment Summary

Applicant File Uploads

- DBA SLConstruction.pdf

DBA SL CONSTRUCTION

Son Nguyen
8135 SE Ogden St
Portland, OR 97206 United States
Phone 503-459-6564 | CCB: 222098
son.q.nguyen64@gmail.com

PROPOSAL

ITEM #0724

PREPARED FOR

Dam Vo
memuaza4@gmail.com
Pho Restaurant

Date:
08/04/2024

Project:
Pho Restaurant

ITEM	QTY	PRICE	TOTAL
Front Area ceiling with new 24x48 ceiling tile and new can lights			
12x12 new tile floor whole building			
Replace electrical wire and new electrical panel			
Front area with new wall tile 12x24 up to 4 feet height and 3d panel on top			
Remove kitchen wall			
Fix back area floor			
Cover up small windows on top of wall			
Install new beam in bathroom and cut opening for kitchen to hallway			
Change the kitchen hood vent to roof			
Install new wall sconces for front area and install reception counter			
Install kitchen hood wall with aluminium panel, other area in kitchen with waterproof paint			

Install kitchen hood wall with aluminium panel,
other area in kitchen with waterproof paint

Demolish and Clean Up

Repaint and Touch up

$130 per Square feet.Total 1284 SF **$166,920**

Note:

***Discuss with contractor at site for clarification
Materials & labour will be Contractor responsible unless noted in scope of works
Make all checks payable to DBA SL CONSTRUCTION

Payment: Deposit $66,768 (40%) Prior Construction
Remaining Balance will be split into 6 times with amount of $16,692 each time every 2 week

Estimate finish work will be done within **3 months** from the date the agreement is made and Deposit is received

---

Guarantee for 1 year labour only if anything is wrong within scope of work.
Owner will have to pay for extra materials

If you have any questions concerning this invoice/receipt, contact Son Nguyen |503-459-6564

THANK YOU FOR YOUR BUSINESS!

AGREED AND ACCEPTED:

Tammy Vo	Owner	4-15-25
NAME	TITLE	DATE

Green Coast Market Exterior Improvements

Rockaway Beach Facade Improvement Grant
2024 - 2025

Green Coast Market

Julie Maxfield
119 S. Miller Street
Rockaway Beach, OR 97136

O: 503-734-8244

Julie Maxfield

greencoastmarket@gmail.com
O: 503-734-8244

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

No

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Not Applicable (I am not the property owner)

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Green Coast Market

Property Map and Tax Lot#

Property Owner Names*
Eric Loo

Property Owners Address - if different from applicant
6209 NE 134th St Vancouver, WA 98686

Project Title*
Green Coast Market Exterior Improvements

Grant Amount Request - Cannot exceed $30,000*
$17,910.00

Total Project Cost*
This number may differ from the grant request, and will show total project cost.

$17,910.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Green Coast Market is desirably and conveniently located along Highway 101 in downtown Rockaway Beach. We are next to the Oregon Coast Scenic Railroad and steps away from the Wayside parking lot. However, without large and highly visible signage, it is easy for visitors to miss our modest storefront.

With this grant, we hope to install two exterior signs, a lighted two-sided sign on the front of the building to attract attention from Highway 101, and an unlit flat sign the back side of the building, facing Pacific Street and the Wayside public restrooms. Building and installing these professional signs, to a standard that can handle coast weather conditions, accounts for the bulk of our grant request.

In addition, this grant would fund the design and construction of an attractive merchandising shelving unit to be placed outside our front door. These shelves will display produce and other grocery products to traffic on highway 101 and the trains of Oregon Coast Scenic Railroad, thereby serving as a visual cue to the nature of our business, beautifying our entrance, and also expanding our retail footprint. This shelf unit will also serve as lockable produce storage, allowing us to stock more veggies from local farms.

Finally, to improve the aesthetics and safety of our storefront, we would like to install exterior string lights along the rooflines of our building. We plan to extend the look of our next door neighbor's exterior lighting (Seaquest Treasures), to emphasize the commercial nature of South Miller Street, which can be overlooked due to the many businesses across 101. We are asking for a small addition to the grant to cover these lighting costs.

What are the anticipated challenges in completing this project on time?*

We are relying on Ramsay Signs to do the installation and source all required materials. It is possible they could experience delays or incur unexpected costs due to supply chain or labor limitations. We have a bid from Miami Cove Electric for the electrical work for the sign, and are similarly dependent on their ability to deliver the services we need as expected. Both of these companies are highly experienced, with excellent reputations, and we are confident they will be able to complete the work. We have the support of the property owners (see attached letter) and have no concerns about that element of the project.

List the contractors, estimates and predicted timelines for this project*

While our project has three components, they can be done concurrently. We are eager to improve our visibility as soon as possible, and have already begun the process of lining up the contractors needed to execute this grant.

We have met with Ramsay Signs who performed a site visit and provided an initial estimate of $13,000 for both signs. They are preparing a detailed bid with design sketches, and we will provide that as soon as we receive it (expected by 4/25). The bid for required electrical work for installing the sign is also attached. Ramsay currently estimates 6-8 weeks for sign production and installation, following approval of grant funds. We would hope to install the sign as soon as possible, to catch as much of the summer season we can.

In addition, we have identified a local handyman, Jeff Freeman, to design and build the shelves, and help with installing the string lights. He is available immediately, so the shelving project can begin as soon as the grant is approved. We are budgeting $2,000 in labor and $1,000 in materials for the outdoor shelves. This is a

conservative estimate, to account for potential cost increases in materials. The lighting project should be the easiest to complete; once the materials arrive, they can be hung in a matter of days. Jeff Freeman will also assist with the string light installation.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Letter for GCM.pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Maxfield - 119 S Miller - Sign.pdf

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant	$17,910.00	

0	17910	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
Sign	$13,000.00	
Electrical	$1,500.00	
Shelving Materials	$1,000.00	
Lighting	$210.00	
Labor (shelving + light install)	$2,200.00	
	17910	

PROJECT WORK PLAN

Goal #1*

Production and installation of exterior signage

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$14,500.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1- Finalize design, schedule electrical installation, install signs.
2- We expect to have the signs installed before the end of the summer.
3- Our outcome will be a more visible, easier to find location.
4- We will take photos of the finished product to use on Google maps and other places.

Goal #2*

Shelving

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$2,500.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1- Finalize design, obtain materials, build shelves.
2- We expect to have the shelves in place early to mid summer. We have budgeted 40 hours of labor (at $50/hour) for this step.
3- Our outcome will be a more attractive entrance that makes it clear to those passing by (on the train, for example) that we are a place with fresh produce and other groceries.
4- We will take new photos of the front of the building to showcase this work and share it with the public.

Goal #3*

Lighting

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$410.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1- Purchase lights and outdoor extension cords; have them installed.
2- Lights will go up as soon as possible (within days or weeks) after receiving the grant announcement. We have budgeted 4 hours of labor (at $50/hour) for this step.
3- Our outcome will be a visual connection between our building and the commercial property next door, giving South Miller Street more of a coherent look and drawing attention to the row of businesses near us.
4- We look forward to turning the lights on for the first time!

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Julie Maxfield

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Julie Maxfield

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
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Julie Maxfield

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Julie Maxfield

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
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Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.
Type your full name to e-sign

Julie Maxfield

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

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Julie Maxfield

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Julie Maxfield

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.

Type your full name to e-sign

Julie Maxfield

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.

Type your full name to e-sign

Julie Maxfield

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.

Type your full name to e-sign

Julie Maxfield

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by

the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Julie Maxfield

File Attachment Summary

Applicant File Uploads

- Letter for GCM.pdf
- Maxfield - 119 S Miller - Sign.pdf

Loo Properties LLC
6209 NE 134th St
Vancouver, WA 98686

To whom it may concern,

We are writing to confirm that we are aware of Jason and Julie Maxfield's (of Green Coast Market) intention to apply for the Rockaway City grant for storefront improvements.

Their proposed project includes updates to exterior signage and the installation of outside display shelves. We have reviewed their plans and fully support this initiative. We believe these improvements will enhance the overall appearance of the property and contribute positively to the surrounding area.

Please consider this letter as our formal approval of their plan.

Eric Loo
Loo Properties LLC

Miami Cove Electric
507 E. Garibaldi Avenue; P.O. Box 545
Garibaldi, OR 97118
Phone (503) 322-3300 / Fax (503) 322-2707
E-mail: miamicove@earthlink.net

Miami Cove ELECTRIC

April 17, 2025

Jason Maxfield
E-mail: greencoastmarket@gmail.com
Phone: 503-740-1453

Re: Electrical Proposal – Circuit for Sign – 119 S Miller St, Rockaway

All work shall be completed in a substantial and workman like manner according to standard practices for the sum of: **One Thousand, Five Hundred and No/100's Dollars ($1,500.00).**

We propose to furnish all material and perform all labor necessary to complete the following:

- Install (1) 20-amp 120V circuit for outside sign.
- Run the circuit from the main service panel to the front of the store through the attic.
- Install (1) disconnect for the sign on the outside of the building.
- Install (1) timer for the sign next to the panel.
    - NOTE: Ditching to be completed prior to MCE starting project.
    - ***GENERAL NOTE: Repairs not included in bid, and are to be contracted by customer if needed. Examples: repairs where sheet rock has to be cut back, roof repair where old mast was removed, and/or siding repair from where meter was removed.***

Bid price to be in effect for fifteen calendar days after which the price may be adjusted to reflect changes in the cost of material. ***In order to schedule work, the attached Acceptance of Proposal must be signed and returned.***

Respectfully submitted,

Stacey Hurliman

Stacey Hurliman,
Miami Cove Electric, CCB# 83255

*** * * $200 REBATE COUPON AVAILABLE * * ***
To receive your $300.00 rebate coupon go to:
qualifiedelectricianspdx.com (mailed in 5-7 days)
IMPORTANT NOTE:
Enter your mailing address to have coupon sent to you.
MAIL REBATE COUPON WITH PAYMENT
DEDUCT $200 FROM BALANCE DUE

Miami Cove ELECTRIC

Acceptance of Proposal

****Must be signed and returned in order to begin work****

The above prices, specifications and conditions are satisfactory and are hereby accepted. Miami Cove Electric is authorized to do the work as specified and payment will be made as outlined in the proposal.

I acknowledge that I have received the following disclosures: (1) *Consumer Protection Notice* [ORS 701.330(1)]; (2) *Notice of Procedure* [ORS 701.330(2)]; and (3) *Information Notice to Owner about Construction Liens* [ORS 87.093], as required by the Construction Contractors Board ("CCB").

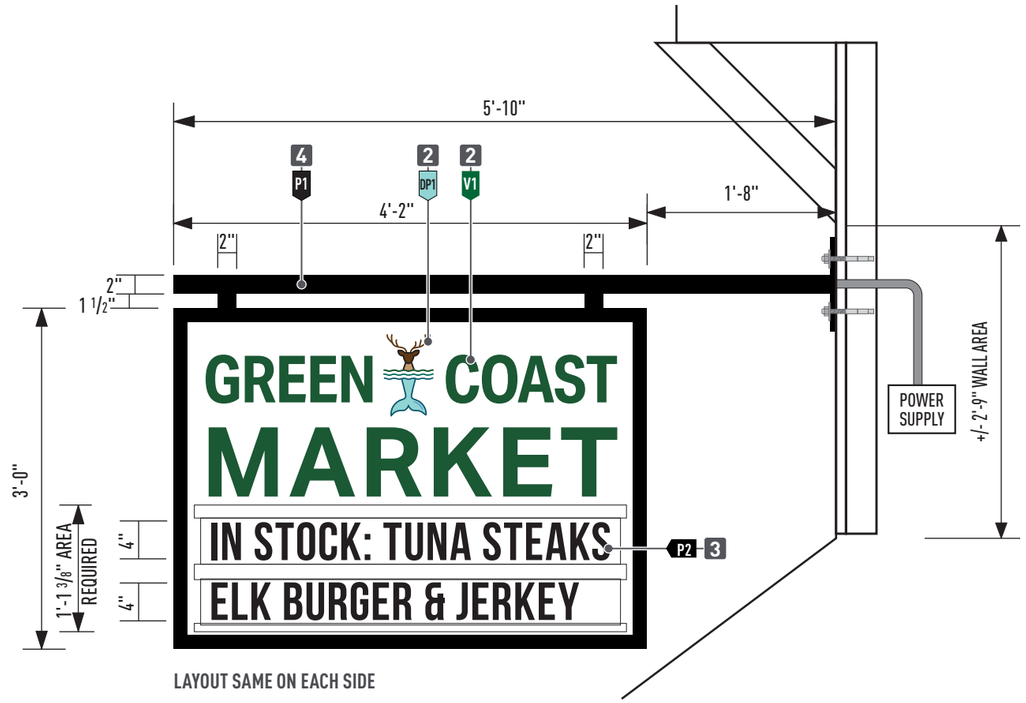
Signature: _____ Date: _____

Phone Number: _____ E-mail: _____

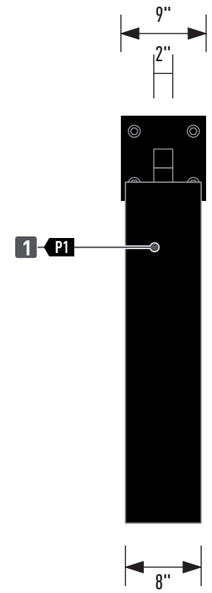
Jason Maxfield
E-mail: greencoastmarket@gmail.com
Phone: 503-740-1453

Re: Electrical Proposal – Circuit for Sign – 119 S Miller St, Rockaway

All work shall be completed in a substantial and workman like manner according to standard practices for the sum of: **One Thousand, Five Hundred and No/100's Dollars ($1,500.00).**



LAYOUT SAME ON EACH SIDE



END VIEW

A D/F INTERNALLY ILLUMINATED PROJECTING CABINET PLATE MOUNTED TO BUILDING — 12.5 SQ. FT.
QUANTITY: 1 MANUFACTURE & INSTALL — SCALE: 3/4" = 1'-0"

FABRICATION SPECIFICATIONS

1	CABINET	CONSTRUCTION	FABRICATED ALUMINUM
		TYPE	D/F ILLUMINATED
		ILLUMINATION	WHITE LED - SELF CONTAINED
		PAINT COLOR	PER COLOR KEY
		RETAINER SIZE	1 1/2"
		RETAINER COLOR	PER COLOR KEY
2	FACE	TYPE	WHITE POLYCARB
		VINYL COLOR	PER COLOR KEY
3	CHANGABLE COPY	TYPE	4" ACRYLIC, CONDENSED FONT
		VINYL COLOR	PER COLOR KEY
4	BRACKET	MATERIAL	2" SQ. TUBE / 1/2" PLATE
		FINISH	PER COLOR KEY
5	INSTALL	CABINET	PLATE MOUNTED TO WALL
		ELECTRICAL	BY OTHERS-LOCATED BEHIND WALL

GENERAL NOTES

VERIFY ACCESS BEHIND WALL - VERIFY LENGTH OF ARM REQUIRED TO CLEAR ROOF LINE

SURVEY REQUIRED

COLOR KEY

P1	PAINT	MATTHEWS PAINT SATIN BLACK
V1	VINYL	3M DARK EMERALD GREEN 3630-126
V2	VINYL	3M BLACK 3630-22
DP1	VINYL	3M DIGITAL PRINT ON TRANSLUCENT WHITE VINYL

NOTE: THE COLORS DEPICTED ON THIS RENDERING REPRESENT COLOR INTENT ONLY AND MAY NOT MATCH ACTUAL COLORS ON FINISHED PRODUCT. PLEASE REFER TO COLOR CALL-OUTS AND SPECIFIED VENDOR SAMPLES FOR APPROVED COLOR SPECIFICATIONS.

PROPOSED ELEVATION - NOT TO SCALE

NIGHT VIEW - NOT TO SCALE

RAMSAY SIGNS
ESTABLISHED 1911

PORTLAND
9160 SE 74th Ave
Portland OR 97206
503-777-4555
ramsaysigns.com

GREEN COAST MARKET

CLIENT
GREEN COAST MARKET
119 S. MILLER ST.
ROCKAWAY BEACH, OR

PROPOSED DESIGN

ACCOUNT EXECUTIVE:
GARRETT GIBSON

PROJECT MANAGER:
JUSTIN A.

DESIGNER: GINA WARTHEN
DATE: 5/2/2025

REVISION NOTES:

RAMSAY SIGNS IS A UL RECOGNIZED MANUFACTURER

© 2025 by Ramsay Signs, Inc.

These plans are the exclusive property of Ramsay Signs, Inc. the original work of its design team. They are submitted to your company for the sole purpose of your consideration of whether to purchase these plans or to purchase from Ramsay Signs, Inc. a sign manufactured according to these plans. Distribution or exhibition of these plans to anyone other than employees of your company, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition occurs, Ramsay Signs Inc. expects to be reimbursed 15% of the total project value in compensation for time and effort entailed in creating these plans.

L73 Grounding and Bonding Statement for each permanently connected sign the following statement or equivalent "This sign is intended to be installed in the accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign" should be either directly marked on the sign or label attached to the sign, included in the installation instructions, or provided on a separate sheet or tag shipped with the sign. The location **of the disconnect switch after installation shall comply with Article 600.6 (A)** (1) of the National Electrical code.

ACCOUNT EXECUTIVE (APPROVAL):

CLIENT (APPROVAL):

LANDLORD (APPROVAL):

DESIGN NUMBER:
25-0540

REVISION #:	DESIGNER:	DATE:
---	GINA W.	X.X.2024

Pete Anderson Realty Building

Rockaway Beach Facade Improvement Grant
2024 - 2025

Pete Anderson Realty Inc.

Cynthia Lee
214 S Hwy 101
Rockaway Beach, OR 97136

O: 503-805-0559
M: 503-805-0559

Cynthia Lee

parcorp@yahoo.com
O: 503-805-0559
M: 503-805-0559

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Pete Anderson Realty Inc.

Property Map and Tax Lot#
Section 32 Twn 02N rNG 10W TAX ID 372359

Property Owner Names*
Cynthia L Lee

Property Owners Address - if different from applicant
1810 Twin Points Road Lake Oswego Oregon 97216

Project Title*
Pete Anderson Realty Building

Grant Amount Request - Cannot exceed $30,000*
$6,500.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$8,870.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Scape and paint the existing trim
Paint the body color
Repair dry rot at the south corner of the building
Sand and stain the exterior railing

What are the anticipated challenges in completing this project on time?*

Possible weather issues, however, should not cause an extensive delay. Not more than 90 days total after approval.

List the contractors, estimates and predicted timelines for this project*

Aldercrest Development Inc.
Total exterior bid $8870.00

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

214 S Hwy 101 Rockaway Beach Estimate.pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

IMG_4991.JPG

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

IMG_4989 (1).JPG

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
grant	$4,455.00	
grant	$1,990.00	
grant	$1,375.00	
grant	$625.00	
grant	$425.00	
0	8870	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
Exterior prep and paint	$4,455.00	

Sand a repaint exterior trim	$1,990.00	
Dry rot repair southwest corner	$1,375.00	
Gutter Repairs	$625.00	
Sand and stain exterior rail	$425.00	
	8870	

PROJECT WORK PLAN

Goal #1*

Order and complete dry rot repairs

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$1,375.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Replace and repair the dry rot southwest corner. Timeline 30 days from grant approval. The painting can not take place prior to the dry rot repairs.

Goal #2*
exterior paint body and trim

Budget to Complete Goal #2*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$6,445.00

Goal #2 Work Plan*
Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Exterior prep and paint building body, this can begin after the dry rot is repaired. The completion of the dry rot repairs will need to be coordinated with the painters to get on their work schedule. Up to 45 days after dry rot repairs are finished to complete painting. The actual job will be 4-5 days.

Goal #3*
Gutter repairs and Stain and sand exterior railing

Budget to complete Goal #3*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$1,050.00

Goal #3 Work Plan*
Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

The railing sanding and stain will also be completed during the exterior process.
Gutter repairs will be scheduled after the paint is finished. Should be completed within 3 weeks. Gutter installers have more flexibility.
The general contractor will schedule the subcontractors, for minimum scheduling issues.

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Cynthia L lee

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Cynthia L Lee

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Cynthia L Lee

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Cynthia L Lee

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Cynthia L Lee

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.

Type your full name to e-sign

Cynthia L Lee

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.

Type your full name to e-sign

Cynthia L Lee

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.

Type your full name to e-sign

Cynthia L lee

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Cynthia L Lee

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Cynthia L Lee

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Cynthia L Lee

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

Cynthia L Lee

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Cynthia L Lee

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Cynthia L Lee

File Attachment Summary

Applicant File Uploads

- 214 S Hwy 101 Rockaway Beach Estimate.pdf
- IMG_4991.JPG
- IMG_4989 (1).JPG

ESTIMATE

4/17/2025

ALDERCREST Development Inc.

CLIENT	JOB LOCATION	JOB DESCRIPTION
Pete Anderson Realty Inc. 214 S Hwy 101 Rockaway Beach, OR 97136	214 S Hwy 101 Rockaway Beach, OR 97136	Exterior Repairs

WORK DESCRIPTION Aldercrest Development, Inc., proposes to perform all labor and provide permits and materials necessary to complete the following:

Exterior Repairs to Include:

Paint, prep and paint gray color consistent with existing color $4,455.00.

Sand and repaint all exterior trim. $1,990.00

Remove and replace damaged wood and corner boards on the southwest corner of the building prior to exterior paint. $1,375.00

Gutter repairs $625.00

Sand and stain existing exterior railing. $425.00

Total $8,870.00

Disability and Cargo Lift for Event Space

Rockaway Beach Facade Improvement Grant
2024 - 2025

Tillamara, Inc.

James Coke
615 N. Pacific Street
Rockaway Beach, OR 97136

O: 503-355-2191

James Coke

james.coke@tillamara.com
O: 503-355-2191

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
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or nan@tillamookcoast.com

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Eligible Applicants

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- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

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- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Tillamara, Inc. (owner and operator of the Rockaway Beach Resort & Conference Center)

Property Map and Tax Lot#
2N1032BC03300

Property Owner Names*
Tillamara, Inc. (private equity holding company with 200 individual investors)

Property Owners Address - if different from applicant
615 North Pacific Street, Rockaway Beach, OR 97136

Project Title*
Disability and Cargo Lift for Event Space

Grant Amount Request - Cannot exceed $30,000*
$30,000.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$75,000.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Tillamara is a private equity holding company whose investors are prior owners of the Rockaway Beach Resort Homeowners' Association (HOA). They purchased the property and took over operations on January 1, 2024 with the intent to repurpose it as a for-profit hotel and conference center. An important part of the business model is attracting company and affinity group gatherings needing a meeting space and lodging in an inspirational location. The transition has been successful and Tillamara is trending to its goal of break-even operations in 2025 after a year of significant facilities investment.

The property was built in the 1960s and 1970s with no disability access. The meeting space can only be reached via two exterior stairs that cannot accommodate persons who are mobility challenged, thus discriminating against their participation and forcing us to turn away otherwise lucrative business. We require an elevator/lift of significant enough size to allow a 5-foot turning radius for wheelchairs (also catering carts, etc.) which is accessible from a load/unload zone within our property parking area. It will of necessity be an external addition to our event space building. The estimated cost of $75,000 for lift, enclosure, design/permitting, and installation services is beyond our ability to fully finance at this time.

The event facility is a community resource. Since it was opened in summer 2024 we have hosted the mayoral and city council candidate forums, a local book signing, Oregon State Legislature local town hall, and several gatherings of County residents celebrating special events or holding affinity group meetings. In each case the facility was made available at minimal or no cost as a public service. However, attendees were forced to use the facility stairs, and any who could not (ie., Penny Cheek was forced to attend the City Council Candidate Forum via Zoom) were excluded. We believe it is to city and regional benefit that this infrastructure be added.

The lift is anticipated be located on the north face of our center building housing registration area, business office, pools and meeting facility. It would take the form of vertical shaft affixed to the side of the building directly across from the primary event room door on the building's south side. Access to the lift from street level would be via a west or north facing door while access to the event space from the lift would be through a south facing door into the building. Installation will require removal of an existing exterior storage closet, moving some exterior plumbing, installation of a new electrical circuit and integration with the existing building siding and roof line. [See attached blueprint annotation.]

There are a wide range of lift and elevator products varying from $25,000 to well over $100,000 for two-level reach. Because use would be infrequent - limited to events requiring cargo hoist or wheelchair access - we have selected a less expensive warehouse style lift rather than a more formal passenger elevator. The interior of the lift shaft will be finished for aesthetic purposes, but the lift itself would be enclosed by a cage rather than a formal passenger car. A major selection criteria is resistance to salty air and ease of maintainability. If funded, we would follow a formal RFQ process in making a final selection of equipment and integrator/contractor.

What are the anticipated challenges in completing this project on time?*

Tillamara will select a lift integrator and/or general contractor to perform the work following award of a grant funding contract. Work would be scheduled based on material and contractor availability during our

slow season December 2025 through February 2026. The major unknown is timeline to obtain County permits which can be lengthy even for small scopes of work such as this. We do not anticipate any challenges completing the work within the 12-month execution period unless permitting drags out so long that we are pushed into our busy spring season.

List the contractors, estimates and predicted timelines for this project*

Tillamara has engaged 'Ron Woodruff and Barry Newdelman Architects/Planners' to design the solution described herein and select viable contractors and equipment suppliers. Final selection will be via RFQ issued this summer once a grant contract is executed. Work would be scheduled for December 2025 through February 2026 in time for the spring conference season. Total cost is estimated at $75,000.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Lift.jpg

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
TCVA Grant	$30,000.00	

Tillamara cash flow	$40,000.00	
Tillamara finish work		$5,000.00
0	70000	5000

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	**Grant fund amount**	**$ Value of matching funds, if project more than allowed grant request**
Design & Permitting	$5,000.00	
Materials	$25,000.00	$25,000.00
Area prep (excavation, etc)		$5,000.00
Construction/installation		$10,000.00
Finish work		$5,000.00
	30000	45000

PROJECT WORK PLAN

Goal #1*
Ready for construction

Budget to Complete Goal #1*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$5,000.00

Goal #1 Work Plan*
Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

A. Project Preparation
1. Complete architectural design to include area prep, demolition, replumbing, new electrical. Submit to CORB for planning and land use approvals.
2. June-July 2025
3. Completed design materials ready for County approval.
4. Design signed off by City of Rockaway Beach planning dept.

B. Permitting
1. Submit design to County with request for approval.
2. Aug-Oct 2025
3. All permits received
4. All permits received

C. Select Contractors and bind work
1. Select contractors and material suppliers via RFQ evaluation
2. Oct-Nov 2025
3. All contractors selected and agreements executed.
4. Ready for construction with all pre-construction terms met.

Goal #2*
Construction completed

Budget to Complete Goal #2*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$70,000.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

A. Prepare site
1. Excavate lift base, reposition parking bumper(s), repaint loading zone, remove building siding and exterior shed, move exterior plumbing, install new electrical circuit
2. January 2026
3. Site ready for equipment install.
4. Contractor approves preparations.

B. Install equipment and facilities
1. Construct framing, install lift hardware, construct exterior siding and roofing tie-in
2. February 2026
3. Lift operational
4. Contractor approves construction and installation

C. Do finish work
1. Finish shaft interior and event room transition/entry
2. March 2026
3. Construction complete
4. Tillamara approves finish work

D. Test, sign off, and release withhold payments
1. Test all hardware, waterproofing, safety features, punch list fixes, etc. County approves work according to permitting. Final payments made to contractor(s).
2. April 2026
3. All project signoffs obtained.
4. Project complete and lift operational.

Goal #3*

Grantor approves project completion

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$0.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps

2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

A. Obtain grantor approval of project with final release of funds
1. Host grantor site visit and documentation inspection
2. April 2026
3. Grantor signoff and final payment(s) received
4. Grantor signoff received

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

James Coke

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

James Coke

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

James Coke

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

James Coke

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.

Type your full name to e-sign

James Coke

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.

Type your full name to e-sign

James Coke

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.

Type your full name to e-sign

James Coke

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.

Type your full name to e-sign

James Coke

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

James Coke

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

James Coke

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

James Coke

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

James Coke

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

James Coke

Authorization*

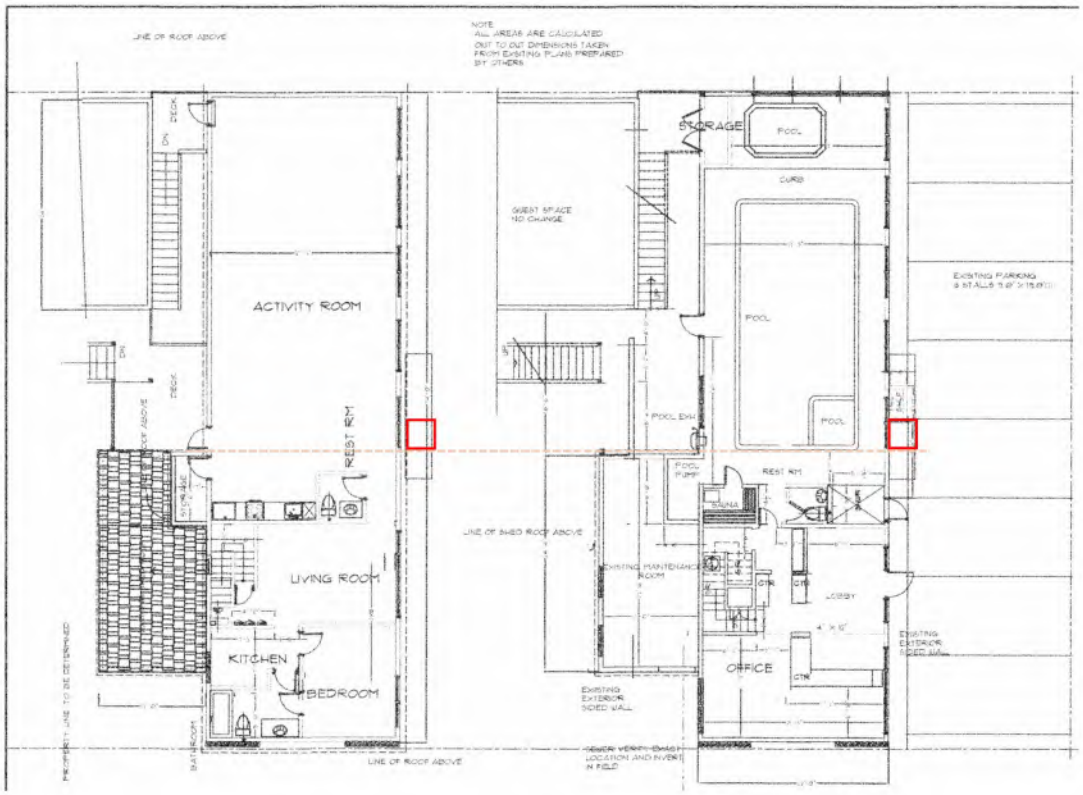
I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

James Coke

File Attachment Summary

Applicant File Uploads

- Lift.jpg


LINE OF ROOF ABOVE
NOTE
ALL AREAS ARE CALCULATED
OUT TO OUT DIMENSIONS TAKEN
FROM EXISTING PLANS PREPARED
BY OTHERS
DECK
DN
ACTIVITY ROOM
DN
DECK
ROOF ABOVE
REST RM
STORAGE
LIVING ROOM
KITCHEN
BEDROOM
BATHROOM
PROPERTY LINE TO BE DETERMINED
LINE OF ROOF ABOVE
GUEST SPACE
NO CHANGE
STORAGE
POOL
CURB
POOL
EXISTING PARKING
POOL EXIT
POOL
POOL PUMP
REST RM
LINE OF SHED ROOF ABOVE
EXISTING MAINTENANCE ROOM
CTR
CTR
LOBBY
OFFICE
CTR
EXISTING EXTERIOR SIDED WALL
EXISTING EXTERIOR SIDED WALL
NEVER VERIFY DRAIN LOCATION AND INVERT IN FIELD

Sign replacement on existing pedestal at 320 S. Highway 101, Rockaway Beach

Rockaway Beach Facade Improvement Grant
2024 - 2025

Wortman Properties Management, LLC

Edward Wortman
13042 8th Ave NW
Seattle, WA 98177

O: 206-999-8474
M: 206-999-8474

Edward Wortman

EdL195@aol.com
O: 206-999-8474
M: 206-999-8474

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Wortman Properties Management, LLC

Property Map and Tax Lot#
1N1105-BB-02601

Property Owner Names*
Edward L. Wortman, Wortman Properties Management, LLC

Property Owners Address - if different from applicant
13042 8th Ave. NW, Seattle, WA 98177 (same)

Project Title*
Sign replacement on existing pedestal at 320 S. Highway 101, Rockaway Beach

Grant Amount Request - Cannot exceed $30,000*
$30,000.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$40,750.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

The existing pedestal sign in front of 320 South Highway 101, in Rockaway Beach, is one of the first signs which greet tourists coming from the south. It is one of the last as they see heading south. The sign needs to be vibrant and welcoming, provide information in an attractive format, while projecting a positive and memorable image to the tourist and local citizens. This request is for a new sign, on the the existing pedestal, which complies with City ordinance 2024-06. Current sign is a static, two sided 4 x 6 foot metal cabinet with white plastic signs, set back from the street, behind the light pole line, and 12 feet above the pedestrian path, there is no sidewalk. Sign is electrified, but lights have failed due to bulbs or ballast, and is over 15 years old. Proposal replacement is slightly smaller, (4 x 5' 8") in a new aluminum cabinet, using a backlit 1/3 static portrayal of the tourist activity, International Police Museum (IPM) which has a 5 year lease on the building and 2/3 programmable interactive area where special events, activities or educational opportunities presented by the museum and others, can be highlighted. The programmable portion features an LED wireless controlled display (Watchfire RGB EMCs), at 8mm resolution. This option was chosen to significantly improve the versatility of the display, including text, color graphics and pictures. The higher resolutions, 6mm or smaller, have better graphics but are significantly more expensive and not judged cost effective in this situation. Using modern technology this sign system is far more versatile, attractive and energy efficient than the current fluorescent type sign.
The vendor has worked in Rockaway Beach before and is familiar with coastal conditions. Replacement will improve areas positive impact to tourists and ability to change graphics will reduce the probability of it becoming "just another lighted sign to drive by."
There is funding available to cover the difference between the grant limit and the projected cost of the sign.

What are the anticipated challenges in completing this project on time?*

Coastal weather conditions, delays in manufacture or parts availability. Watchfire, manufacturer of the digital componets is an American company, headquartered in Danville, IL, and uses US made parts where available. Security Signs advises that Watchfire has sufficient components on hand to complete existing projects without any anticipated supply chain interruptions.

List the contractors, estimates and predicted timelines for this project*

Security Signs, 2424 SE Holgate, Portland, Oregon 97202
$38,990.00 Polycarbonate and 8mm EMC display
Remove and dispose of existing approx. 5 X 4 double sided sign Cabinet and design, build and install (1) new cabinet of similar size with an integrated 8mm full color EMC with top portion as poly carbonate faces with Police Museum graphics. Anticipate 8-9 weeks to manufacture and install, following acceptance of bid. Copy of bid attached

Security Signs, Portland
$1,260.00 Permits and fees
Provide permit documentation and acquire new sign permits for EMC option (fees included). Included in copy above

EC Electric, 9400 3rd Street, Bay City, OR 97107
$500.00 (rough estimate if local electrician needed) connect existing wires in pedestal to new sign. Coordinated with new sign install if needed.

Upload Supporting Documents
Upload photos, bids, and other supporting documents.

25-jw243 (5).pdf

Upload Supporting Documents
Upload photos, bids, and other supporting documents.

Upload Supporting Documents
Upload photos, bids, and other supporting documents.

Upload Supporting Documents
Upload photos, bids, and other supporting documents.

Proposal_International Police Museum _2025-04-17 (3).pdf

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*
List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant request	$30,000.00	$10,750.00
0	30000	10750

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
40,750	$30,000.00	$10,750.00
	30000	10750

PROJECT WORK PLAN

Goal #1*

Deposit of $20,125.00 submited to vendor within 10 days of receiving grant

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$20,125.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Submit Façade Grant application 4-20-25
2. June 2025 Grant award from City of Rockaway Beach, vendor contract secured.
3. 10 days after award; Obtain check for grant funding and add $5,125.00 from savings to provide vendor with deposit.
Vendor anticipates 8-9 weeks for construction and installation.
4. Contract with vendor, coordination with vendor for specific details and inspections as needed.

Goal #2*

Vendor installs new sign at 320 S. Highway 101 in rockaway Beach.

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$500.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1. Vendor installs sign and connected to electricity on existing pedestal. $500.00 for local electrician if needed during installation.
2. August 2025
3 Permits and Inspections completed and signed off.
4. Sign is accepted, verified for function and turned on.

Goal #3*

Completion of installation and response to City of Rockaway Beach as required

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$20,125.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps

2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1, All installations and inspections finalized
2. September 2025. Final grant check $15,000.00 applied for and issued. Additional $5,625.00 withdrawn from savings to complete total payment of Vendor and additional $500.00 for local electrician if needed, completing total project cost of $40,750.00..
3. Total payment completed September 2025
4. Evaluation of project and final reports presented to City of Rockaway Beach, September or October 2025

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Edward Wortman

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Edward Wortman

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I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
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Edward Wortman

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Edward Wortman

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Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
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Type your full name to e-sign

Edward Wortman

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Edward Wortman

File Attachment Summary

Applicant File Uploads

- 25-jw243 (5).pdf
- Proposal_International Police Museum _2025-04-17 (3).pdf

INTERNATIONAL POLICE MUSEUM

PYLON CABINET - CONCEPTUAL

APRIL 17, 2025

DRAWING: 25-jw243

SECURITY SIGNS
Quality Since 1925

2424 SE Holgate Boulevard
Portland, Oregon 97202
503-232-4172

securitysigns.com

OR CCB# 122809
WA SECURS1020CF

REPLACEMENT CABINET W/ EMC | EXTERIOR ELEVATION / DETAILS - OPTION:1

EXISTING

PROPOSED

MANUFACTURE AND INSTALL ONE D/F CABINET W/ EMCs FOR EXISTING PYLON DISPLAY.

FABRICATED ALUMINUM, 2" RETAINERS & DIVIDER BARS, PAINTED SATIN FINISH.

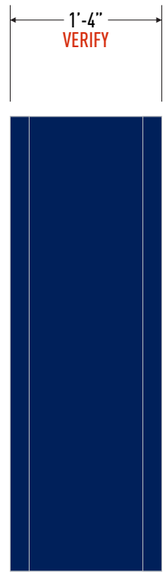
POLYCARB FACES W/ 3M VINYL GRAPHICS. WHITE LEDs.

WATCHFIRE RGB EMCs, WIRELESS CONNECTION.

INSTALLED ONTO EXISTING PYLON STRUCTURE.

SURVEY REQUIRED TO VERIFY CABINET AND PYLON ATTACHMENT DETAILS AND DIMS.

SIMULATED NIGHT VIEW



END VIEW

A | DISPLAY DETAILS - 22.33 SQ.FT.
Scale: 3/4" = 1'-0"

SECURITY SIGNS

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REPLACEMENT CABINET | EXTERIOR ELEVATION / DETAILS - OPTION:2

PROPOSED

REMOVE & DISCARD

EXISTING

MANUFACTURE AND INSTALL ONE D/F CABINET FOR EXISTING PYLON DISPLAY.
FABRICATED ALUMINUM, 2" RETAINERS, PAINTED SATIN FINISH.
POLYCARB FACES W/ 3M VINYL GRAPHICS. WHITE LEDs.
INSTALLED ONTO EXISTING PYLON STRUCTURE.
SURVEY REQUIRED TO VERIFY CABINET AND PYLON ATTACHMENT DETAILS AND DIMS.

SIMULATED NIGHT VIEW

END VIEW

A | DISPLAY DETAILS - 20 SQ.FT.
Scale: 3/4" = 1'-0"

SECURITY SIGNS

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INTERNATIONAL POLICE MUSEUM / ROCKAWAY BEACH, OR - CONCEPT DESIGN

Client Approval:

Account Manager: Joseph Platt
Date: 04.17.2025
Drawing: 25-jw243
Sheet: 3 of 3

SECURITY SIGNS
2424 SE Holgate Blvd., Portland, Oregon 97202-4747
Phone: 503.232.4172/Fax: 503.230.1861/Web: securitysigns.com
State Contractor # OR 122809, | WA SECURISI 020CF

PROPOSAL & SALES AGREEMENT

04/17/2025
SID #: 250419820 - Rev 2
Prepared By: Joseph Platt
Phone: 503-546-7109
Email: joseph@securitysigns.com
Design #: TBD

Customer:	International Police Museum
Address:	320 Highway 101 South Rockaway Beach, OR 97136
Contact:	Ed Wortman
Phone:	
Email:	

Job Name:	International Police Museum
Jobsite Address:	320 Highway 101 South Rockaway Beach, OR 97136

:: SCOPE OF WORK

ID	QTY	DESCRIPTION	PRICE
A Option 1 - 10mm	1	Remove and dispose of existing approx.. 5' X 4' double sided sign cabinet and then design, manufacture and install one (1) new cabinet of similar size with an integrated 10 mm full color EMC with top portion as poly carbonate faces with Police Museum graphics.	$33,270.00
A Option 2 - 8mm	1	Remove and dispose of existing approx.. 5' X 4' double sided sign cabinet and then design, manufacture and install one (1) new cabinet of similar size with an integrated 10 mm full color EMC with top portion as poly carbonate faces with Police Museum graphics.	$38,990.00
A Option 3	1	Remove and dispose of existing approx.. 5' X 4' double sided sign cabinet and then design, manufacture and install one (1) new cabinet of similar size with poly carbonate faces with Police Museum graphics. (No EMC)	$9,940.00
B	1	Paint pole to match new cabinet color.	$970.00
X	1	Provide permit documentation and acquire new sign permits for EMC option. (Fees included)	$1,260.00

:: ESTIMATED LEAD TIME

8-9 weeks.

:: NOTES

Thank you for the opportunity to present this proposal from Security Signs. To accept this proposal please read all information below and sign in the Approval box below. By signing below, Customer accepts Security Signs proposal and agrees to all of the Terms and conditions listed below.

:: TERMS AND CONDITIONS

1. **Payment terms are 50% deposit to initiate order and balance prior to installation.**
2. **Landlord approval is customer responsibility.**
3. **Excludes primary electrical service.**
4. **Excludes permit and acquisition fees, billed at final invoice.**
5. **Excludes special inspections.**
6. **Excludes prevailing wage.**
7. **Assumes standard working hours.**
8. **Subject to technical survey.**
9. **Proposal valid for 30 days.**

:: APPROVAL

This proposal is accepted and approved by:

Name	Title
Signature	Date

Update ADA entry door, donation door, fence and gutters

Rockaway Beach Facade Improvement Grant
2024 - 2025

126, LLC. (Hope Chest Thrift Shop)

Guy Markus Smith
126 S. Highway 101
Markus Smith
Rockaway Beach, OR 97136

O: 503-780-6000
M: 503-780-6000

Guy Markus Smith

smitty@hevanet.com
O: 503-780-6000
M: 503-780-6000

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

Yes

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
126, LLC

Property Map and Tax Lot#
2N1032CC06200

Property Owner Names*
126, LLC.

Property Owners Address - if different from applicant
706 SE Main St. Portland, OR 97214-3422

Project Title*
Update ADA entry door, donation door, fence and gutters

Grant Amount Request - Cannot exceed $30,000*
$22,214.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$22,214.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

1) Install exterior donation/workspace door and install bollard.
2) Repair and replace broken ADA front entry door.
3) Replace dilapidated fence.
4) Update signage on street and building.
5) Repair gutter, miter, including splicing damaged gutter.
6) New parking signs and repainting parking space lines
7) Remove bubbling paint west and south exterior building. Prime and repaint.

What are the anticipated challenges in completing this project on time?*

We do not anticipate any delays. If there were any delay out of our control, we would anticipate they would be related to, weather conditions, availability of qualified contractors to finish project on time.

List the contractors, estimates and predicted timelines for this project*

1) West Coast Painting and Contruction- $3803.50, Complication date, 06/15/2025
2) Pacific Entrance, LLC. - $3542.50, Complication date, 09/15/2025
3) Pacific Fence & Wire- $5873.00, Complication date, 07/15/2015
4) Portland Sign Co.-$4660.00, Complication date, 09/15/2025
5) Haltiner Heating and Sheet Metal- $650.00- Complication date, 06/15/2025
6) Tony's Striping and Sealcoating- $1200.00, Complication date, 08/15/2025
7) West Coast Painting and Contruction- $2485.00, Complication date, 08/15/2025

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

1368018048552224221 (2).zip

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

[Unanswered]

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant request	$22,212.00	
0	22212	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
See full list in description above	$22,214.00	

	22214	

PROJECT WORK PLAN

Goal #1*

1) Install exterior donation/workspace door.

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$3,803.50

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Hire contractor
Schedule contractor.
Manage job.
Inspec and pay for finished project.

Goal #2*

1) Repair and replace broken ADA front entry door.

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$3,542.50

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Hire contractor
Schedule contractor.
Manage job.
Inspec and pay for finished project.

Goal #3*

3) Replace dilapidated fence.

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$5,873.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Hire contractor
Schedule contractor.
Manage job.
Inspec and pay for finished project.

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Guy Markus Smith

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Guy Markus Smith

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Guy Markus Smith

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Guy Markus Smith

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Guy Markus Smith

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to

properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
Type your full name to e-sign

Guy Markus Smith

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
Type your full name to e-sign

Guy Markus Smith

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.
Type your full name to e-sign

Guy Markus Smith

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Guy Markus Smith

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Yes, I give my permission. Guy Markus Smith

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Guy Markus Smith

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

Guy Markus Smith

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Guy Markus Smith

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Guy Markus Smith

File Attachment Summary

Applicant File Uploads

- 1368018048552224221 (2).zip

Facade Improvement, phase 2

Rockaway Beach Facade Improvement Grant
2024 - 2025

Sand Dollar Restaurant & Lounge

Emma Heahershaw

emma.seaside@gmail.com

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

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project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

No

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Not Applicable (I am not the property owner)

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Sand Dollar Restaraunt & Lounge

Property Map and Tax Lot#
2N1032CC09201

Property Owner Names*
Tai Dang

Property Owners Address - if different from applicant
315 E MAIN ST STE HIG HILLSBORO OR 97123

Project Title*
Facade Improvement, phase 2

Grant Amount Request - Cannot exceed $30,000*
$30,000.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$30,000.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

In order to obtain a more modern look and a better curb appeal, we want to remove the old rock wall in front of the restaurant and replace it with a concrete wall in combination with pavers. The wall will tie up with the existing stairs on one side and the wheelchair accessible ramp on the other side which will be extended for better access. On the side of the restaurant we will extend the concrete patio and add wire railing for a nice and modern look. In addition to that, we will complete the painting of the building on the side of the Pacific Street and on the side of the ocean. The painting will be done by the restaurant owners with materials purchased from home depot.

What are the anticipated challenges in completing this project on time?*

We do not foresee any challenges.

List the contractors, estimates and predicted timelines for this project*

Leaves And Limbs LLC, the contractor is ready to start upon approval. Completion of project will be done before July 1st, 2025

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

leavesandlimbsllc_estimate_406.pdf

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Leaves And Limbs project	$29,300.00	
Paint	$400.00	
Labor for painting		$300.00
0	29700	300

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
Leaves And Limbs project	$29,300.00	
Paint	$400.00	
Labor for painting		$300.00

	29700	300

PROJECT WORK PLAN

Goal #1*

Scheduling the work requires 50% down payment

Budget to Complete Goal #1*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$15,000.00

Goal #1 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Leaves and Limbs LLC will perform the work and they estimate to be done in 6 - 10 days

Goal #2*

Completion of project

Budget to Complete Goal #2*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$14,300.00

Goal #2 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Concrete pad prep, dirt removal, gravel, compaction, and framing. See drawing below for sizing. $13000.00

New railing. Aluminum uprights with stainless steel wire. 115 liner ft. $8300.00

Retaining walls. Removal of old walls prep and installation of new walls.
18' with a 14 ft leg 3' high, reinforced with rebar and concrete. We will also pour a footer that is 12" deep by 12" wide. The wall will be 6" wide blocks. And 1, 8 ft long by 1' high wall constructed the same way. $5200.00

1 concrete pad in front of the large retaing wall. This will require 1yd of mud and reinforcement wire.
$1700.00

Dirt disposal, we will need to remove the extra dirt and debris off site.
$1100.00

Goal #3*

Painting of the remainder of the building

Budget to complete Goal #3*

*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$700.00

Goal #3 Work Plan*

Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

The painting will be done over 4 days, mornings, so that we do not disrupt the operation of business

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*

Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Emma Heathershaw

I am an eligible applicant and submitted an eligible project.*

Refer to the grant information above for details.
Type your full name to e-sign.

Emma Heathershaw

Land Use Affirmation*

I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the
local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Emma Heathershaw

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Emma Heathershaw

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Emma Heathershaw

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to

properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
Type your full name to e-sign

Emma Heathershaw

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
Type your full name to e-sign

Emma Heathershaw

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure Grantee's compliance with the grant contract.
Type your full name to e-sign

Emma Heathershaw

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Emma Heathershaw

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Emma Heathershaw

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Emma Heathershaw

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

Emma Heathershaw

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Emma Heathershaw

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.
Type your full name to e-sign

Emma Heathershaw

File Attachment Summary

Applicant File Uploads

- leavesandlimbsllc_estimate_406.pdf

ESTIMATE

Prepared For

Emma Heathershaw
210 N 1st Ave,
Rockaway, Oregon 97136
(425) 802-7514

Leaves And Limbs Llc

8155 Burbank Rd , CCB#240087
Tillamook , Oregon 97141
Phone: (503) 812-6351
Email: leavesandlimbs11@yahoo.com

Estimate #	406
Date	03/21/2025

Description	**Total**
Concrete pad	$29,300.00

We will add a concrete pad as outlined by the property owner. We will also add a wire railing around the pad. We will add a cinder block concrete filled landscaping wall out front as well.

Concrete pad prep, dirt removal, gravel, compaction, and framing. See drawing below for sizing. $13000.00

New railing. Aluminum uprights with stainless steel wire. 115 liner ft. $8300.00

Retaining walls. Removal of old walls prep and installation of new walls.
18' with a 14 ft leg 3' high, reinforced with rebar and concrete. We will also pour a footer that is 12" deep by 12" wide. The wall will be 6" wide blocks. And 1, 8 ft long by 1' high wall constructed the same way. $5200.00

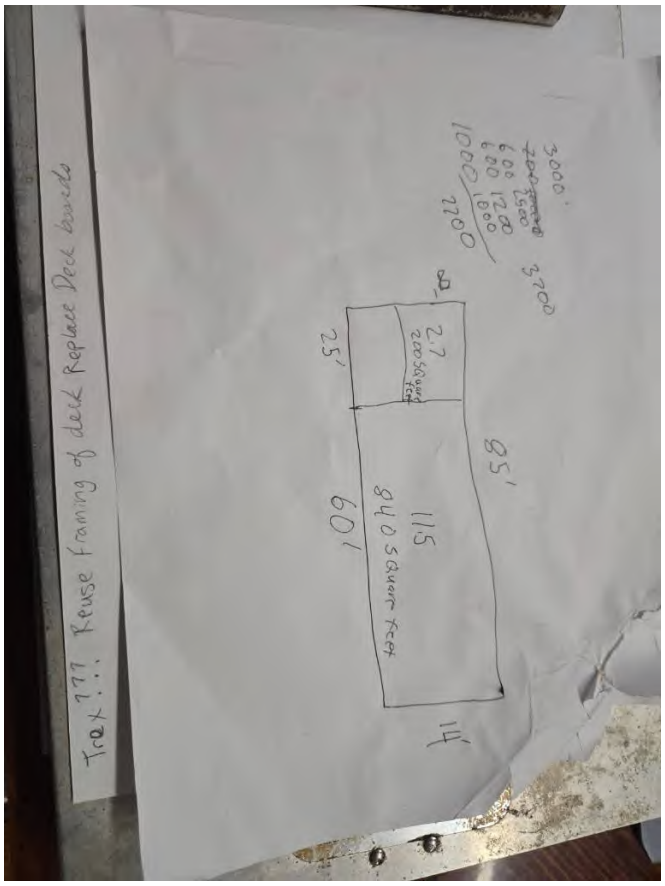
1 concrete pad in front of the large retaing wall. This will require 1yd of mud and reinforcement wire. $1700.00

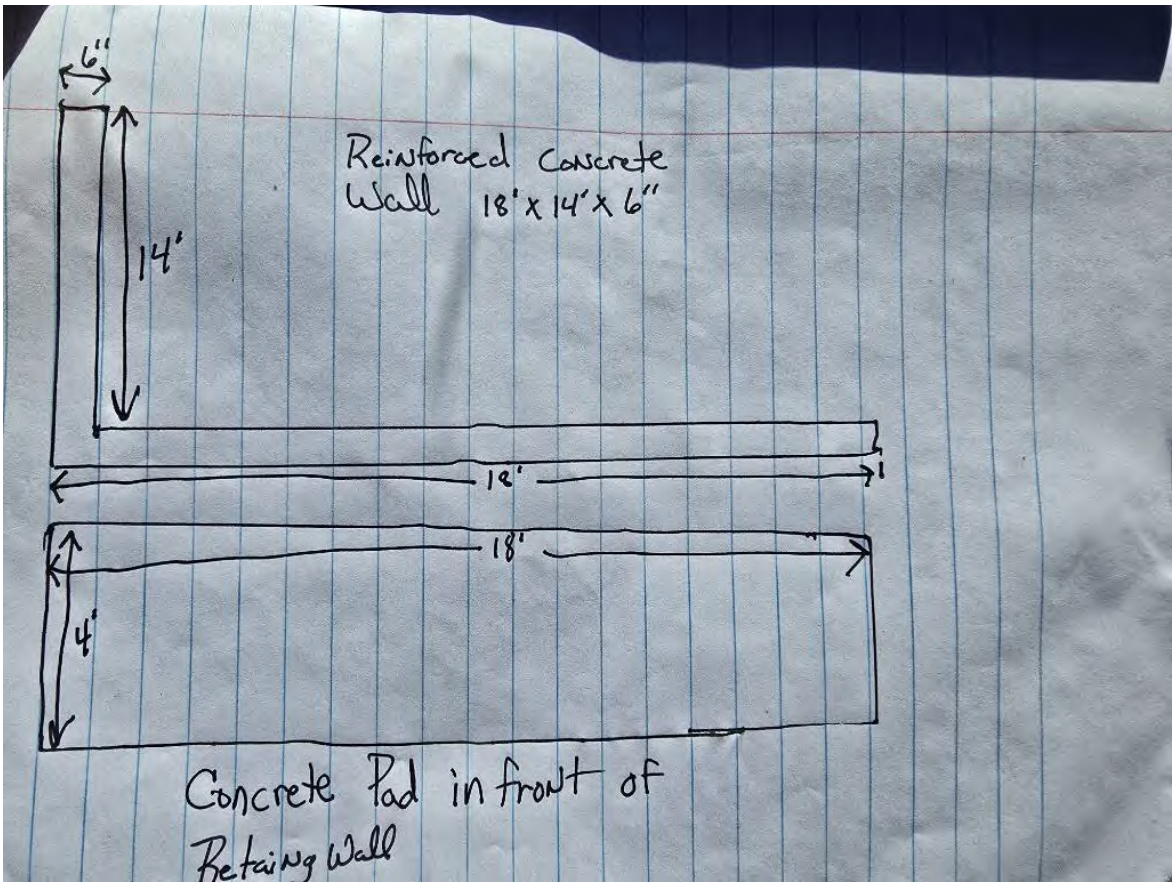
Dirt disposal, we will need to remove the extra dirt and debris off site.
$1100.00

The projected start date would be after April 20th.

The complete project should be between 6 and 10 days.

Subtotal	$29,300.00
Total	**$29,300.00**


Trex ??? Reuse framing of deck Replace Deck boards
3000
3700
2700
25'
85'
60'
14'
115
840 Square feet
2.7
200 Square feet


6"
14'
Reinforced Concrete
Wall 18' x 14' x 6"
18'
18'
4'
Concrete Pad in front of
Retaing Wall

By signing this document, the customer agrees to the services and conditions outlined in this document.

Leaves And Limbs	Emma Heathershaw

Rockaway OOS Renew

Rockaway Beach Facade Improvement Grant
2024 - 2025

Old Oregon Smokehouse

Sandra Dixson
120 S Hwy 101
Rockaway Beach, OR 97136

O: 503-355-2817
M: 512-963-2672

Sandra Dixson

Sandra_dixson@yahoo.com
O: 512-963-2672
M: 512-963-2672

Application Form

Grant Description, Eligibility Questions and Budget

Grant Timeline

Applications open & publication of notice March 1, 2025

Applications due, 11:59 p.m. April 20, 2025

Grant completedness review by TCVA April 30, 2025

Approved applications submitted to city council TBD

Notifications to grantees; contracts to recipients TBD

Project deadline - 12 months from award date TBD

Rockaway Beach Facade Improvement Grant

Funds Available: $200,000
Maximum Request: $30,000

Grant Opens: March 1, 2025
Deadline: April 20, 2025

Grant is made possible by City of Rockaway Beach lodging tax funds.

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:
Nan Devlin at 503.842.2672, ext. 1
or nan@tillamookcoast.com

About the Facade Improvement Grant

The City of Rockaway Beach designed the Facade Improvement Grant to assist in making buildings more attractive and accessible to visitors through repairs, painting, ADA entries and bathrooms, windows, doors, awnings and other projects. First impressions count: the look of a town is its best advertising, and encourages more business development and economic vitality. This grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way to encourage more visitation.

The City of Rockaway Beach is offering a $200,000 grant fund to help tourism-related businesses improve the look of their storefronts. Applicants may request up to $30,000 with no match required (any amount over $30,000 is the responsibility of the business owner).

Awarded grant funds will be provided as follows:

- Once the applicant provides a signed contract to complete the project, the applicant will receive 50% of the total award upfront to assist in getting the project started. Upon completion of the

project, submit the paid receipts along with an invoice for the remainder of your award to receive reimbursement.

- Projects must be completed within 12 months from approval of grant or issuance of building permit when required. One additional 3-month extension may be approved and must be requested prior to the initial 12-month deadline.

Promotional Campaign

When the facade improvement projects are finished, Tillamook Coast Visitors Association, as the marketing administrator for the City of Rockaway Beach, will provide a summary report for the city showing before and after photos, and comments from the owner/manager of each project.

New photography will be done, which will be shared with business owners use on websites, social media and other marketing efforts.

Visitrockawaybeach.org website will showcase new photos, videos and stories.

Grant Management

In partnership with the city of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) is tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients. TCVA will execute contracts with awardees, issue grant reimbursements, and manage project contracts.

Each grant recipient will be required to execute a grant agreement withTCVA and provide all project management and oversight for all phases of the project. TCVA will disburse funds to grant recipients on a reimbursement basis only in accordance with terms of the grant agreement. Each grant recipient must also comply with federal, state, and local public contracting rules, regulations and permits, provide quarterly progress reports to TCVA, and submit a project completion report. Successful applicants will be required to to submit contract signatures, project reporting, and reimbursement requests.

Eligible Applicants

- Property owners of buildings in Rockaway Beach commercial zones that include for-profit, tourism-based businesses.
- Business owners or tenants of commercial buildings operating tourism-based businesses with written consent of property owner.
- Applicants must have a current business license and show proof that property and other taxes are current.
- Applicants may only have one active/open grant at any time with the City of Rockaway Beach.
- Preference will be given to first-time grant recipient

Not Eligible to Apply

- Non-profit organizations
- Short-term rental properties and agencies
- Marijuana stores

Eligible Projects

Funds must be used for existing exterior façade improvements on commercial buildings supporting the tourism industry in compliance with City of Rockaway Beach ordinances. Funds may also be used to improve ADA access.

- Cleaning, preparation and painting of exterior walls and trim, including murals or similar artwork
- Repair, replacement or installation of awnings, windows, exterior lighting and doors
- Repairs or reconstruction of entryways, including removal of barriers for those with disabilities (ADA entrance ways)
- Repair, replacement or installation of exterior masonry or siding materials
- Removal of signs
- New business sign
- Work on cornices, gutters and downspouts Asbestos/hazardous material abatement
- Add/improve ADA accessibility (i.e. improvements to floorspace, ADA rooms with roll-in showers, ADA fixtures, etc.)
- Attractive fencing to reduce traffic noise/visuals for outdoor dining areas located along Highway 101
- Beautification elements, such as planters, benches or other streetscaping

Ineligible Projects

- Refinancing of existing debt
- Interior improvements
- Roofs - exception: roof area that extends over entryway awnings
- Structural foundations
- Financing of inventory
- Financing of building acquisition
- Working capital
- Landscaping

Do you own this property?*

No

Is property located in a commercial zone that includes for-profit, tourism-based businesses?*

Yes

Do you have a current business license?*

All applicants must have a current City of Rockaway Beach business license.

Yes

Property Owners - Can you show proof that property taxes are current?*
Yes

Do you currently have a active/open grant with the City of Rockaway Beach?*
Applicants may only have one active/open grant at any time with the City of Rockaway Beach.

No

Organization Type*
Nonprofits are not eligible for this grant.

For-profit business

Business Name*
Old Oregon Smokehouse

Property Map and Tax Lot#
02N10W32CC

Property Owner Names*
Harold Brecht

Property Owners Address - if different from applicant
PO Box 671 Rockaway Beach, Oregon 97136

Project Title*
Rockaway OOS Renew

Grant Amount Request - Cannot exceed $30,000*
$30,000.00

Total Project Cost*

This number may differ from the grant request, and will show total project cost.

$42,000.00

Project Description*

Provide a complete description of the facade improvement project's intended function, design, and structural components. If relevant, attach a drawing of the plan showing its position on the property.

Lower deck of outdoor seating area to be replaced by extending of the upper 8 foot north and 28 feet west to east.
The project will include :
1) Removal of damaged planks-boards-railing to ensure an improved appearance and convenience for future customers.
2) Replace or repair existing footing
3) Extend footing range to include adding 8 foot north and 24 feet, west to east of existing dining deck.
4)Install new footing.
5) Install new deck boards
6) Install new railing along north side of deck.
7)Remove wood fence bordering south side of business.
8) Install new wood fencing to south side of deck / business
9)Build a heated gazebo closest to existing building, starting at new fence line and will run 16 feet west to east and 8 feet wide - north to south.
The new gazebo will be built with take away roof segments and frame to ensure customer safety - pleasing esthetics - as well as protect business owner against winter storm damage, occurring 80% of the time during the last 10 years.
Gazebo will be heated - lighted - vented and ceiling fan for summer. It will house 4-6 ft tables in order to offer customer base "4 season dining"
10) Gazebo will attach to a new covered walk way from gazebo to front door of business. Covered area from front door will extend 8 foot from front door (west) and be attached to existing roof line.
11) New facia will be installed on front of existing building, as well as new roof topping to estheticly match roof on gazebo and covered entrance.
12) 100% of existing building - new deck - covered awning - fencing - gazebo will be painted with matching finishes to ensure esthetic improvements to both functionality and appearance.
13) Tables on deck will be replaced and / or repaired and additional tables added to handle more capacity. Estimated additional tables will include 7 - (6 foot) tables or 8 - (4 foot tables) upon deck completion, in order to adhere to city and county code safety capacity guidelines.
14) Smoker area located closest to Hwy 101 will be replaced with a more structurally sound Smoker / Gazebo. This pavilion will also have a latched roof system that may be removed. It will also include adjustable roof vents on south side to ensure safety, as well as be esthetically pleasing.
15) The front of fence, south side of lot was replaced early 2025 ….. a new company logo sign will be painted on fence facing Hwy 101.
16) Attaching to east end of new Smoker Gazebo, a 4 ft X 8 ft enclosed outdoor handwashing sink, customer accessible toilet will be added. Plumbing would attach to main sewer line located directly under where the new outside toilet / handwashing enclosure will be housed.
17) Sidewalk edging and entrance to deck will be removed and resurfaced - restored.
18) North side of gate opening will receive new fencing and a Memorial bench "In memory of Adam Brecht", our beloved son and Co-owner of Old Oregon Smokehouse.
19) Hot water will be supplied to existing 3 sink basin in smoker pavilion. This line will also provide hot water to customer hand washing sink.

What are the anticipated challenges in completing this project on time?*

Possible delays in permits and / or weather.

Due to current business flow, most of the demolition and rebuild will take place after Labor Day 2025. Therefore since all of the work is to outside safety and esthetics, the workers will be challenged with unsafe weather conditions for build.

List the contractors, estimates and predicted timelines for this project*

Halls Coast Customs
CCB# 247559
Ron Hall - Contractor
Completion dates are as listed on goals and timeline.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

Upload Supporting Documents

Upload photos, bids, and other supporting documents.

If you have more than 4 documents, please email them to nan@tillamookcoast.com

Note: It is ok to merge several documents into one scanned item and upload it as one file.

Project Budget - Income*

List the resources which you will use to pay for your projects here, including the amount of the grant request. Those resources will have the same total as the expenses you will report on the following table.

Note: Matching amounts are NOT required, but if your project excees the gant limits, use this section to add any additional funding sources you will use.

Income/Resouce Description	Cash	Matching Funds or In-Kind Dollar Amount at $25.40/hr
Grant	$30,000.00	

Business funds	$12,000.00	
0	42000	

Project Budget - Expenses*

Matching amounts are NOT required, but if your project exceeds the grant limits, use this section to add additional funding sources.

The expenses on this table should equal the amount you listed in the resources table above.

Description of Expense	Grant fund amount	$ Value of matching funds, if project more than allowed grant request
demolition		$5,750.00
plumbing, repair/rebuild and repair deck	$27,000.00	
fencing	$3,000.00	$5,450.00
	30000	11200

PROJECT WORK PLAN

Goal #1*
Demolition

Budget to Complete Goal #1*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$5,750.00

Goal #1 Work Plan*
Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

Oct 1 - Oct 14 Tear out and discard existing damaged / rotten unusable materials.
Business Manager to be onsite to ensure safety and production.

Goal #2*
1) Connect plumbing under new deck build.2) Re-build and / or repair existing deck. 3) Build front and side fencing

Budget to Complete Goal #2*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$27,000.00

Goal #2 Work Plan*
Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1) Plumbing complete by 10-20-2025
2) Deck and fence build by 11-7-2025
3) Pavilions, covered entrance, facia, and customer care area completed by 1-31-2026

Goal #3*
Painting / Staining / Finishing work / New tables added, hand washing sink, toilet , tankless hot water connection completed

Budget to complete Goal #3*
*Verify that 'Budget to Complete Goals' total matches 'Budget Totals'

$8,450.00

Goal #3 Work Plan*
Please number your answers as below:

1. Key action steps
2. Timeline to complete each step
3. Expected outcome for each step
4. Evaluation method for each step

1) Painting and sealing done by 3-10-2026
2) New tables and fixtures installed by 3-25-2026

AUTHORIZATION & CERTIFICATION

Authorization & Certification Verification*
Confirm the following authorization and certifications that apply.
Please type your name here to confirm that you have reviewed the answers to the questions above for accuracy purposes.

Harold Brecht

I am an eligible applicant and submitted an eligible project.*
Refer to the grant information above for details.
Type your full name to e-sign.

Harold Brecht

Land Use Affirmation*
I have consulted with the local land use jurisdiction to confirm the project is consistent with applicable land use regulations. If a grant is awarded, I understand that I will acquire a completed Land Use Compatibility Form from the

local land use jurisdiction prior to and as a condition of the execution of a grant agreement.
Type your full name to e-sign

Harold Brecht

Legal Title Affirmation*

I understand that legal title to the completed project must be held for at least 10 years following project completion or that some other arrangement, satisfactory to the County, will be put in place to protect the investment of public funds in this project for a 10-year period.
Type your full name to e-sign

Harold Brecht

My project fits within eliglbe use of tourism funds*

Applicants will be required to provide information to TCVA to support accountability for use of the funds in compliance with the facade improvement grant eligibility requirements, and requirements for Transient Lodging Taxes as outlined in ORS 320.300 as a tourism-related facility.
Type your full name to e-sign

Harold Brecht

I agree to enter into a contract with TCVA upon grant approval*

TCVA reserves the right to include such additional special conditions or requirements in each contract, as it might deem necessary or desirable to protect the public investment of tax dollars in the project. Furthermore, I agree to provide progress and completion reports as outlined in the grant award letter and grant contract. Failure to properly prove use of funds will result in disqualification of reimbursement and subject to repayment of disbursed funds.
Type your full name to e-sign

Harold Brecht

I agree to provide a W-9 Request for Taxpayer Identification Number and Certification*

I will provide IRS form W-9 to certify that the Federal Employer Identification Number and business type provided in the above application is accurate and the organization is not subject to back-up withholding.
Type your full name to e-sign

Harold Brecht

I agree to provide project management and oversight to ensure operation and maint. of the project*

Applicant activities must be well-documented and completed according to the grant contract timelines and as outlined in the grant application. TCVA's sole responsibility will be to process draw down requests and ensure

Grantee's compliance with the grant contract.
Type your full name to e-sign

Harold Brecht

I agree to comply with applicable fed, state, and local public contracting rules and regulations.*

Type your full name to e-sign

Harold Brecht

I give TCVA permission to use my project for public info, promotional, and educational purposes.*

Applicants understand that the information supplied throughout the course of the project will be used by TCVA to promote success stories and project deliverables. Information may be released to the media, social media channels, governmental legislative bodies or used in promotional materials intended for public release.

Harold Brecht

My company has an anti-discrimination policy*

The policy states that my company does not discriminate with respect to race, color, creed, sex, age, national origin, disability, religion or sexual orientation and comply with affirmative action programs and all applicable federal, state or local laws.
Type your full name to e-sign

Harold Brecht

I agree to provide necessary inurance coverage*

Applicants are required to provide insurance coverage in an amount determined by the City of Rockaway Beach to be sufficient.
Type your full name to e-sign

Harold Brecht

I agree to hold City of Rockaway Beach and TCVA Harmelss.*

I agree to hold the City of Rockaway Beach and TCVA harmless for any liens, claims, damages or other liabilities related to the project, and to indemnify and defend the County from any claims, costs, damages or expenses of any kind, including attorney's fees and other costs and expenses of litigation, arising out of the project.
Type your full name to e-sign

Harold Brecht

Authorization*

I certify to the best of my knowledge that all information, contained in this application, including all attachments and certifications, is valid and accurate. I further certify that the application has been reviewed and approved by the authorized owner(s), managers with appropriately delegated authority and/or in accordance with the organization's articles of incorporation or organization.

Type your full name to e-sign

Harold Brecht

File Attachment Summary

Applicant File Uploads

No files were uploaded

2025 Grand Marshal Nominations

Nominated Party	*Reason(s) for Nominations*
Leon and Teri Bruneau	Leon and Teri were the contractors that built our home in Cedar Creek in 2007. As contractors they started a Family Fund to help disadvantaged children in the Rockaway Beach and Tillamook County community. They raised money from other builders to buy presents and food for families in need. They recruit volunteers each year to shop "Black Friday", wrap the presents, buy the food, assemble the food and gift baskets and make Christmas Eve deliveries to each family. Last year this included 40 families in the area. Each family received gifts for each child and all the ingredients for a Christmas Dinner with all the trimmings. When they retired from the contracting business, the Meals for Seniors (MFS) Board formalized the program under the MFS umbrella keeping it separate and distinct. This summer, the Family Fund program will also deliver lunches to children in the Neahkahnie school district at 3 separate locations in Garibaldi, Rockaway Beach and Nehalem. Teri and Leon have been active in Meals for Seniors Rockaway Beach since 2013. Teri has served as a board member and officer. She is currently President. Teri works tirelessly managing the volunteers, food acquisition and logistics of the MFS program. Leon volunteered for many years in the kitchen and at the French Toast Breakfast fundraisers. Leon and Teri currently filet all the fish that is donated to MFS and vacuum pack it for serving at a later date. Some days they have up to 8 coolers of rockfish, ling cod and salmon delivered requiring immediate attention. Leon and Teri are always ready and willing to work and organize volunteers to complete the task. The MFS program under Teri's stewardship continues to grow. Based on the first quarter of 2025, it will be a record year for the program. As you know, this is a volunteer managed organization based in Rockaway Beach. A program the City can be very proud of. It is without hesitation we enthusiastically endorse Leon and Teri Bruneau for Grand Marshals of the 4th of July Parade. They are outstanding ambassadors for the city working tirelessly on behalf of the children and seniors in the Rockaway Beach community.
Pat Olson	Pat does anything and everything
Pat Olson	Pat has been a tireless supporter of our community for many years, embodying the spirit and heart of Rockaway Beach in everything they do. From his volunteer work to his constant presence at local events, his philanthropy, and especially his “behind the scenes” efforts to enhance the lives of members of our community. Pat has shown unwavering dedication to bringing people together and uplifting our town. Their warmth, generosity, and commitment to community values make them a perfect choice to lead this cherished tradition.
Pat Olson	Pat's unwavering dedication to the city of Rockaway Beach truly sets him apart as an exemplary candidate. For decades, Pat has been an invaluable asset to our community. Not only has he committed years to working for the city, but he has also served over 30 years as a volunteer firefighter, demonstrating an extraordinary commitment to the safety and well-being of our residents. Beyond his direct service, Pat actively enriches our community through his involvement with the local carvers group, where he generously shares his skills and teaches others. His philanthropic spirit is equally remarkable; he consistently donates to numerous local causes, from supporting our library to providing essential school supplies. Furthermore, Pat is often working tirelessly behind the scenes, contributing to countless other initiatives that benefit Rockaway Beach. Pat Olson embodies the spirit of community service and dedication that the Grand Marshal honor represents. His profound and lasting impact on Rockaway Beach makes him an exceptionally deserving choice.
Theresa (Teri) and Leon Bruneau	Teri and Leon are dedicated community leaders who have spent years shaping our town through craftsmanship as trusted home contractors and unwavering commitment to service. As the Board President of Meals for Seniors, Inc. Teri, with Leon's unwavering support, has ensured that our senior population receives the care and support they deserve. Their leadership has touched countless lives, providing nourishment and kindness to those who need it most. Additionally, as the founders of the Family Fund, Teri and Leon have strengthened the fabric of our community, offering hope and assistance to families in times of need, especially during the holiday season. Their vision and generosity make Rockaway Beach a more connected, and compassionate place for all. For their ongoing tireless service, dedication and heart, I proudly support Teri and Leon Bruneau as Grand Marshal of this year's 4th of July Parade. Please join me in celebrating these two pillars of our community.
Pat Olsen	Pat is the epitome of Rockaway Beach! Not only is Pat an amazing local historian but he also was a 30 year volunteer firefighter. He served on both the budget committee & planning commission. I haven’t met anyone that knows more about this area & truly loves to share!

Pat Olson	Pat has, for many years, quietly contributed to the community. He never asks for recognition. He was a volunteer firefighter for 30 years, served on all City committees, always helping decorate for events, delivering food and just an all around deserving guy to be Grand Marshal!
Pat Olson	He volunteers his time with the fire department and other community interests. I also know he has bought and taken meals from the senior meal program to a long time member of the community who recently broke her arm. He also volunteers at the hope chest
Pat Olson	He has been a Rockaway resident his entire life. You can find Pat anywhere in Rockaway lending a helping hand. He has done so much for our community behind the scenes. Let's honor Pat Olson 😊
Terry and Leon Bruneau	Meals for Seniors would not be without the tireless and cumulative years commitment Leon and Terry have devoted. We are so delighted volunteering for them and could not more enthusiastically nominate them as our Grand Marshall's this year
Victor Troxel	Has been a great help to the city with beach wheelchairs to use. And is an asset to the business association
Victor Troxel	Bubbles ! Lots and lots of bubbles. Victor is a colorful resident of our town. He's dedicated to the improvement of Rockaway, on multiple levels
Victor Troxel	His vision and leadership in creating the current tree lighting ceremony, he founded the Rockaway Beach Business Association, he facilitates the free beach wheelchair program, he donated use of land for the large wayfinding sign and has, arguably had 1 of the most significant impacts on the vibe in rockaway beach
Penny Cheek	Long time service in Rockaway Beach
Pat Olson	30 years – Fire Department – delivers meals to homes of people in need! Works on many city groups.

2025 Volunteer of the Year Nominations	
Nominated Party	***Reason(s) for Nominations***
Rockaway Beach Fire Department Volunteers	Rockaway Beach Fire Department Volunteers
Barb Riley	Barb dedicates countless hours to our community, giving her time and energy to a wide range of causes including Meals for Seniors, Emergency Preparedness efforts, and the Emergency Radio Group. Her commitment is unwavering, and her impact is deeply felt by those she serves. Barb exemplifies what it means to be a selfless and engaged community member, always stepping up where help is needed most.
Barb Riley	I am writing to enthusiastically nominate Barb Riley for Volunteer of the Year. Barb's unwavering dedication and extensive contributions to our community truly make her an exceptional candidate for this honor. Barb is a tireless volunteer, consistently going above and beyond to support those around her. She plays a vital role in delivering meals to our seniors and also serves on their board, demonstrating her commitment to the well-being of our elder community members. Beyond this, Barb is a constant presence at local events and fundraisers, always ready to lend a hand and ensure their success. Her dedication extends to critical community safety initiatives as well. Barb is actively involved in emergency preparedness efforts and is one of the key leaders of our local emergency radio group, helping to ensure our community is resilient and connected during times of need. Barb's regular and profound volunteer efforts across multiple crucial areas of our community make her an outstanding example of selfless service. She embodies the spirit of volunteerism.
Barb Riley	Barb is a true champion of service and dedication in our community. Barb wears many hats, each one representing her unwavering commitment to helping others. As a Board Member and delivery driver for Meals for Seniors, Inc., she works tirelessly to ensure our senior neighbors receive not just nourishing meals, but kindness and connection. Through her role in CERT (Community Emergency Response Team) and the emergency radio program she stands ready to lend a hand in times of need, providing critical support when it matters most. In the past her selflessness has extended to the US Coast Guard Auxiliary, where she volunteered her time to assist with safety and maritime support. And, on land, Barb takes action through SOLVE Beach Cleanup events, working tirelessly to keep our beaches pristine for all to enjoy. These examples are just an example of Barb's involvement in our community. Barb Riley embodies what it means to be a dedicated volunteer, someone who sees a need and steps forward without hesitation. Her generosity, compassion, and leadership make our community stronger, safer and more connected. I proudly nominate Barb Riley for Volunteer of the Year in recognition of her outstanding service and the lasting impact she has made in Rockaway Beach and beyond.
Barb Riley	Barb organized the Paws Beach Cleanup, works tirelessly for Senior Meals & gives of herself for no other reason than she's needed!
Barb Riley	Barb volunteers for Senior Meals, biweekly Paw Patrol picking up Beach garbage and heads the Emergency Radio program. She is always cheerful and happy to help.
Pat	Pat is a constant positive presence in many aspects of improving our community in Rockaway Beach
The Rockaway Beach Fire Department volunteers	The Rockaway Beach Fire Department volunteers. Need I say more 😊
Barbara Riley	Barb is a selfless and devoted community volunteer and resident. From CERT safety to beach cleanup you can always count on seeing Barb in the middle of it all. She is someone we all can count on for any service and a just a helping hand!
Pat Olsen	He served his community with the volunteer fire dept., served on the planning commission, and beautification committee
Sue Wilson	Past Mayor of Rockaway Beach Member of Lions Club Board member of North County Food Bank Board member of Rockaway Beach Business Association Past member of Emergency Preparedness of Rockaway Beach Sue has dedicated herself to hours and hours of volunteer time to many groups in Rockaway Beach. She has always been overlooked when awards are given...it's time for her to be recognized.Years of service in City government

AGREEMENT

Between

THE

CITY OF ROCKAWAY BEACH

and

CITY OF ROCKAWAY BEACH
EMPLOYEES LOCAL 2734-1,
AFSCME COUNCIL NO. 75 AFL-
CIO

July 1, 2025~~3~~ to June 30, 2029~~5~~

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PREAMBLE

This Agreement is entered into by the City of Rockaway Beach, herein after referred to as the "City" and City of Rockaway Beach Employees, Local 2734-1 affiliated with American Federation of State, County and Municipal Employees, Council 75, AFL-CIO, hereinafter referred to as the "Union."

This document represents the full agreement between the City and the Union. The purpose of the Agreement is to set forth those matters pertaining to wages, hours and other conditions of employment and the establishment of an equitable and peaceful procedure for the resolution of disputes.

ARTICLE 1 - RECOGNITION AND BARGAINING UNIT

1.1. The City recognizes the Union as the sole and exclusive bargaining agent for all Employees of the City, excluding supervisory, confidential and managerial Employees as defined by ORS 243.650 (6), (16), and (23), part-time Employees who work less than 20 hours per week and temporary Employees who work less than 520 hours in any 12 consecutive months.

1.2. The parties agree that this Agreement covers both strikable and non-strikable Employees, and it is agreed that such combination shall not be construed to give strikable Employees the right to interest arbitration.

1.3. Should the City establish a new position or change the duties of an existing position where such position should belong in the bargaining unit, the City shall notify the Union of the new position or reclassified position, including providing to the Union a copy of the position and proposed pay rate. In the event the Union does not agree with the pay rate and so notifies the City, the parties shall within ten (10) working days enter into negotiations.

ARTICLE 2 - MANAGEMENT RIGHTS

The City retains all the rights, decision-making functions and authority to manage the affairs of the City or any part of the City. The rights of Employees in the bargaining unit and the Union include those specifically set forth in this Agreement.

Without limitation, but by way of illustration, the functions and rights of the City shall include the following:

A. To direct and supervise all operations, functions and policies in the departments involved and operations, functions and policies in the remainder of the City as they may affect Employees in the bargaining unit.

B. To close or transfer an office or facility or combination of facilities or to relocate, reorganize or combine the work of divisions, operations or facilities.

C. To determine the need for a reduction or increase in the workforce.

D. To establish, revise and implement standards for hiring, classification, promotion, quality of work, safety, materials, and standards of conduct, equipment, uniforms, methods and procedures.

E. To assign and distribute work.

F. To assign shifts, work days, hours of work and work locations.

G. To introduce new duties and to revise job classifications and duties within the unit.

H. To determine the qualifications of new employees.

I. To discipline an employee for just cause.

J. To determine the need for additional educational courses, training programs, on-the-job training, cross-training.

K. To determine the need for overtime and classifications to work such overtime.

The exercise of the management function or right which is not specifically limited by this Agreement is retained by the City.

ARTICLE 3 - EMPLOYMENT RIGHTS

3.1. It is recognized that Employees have the right to form, join and participate in the activities of Employee Organizations of their own choosing for the purpose of representation on matters of Employee relations. Employees covered by this Agreement also shall have the right to refuse to join the activities of the Union or any other employee organization. No employee shall be interfered with, intimidated, restrained, coerced or discriminated against by the City or by the Union because of their exercise of these rights.

3.2. The provisions of this Agreement shall be applied equally to all employees in the bargaining unit without regard to race, religion, color, sex (including pregnancy, childbirth, and related medical conditions), national origin, marital status, sexual preference, family relationship, age or physical or mental disability or any other basis prohibited by local, state or federal law (except when there are bona

fide occupational qualifications).

ARTICLE 4 - PEACEFUL PERFORMANCE OF CITY SERVICE

4.1. It is recognized that continuous and uninterrupted service by the City and its Employees to the citizens, and orderly collective bargaining relations between the City and its Employees begin essential consideration of this Agreement, the Union agrees on behalf of itself and its members, individually and collectively, that there shall not be any strikes, picketing, boycotting, work stoppages, sit down or slowdown strikes, or a concerted refusal to render services or to work including overtime or any other curtailment or restriction of work at any time during the term of this Agreement.

4.2. In the event of a violation of this Article by the Union and/or the employees, the Employer may, in addition to other remedies, discipline such Employees up to and including discharge.

4.3. There will be no lock out of Employees in the bargaining unit by the City as a consequence of any dispute arising during the period of this Agreement.

ARTICLE 5 - UNION SECURITY

5.1. Membership or non-membership in the Union shall be the individual choice of the employees covered by this Agreement.

5.2. The City agrees to notify the Union of all new hires in the bargaining unit within ten (10) calendar days from date of hire, furnishing the Union with ~~the new employee's name, email address, personal mailing address, mobile and home telephone numbers and position for which they were hired~~ information in accordance with ORS 243.804(4). The City will allow a Union representative to meet with new employees for ~~up to thirty (30) minutes~~ one hour within 30 days of hire.

5.3. The City agrees to deduct from the paycheck of each employee Union dues. The City shall not be held liable for checkoff errors but shall make proper adjustments with the employee and the Union for errors as soon as practicable and upon notification from the Union. The Union agrees to indemnify and hold harmless the City from any action arising under this article. The amount deducted shall be transmitted monthly to the Union. Transmittal to include employees name, social security number, mailing address and amount deducted.

5.4. The City agrees to furnish a bulletin board at each regular work location in a convenient place to be used and maintained by the Union. The Union shall limit its posting of notices and bulletins to such bulletin boards. The Union shall periodically clear the board

0f outdated material and shall restrict posting to matters of Union business, which

are a non-political non-inflammatory nature.

5.5 Employees seeking to withdraw their authorization are subject to the terms and conditions of their Union membership.

ARTICLE 6 - **UNION** BUSINESS

6.1. Union Representatives shall be allowed access to Employee work locations for the purpose of processing grievances or for contacting Members of the Union. Such representatives shall make their presence known to the supervisor. Access shall be restricted so as to not interfere with the normal operations of the Department. Shop Stewards shall be allowed to perform Union business on City time with the consent of their supervisor or designee and it does not interfere with the operation of the Department. Union meetings may be held at City facilities, but shall not be held during work hours. Police officers may attend union meetings during their work hours, providing they respond to calls for service if called. See also Articles 21, 22 and 24.

6.2. Members of the bargaining unit selected to serve as authorized representatives shall be certified in writing to the City.

6.3. Union Orientation. The Employer must provide the Union up to ~~thirty (30) minutes~~ one hour to make a presentation on the initial day of orientation in a private space. The Union orientation will identify the Union's status, organizational benefits, facilities. related information and the distribution and collection of membership applications.

ARTICLE 7 - HOURS OF WORK

7.1. Work week for full-time Employees shall consist of a seven (7) day work schedule with five (5) consecutive eight (8) hour days with two (2) consecutive days off or four (4) consecutive ten (10) hour days with three (3) consecutive days off or Four(4) consecutive nine(9) hour days and one(1) four(4) hour day.

7.2. Employee supervisors can call Employees in for time other than their regular work week, but alt such time shall be compensated as overtime.

7.3. All shifts shall have an established starting and quitting time and that schedule shall be determined by the City Manager. The City shall notify all affected Employees of any proposed change in starting and quitting time(s) at least five (5) days prior to the effective date of the change; Police Officers at least forty-eight (48) hours prior to a change in scheduled starting and quitting time.

7.4. Subject to advance mutual agreement between an Employee and the City, minimum notice to change scheduled starting and quitting times may be waived.

7.5. Hours of work include all paid leaves, such as vacation leave, sick leave, and holidays.

7.6. Employees shall be granted either a thirty (30) or sixty (60) minute unpaid meal period during each work shift which shall not be considered on-duty working time. The meal period shall be scheduled as nearly as possible to the midpoint of the Employee's shift.

Only those Employees who work more than five (5) consecutive hours in a day are entitled to a meal period.

Police Officers and Firefighters shall be provided a paid meal period, but not a paid meal, as nearly as possible at the mid-point of their shift.

7.6.1 Public Works & City Hall Employees: In accordance with OAR 839-020-0050, if an Employee is called back to work from their meal period break, then the City shall compensate the Employee and treat the Employee's entire meal period as time worked.

7.7. All Employee work schedules shall provide for a fifteen (15) minute rest period during each one-half (1/2) shift which shall be scheduled as near the middle of each one- half (1/2) shift as is feasible and such time shall be considered on-duty working time.

Employees who for any reason are scheduled to work more than two (2) hours beyond their regular shift, shall receive a fifteen (15) minute rest period before they start to work on the next shift. Such Employee shall receive fifteen (15) minute rest period every two (2) hours thereafter, and a paid thirty (30) minute lunch period if the scheduled work period is longer than four (4) hours.

7.8. When any Employee reports for and/or starts to work their scheduled shift and is excused from duty for illness or other personal requirements before completing their scheduled shift, he/she shall be paid for their time worked up to the time of departure; any

absence shall be charged to sick leave, compensatory time taken or vacation leave, as applicable. If the Employee is directed by his/her supervisor to leave the work place prior to the end of the shift, Employee shall be paid for their scheduled shift.

7.9. Any Employee called to work, outside of their regularly scheduled shift, shall be paid for a minimum of two (2) hours of their appropriate overtime rate. Any

Employee called in during any paid leave time shall be paid double time; such work time shall not be charged to said leave time.

7.10. On call is defined as any time the City requires an Employee to be available on off duty time to be available for work.

The City shall provide one cell phone per department where Employees are required to be on call. If an Employee uses their personal cell phone for City business and they exceed their plan limits for minutes or data in a particular month, then the City shall compensate the employee with one on-call shift as defined below.

Employees, including Police Officers, required to be on call for less than 6 hours per day ("on-call") shall receive $21 per day. Employees required to be on call for more than 6 hours per day ("stand-by") shall receive $42 per day.

7.11. Weekend Work for Public Works Employees: When a Public Works Employee works a weekend shift, defined as a Saturday or Sunday, then he or she will be compensated an additional $25 per weekend shift.

ARTICLE 8 - OVERTIME

8.1. Employees required to work in excess of eight (8) hours or ten (10) hours (where the City has implemented a 4/10 schedule) in any twenty-four hour period, shall receive overtime at the rate of time and one-half an Employee's regular rate of pay.

8.2. Employees required to work in excess of 40 hours in any seven (7) day period shall receive overtime at the rate of time and one-half an employee's regular rate of pay.

8.3. Overtime shall be computed to the nearest one-quarter (1/4) hour.

8.4. The current policy of the City of Rockaway Beach is to pay Employees for all overtime worked. However, each Employee, at the Employee's request, may accrue up to a maximum of 40 hours of compensatory time in lieu of cash payment. Employees shall not be required to cash out their comp time annually. Compensatory time off must be scheduled with the approval of the Supervisor and may be taken in full days or shorter increments of time if approved by an Employee's Supervisor. Employees must have a positive sick leave balance to be eligible to accrue compensatory time.

Employees who terminate for any reason shall be compensated for all unused compensatory time.

ARTICLE 9 - HOLIDAYS

9.1. All Employees, with the exception of Police Officers, shall be entitled to the

Holidays listed below with pay. Full-time Employees shall receive regular compensation; part-time Employees shall be compensated in proportion to the number of hours they are normally scheduled to work.

New Year’s Day	January 1st
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19th
Independence Day	July 4th
Labor Day	First Monday in September
Veteran’s Day	November 11th
Thanksgiving	Fourth Thursday in November
Christmas Day	December 25th

9.2. When a holiday falls on a Sunday, it shall be observed on the following Monday. When a holiday falls on a Saturday, it shall be observed on the previous Friday. On holidays, the City will staff Public Works with a minimum number of staff for safety and health. Non-Police Department Employees who are required to work on a Holiday shall receive time and one-half (1 1/2) for all hours worked plus their regular pay.

For Police Officers, they shall accrue ten (10) holiday hours on the first day of each month with no 'set' holidays for the year. The Police Officer is expected to use the ten hours in the month it is accrued, based on mutual agreement of the day off between the Employee and the Chief of Police. Every effort shall be made by the Police Officer and the Chief of Police to reach an agreement. In the absence of an agreement, the holiday may be assigned to the Police Officer by the Chief of Police or the Chief of Police may authorize accrual. Police Officers will not be allowed to build an accrual of more than twenty (20) hours without written approval by the Chief of Police. The holiday time used by the Police Officer shall be compensated at that Employee's regular rate of pay.

9.3. Employees must be in a paid employment status on both the work day preceding and the work day following the holiday in order to be compensated for the holiday.

9.4. Holidays which occur during an Employee's vacation or sick leave shall not be charged against such leave. Holidays occurring during leave without pay shall not be compensated.

Each Employee shall be credited ~~two (2) and~~ three (3) ~~for Public Works~~ Floating Holidays on January 1st of each year. Each Floating Holiday shall be credited as leave time equal to the regular shift for each employee. All unused Floating Holiday time expires on December 31st of each year. Employees hired during the calendar year shall have their Floating Holidays prorated to the nearest hour. Employees may take their Floating Holidays with prior approval of their Supervisor. Police Officers will be paid only the amount of holiday accrued that does not exceed any written approval by the Chief of Police. For those not working a five(5) consecutive eight(8) hour day schedule, an extra Floating day shall be credited for any holiday landing on an employees scheduled day off.

Upon termination, an Employee will be paid for any unused Floating Holiday for that calendar year. Employees who are terminated during their initial probationary period shall not be entitled to payment for any unused Floating Holiday time.

Employees may use Floating Holiday time in increments of four (4) hours or less if approved by the Employee's Supervisor.

~~No Floating Holidays shall be taken during the first six (6) months after date of hire.~~

ARTICLE 10 - VACATION LEAVE

10.1. Vacation leave with pay shall accrue at the rates shown below for full-time Employees. New Employees shall not be eligible for vacation leave during their first six (6) months of employment, although vacation leave shall accrue from the beginning of employment.

Vacation shall be acquired as follows:

~~Hours Accumulated Days Per Max Hours Yrs of Service Per Month Year Accumulated~~

Yrs of Service	Hours Accumulated Per Month	Days Per Year	Max Hours Accumulated
0-2	6.67	10	~~120~~140
3-5	8.00	12	~~144~~164
6-10	10.00	15	~~180~~200
11- 14	12.00	18	~~216~~236
15-20	14.67	22	~~250~~270
20 +	16.67	25	~~250~~270

Regular part-time Employees who work 20 or more hours per week will earn vacation leave on a pro-rata basis.

10.2. Accrued leave shall be credited to an Employee's leave account by~~on~~ the first day of the month for each preceding month worked. ~~An Employee hired between the first and the fifteenth day of a month shall be considered to have been hired on the first day of the month. Employees hired between the sixteenth and the last day of a month shall be considered to have been hired on the first day of the next month~~. Employees hired after the first day of the month shall accrue leave on a pro-rata basis. Employees having unpaid leave during a calendar month shall accrue vacation on a pro-rata basis for days worked during the month.

10.3. An Employee who terminates employment prior to completion of six months of employment, shall not be entitled to cash compensation for accrued vacation leave. Those Employees who have attained six months of employment and then separate from the City shall be entitled to pay for accrued vacation leave balance, including pro- rata accruals. In the case of death of the Employee, compensation for accrual vacation leave shall be paid in the same manner that

salary due the decedent is paid.

10.4. Vacation leave can be taken in increments of four (4) hours, or less if approved by the Employee's Supervisor.

10.5. Vacation hours may accumulate to a maximum of the number of hours per the schedule in 10.1, but Employees are encouraged to utilize accrued vacation time within one (1) year.

If, due to the operational requirements of the City, the Employee is unable to utilize vacation leave time in excess of the maximum accumulated vacation leave allowed, the City shall compensate the Employee in cash for all excess vacation hours.

10.6. All vacations and floating holidays will be scheduled subject to the operational needs of the City. Between January 1 and 31 of each year, the City shall circulate within each department and in order of seniority, with the most senior Employee afforded the first selection, a vacation sign-up roster for the calendar year plus the following January. Each Employee shall be allowed to select one (1) continuous vacation period from the portion of the year in which vacation is available. Each person shall have two (2) working days to make their selection. All additional vacation will be scheduled with the first request received having priority basis. Employees who make a vacation selection during the January sign-up period shall have such period considered approved unless notified otherwise by the City prior to February 15.

All administrative Employees who perform any direct financial actions or tasks shall annually take at least one period of vacation leave of five (5) consecutive week days duration; or take any combination of leave equaling five consecutive week days away from their jobs. The five consecutive days shall not include weekends, but may include holidays.

Subject to the operational requirements of the City, Police Officers normally shall not be eligible to utilize vacation Memorial Day weekend through Labor Day weekend, unless authorized by their supervisor.

Employees requesting vacation time outside the January 1 to 31 sign-up period shall make a written request in person to their supervisor. Supervisors must respond within five

(5) working days to a request of more than two (2) consecutive days and respond within two (2) working days to a request of two (2) days or less. If an Employee does not get a response, then the vacation request will be allowed.

Supervisor response time does not include time when the Supervisor is not available.

All requests for additional vacation time shall be submitted in writing and in person to the Supervisor.

ARTICLE 11 - SICK LEAVE

11.1. Accrual of sick leave. Sick leave shall accrue at the rate of eight (8) hours for each full calendar month of service and shall be credited to the Employee's leave account the first of the month following accrual. Employees having unpaid leave during a calendar month shall accrue sick leave in the same manner as vacation leave, which means on a pro-rata basis, since benefits shall not accrue during the actual time on unpaid leave.

New Employees serving their probationary employment period in full-time positions are eligible to accrue sick leave.

Part-time Employees shall accrue sick leave on a pro-rata basis.

11.2. Use of Sick Leave. Employees may utilize their allowance of sick leave when unable to perform their work duties by reason of illness or injury, necessity for medical or dental care; exposure to contagious disease under circumstances by which the health of other Employees or members of the public necessarily dealt with would be endangered by the attendance of the Employee or by serious illness of their immediate families/household which requires the presence of the Employee.

Immediate family ~~/household defined as including spouse, child, parents, grandparents, grandchild, in-laws or any other member of an Employee's household~~shall be defined by the OFLA as specified in Article 12.

11.3. Sickness during paid vacation leave. An Employee who becomes ill during a period of approved vacation leave may not use sick leave in lieu of vacation leave. If the illness extends beyond the vacation leave period, only the time subsequent to the end of vacation leave will be charged to sick leave.

11.4. Sick leave credit following recall from layoff or return from leave without pay. An Employee who is reappointed following a layoff, or the expiration of an approved leave without pay, shall have sick leave credits restored that were accrued during the previous employment.

Compensation of accrued, unused sick leave at termination. No compensation or accrued unused sick leave shall be allowed for any Employee when separated from employment. However, upon retirement under the Public Employee's Retirement

System, an Employee's accumulated sick leave will be credited to the Public Employee's Sick leave shall be charged on an hour-per-hour basis for each hour utilized. Any Employee who exceeds their accumulated sick leave shall be eligible to charge their accumulated compensatory time or vacation time.

11.5. Employees must keep their supervisor informed as to their status to qualify for sick leave. The City may request a doctor's release to return to work if the City can reasonably articulate its need for the release. Employees falsifying their claim for sick leave may be liable for disciplinary action by the City. The City may require acknowledgment from the employee's doctor with regards to time off due to illness or injury when such absence exceeds three (3) working days.

11.6. Employee eligible for Family Medical Leave per ORS 659.50 - 659.570 shall be eligible to utilize sick leave, vacation or compensatory time.

11.7. Sick Leave Donation. Employees may donate accrued sick leave to a fellow AFSCME member provided that the donating employee retains at least 75 hours of sick leave after the donation. Employees may donate sick leave time only once per year. Employees requesting donations of sick leave must have already exhausted their own sick leave and all other available categories of time available to them.

ARTICLE 12- BEREAVEMENT LEAVE

When a member of an Employee's or Employee's spouse's immediate family as defined in Article 11,~~(defined as spouse, children, step-children, father, mother, brother, sister, father-in- law, mother-in- law, grandparents, grandchildren) or other member living in the Employee's household~~ dies, up to five (5) consecutive days bereavement leave with pay shall be granted to an Employee by the City for the period of time the Employee is unable to perform his/her duties.

ARTICLE 13 - LEAVES OF ABSENCE

13.1. Leaves of Absence with pay.

A. Witness or Jury Duty. If an Employee is called for jury duty or is subpoenaed as a witness, the Employee shall suffer no loss in regular compensation for such absence. However, they shall be required to remit to the City any compensation received for such duties, excluding compensation

received for mileage and lodging.

B. Military Leave. An employee with six months of continuous City service who is a member of the National Guard or a reserve component of the armed forces, shall be entitled to a leave for a period not to exceed fifteen (15) calendar days in any one calendar year. Military leave shall be granted upon written application accompanied by a copy of bona fide orders to temporary active or training duty. Fire Calls. City Employees who are City of Rockaway Beach Volunteer Fire Department personnel may respond to fire calls during regular work hours and time spent on the call will be logged as leave with pay on time cards.

13.2. Leaves of Absence Without Pay. In instances where the work shall not be impaired by the temporary absence of an employee, the City Manager may grant a leave of absence without pay after leave benefits are exhausted. The request shall be in writing to the City Manager. Leave without pay (LWOP) may only be granted if all compensatory time, vacation leave time, and unused holiday time has been used. Sick leave shall not be used for non-applicable purposes.

A. Court Leave. Leave without pay shall be granted for attendance in court in connection with an Employee's personal affairs, such leaves shall be in writing and shall be granted by the Employee's supervisor.

B. Parental Leave. Upon request, an Employee shall be granted a leave of absence for up to 12 weeks to care for a new baby or adoption of a child six years or younger. Such leave shall include one (1) week prior to the anticipated date of the birth of a child. During parental leave, the Employee shall be entitled to use any combination of sick leave, vacation leave, comp time, and leave without pay.

Upon request, the City will grant medical leave of absence beyond 12 weeks due to disability/illness or the child requiring the Employee's attendance of the child up to a maximum of six months with acceptable medical verification. Such additional leave shall normally be leave without pay unless the Employee has sick leave, vacation leave, and compensatory time available.

ARTICLE 14 - WAGES

Effective July 1, 2025 employee wages shall be as listed in Appendix A.

Effective July 1, 2026 employee wages shall be adjusted by not less than 3% nor more than 6% based upon the change in the All Cities CPI-U of February 1, 2026, whichever is higher.

Effective July 1, 2027 employee wages shall be adjusted by not less than 3% nor more than 6% based upon the change in the All Cities CPI-U of February 1, 2027, whichever is higher

Effective July 1, 2028 employee wages shall be adjusted by not less than 3% nor more than 6% based upon the change in the All Cities CPI-U of February 1, 2028, whichever is higher

~~Effective July 1, 2023 employee wages shall be adjusted by not less than 2.5% nor more than 6.5% based upon the change in the All Cities CPI-U, whichever is higher~~

~~Effective July 1, 2024 employee wages shall be adjusted by not less than 2.5% nor more than 6.5 % based upon the change in the All Cities CPI-U, whichever is higher.~~

14.1. Whenever an Employee is permanently appointed in writing to a higher paying position, they shall receive the nearest step which represents at a minimum a 3% increase in their base salary.

~~14.1.~~

14.2. Employees temporarily assigned by their Supervisor the duties and responsibilities of a higher paying position for a day or more shall receive no less than an additional five percent (5%) increase of their base salary for the total time of such assignment.

14.3. Employees will normally enter the salary schedule at step one and thereafter move to the next higher step upon completion of twelve (12) months of satisfactory service as reflected in the employee's anniversary date evaluation, no increase in salary may be given for unsatisfactory performance. The City may enter Employees at any step of the salary schedule or advance more than one step. In no event shall an Employee be denied a step increase on their anniversary date if the City has failed to complete an Employee's annual evaluation.

Anniversary date for purposes of calculating step adjustments shall be the first day of the month hired (the day the Employee first renders paid

service), if hired between the 1st and the 15th day of the month inclusive or the first day of the next month if hired on the 16th day or later in a month.

Employees whose anniversary evaluation is unsatisfactory shall be reevaluated in 90 days, in which case their step increase would not be effective until the satisfactory completion of the 90 day evaluation period. If the second evaluation is unsatisfactory, the City has no obligation to reevaluate that Employee until the Employee's next anniversary date.

If an Employee feels an overall unsatisfactory evaluation is arbitrary and capricious, they may appeal the evaluation to the City Liaison for their department. If not satisfied, then the Employee may appeal to the City Council in executive session, but not to binding arbitration.

14.4. Paydays and Draws. Payday shall be the last working day of the month for all work through the end of that month, except for overtime, which is through the 25th of the month. Overtime earned after the 25th of the month would be reflected on the next month's paycheck. A draw on earned salary may be drawn on the 15th day of the month equal up to one-half of the earned base salary. If the 15th falls on Saturday, the draw may be taken on Friday; if the 15th falls on Sunday, the draw may be taken on Monday.

~~14.5.~~ Longevity Pay. The longevity pay plan shall be based on a percentage of the yearly gross salary for the base step of that salary classification in accordance with the following tier schedules:

Longevity:

1. 3 % after completing 5 through 10 years.
2. 4 % after completing 11 through 15 years.
3. 5 % after completing 16 through 20 years.
4. 7% after completing 21 years.

For the purpose of computation of the longevity pay, the commencing date of employment shall be January 1 of the year closest to the date which employment became effective. The longevity pay shall be paid on the last payroll period before Christmas of the year eligible. No payments can be applied for if the employment terminates prior to serving at least the minimum number of years necessary for the initial payment.

A. Certification Pay ~~(Police)~~. Police Officers who possess an intermediate DPSST certification shall receive an additional 2% added to their base pay. Police Officers who possess an advance DPSST certification shall receive an additional 3% added to their base pay. An Officer will get 5% if both certificates are obtained. Firefighters who possess EMT Advanced, EMT Intermediate, or EMT Paramedic certification shall receive an additional 2% added to their base pay.

ARTICLE 15 - HEALTH AND WELFARE

15.1. Medical Insurance. The City will provide coverage for employees and their dependents the LOC Plan V-E PPP plan in effect through December 31, 2017. The cost share for premiums will be 90% paid by the City and 10% paid by Employees through December 31, 2017. Effective January 1, 2018 and for the remaining term of this Agreement the City will provide to employees and their dependents the LOC Co-Pay Plan A/Rx 4 with Alternative Care in effect during the 2018-2021 plan years. A cost share to the employees will be withheld from the employee's monthly payroll as follows:

City will pay 98% of the premium; Employees will pay 2% of the premium.

Part-time employees enrolled in the City's health insurance working over 20 hours per week shall receive a contribution towards the cost of benefits on a pro-rata basis based upon the relationship their work week bears to that of a full-time employee.

~~15.2.~~ Dental Insurance. For the term of this agreement the City will provide to employees and their dependents the LOC Dental Plan II, with ortho option, in effect during the 2018-2021 plan years. A cost share to the Employees will be withheld from the Employee's monthly payroll as follows:

Effective through December 31, 2017 the City will pay 90% of the premium and Employees will pay 10% of the premium.

Effective January 1, 2018 and for the remainder of this Agreement the City will pay 98% of the premium and Employees will pay 2% of the premium.

Part-time Employees enrolled in the City's dental insurance working over 20 hours per week shall receive a contribution towards the cost of benefits on a pro-rata basis based upon the relationship their work week bears to that of a full-time Employee, Vision Insurance. For the term of this agreement, the City will provide LOG-Copay Plan A, the VSP 12/12/24 plan family vision plan coverage (or equivalent) in effect during the2018-2021 plan years. Cost share to the Employees will be withheld from the Employee's monthly payroll as follows:

Effective through December 31, 2017 the City will pay 90% of the premium and Employees will pay 10% of the premium.

Effective January 1, 2018 and for the remainder of this Agreement the City will pay 98% of the premium and Employees will pay 2% of the premium.

Part-time Employees enrolled in the City's vision insurance working over 20 hours per week shall receive a contribution towards the cost of benefits on a pro-rata basis based upon the relationship their work week bears to that of a full-time Employee.~~,~~

15.3. The City shall to establish a Section 125 plan with the Internal Revenue Service to allow Employee's contribution for insurance to be paid as pre-tax dollars.

15.4. Effective January 1, 2018 the City will establish a Health Reimbursement Arrangement (HRA-V~~N~~EBA) account for each employee enrolled in the City's health insurance plan. The City will fund all each employee's account as follows:

For employees enrolled in employee only coverage, the City will contribute twenty one dollars ($21.00) per month. For employees enrolled in all other tier coverage, employee and dependent coverage, the City will contribute sixty two dollars and fifty cents ($62.50) per month.

15.5. If approved by City County Insurance Services, a maximum of 25% of the employees may choose to not participate in the health, dental or vision insurance plan included in this Agreement. If the Employee makes this selection, the City will deposit 50% of the City's cost of the insurance into the

City's deferred compensation plan in an account in the Employee's name.

15.6 Life Insurance. The City shall continue to provide full-time Employees with $20,000 AD&D life insurance.

~~15.7~~ Salary Continuation Insurance. The City shall continue to provide salary continuation insurance.

15.7

15.8 Coverage during Leave of Absence.

A. Employees on leaves of absences with pay may have their medical, dental and optical plans continued as though leave had not occurred. The City may continue paying the monthly premiums as described herein.

B. An Employee on leave of absence without pay may, upon the recommendation of the department head, and approval of the City Council, continue the insurance coverage, provided that the entire monthly premium is paid by the Employee.

C. Employees who terminate their employment with the City shall be allowed to continue health insurance coverage under the City group insurance plan (for a period of 18 months), subject to the eligibility requirements set out in Oregon and federal law. The monthly premium for continuation of insurance shall be paid by the Employee, plus any administrative fee that may be imposed by the City. The City shall comply with the requirements of COBRA.

ARTICLE 16 – PFML

1. Effective upon ratification, the City shall cover the employees' portion of the contribution to Paid Leave Oregon in the amount of 60% and the 40% of the employer portion of 1% of each employees' annual salary, which are capped at $132,900, along with the employer's portion of the contribution.

2. If the employer covers the employee portion of the 1% contribution, that payment is taxable and will be properly recorded and taxed on employee statement of earnings and subsequent W2's.

3. Use of the Paid Leave Oregon benefit will begin in September 2023. It is the City's expectation that employees follow the notification rules as outlined by the State, providing 30-day notice for leaves that are known in advance and notice within 24 hours for those that are emergent.

4. The City will run Paid Leave Oregon leave concurrent with other protected leaves as allowed by law.

5. Employees will be allowed to use their accrued City leave to supplement their Paid Leave Oregon benefit. However, due to the fact that each individual may have a different benefit amount, the employee choosing to supplement their accrued City leave will be required to provide the City with a copy of their Oregon Paid Leave gross benefit amount and City will calculate the needed accrual use based upon the base rate gross wage of the employee. This supplemental payment may be one pay period behind.

6. Should the contribution obligations provided for in ORS 657B.150 be revised, including the percentage of wages or increase to the maximum wages subject to contribution, the City will continue to cover the employee's portion at 60% of 1% of wages as described in #1 above. The parties agree to commence bargaining to negotiate terms to replace this MOA upon adoption of the revised contribution obligations. Such bargaining shall be subject to the provisions of ORS 243.698.

ARTICLE 17 - WORKERS' COMPENSATION

When an injury occurs in the course of employment, the City's obligation to pay sick leave, vacation leave, and compensatory leave is limited to the differences between any disability payment or time loss payment received under Workers' Compensation laws and the employee's regular net pay. In such instances, pro-rated charges may be made against paid leave.

During the period of disability, the City will continue to contribute toward the cost of health and welfare insurance, including accrual of seniority, and vacation/sick leave as if the employee were working.

In the event of an industrial accident, the City will allow a non-paid leave for a period of the disability as described above, if necessary.

ARTICLE 18 - RETIREMENT

18.1. The City shall provide a retirement plan for the employees through the Public Employees Retirement System (PERS).

The Employee shall pay ("pick up") the Employee's retirement contribution of six percent (6%) by payroll deduction.

Upon an Employee's retirement from the City, fifty percent (50%) of an Employee's accumulated sick leave shall be credited towards the Employee's retirement benefits under the provisions of the Public Employees Retirement System at the amount that is in effect at the time of the Employee's retirement.

ARTICLE 19- UNIFORMS, PROTECTIVE CLOTHING

~~18.1.~~19.1. All personnel whose assignment requires the wearing of uniforms or protective clothing will be provided with suitable apparel by the City.

~~18.2.~~19.2. Uniforms and protective clothing shall remain the property of the City and shall be returned to the City upon termination of employment.

~~18.3.~~19.3. The City shall provide each Police Officer yearly (Fiscal Year) a $500

budget for the purchase of uniforms, boots, and other necessary equipment items per current practice and upon supervisor approval. New Employees upon hire shall be provided a first issue of uniforms and boots per current practice.

The City shall continue to provide Police Officers' equipment per current practice.

The City shall provide each Police Officer with a monthly amount of $20.00 (twenty dollars) for the purpose of cleaning uniforms.

~~18.4.~~19.4. The City shall provide each Public Works employee OSHA-approved work boots up to a maximum cost of $250. Work boots will be ordered by the City, remain property of the City and shall remain at the City Public Works office. Public Works employees shall be provided rain gear, gloves, rubber boots, 3 coveralls and other protective gear as required

by the City or OSHA safety standards, and to be maintained and cleaned by the City. Above provided apparel shall be replaced by the City as it becomes unsuitable to wear.

ARTICLE 20 - PROBATIONARY PERIOD

20.1. All original and reemployment employees shall serve a probationary period of twelve
(12) months. A probationary employee shall receive regular status upon completion of twelve (12) month probationary period. The probationary period shall be deemed a part of the examining process for determining the qualification of the Employee for regular employee status. During the probationary period, an Employee may be discharged at the sole discretion of the City without recourse to the grievance procedure.

In the event the City re-employs a person who had been employed full-time by the City within the previous three (3) years, the probationary period shall be six (6) months.

20.2. Police Officers shall have their probationary period automatically extended to eighteen (18) months if they have not attained DPSST certification within their first twelve (12) months of employment.

In cases where the probationary period is extended to eighteen (18) months the Officer shall not receive a step increase until the month following successful completion of probation. The step increase shall be effective in the month probation is completed if probation was completed between the 1st and 15th day of the month inclusive or the 1st day of the next month if probation was completed on the 16th day or later in the month. The City shall then provide an annual evaluation on the Employee's second (2nd) anniversary date and the Employee will be granted an

additional step if the evaluation is satisfactory. Annual evaluations and step increases will then be set to the Officer's anniversary date of hire.

20.3 A newly promoted or transferred Employee will be subject to a probationary period of three (3) months in the new classification. During a promotional or transferring probationary period, an Employee will continue to accrue seniority, and shall be protected in discipline and discharge procedures on the same basis as other regular Employees. However, during such a promotional or transferring probationary period Employee may be returned to his/her previous classification at the sole discretion of the City. Written notice to the Employee of reasons for the action shall be provided. Employee shall have the right to return to their previous classification during the probationary period at their request.

ARTICLE 21 - SENIORITY

~~20.1.~~21.1. For the purpose of this Agreement, seniority shall be defined as an Employee's length of continuous service as an Employee with the City from their last date of hire less any adjustments due to leaves of absence without pay for more than sixty (60) days.

~~20.2.~~21.2. If an Employee has a break in service due to layoffs and is recalled, the Employee shall suffer no break in service for seniority purposes nor shall an Employee who is off on workers' compensation and returns to employment with the City.

~~20.3.~~21.3. Layoff. Bargaining unit Employees shall not be laid off if the City is using temporary Employees or volunteers to do their work. Temporary Employees or volunteers will not be utilized to do the work of bargaining unit Employees on the layoff list.

~~20.4.~~21.4. A layoff is defined as an involuntary separation from the City for reasons that do not reflect discredit upon the employee's performance. An Employee and the Union shall be given written notice of layoff at least thirty (30) calendar days before the effective day, stating the reasons for the layoff, and options the Employee has. The Employee shall have five (5) working days from the receipt of the layoff letter to notify the City of the Employee's option.

Employees shall have the following options:

1.) Accept the layoff.

2.) Request assignment to a vacant position within the City for which they possess the necessary qualifications.

3.) Employees to be laid off shall be entitled to displace the least senior employee in the same or lower classification/salary range provided they meet the minimum qualifications and are qualified to perform the duties of the position.

The ability of an Employee to displace shall depend on that Employee's current possession of required certifications, experience, knowledge, skill and ability to perform the job at an acceptable level of performance with on-the-job orientation. Employees may submit documentation of certifications, work experience and other factors that will be considered by the City in determining the employee's ability and qualifications. The information must be provided no later than five (5) days following receipt of the notice of layoff.

Displaced Employees shall be allowed to select options (1) through (3) above.

~~20.5.~~21.5. Employees who displace an Employee in a lower pay scale shall be paid the salary closest to their current salary on the pay scale of the displaced employee. (For example: Employee A makes $10.00 per hours and displaces Employee B at $8.00 per hour. The nearest step on Employee B's pay scale is $9.50 at Step 4. This would be Employee A's new salary).

~~20.6.~~21.6. Ties in seniority shall be broken by date of application. If a tie still exists, it shall be broken by lot. When an Employee transfers to a different Department, Department seniority, not City seniority would be applicable when considering layoffs.

~~20.7.~~21.7. Recall. Employees who are laid off shall be placed on a layoff list by classification from which the employee is laid off. Employees shall be recalled to available vacancies from which they were laid off in seniority order beginning with the Employee with the highest seniority. If the position is not filled in that manner, it shall be offered in seniority order to other Employees on a layoff list provided the Employee is qualified to perform those duties.

If an Employee is offered a position from the layoff list, the Employee shall have the right of refusal.

An Employee's name shall remain on the layoff list for eighteen (18) months.

~~20.8.~~21.8. Transfer. A change of an Employee from one position to another in the same class or to a position in a comparable class within the City service.

1. Requests from Employees for transfers from one Department to another shall be made in writing and shall be directed to the Employee's present Department

Head and referred to the appropriate Department Head and the City Council.

2, Requests for transfer shall be given consideration when a suitable vacancy occurs; however, no Employee shall be transferred to a position for which they do not possess the minimum qualifications. No requests for transfer under this section will be denied for arbitrary or capricious reasons.

~~20.9.~~21.9. When the City makes personnel assignments for the following: holiday work, promotions, shifts, layoffs or vacancies, seniority, ability, experience, certifications, most recent performance evaluation and classification specific qualifications will be the criteria considered. When management determines that ability and qualifications are equal to perform the job, seniority will be the determining factor in making the above assignments.

ARTICLE 22 - DISCIPLINE AND DISCHARGE

It is the policy of the City that Employee discipline be corrective, progressive and

Employees are expected to conduct themselves in accordance with reasonable standards of conduct and to fulfill their responsibilities as Employees of the City as may be set by City Council by way of Ordinance or Policy.

A. Corrective. Disciplinary action shall be corrective in the sense that the employee understands about the causes and/or reasons for an Employee's deficiencies, corrects those deficiencies, and attempts to restore himself/herself to a productive and positive employment status.

B. Progressive. Disciplinary action will normally begin with an oral reprimand or warning and, when circumstances warrant, proceed to written reprimand, suspension from work without pay or demotion in status and/or pay, and finally, to discharge from employment with the City.

A severe incident of misconduct may require severe disciplinary measures such as suspensions or discharge and in that instance need not be preceded by lesser forms of disciplinary action.

C. Lawful. Disciplinary action and the procedures by which this action is administered shall not violate the Employee's civil rights. Minimally, when disciplinary action involves suspension without pay, demotion or discharge of a full- time, part-time, temporary or regular Employee, the Employee shall:

1. Be notified of the charges against him/her in writing, citing the specific policy or performance violation.

2. Be informed of the sanctions being considered by the

Employer and when such sanctions will take effect (i.e., suspension, demotion, etc.)

~~3.~~ ~~Be~~ provided at least an informal opportunity to refute the charges either orally or in writing before the Department Head having the authority to

3. make the final decision.

D. Investigation. When it is deemed necessary to immediately relieve an Employee of his or her job responsibilities pending an investigation of facts prior to reaching a final decision, the Employee shall be placed on suspension with pay and informed in writing of the reason(s) for suspension, and any other potential action to be taken, pending completion and outcome of the investigation.

E. Representation. The Employee shall be allowed to have a Steward and/or Union Representative present at any disciplinary proceeding.

F. Disciplinary Hearings. In a disciplinary hearing, the City has the right to require an Employee to answer questions. The City agrees that the answer to questions in disciplinary hearings or pre-disciplinary hearings will not be used against the Employee in criminal proceedings.

ARTICLE 23-GRIEVANCE PROCEDURE

23.1. Any grievance or dispute which may arise between the parties involving the application, meaning or interpretation of this Agreement, shall be settled in the following manner:

Step 1. Informal Conference. The Employee or group of Employees, with or without the union, shall discuss the grievance on an informal basis with their immediate Supervisor within ten (10) working days from the date the Employee knows or should have known of the alleged violation. The Supervisor shall give his/her oral reply within ten (10) working days of the date of the presentation of the grievance.

Step 2. Formal Conference. If the grievance is not resolved at Step 1, the grievance may be reduced to writing and submitted to the Employee(s) supervisor within ten (10) working days of the Supervisor's oral reply. The written grievance shall be deemed complete when it contains the following information:

A. A statement of the grievance and the relevant facts to support it;
B. Contract sections violated; and
C. Remedy desired.

The supervisor shall respond to the Employee(s), giving a decision in writing within ten (10) working days after receipt of the grievance.

Step 3. City Manager. If the grievance remains unresolved at Step 2, the completed grievance shall be presented to the City Manager within ten (10) working days of receipt of the Supervisor's written decision along with all memoranda and materials relied upon in support of and against the grievant' s issue and received at Step 2. The City Manager shall

have ten (10) working days in which to respond to the grievance in writing. New evidence not available at Step 2 should be presented to and considered by the City Manager. Each side shall submit a written argument with specific facts supporting that side's viewpoint and requested remedy.

Step 4. City Council. If the grievance remains unresolved at Step 3 to the satisfaction of the Employee(s), it may be presented in writing to the City Council within ten (10) working days of receipt of the City Manager's written decision by submission of the record compiled at Step 3 and the City Manager's decision. The City Council shall have twenty (20) working days in which to respond to the grievance in writing subject to the requirements of the Rockaway Beach City Charter and, if required, the City Manager's concurrence.

Step 5. Mediation. If, at any time after the Council's response at Step 4, and before Step 6, a party requests mediation, then the grievance process and timelines shall be stayed and a mediation shall begin. The parties may mutually agree on a mediator, or may select from a list of five (5) mediators requested from the ERB or Oregon Dispute Resolution Commission. The Union shall strike the first name; the City shall then strike one name. The process will be repeated. The remaining person shall be the mediator, unless otherwise mutually agreed. The cost of the mediator shall be shared equally. The parties shall conclude their mediation within sixty (60) calendar days of the date the mediator is hired or such other date as the parties agree. Any part or all of a grievance which is not settled by mediation shall proceed according to this Article from the point the grievance was originally stayed. If the parties reach a mediated settlement on all or part of a grievance, then the respective part or whole of the grievance shall terminate.

Step 6. Binding Arbitration. If the grievance is still unresolved to the satisfaction of the Employee(s), the Union may within ten (10) working days after the reply at Step 4 is due by written notice to the City Council, request binding arbitration. In the event of a failure to request binding arbitration, the arbitration will be non-

binding.

If within ten (10) working days from the request for arbitration, the parties are unable to agree upon an arbitrator, the Oregon State Conciliation Service shall be requested by either or both parties to provide a list of five (5) arbitrators. The Union shall strike the first name; the City shall then strike one name. The process will be repeated and the remaining person shall be the arbitrator. The decision of the arbitrator shall be final and binding on the parties. The arbitrator shall be requested to issue his/her decision within thirty (30) days after the conclusion of the testimony and argument.

Expenses for the Arbitrator's services and the proceedings shall be borne by the losing party or if there is not a clear loser as determined by the arbitrator. However, each party shall be responsible for compensating its own representatives and witnesses. If either party desires a verbatim record of the proceedings, it may cause such a record to be made, providing it pays for the record and makes copies available at a reasonable charge to the other party and to the arbitrator, if copies are so requested.

23.2. The time periods specified in this article may be extended or modified only by mutual agreement. Otherwise, failure to comply with the time periods specified shall be treated as final disposition of the subject of the grievance against the party failing to comply with the applicable specified time period.

ARTICLE 24 - GENERAL PROVISIONS

24.1. Safety. The City agrees to abide by Federal and state safety regulations including safety committees per OAR 437-40-005, 437-40-046 and 437-40-050.

24.2. Certifications. The City will pay the fees associated with obtaining and maintaining a DMV/CDL License (including CDL physical), Water Certification, Sewer Certification, Pesticide Certification license, Back Flow Certification or other license/certification when such license and/or certification is required of an Employee to perform their job. This does not include costs associated with obtaining or maintaining a regular driver's license.

24.3. No Employee shall be terminated, transferred or denied promotion solely because they have a member of their immediate family who is, on the City Council or is Mayor.

24.4. It is agreed that Employees under this Agreement may perform gainful outside employment; and such outside work must be compatible with the Employee's City duties; in no way detracts from the ability of the Employee to perform his/her City duties; presents no conflict of interest with City affairs; in no

way discredits City employment, and does not take preference over any extra duty that may be required by City employment.

24.5. Expense Reimbursement-The Accountable Plan.

The City will reimburse Employees for customary and reasonable business expenses following current IRS publications and regulations under the *Accountable Plan* adopted August 13, 2003, as follows:

1. The customary and reasonable expenses must have a business connection - that is, you must have paid or incurred deductible expenses while performing services as an elected, appointed official, or an employee. You must document this activity on the Expense Reimbursement Form. This form can be obtained from City Hall. You will not be reimbursed for nondeductible expenses. I.e.: alcohol

2. You must adequately account to the City Manager or Finance Officer for these expenses within a reasonable period of time. Within 30 days of having incurred the expense, unless an extension has been granted in writing by the City Manager. Attach copies of the expense receipts to the form. The City will only reimburse you

for your own expenses. You will be reimbursed up to the Federal rates.

3. You may receive an advance payment for expected expenses and therefore you must repay any excess reimbursement or allowance received in advance within a reasonable period of time. Within 30 days of having incurred the expense, unless an extension has been granted in writing by the City Manager. Any excess monies not repaid to the City at that time will be deemed taxable reimbursements and taxed as wages. Underestimated expenses will be reimbursed within 30 days of having submitted the expense voucher.

Eligibility for Meal Allowances. Employees whose official duties require them to be out of town 25 miles or more shall receive meal allowances wh n such travel extends through their normal meal times. Meal allowances do not apply where Employees are provided a meal; such as at a convention which provides meals. In town (within 25 miles) a meal allowance is allowed only if prior authorization by the City is obtained.

Employees required to travel outside the City and who are expected to incur overnight lodging shall receive cash advancement, if requested by the Employee.

24.6. Deferred Compensation.

The City shall continue to provide a Deferred Compensation Program for all Employees. The Employee will have a choice among more than one Program, but the City shall have no direct role in providing advice regarding investments.

Employee participation shall be optional and the City shall have no liability for performance of any retirement investment program.

No Smoking.

All City facilities including, but not limited to the City Hall the Fire Station, the Senior Center, the Civic Facility, Public Works Buildings and all Public Works Vehicles shall be considered non-smoking areas. City shall post notice in such areas informing Employees and public of no smoking areas.

24.7 PERSONNEL FILE

The City, within five (5) working days from the day of the employee's request, shall provide an Employee the opportunity to review the Employee's personnel file. Copies of the contents of this file requested by the Employee shall be provided at the Employee's own expense. The official personnel file shall be maintained by the City.

The Employee may respond in writing to any item placed in the Employee's personnel file. Such written response will become a part of the file.

Letters of warning and any response written by the Employee, upon mutual agreement between the Employee and city, shall be removed at the end of twelve

(12) months, provided that no subsequent warning letter(s) of disciplinary action either over the same or a different issue was taken during the intervening period of time.

Employees shall have the opportunity to *review* and shall sign any personnel document which reflects an adverse personnel action, as defined herein, prior to such document being entered into the employee's personnel file. The Employee's signature does not necessarily indicate agreement, and each document shall indicate so.

ARTICLE 25 - CONTRACT RENEWAL SESSIONS

Both management and AFSCME agree that negotiations for future contracts shall begin by April 1 of the required year to allow for consideration of financial impacts on the City's budget. A maximum of three (3) City Employees may participate in negotiations carried on during duty hours without loss of pay where the Employees mutually agree to meet during such Employee on-duty time. In no instance shall this section result in overtime compensation to the Employee.

ARTICLE 26 - SUBCONTRACTING Review

Prior to the City subcontracting out work which has customarily been performed by members of the Bargaining Unit, the Union will be notified of the City's desire to do so.

The City will not subcontract out work which has customarily been performed by members of the bargaining unit.

ARTICLE 27 - EXISTING CONDITIONS

Existing work rules, practices and conditions which are not modified by this Agreement shall continue in effect. No work rule or practice shall be adopted which is inconsistent with the provisions of this Agreement or the requirements of Oregon law. City personnel policies, when in conflict with this Agreement, will defer to the specifications of this Agreement.

The City agrees to notify the Union, in writing, prior to changing existing work rules or adopting new rules.

Should the Union disagree with the new rule(s), the City, upon request, shall meet with the Union to discuss their concerns.

Any dispute concerning new rules may be submitted at Step III of the Grievance Procedure. Such a rule shall not be effective until the dispute is resolved through the grievance procedure.

The purpose of this Article is to state the current law on existing conditions as covered by the Labor Relations Law.

ARTICLE 28 - SAVINGS CLAUSE

Should any article, section or portion thereof this Agreement be held unlawful and unenforceable by any court of competent jurisdiction, or any administrative agency having jurisdiction over the subject matter, such decision shall apply only to the specific Article, Section or portion thereof, directly specified in the decision. Upon the issuance of any such decision, the subject parties agree immediately to attempt to negotiate a substitute for the invalidated Article, Section or portion thereof. All other portions of this Agreement and the Agreement as a whole shall continue without interruption for the term thereof.

ARTICLE 29- DEFINITIONS

29.1 "Disciplinary action" means a management-initiated action against a union- member city employee or "fair share" city employee covered by this agreement related to that employee's conduct for which one or more of the following sanctions may result, i.e. oral reprimand, written reprimand, suspension from work (with or without pay), demotion and/or discharge.

29.2 "Disciplinary Proceeding" means any face-to-face meeting between management and an employee involving a disciplinary action.

29.3 Whenever used "shall" denotes a mandatory obligation, "may" denotes a discretionary obligation, and "should" denotes a recommended, but not required, obligation.

29.4 'Working day" means the days of a week, excluding Saturday and Sunday and City- recognized local, state and/or federal holidays or City furlough days.

~~29.4~~29.5 "Notification of the Union" means notice provided to the AFSCME Council 75 Council Representative and the designated representative among the City Employees.

ARTICLE 30-DURATION OF AGREEMENT

This Agreement shall be in effect as of July 1, 2025 and shall remain in force through June 2029~~7~~.

In witness whereof; the City and Union have executed this Agreement on the ____ day of _____ _____, 2025.~~—~~.

Luke Shepard
City Manager, City of Rockaway Beach

_____

Marni Johnston

Finance Director, City of Rockaway Beach

_____

Mitch Leipzig
Local 2734-001 Bargaining team member

_____

Mikael Hesse
Local 2734-001 Bargaining team member

_____

Ryan Boos
Local 2734-001 Bargaining team member

_____

Frank Vehafric, AFSCME Staff Representative

_____

Appendix A
Salary Schedule

	STEP 1	STEP 2	STEP3	STEP4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10
Admin Asst I	$3,397	$3,499	$3,604	$3,712	$3,824	$3,938	$4,057	$4,178	$4,304	$4,433
Admin Asst II	$4,620	$4,759	$4,902	$5,049	$5,200	$5,356	$5,517	$5,683	$5,853	$6,029
Utility Worker I	$3,898	$4,015	$4,135	$4,259	$4,387	$4,519				
Utility Worker II	$4,678	$4,818	$4,962	$5,111	$5,265	$5,423				
Utility Worker III	$5,613	$5,782	$5,955	$6,134	$6,318	$6,507				
Lead Worker	$6,174	$6,360	$6,550	$6,747	$6,949	$7,158				
PW Admin Specialist	$4,655	$4,794	$4,938	$5,086	$5,239	$5,396				
Plant Operator I	$3,847	$3,962	$4,081	$4,203	$4,329	$4,459				
Plant Operator II	$4,770	$4,913	$5,060	$5,212	$5,368	$5,529				
Plant Operator III	$5,724	$5,895	$6,072	$6,254	$6,442	$6,635				
Fire Fighter (I)	$4,446	$4,579	$4,716	$4,858	$5,004	$5,154				
(Proposed FY 2026/27) Fire Fighter II	$5,335	$5,495	$5,660	$5,829	$6,004	$6,184				
Non-Union/Exempt Employees City Manager-Contract										
Public Works Director, Public Works Supervisor - Contract										
Fire Chief, Fire Captain - Contract										
Finance Director, Planner, City Recorder - Contract										

Appendix B

Firefighter Letter of Agreement

The Employer agrees to implement a Firefighter II classification beginning the second year of this Agreement (2026-27). The City agrees that the proposed classification shall be paid at a rate 20% higher than the Firefighter I classification. The City agrees that the proposed classification shall be available to employees who meet the certifications eligible for premium pay in Article 14.4. At the time the classification is implemented the premiums in article 14.4 shall be terminated.

Appendix C

Deferred Compensation

The Union recognizes the expense to the Employer of participating in the PERS retirement plan. However, in recognition of the term of the agreement and future economic uncertainty, the parties agree that should the cost of living exceed 6% in any one of the final three years of the agreement, the union and the employer shall meet and confer on the issue implementing a deferred compensation match plan.

City of Rockaway Beach, Oregon
276 S. Highway 101, PO Box 5
Rockaway Beach, OR 97136
503.374.1752

MAY 29 '25 4:58PM

APPLICATION FOR APPOINTMENT TO SERVE ON CITY COUNCIL

The Rockaway Beach City Council consists of a mayor plus five voting councilors. A vacancy in the Council is filled by appointment by a majority of the Council. In this matter the Mayor is considered to have a vote. To be qualified for appointment, you must have been registered to vote, and have resided within City limits for at least one year immediately before appointment to office.

Name: BRIAN COLLAR **Date:** 5-29-25

[redacted]

How long have you resided in the City of Rockaway Beach? 5 YEARS

Are you a registered voter in the City of Rockaway Beach? Yes ☑ No ☐

Signature: [redacted] **Date:** 5-29-25

In addition to the information provided above, please include:

☐ a cover letter including answers to the questions below, and

☐ resume.

Additional Questions:

1. Why are interested in applying to serve on the City Council?
2. Do you have any experience serving on City boards, committees or commissions? (Prior service is not a requirement for appointment.) If you do, please describe the experience, and your length of service.

You may submit your application by mail, email or in person. Send emails to cityrecorder@corb.us

Brian Scott Collar

[redacted]

To Rockaway City.

As a highly motivated, result oriented professional seeking the opportunity to join the Rockaway City Council team. I have been married to my best friend for over 26 years and have 4 very wonderful children whom I enjoy very much. I have worked for Safeway for 35 years and have held various positions over those years, Meat apprentice, meat cutter, meat manager, Assistant store manager, Store manager and District Meat & Seafood Operational Specialist. I also owned my own restuarant for 8 years. With my years of experience and having a very diverse background being half hispanic and having a gay son has been very beneficial as a leader and team player in the community to recognize the needs of all. My proven track record of achieving company and community goals I feel that I would make a good candidate for the city council and to develop a great partnership with the council team.

Sincerely,
Brian Scott Collar

Brian Scott Collar

[redacted]

Qualifications:

I have worked for Safeway in various positions for 35 years. I started as a meat cutter apprentice in 1984, became a meat manager in 1987 then became an Assistant Store Manager in 2002 until becoming a Store Manager in 2005. I worked in that capacity until my being promoted to a position as a Meat & Seafood Operations Specialist for District 72 where I oversee 18 meat & seafood depts. I have a proven track record for consistently achieving Company results with the highest service levels and operational standards as a recognized Store Manager and Meat Operational Specialist for Safeway. I left Safeway to own and operate my own restuarant for 8 years.

Experience: Safeway Inc. 1984 to present, 35 years

- Meat & Seafood Operational specialist 2015-2016 , Direct report for 18 stores
- Safeway Store Manager 2005 to 2015
- Assi

stant Store Manager 2002 to 2005

- Managed 4 Safeway

Stores, Lake Oswego, Lloyd Center, Martin Luther King and St Johns. Assistant Store Manager in 7 stores, District Store Coordinator, Coordinated the opening of 3 brand new stores and 6 remodeled lifestyle stores flawlessly and exceeded expectations with my peers

- Recruited, promoted

and developed department heads and store staff in every store.

- Increased ID sales to achieve sa

les target at all of my Store Manager assignments, Lake Oswego from sales Volume II to Volume III, Lloyd Center 2% sales increase, MLK 3% sales increase and St Johns 8% sales increase.

- Developed managers and management teams to achieve s

ales, profits and marketing goals

- Meat Manager 1987 to 2002
- Mentored and

Promoted 10 2nd cutters to Meat Managers.

Ran my restuarant and pub for 8 years, Managing 19 employees, cooks, Bartenders, servers and bussers.

Strengths and Related Skills:

- Powerful communicator
- Aptitude for training, mentoring and coaching
- Ability to make good decisions/keen problem solving skills
- Champions change , adapts to new programs
- Dedicated Service Focus
- Excellent Trainer, Team Builder and Leader

- Resourceful at finding information
- Effective Networking skills
- Strong knowledge of all reports: Sales/Profit and Loss reports, Service reports, packaging and expenses, invoice tracking and labor reports, all related shrink reports and inventory procedures
- Autonomous self-starter able to work under little or no supervision
- Highly organized, good time management skills
- Strength in setting expectations and follow through , holding people accountable
- Ability to create solid working relationships at all levels

Community involvement

Lake Oswego,

Rotary club/community fundraisers,
Sponsored tree lighting ceremony; provided and volunteered to serve coffee, hot chocolate, snacks for all.

Lloyd Center,

Community fund raisers, city team miniseries, volunteered with employees to run a Breast Cancer awareness booth at the women's fair in the convention center for 2 years

MLK,

Sponsored MLK parade, partnered with the community leaders to volunteer in MLK parade and festivities'. Have been an active volunteer for 4
Years

St Johns

Volunteered with employees in the St Johns parade,
Community Fundraisers, St Johns food bank, Christmas tree lighting ceremony, coffee, hot chocolate and snacks

My Restuarant

Involved in city functions as well as fundraisers for Schools, Churches and Car shows

Portland Gay pride parade,

Leader with employees in the gay pride parade in downtown Portland for 3 years

Education:

- Frontline Leadership program
- Retail leadership Development Program
- Performance skills program
- Safeway manager assessment program
- Patriot act training
- Hippa Trained

City of Rockaway Beach, Oregon
276 S. Highway 101, PO Box 5
Rockaway Beach, OR 97136
503.374.1752

APPLICATION FOR APPOINTMENT TO SERVE ON CITY COUNCIL

The Rockaway Beach City Council consists of a mayor plus five voting councilors. A vacancy in the Council is filled by appointment by a majority of the Council. In this matter the Mayor is considered to have a vote. To be qualified for appointment, you must have been registered to vote, and have resided within City limits for at least one year immediately before appointment to office.

Name: Justin McMahan **Date:** 4/14/2025

[redacted]

How long have you resided in the City of Rockaway Beach? 4 years

Are you a registered voter in the City of Rockaway Beach? **Yes** ☑ **No** ☐

Signature: [redacted] **Date:** 4/14/2025

In addition to the information provided above, please include:

☑ a cover letter including answers to the questions below, and

☑ resume.

Additional Questions:

1. Why are interested in applying to serve on the City Council?
2. Do you have any experience serving on City boards, committees or commissions? (Prior service is not a requirement for appointment.) If you do, please describe the experience, and your length of service.

You may submit your application by mail, email or in person. Send emails to cityrecorder@corb.us

Dear Members of the City Council,

I am writing to express my strong interest in filling the vacancy on the Rockaway Beach City Council. With the recent resignation of a council member, I believe my leadership experience, community involvement, and unwavering commitment to the betterment of our county make me a strong candidate to help drive Rockaway Beach's continued growth and prosperity. In a recent city council race, I received over 300 votes, demonstrating that many residents are eager to see me involved in our city's leadership. I understand that some may question my candidacy due to my independent nature, maverick approach, and refusal to back down in the face of challenges. However, it's precisely these qualities—grit, resilience, and a relentless determination to overcome obstacles—that make me uniquely suited to navigate the tough, sometimes contentious, process of city governance. I don't give up when faced with difficulties, and I am ready to bring that same tenacity and leadership to the City Council.

As a resident of Tillamook County for over five years, I have had the privilege of leading Living Water Fellowship in Tillamook County and overseeing a variety of community-driven initiatives. In addition to my pastoral role, I serve as the president of the board for Tillamook Habitat for Humanity, where I have honed my leadership skills and worked closely with community members to address housing challenges and promote sustainable growth. While I have not served in local government before my experience in both nonprofit and business environments, boards and committees has given me a unique perspective on the needs of our community and the importance of collaboration and effective problem-solving.

I believe that leadership is not just about managing projects but about building relationships and fostering a sense of unity while embracing diversity of thought. Through my work with local organizations and my dedication to serving others, I have developed strong interpersonal skills, including communication, active listening, and conflict resolution. These qualities, combined with my passion for creating inclusive and thriving communities, will allow me to represent the interests of all Rockaway Beach residents on the city council.

My experience also includes managing both strategic planning and day-to-day operations, honed over 12 years as a District Manager, where I was responsible for overseeing multiple locations, driving performance improvements, and managing teams to meet both short-term objectives and long-term growth goals. I developed a keen ability to balance immediate needs with sustainable outcomes, ensuring operational efficiency while fostering a culture of accountability and teamwork. These skills are crucial in steering the future of our city, where I am committed to ensuring that all voices are heard, businesses thrive, and residents feel safe and connected. My background in navigating complex challenges and driving results makes me uniquely qualified to contribute to Rockaway Beach's continued success.

I would be honored to serve on the Rockaway Beach City Council and contribute to the continued success of our wonderful community. I am confident that my leadership, life experiences, and dedication to service will allow me to make a meaningful impact on our city's growth and governance. Thank you for considering my application. I look forward to the opportunity to discuss how I can contribute to the future of Rockaway Beach.

Sincerely,
Justin McMahan

Justin McMahan

[redacted]

Professional Summary

- 20+ years leadership experience
- proven track record of employee development and empowerment in for-profit and non-profit sectors
- consistently top 20% in all KPI's as a district manager
- built a culture of operational excellence in all leadership roles
- successful visionary leader in for-profit and non-profit sectors

Work Experience

Board President

Tillamook County Habitat For Humanity-Tillamook, OR
September 2021 to Present

- Provid visionary leadership and strategic oversight, guiding the organization through significant growth and community impact initiatives.
- Spearheaded fundraising and donor engagement efforts, resulting in a measurable increase in financial support and sustainable project funding.
- Championed affordable housing advocacy in Tillamook County, partnering with local leaders, businesses, and volunteers to expand Habitat's mission.
- Led the board in adopting long-term strategic plans that increased homebuilding capacity and improved operational effectiveness.
- Cultivated a culture of transparency, accountability, and collaboration between staff, board members, and community partners.
- Actively supported volunteer recruitment and community involvement, inspiring civic engagement and widespread support for housing equity.
- Oversaw key decisions on land acquisition, home construction, and family selection, ensuring alignment with Habitat's core mission and values.
- Played a central role in launching new initiatives to serve low-income families, including educational programs and community development partnerships.
- Conducted a strategic, nationwide Executive Director search to replace a highly successful outgoing leader.
- Oversaw a smooth leadership transition, resulting in the onboarding of a new director who has continued the organization's strong performance.

CEO

Living Water-Tillamook, OR July
2020 to Present

- Oversee all aspects of nonprofit leadership
- Developed and cultivate a large leadership team from scratch

- Spearheaded new direction for organization through vision casting, strategic planning and financial forecasting
- Driven organization growth each year in income and engagement
- Developed teams and recruited volunteers to build several new teams and nonprofits that operate outside the church
- facilitate classes on a monthly basis with a variety of instructors
- Built a new strategy for community groups that increased participation by 1000%
- Implemented multiple strategies for community outreach for youth and the organization as a whole
- Cultivated our creative process revamping execution of creative products for marketing and in house communications
- Research, write and submit grants related to religious nonprofits
- increased community engagement through programs, marketing and compelling ads and marketing strategies

Founder/Owner

Curator Property Management-Kalispell, MT

January 2016 to June 2020

Launched a property management startup with my wife in Montana where we successfully built a thriving business from scratch and sold it 4 years later.

Responsibilities

- sourced and signed new client properties
- manage home maintenance contracts for homes
- project managed several building projects at commercial properties
- Built strong customer and client relationships
- Negotiate contracts on commercial remodels
- Manage short-term rental web products from our website to Air BnB
- website and social media creation

CFO/COO

Hope Church-Kalispell, MT
September 2015 to June 2020

- Lead, manage and direct all staff as executive pastor
- CFO for organization which included planning all budget forecasts, implementing new policies and procedures and increased savings by 400% over 5 years
- Developed teams and recruited volunteers to build several new teams for programs and internal administration
- Facilitated classes monthly on a variety of subjects
- Built a new strategy for community groups that increased participation
- Developed leadership team for multiple ministries within the church
- Implemented multiple strategies for community outreach for youth and the church as a whole
- Helped spearhead and launch a second location in another city
- Managed creative team and marketing strategies

District Manager

Aeropostale-Portland, OR

August 2003 to August 2015

In my role as district manager for Aeropostale I manage over $28 million through 9-15 locations and 300+ employees in Oregon, Washington & Alaska. Recruit, hire, train and develop a 36-60 member management team with 9-15 direct reports.

Communicate company vision and ensure proper implementation of division's strategy, programs and customer service standards and goals. Successfully drive results in market spanning all states.

- Continually cultivated a high caliber leadership team while supporting internal growth through development and promotion of several team leaders through coaching and empowerment.
- Over 12-year tenure 28 store managers came out of my stores with 8 moving to other districts and two becoming district managers.
- Aggressively worked to reduce employee turnover earning awards for highest employee retention 3 years in a row
- Diligently coached team to achieve the highest average score in customer service shops for our region for 2010, 2011, 2012 and 2014. As well as top 10 in company for 3 years consecutively from 2012-2015.
- Consistently ensured proper implementation of company loss prevention procedures which has resulted in reduction in shrink 4 years consecutively and in 2012 having the lowest shrink district in the company.
- In last 5 years drove 5 consecutive years of statistical growth and #1 standing in the region in company metrics related to sales, such as upt, ads, email capture, customer shops and most regional special events
- Facilitated, led and recruited for the opening of 47 stores in 9 states
- Accepted into Aeropostale AIM Masters program for 2013 where district managers receive specialized training and development to further their careers. One of only 6 participants out of 110 district managers are chosen for this program.
- Received mentor award in region for support, training and coaching of peers and direct reports 3 separate times.
- Headed initiative for outlet division in developing best practices and a new SOP for management and operations of these unique stores. This initiative lead to long term growth, change and innovation in outlet division.
- launched first Facebook page for organization and worked to develop strategies regionally for the company

Education

Bachelor's degree in Biblical Studies Rhema Bible College - Tulsa, OK
September 1998 to June 2000

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Justin McMahan

Rockaway Beach, OR 97136
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APPLICATION FOR APPOINTMENT TO SERVE ON CITY COUNCIL

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Name: Kenneth Kenichi Nakamura **Date:** 22 May 2025

[redacted]

How long have you resided in the City of Rockaway Beach? 4 years in September

Are you a registered voter in the City of Rockaway Beach? **Yes** ☑ **No** ☐

Signature: [redacted] **Date:** 22 May 2025

In addition to the information provided above, please include:

☑ a cover letter including answers to the questions below, and

☑ resume.

Additional Questions:

1. Why are interested in applying to serve on the City Council?
2. Do you have any experience serving on City boards, committees or commissions? (Prior service is not a requirement for appointment.) If you do, please describe the experience, and your length of service.

You may submit your application by mail, email or in person. Send emails to cityrecorder@corb.us

Dear Members of the Rockaway Beach City Council,

I am writing to express my strong interest in serving on the Rockaway Beach City Council. Having called this beautiful coastal community home since September 2021, I have developed a deep appreciation for our coastal town and a genuine desire to contribute to its continued prosperity and well-being.

Why I Am Interested in Serving

My interest in joining the City Council stems from a sincere desire to help out. This being an appointed position, my main goals would be assisting current members and taking on whatever needs doing. I would like to help ensure Rockaway Beach remains an amazing place where families can thrive, folks can visit, local businesses can prosper, and our natural beauty is preserved for future generations.

My professional background has equipped me with the analytical thinking, problem-solving abilities, and collaborative leadership skills that would serve the council and our community well. Particular interests include: sustainable tourism, infrastructure development, environmental stewardship, and economic development.

Public Service Experience

My extensive private sector leadership experience has also provided me with transferable skills that are directly applicable to public service, including:

- Strategic planning and budget management
- Stakeholder engagement and consensus building
- Project management and implementation
- Community outreach and relationship building
- Data-driven decision making and policy analysis

I am eager to learn from experienced council members and city staff, and I am committed to dedicating the time necessary to understand the complexities of municipal governance. I view my newcomer status not as a limitation, but as an asset that allows me to approach challenges with fresh eyes and bring innovative thinking to established processes. I am also working with the City of San Fransisco on revamping their business tax collection software and processes, giving me first-hand insight into how a large metropolis manages business taxes and navigating civic bureaucracy.

Commitment to Service

I am prepared to bring the same dedication and work ethic that has driven my professional success to this role in public service. I understand that serving on the City Council requires significant time, careful preparation, and a genuine commitment to representing all residents' interests.

Thank you for considering my application. I would welcome the opportunity to discuss my qualifications further and to learn more about the council's current priorities and challenges. I am genuinely excited about the possibility of contributing to Rockaway Beach's bright future.

Sincerely,
Kenichi Nakamura

KENICHI NAKAMURA

Rockaway Beach, OR

Bio

I am a product-focused engineering leader with a wide breadth of experience across tech industries. I have built teams and delivered great products at both the startup and enterprise levels. My leadership passion is rooted in enabling amazing experiences at the intersection of people and technology.

Experience

Staff Engineer, Ratio PBC — Jan 2022–Present
Led development of multiple products in civic health and healthcare services spaces, working with customers and product leadership. Development and operations for applications, compliance, infrastructure, and observability systems.

Director of Engineering, Bright.md — Apr 2020 - Nov 2021
Built, managed, led, and mentored three teams of software engineers working on various parts of Bright's application stack.

VP of Software Engineering, Phylos Bioscience — Oct 2017 - Apr 2020
Grew and led software engineering team through multiple large scale projects. Worked with executive team on product, marketing, and other core initiatives.

Senior Software Engineer, New Relic — Jul 2016 - Oct 2017
Feature development and maintenance for the New Relic Ruby Agent, cross-agent specifications for message queues, concurrency support planning, cross-application tracing, and public API work.

Engineering Director, Rigado (Rivetry) — Aug 2015 - Jun 2016
Services and iOS engineering direction for the software team specializing in IoT, Bluetooth, and mobile. Rivetry was acquired by Rigado.

Platform Architect, Esri (Geoloqi) — May 2012 - Jan 2015
Architecture and development of the Esri Geotrigger Service platform. Geoloqi was acquired by Esri.

Senior Developer, Dachis (StepChange) — Apr 2010 - Mar 2012
Social media marketing apps for top-tier brands using Ruby, Heroku, AWS, and Github. StepChange was acquired by Dachis.

SCM Administrator, Tripwire Inc — Sep 2000 - Oct 2009
SCM/Release Engineering for Tripwire products across all platforms.

QA Engineer, McAfee — Sep 1998 - Aug 2000
QA on various McAfee products.

Full Profile on LinkedIn

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APPLICATION FOR APPOINTMENT TO SERVE ON CITY COUNCIL

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Name: Patrick Ryan **Date:** April 22, 2025

[redacted]

How long have you resided in the City of Rockaway Beach? 32 years

Are you a registered voter in the City of Rockaway Beach? **Yes** ☑ **No** ☐

Signature: [redacted] **Date:** May 6, 2025

In addition to the information provided above, please include:

☐ a cover letter including answers to the questions below, and

☐ resume.

Additional Questions:

1. Why are interested in applying to serve on the City Council?
2. Do you have any experience serving on City boards, committees or commissions? (Prior service is not a requirement for appointment.) If you do, please describe the experience, and your length of service.

You may submit your application by mail, email or in person. Send emails to cityrecorder@corb.us

Camp Magruder; Rockaway Beach, Oregon May 1993-January 2008

- Oversaw all aspects of maintenance and upkeep of 20+ structures and 150 acres of diverse ecosystems.
- Supervised paid maintenance and custodial staff as well as numerous volunteers in order to take care of the grounds and buildings.
- Provided a broad range of guest services in order to ensure a welcoming, friendly environment for the broad range of guest groups hosted on site.

Education

B.S. Management and Organizational Leadership
George Fox University
2014-2016

MAY 14 '25 4:27PM

Patrick E. Ryan
Rockaway Beach, OR. 97136
[redacted]

May 1, 2025
City of Rockaway Beach
276 S. Highway 101, PO Box 5
Rockaway Beach, OR. 97136
503-374-1752

Dear Mayor McNeilly and City Council Members,

I am writing to express my interest for consideration for appointment to serve on the City Council for the city of Rockaway Beach. I have had the pleasure of being a resident of Rockaway Beach since 1993. I have longed believed there are numerous intrinsic values derived from being a part of a small community, and with that in mind had the opportunity to move to the area with my wife and our children when I accepted the position of Facilities Manager at Camp Magruder in 1993. I would like to give back to the community that provided a wonderful environment in which to raise a family, and to pay it forward by helping ensure the City of Rockaway Beach is able to continue to provide an environment and community opportunities for our current residents and visitors along with future generations to come.

Although I do not have specific experience serving on City boards or committees I served for over 20 years on the Neahkahnie School District Board of Education. As a member of that board I was involved in annual district budget development and oversight of the approved budget. I was actively involved in the bond campaign and ballot measure to acquire funds for the building of the middle school. In addition, I regularly served as a member of the contract negotiations team representing the school district.

Thank you for your consideration of my interest to serve the community of Rockaway Beach, our residents, and guests.

Kind Regards,

Patrick E. Ryan

Contact Information

Patrick E. Ryan
[redacted]

Objective

Community minded resident of the City of Rockaway Beach for 30+ years with over 25 years of board and budget development experience with the Neahkahnie School District and various organizations within Tillamook County. My goal is to apply my knowledge and experience to serve as a member of the Rockaway Beach City Council to maintain, enhance, and expand the systems, services, and infrastructure that make Rockaway Beach a special community to live in and visit.

Employment

Retired June 2024

Tillamook Bay Community College; Tillamook, Oregon December 2009-June 2024

December 2009-June 2012 Evening Manager

- Supervised the campus custodial personnel (employed and contracted services)
- Coordinated set up, campus personnel support, and logistical aspect and guest services for both College and community user groups of campus facilities.

July 2012-June 2024 Director of Human Resources, Facilities, and Campus Safety

- Recruited, hired, and provided much of the onboarding training procedures for all personnel positions with the College and agencies affiliated with the College.
- Served as Title II and Title IX Coordinator; and assisted with all stages of Title IX processes depending on the circumstances and individuals involved.
- Oversaw the maintenance, and custodial services of all facilities.
- Was a member of the administrative team that developed proposals for federal and state funding for campus building projects.
- Worked with local law enforcement agencies to provide campus security checks and respond to safety and security needs when appropriate.
- Maintained data and statistics required for required annual reporting to the Department of Education.

Camp Magruder; Rockaway Beach, Oregon May 1993-January 2008

- Oversaw all aspects of maintenance and upkeep of 20+ structures and 150 acres of diverse ecosystems.
- Supervised paid maintenance and custodial staff as well as numerous volunteers in order to take care of the grounds and buildings.
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Education

B.S. Management and Organizational Leadership
George Fox University
2014-2016

RESOLUTION NO. 2025-33

A RESOLUTION ESTABLISHING THE FOREST STEWARDSHIP PLAN ADVISORY COMMITTEE

WHEREAS, the City of Rockaway Beach is actively pursuing the acquisition of the lower half of the Jetty Creek Watershed and recently adopted Resolution 2025-19 approving a Source Water Protection Plan; and

WHEREAS, a completed Forest Stewardship Plan is required by the Oregon Watershed Enhancement Board Drinking Water Source Protection Grant award of $1,422,270; and

WHEREAS, the City Council wishes to engage the residents of Rockaway Beach during the development of a comprehensive, long-term strategy for managing the Jetty Creek Watershed**;** and

WHEREAS, the City of Rockaway Beach policy 100.1 *Council Meeting Rules and Procedures,* section 3.17 provides that the City Council may establish ad hoc and advisory committees as needed by resolution for a specific purpose; and

WHEREAS, the Council wishes to establish an advisory committee for the purpose of receiving and reviewing project information and providing community input to the Forest Stewardship Plan facilitator during the development of the City's Forest Stewardship Plan.

NOW, THEREFORE, THE CITY OF ROCKAWAY BEACH RESOLVES AS FOLLOWS:

Section 1. The City's Forest Stewardship Plan Advisory Committee is hereby established for the purposes of receiving project information, reviewing reports, and providing community input to the City's Forest Stewardship Plan facilitator during the development of the City's Forest Stewardship Plan.

Section 2. The advisory committee will consist of five members who are served by the Rockaway Beach Water District. At least four members shall be residents of the City. Three members shall have served on the Source Water Protection Plan Development Advisory Committee. Appointments will be made according to the City Charter and by resolution of the City Council.

Section 3. The City shall solicit application packets from parties interested in serving on the committee. These packets shall include an application, letter of interest and resume.

Section 4. The committee is an official public body governed by Oregon Public Meeting Law and other applicable statutes. Minutes shall be kept

of all committee meetings in accordance with applicable law. The City Manager shall designate a staff member responsible for meeting notices and minutes.

Section 5. At the first meeting, the committee will appoint a committee chair to preside over the committee's meetings. In the chair's absence, those present shall elect a member to serve as chair for that meeting. All committee meetings will be held during normal City Hall business hours. The committee is expected to meet on at least four occasions scheduled to coincide with plan development milestones. A quorum shall consist of three of the five committee members.

Section 6. The Committee will dissolve upon City Council approval of the City's Forest Stewardship Plan. The City Council may choose to dissolve the committee at any time.

Section 7. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED BY THE CITY COUNCIL THE 11TH DAY OF JUNE 2025.

APPROVED

_____

Charles McNeilly, Mayor

ATTEST

_____

Melissa Thompson, City Recorder