

**City of Rainier  
Planning Commission Meeting  
September 19, 2022  
6 p.m.  
Rainier City Hall**

Chair Erin O'Connell called the meeting to order at 6 p.m.

**Commissioners Present:** Erin O'Connell, Nick Gratzner, Paul Langner and Dena Nordstrom

**Commissioners Absent:** None

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

**Visitors Present:** Paul Vogel, Columbia Economic Team

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

**Consider Approval of the Consent Agenda:** Consider Approval of the March 23, 2022 Regular Planning Commission Meeting Minutes—Commissioner Paul Langner moved to approve the consent agenda. That motion was seconded by Commissioner Dena Nordstrom and adopted unanimously.

**New Business**

- a. Introduction of Planner Skip Urling—Urling introduced himself to the commission. His previous work included a stint as the community development director for the City of Warrenton. Urling's undergraduate degree was in political science and he earned a master's in city planning at Georgia Tech. He has also worked as a planner for the Cowlitz-Wahkiakum Council of Governments (CWCOG) and served as a member of the Longview School Board. City Administrator W. Scott Jorgensen said the city has been contracting with the CWCOG but was unable to fulfill the terms of the agreement because it had a difficult time recruiting a planner. City Recorder Sarah Blodgett suggested having Urling contract as the city planner and the city council approved that agreement at its most recent meeting. Also introduced was new commissioner Nick Gratzner. He said he's lived most of his life in Rainier and attended high school here. Gratzner began his career doing mortgage banking and commercial real estate and currently works as the operations manager for a roofing company. Jorgensen said the city also has a new Department of Land Conservation and Development (DLCD) representative and that Suzi Dahl with the county has some new employees to help her out. He advised that former commissioner Nina Phillips is back in town and has expressed interest in serving on the commission again.
- b. Sign Code Update—Jorgensen advised that Mayor Jerry Cole has asked him to update the sign code to allow for sandwich board signs. Business owners have reached out to Cole to make that request. The city's current sign code doesn't forbid them, but doesn't specifically allow for them either. Blodgett said there should be standards. Urling said they shouldn't block sidewalks. Nordstrom said the code should state clearly that the signs are temporary in nature. O'Connell said they need to be associated with an active business license. Urling suggested keeping the city's approach simple. Langner said a definition for sandwich board signs could be added to code. They can be defined as

- temporary and taken down during non-business hours, a maximum of 12 square feet and limited to placement in front of the associated business in commercial zones. O'Connell said that sandwich board signs can be added to the section listing exemptions. Langner said there should not be a permit required for them. Commissioners agreed by consensus. Jorgensen said he would draft those changes and bring them back for the next meeting.
- c. Senior and Multigenerational Housing Subcommittee—Jorgensen announced that council has appointed members to the committee, which will be a planning commission subcommittee. Langner has agreed to serve as chair. The group is charged with examining the possible rezoning of some properties to encourage more housing development, developing a possible text amendment for the Central Business District code to allow for more flexibility and examining properties that could be added to the city's Urban Growth Boundary to facilitate more housing. The subcommittee will make recommendations to the commission.

## **5. Old Business**

- a. Shipping Container Discussion—Urling said that the City of Warrenton had a good ordinance, it just wasn't well enforced. It required a façade and pitched roof so the container looked like the main building on the property. Gratzner said the use of some shipping containers is well done and would support allowing them, with appropriate place and manner restrictions. Urling said there was a mini-storage in Warrenton that used a shipping container and it worked out well. O'Connell said the design review process would still apply and it would be an accessory structure. Urling said a container would trigger building code review, if its proposed use was for particular purposes. Langner said they should be divided into three uses—temporary, storage and home. Gratzner said that for residential use, they should be treated like a mobile home. O'Connell said they would have to be connected to infrastructure. Gratzner wants to limit the total number of them that can be on a single lot. Jorgensen said he would find Warrenton's code and bring it back for the next meeting.
- b. Urban Growth Boundary Update—Langer gave a brief overview of the history of Oregon's land use laws. Unbuildable land was included in the city's UGB when it was established. O'Connell said there is land on the west side of town zoned for light industrial. Some of it is in the UGB, but it's beyond the city's infrastructure. Langner said it would make sense to extend the city's water and sewer lines to Dike Road. O'Connell said there are larger properties out that way, which could provide more housing opportunities. Paul Vogel from Columbia Economic Team said he's been working on a project for almost a year. The challenge is that it requires 30 to 40 acres of buildable land. One large landowner is interested but their property is located outside of the UGB. DLCD may have found a pathway that could shorten the permitting process. The City can provide water to that property now, but not sewer. There's still a question about how to annex the property into the City or have it in the UGB. He has a meeting scheduled later on in the week with DLCD, Regional Solutions, Business Oregon and other stakeholders. The business would create 110 jobs. O'Connell said there are failing septic and well systems on the west end of town. There is a mobile home park that needs to connect to the city's system.
- c. Garage Code Discussion—Jorgensen said that Urling advised him a minimum of 240 square feet is standard for most cities. Blodgett said it's currently 120. That standard is

set in the definition of “garage” in the city’s code. She suggested that the definition be amended. Commissioners agreed by consensus.

O’Connell adjourned the meeting at 7:39 p.m.

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Erin O’Connell, Chair

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Sarah Blodgett, City Recorder

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### **18.05.030 Definitions.**

As used in this title:

“Access” means the place, means or way by which pedestrians, vehicles or both shall have safe, adequate and usable ingress and egress to a property or use.

“Accessory use” means a use incidental to the primary use of a property and located on the same lot as the primary use.

“Alley” means a street which affords secondary access to a property.

“Alteration” means a change in construction or a change of occupancy.

“Building” means a structure intended for the support, shelter, or enclosure of persons, animals, or property of any kind.

“City” means the city of Rainier, Oregon.

“Commission” means the planning commission of the city of Rainier.

“Comprehensive plan” means the comprehensive plan adopted by the city of Rainier and acknowledged by the Land Conservation and Development Commission.

“Condominium” means a development consisting of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential or commercial building on the parcel.

“Density” means a measurement of dwelling units in relationship to a specified amount of land. As used in this code, density does include land devoted to street right-of-way.

“Dwelling, attached” means two single-family structures, on individual lots, attached by a common wall and a common property line with another structure.

“Dwelling, multifamily” means a building containing three or more dwelling units.

“Dwelling, single-family” means a building containing one dwelling unit and a garage.

“Dwelling, two-family” means a building containing two dwelling units, each with a garage.

“Dwelling unit” means one or more rooms designed for occupancy by one family.

“Family” means an individual, or two or more persons related by blood, marriage, legal adoption, or guardianship living together in a dwelling unit in which board and lodging may also be provided for not more than four additional persons; or a group of not more than five persons who need not be related by blood, marriage, legal adoption or guardianship living together in a dwelling unit.

“Floodplain” means land subject to flooding as designated on the “Flood Boundary and Floodway Map” on file at Rainier City Hall.

“Floodway” means an area designated as floodway on the “Flood Boundary and Floodway Map” on file at Rainier City Hall.

“Floor area” means the area within the exterior walls of a building multiplied by the number of stories.

“Garage” means a fully enclosed attached or detached structure of sufficient size to store a minimum of one full-sized automobile, built on a concrete foundation using materials similar to and compatible with the dwelling unit or other building it is intended to serve. A minimum one-car garage shall be ~~420~~ 240 square feet.

#### **18.110.040 Definitions.**

The following definitions are to be used in interpreting the requirements of this chapter. Words and phrases not defined in this section but defined elsewhere in the zoning ordinance are to be given the meanings set forth in those sections of this title. Other words and phrases defined in this section may hold special meaning when referring to signage, and may differ slightly from definitions found elsewhere within the zoning ordinance. Where different and when applied to signage, the definitions set forth in this chapter take precedence over definitions found elsewhere in the zoning ordinance.

“Animated” means any sign that uses movement or change of lighting to depict action or create a special effect or scene.

“Awning/canopy” means any sign that is part of or attached to a fabric or plastic awning, canopy or other structural protective cover over a door, entrance, window, or outdoor service area. Awnings may not project more than six feet or two-thirds of the distance from the face of the building to the roadway, whichever is less, and awnings may not extend to within two feet of any roadway.

“Balloon” means an inflated object, generally helium-filled and tethered, which may or may not bear a commercial message or logo and which may or may not be shaped or colored to represent the logo or character of an advertiser, but which is more than three feet in circumference at the smallest point.

“Banner” means a sign which is normally constructed of cloth, canvas, plastic, or similar material, and which does not have a rigid frame, the intent of which is for advertisement and not for decoration.

“Beacon” means a light with one or more beams, whether stable or rotating, directed into the atmosphere or directed at one or more points not on the same premises as the light source, used for the purpose of conveying a commercial message.

“Billboard” means an off-premises sign, regardless of size, which is visible to a state highway and is, therefore, regulated by the State of Oregon Motorist Information Act and Administrative Rules and Regulations. State law prohibited the issuance of permits for new off-premises (billboard) signs in 1975.

“Business identification, state defined ‘B.I.D.’” means an off-premises sign intended to direct the public toward a single business that is not visible from a state highway. Business identification signs require a state-issued permit and are limited to the name of a single business and the distance or direction to that business only. The sign must be located within three road miles of the business, cannot be located adjacent to an interstate or fully controlled access highway, and may not exceed 16 square feet on each side with no one panel dimension exceeding six feet (ORS [377.726](#) and OAR [734-60-005](#)). City approval of the sign is required prior to application for a state business identification sign permit.

“Changeable copy” means a sign or portion of sign with letters, characters or illustrations that can be manually changed or rearranged without altering the face or the surface of the sign, such as pricing signs at gas stations.

“Commercial message” means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

“Directional” means a sign which is designed and erected solely for the purpose of traffic or pedestrian direction and which is placed on the property to which or on which the public is directed.

“Electronic message center” means a sign on which information such as the time, date and temperature changes automatically, or on which on-premises activities or advertisements are changed at intermittent intervals by electronic process or remote control.

“Flag” means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

“Freestanding” means any sign supported by structures or supports that are placed on or anchored in the ground and that are not attached to or forming part of a building.

“Home occupation” means a single, unlighted sign, not to exceed six square feet per side, which is mounted at the doorway of the home or hangs from the home’s eaves, porch or mailbox, and which is limited to the business name, address and number.

“Identification” means a single, unlighted sign, not to exceed two square feet, which is mounted at the doorway of the building and is limited to the name, address and number of the building, institution or person, and to the activity carried on in the building or institution, or the occupancy of the person. (Separate from a “business identification sign,” as defined by the state of Oregon.)

“Illegal” means any sign for which:

1. There is no valid permit (where required);
2. The permit has expired and has not been renewed;
3. The permit has been revoked by the city;
4. The sign is in violation of the provisions of this chapter; or
5. Where the business activity on the premises is discontinued for a period of 90 days or more.

“Incidental” means a single sign, not to exceed six square feet, that is generally informational and that has a purpose secondary to the use of the premises on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives.

“Institution/institutional” means a building occupied by an organization devoted to the promotion of a public cause, or a place for the care or confinement of people.

“Lawn” means a single, unlighted, freestanding sign not to exceed eight square feet on one side, displayed for purposes such as privately endorsed political, social or religious statements or other noncommercial messages, which is placed on private property with the express consent of the property owner and which is of a temporary nature.

“Marker” means a single, unlighted sign, not to exceed four square feet per face (two faces may round a corner), indicating the name of a building and date or other incidental information about its construction, generally cut into the masonry surface of the building or made of bronze or other permanent materials.

“Measurable area” means the area within the outer boundaries of standard geometrical shapes (primarily squares, rectangles and circles) containing and defined by the extreme reaches of informational or graphic parts of the sign.

“Monument” means a sign and supporting structure that has similar top and bottom dimensions and is attached to the ground or to its base on grade by a solid structure to give the appearance of a continuous mass, separated from any buildings or structures.

“Mounted” means a sign that is affixed flush with a structural wall or other building surface.

“Murals/graphics” means flat images painted or tiled directly on the wall of a building or other structural surface for the purpose of decoration or art.

“Noncommercial” means bearing no form of commercial message.

“Nonconforming” means a sign which was erected legally, but was erected prior to the effective date of the ordinance codified in this chapter, or at a later date, prior to the premises being annexed to the city, and which was constructed in accordance with the applicable laws in effect at the time of its construction, but which by reason of its size, height, location, design or construction is not in conformance with the requirements of this chapter.

“Off-premises” means a sign that advertises goods, products, services or facilities, or the direction to any commercial entity, product, or person, not available at the location of the sign.

“On-premises” means a sign that is located on some portion of the property actually occupied or used by the activity advertised on the sign (i.e., on the buildings, parking areas, storage areas and landscaped areas used for the activity); includes signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, name of the business, name of the person, firm, or corporation occupying the premises.

“Painted” means a sign that is painted directly on and flush with a structural wall or other building surface.

“Pennant” means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

“Permanent” means set on a foundation, sunk into the ground, fastened or painted in a manner of permanence.

“Pole” means a freestanding sign that is supported by one or more poles and is otherwise separated from the building and the ground by air.

“Portable” means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to: signs designed to be transported by means of



wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal, everyday operations of the business.

“Premises” means a:

1. Legal lot;
2. Combination of contiguous legal lots under one ownership; or
3. Group of legal lots with common access, parking and signage.

If more than one definition applies to a group of lots, the choice of which definition applies shall be that of the owners(s) of the lots or the applicant representing the owner(s). Only one definition may be applied at one time to a group of lots.

“Principal structure” means the structure or building where the principal use of the premises is conducted. While a premises may have multiple principal uses and multiple principal structures (such as in a business park or complex), storage buildings, garages and other clearly accessory buildings are not considered to be principal structures.

“Projecting or suspended” means any sign affixed to a building overhang or wall in such a manner that its leading edge extends more than six inches beyond the surface of the building or wall. Signage may not project more than five feet or two-thirds of the distance from the face of the building to the roadway, whichever is less, and signs may not extend to within two feet of any roadway. Signs extending over sidewalks, walkways or other spaces accessible to pedestrians must provide at least eight feet of clearance above the grade. Signs extending over driveways must provide at least 15 feet of clearance above the grade.

“Roof, integral” means any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. A sign on a mansard roof is not a roof sign but is a wall sign if no more than an 18-foot projection.

“Roof, mounted” means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

“Sale/lease/rent” means a sign which temporarily advertises the sale, lease or rent of property or possessions, and which is located on the premises where the property or possession is available. Sale/lease/rent signs may not exceed the maximum square footage allowed for other types of signs for the premises.

“Sandwich board sign” means a temporary sign with a maximum of 12 square feet that is limited to placement in front of the associated business in commercial zones and taken down during non-business hours.

#### **18.110.050 Exempt signs.**

The following types of signs are exempt from regulation under this chapter when calculating total square footage and total number of signs per premises. The terms under which exempt signs may be placed are set forth under RMC [18.110.040](#), Definitions:

- A. Signs that are clearly directional, flag, identification, incidental, lawn, marker, or sale/lease/rent signs;
- B. Signs temporarily placed inside the window or door of a commercial or industrial building to display pricing or products;
- C. Any sign inside a building, not attached to a window or door, not legible from a distance of three feet beyond the public right-of-way nearest the premises on which it is located;
- D. *Repealed by Ord. 1056;*
- E. Temporary holiday lights and other types of decorations bearing no commercial message;
- F. Any sign, public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance, including that portion of a sign which conveys gas station pricing and lottery signs;
- G. Traffic control signs on private property, the faces of which meet ODOT standards and which contain no commercial message of any sort. (Ord. 1056 (Exh. I), 2010; Ord. 974 § 4 (Exh. A.2 § 5.13), 1998)
- H. Sandwich board signs.

## 17.124.020 Definition. SHARE

(1) "Accessory structure" means a subordinate structure located on the lot, the use of which is clearly incidental to and associated with the principal structure.

(2) Where an accessory structure is attached to the principal structure in a substantial manner, as by a roof, such accessory structure shall normally be considered as a part of the principal structure.

(3) Where an accessory structure is detached, it must comply with all the requirements of this chapter and code.

(4) Examples of accessory structures are barns, garages, carports, playhouses, sheds, private greenhouses, gazebos, storage buildings, boathouses and docks, wind-generating devices, swimming pool pumphouses, radio- and television-receiving antenna towers and dishes and, pursuant to subsection (5) of this section, storage containers.

(5) "Storage container" means any factory-built container or part thereof designed or used for freight or storage and includes, but is not limited to, Conex boxes and sea-land containers. Such containers are typically originally designed for transport, but when intended to be used in a fixed location for more than a year are considered accessory structures for the purposes of this chapter. Placement for less than a year is governed by Chapter [17.116](#) SHMC, Temporary Uses. (Ord. 3105 § 2, 2009; Ord. 2875 § 1.156.020, 2003)

(3) Storage Containers. In addition to the other approval criteria of this chapter, storage containers in any commercial (e.g., HC, GC, MC), mixed use (e.g., MU, RD), or public lands (e.g., PL) zoning district shall comply with the following standards:

(a) Only one shall be allowed for properties that are less than or equal to one acre in size. A maximum of two may be allowed for properties greater than one acre in size.

(b) Each storage container shall be painted a neutral, earth-tone or otherwise site-compatible color. Color shall be uniform for the entire storage container. If storage containers will be placed within 50 feet of each other on the same property, they shall be of the same color.

(c) Signs are prohibited on storage containers, except those required that contain public safety information for the storage container.

(d) Shall be located and screened to minimize visibility from surrounding streets and neighboring properties.

(e) No storage container shall violate applicable zoning standards and shall not encroach into pedestrian or vehicle circulation areas, required parking areas, landscape areas, emergency access ways or vision clearance areas pursuant to Chapter [17.76](#) SHMC.

(f) No storage container shall be allowed to be placed or remain to be placed in a state of disrepair. Examples of states of disrepair include but are not limited to any damage that compromises the intended shape (i.e., disfigurement) and/or function of the storage container, significant rust, or graffiti.

(g) Use shall be restricted to storage only. Any form of human occupancy shall be prohibited.

(h) Shall not be used for any primary use.

(i) A permanent foundation is not required, but storage container shall be placed on a level surface of asphalt, concrete or other similar type materials approved by the city.

(j) Shall not exceed a height of 10 feet.

(k) Shall not be stacked.

(l) Shall not exceed a gross floor area of 360 square feet for each individual storage container. (Ord. 3264 § 2 (Att. A), 2021; Ord. 3180 § 1 (Att. A), 2015; Ord. 3164 § 3 (Att. B), 2012; Ord. 3105 § 2, 2009; Ord. 2875 § 1.156.070, 2003)

## **ORDINANCE NO. 660**

### **AN ORDINANCE AMENDING ORDINANCE 634, THE GOLD BEACH ZONING ORDINANCE PROVIDING PROVISIONS FOR ACCESSORY DWELLING UNITS AND "TINY HOUSES"**

**WHEREAS,** The Gold Beach City Council received several citizen requests to review the current zoning regulations to allow for "tiny houses" within the City; and

**WHEREAS,** The Council tasked the Planning Commission with reviewing the possibility of permitting "tiny houses" and

**WHEREAS,** The Planning Commission held several work sessions and presented the Council with their recommendations for provisions for "tiny houses" in addition to accessory dwelling units (ADUs); and

**WHEREAS,** The Planning Commission made the following specific findings related to "tiny houses" and ADUs which are incorporated into the proposed zoning code amendment:

"Tiny Houses" and Accessory Dwelling Units:

- a) Create new housing units while respecting the look, scale, and feel of the single-family and multi-family dwelling development patterns;
- b) Offer housing choices with less average space per person;
- c) Offer housing options to provide for changing family needs, smaller or larger households, multigenerational housing, or reduction in overall housing costs;
- d) Offer additional housing options for seniors, persons with disabilities, veterans, or financially disadvantaged individuals.

**Section 1.** The following sections of the Gold Beach Zoning Ordinance are hereby amended:

Section 1.030 Definitions

Residential Zone (1-R)

Section 2.020 Uses Permitted Outright

Section 2.040 Lot Size

Section 2.060 Height of Buildings

Residential Zone (2-R)

Section 2.120 Uses Permitted Outright

Section 2.130 Conditional Uses Permitted

Section 2.140 Lot Size

Section 2.160 Height of Buildings

Residential Zone (3-R)

Section 2.220 Uses Permitted Outright

***Ordinance 660***

*Amending Ordinance 634 Zoning Ordinance*

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Section 2.240 Lot Size  
Section 2.260 Height of Buildings  
Commercial Zone (4-C)  
Section 2.330 Conditional Uses Permitted  
Section 2.350 Height of Buildings  
ARTICLE III Supplementary Provisions  
Section 3.040 Accessory Dwelling Unit (ADU) Standards  
Section 3.045 Manufactured Homes in Residential Zones

## **AMENDMENTS TO GBZO TO ALLOW FOR ACCESSORY DWELLING UNITS (ADUs) & TINY HOUSES**

Regular type is existing language to remain unchanged

***Bold Italic is new language to be added or amended***

~~Strikethrough~~ is language to be removed

### **ADD to Section 1.030 DEFINITIONS**

***ACCESSORY DWELLING UNIT (ADU) means a smaller secondary home on the same lot as a primary dwelling having a total square footage of 200'-600' square feet. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, water and sanitary sewer utilities. There are two types of ADUs:***

- 1) "Garden" or "Granny" cottages which are detached structures (e.g. conversion of existing detached garage or accessory structure).***
- 2) Accessory suites or "mother-in-law" apartments which are attached or part of the primary dwelling (e.g. converted living space, apartments over garages, basements or attics; additions to existing dwellings, or any combination thereof).***

***TINY HOUSE means a single-family dwelling of conventional or modular construction which is 200'-600' square feet which are independently habitable and provide the basic requirements of shelter, heating, cooking, water and sanitary sewer utilities.***

***Tiny Houses are subject to the following siting standards:***

- 1) Must be sited on a legally created parcel and are subject to the setback requirements of the underlying zone.***
- 2) Must be connected to an approved domestic water source and connected to city sewer service or, if outside a city served sewer area, a DEQ approved and installed septic system.***
- 3) If the structure is of modular construction the siting standards of Section 3.045 (2, 3, & 4) shall apply to the placement of the dwelling.***

## ARTICLE II. Use Zones

### Residential Zone (1-R)

#### Section 2.010. Purpose of Classification.

The 1-R zone is designated to be applied to residential areas where housing is typically single-family and duplex residences.

#### Section 2.020. Uses Permitted Outright.

In a 1-R zone, the following uses and their accessory uses are permitted outright:

1. Single-family dwelling, ~~or a~~ manufactured home or TINY HOUSE which complies with the requirements set forth in Section 3.045.
2. Duplex
3. The temporary use of a recreational vehicle by the lot owner, family of the lot owner or nonpaying guests of the lot owner. The use is deemed to be temporary if the recreational vehicle is occupied for fewer than 15 consecutive days in any 30 day period.
4. **Non-commercial** Farming where building-site **PARCEL** is one (1) acre or more, but not including livestock.
5. Home Occupations subject to the general standards listed in Section 3.050.
6. A Residential Home as defined in ORS 197.660(2).
7. Registered or certified family child care home pursuant to ORS 657A.440.
8. Accessory Dwelling Unit subject to the specific standards listed in Section 3.040

#### Section 2.030. Conditional Uses Permitted.

In a 1-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Place of worship, school, grange hall or community building.



2. Public use facility or public utility, including but not limited to fire stations and parks.(1)
3. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.
4. Utility facility, including substation or pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
6. Planned Unit Development in compliance with Article V.
7. Wind generators (1).
8. Home occupations not meeting the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
9. Use of an existing dwelling unit as a vacation rental dwelling. (4) (and Section 6.050 & 6.051).

**Section 2.040.        Lot size.**

Except as provided in Sections 4.040 and 4.050 in a 1-R zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by both a public water and sewer system, the lot area shall conform to the state and county requirements for water supply and sewage disposal.
2. The minimum lot area shall be five thousand (5,000) square feet when both a public water and sewage system are available.
3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***
4. The minimum average lot width shall be fifty (50) feet.

**Section 2.050.        Set-Back Requirements.**

Except as provided in Section 4.010 and 4.030 in a 1-R zone, yards shall be as follows:



1. The front yard shall be a minimum of ten (10) feet.
2. The side yard shall be a minimum of five (5) feet.
3. The rear yard shall be a minimum of five (5) feet.

**Section 2.060.        Height of Buildings.**

1. Except as provided in Section 4.020 in a 1-R zone, no building shall exceed twenty-five (25) feet in height.

**Residential Zone (2-R)**

**Section 2.110.        Purpose of Classification.**

The 2-R zone is designed to be applied to residential areas and recognizes the trend toward homes of other than conventional construction.

**Section 2.120.        Uses Permitted Outright.**

In a 2-R zone, the following uses and their accessory uses shall be permitted outright:

1. Single-family dwelling, ~~or a~~ manufactured or mobile home **or TINY HOUSE which complies with the requirements set forth in Section 3.045.**
2. The temporary use of a recreational vehicle by the lot owner, family of the lot owner or nonpaying guests of the lot owner. The use is deemed to be temporary if the recreational vehicle is occupied for fewer than 15 consecutive days in any 30 day period.
3. Duplex
4. Home Occupations meeting the general standards of Section 3.050.
5. A Residential Home as defined in ORS 197.660(2).
6. Registered or certified family child care home pursuant to ORS 657A.440.
7. **Accessory Dwelling Unit subject to the specific standards listed in Section 3.040**

**Section 2.130.      Conditional Uses Permitted.**

In a 2-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Mobile or manufactured home park subject to compliance with local building code requirements. (2)
2. Place of worship, school, grange hall, or community building.
3. Public use facility such as a fire station or park.
4. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.
5. Utility facility, including substation or pumping station or private generator. (1)
6. Communications transmitter, receiver, antenna or tower. (1)
7. Planned Unit Development on a lot not less than one (1) acre, in compliance with Article V.
8. Wind generators (1).
9. Home occupations not meeting the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
10. Use of an existing dwelling as a vacation rental dwelling. ~~(3)~~ (4) (and Section 6.050 & 6.051)
11. One manufactured home or mobile home in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. (5)
12. Private horse stable where the lot or parcel is one acre or more in size but not including the renting or boarding of horses for profit.
13. Where the lot is one acre or more in size, **NON-COMMERCIAL** farming, including the keeping of livestock for noncommercial use.

**Section 2.140.        Lot Size.**

Except as provided in Sections 4.040 and 4.050 in a 2-R zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by a public water or sewer system, the lot area shall conform to the requirements established by the County Sanitarian to avoid problems of water supply and sewage disposal due to soil structure and water table.
2. When both a public water and sewage system are available:
  - (a) For uses other than a mobile home park, the minimum lot area shall be five-thousand (5,000) square feet.
  - (b) For mobile or manufactured home park, the minimum shall be eight thousand (8,000) square feet or two thousand (2,000) square feet per home space whichever is greater.
3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***
4. The minimum average width shall be fifty (50) feet.

**Section 2.150.        Set-back Requirements.**

Except as provided in Section 4.010 and 4.030 in a 2-R zone, yards shall be as follows:

1. The front yard shall be a minimum of ten (10) feet
2. The side yard shall be a minimum of five (5) feet.
3. The rear yard shall be a minimum of five (5) feet.

**Section 2.160.        Height of Buildings.**

1. Except as provided in Section 4.020 in a 2-R zone, no building shall exceed twenty-five (25) feet in height.

## **Residential Zone (3-R)**

### **Section 2.210. Purpose of Classification.**

The 3-R zone is designed to be applied to residential areas where housing demands may justify a higher density.

### **Section 2.220. Uses Permitted Outright.**

In a 3-R zone, the following uses and their accessory uses are permitted outright:

1. Detached single-family dwelling, attached single-family dwellings (townhouses), duplex, or multi-family dwelling, or TINY HOUSE which complies with the requirements set forth in Section 3.045.
2. The temporary use of a recreational vehicle by the lot owner, family of the lot owner or nonpaying guests of the lot owner. The use is deemed to be temporary if the recreational vehicle is occupied for fewer than 15 consecutive days in any 30 day period.
3. Manufactured home which complies with the requirements set forth in section 3.045.
4. **NON-COMMERCIAL** Farming where building site **PARCEL** is one (1) acre or more, but not including livestock.
5. Home Occupations subject to the general standards of Section 3.050.
6. A Residential Home as defined in ORS 197.660(2).
7. A Residential Facility as defined in ORS 197.660(1)
8. Registered or certified family child care home pursuant to ORS 657A.440.
9. Accessory Dwelling Unit subject to the specific standards listed in Section 3.040

### **Section 2.230. Conditional Uses Permitted.**

In a 3-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the

specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Place of worship, school, grange hall, or community building.
2. Public use facility such as a fire station or park.
3. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.
4. Utility facility, including substation or pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
6. Planned Unit Development on a lot not less than one (1) acre in compliance with Article V.
7. Hospital, sanitarium, retirement home, medical or dental clinic.
8. Wind generators (1).
9. Home occupations subject to the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
10. Use of an existing dwelling unit as a vacation rental dwelling. (4) (and Section 6.050 & 6.051)

**Section 2.240.        Lot Size.**

Except as provided in Sections 4.040 and 4.050 in a 3-R zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by both a public water and sewer system, the lot area shall conform to the requirements established by the County Sanitarian to avoid problems of water supply and sewage disposal due to soil structure and water table.
2. When both a public water supply and sewage disposal system are available the minimum lot area shall be four-thousand (4000) square feet.
3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning***

***Commission pursuant to the procedural standards of Article VI-Conditional Uses.***

4. The average lot width shall be a minimum of fifty (50) feet.

**Section 2.250. Set-Back Requirements.**

Except as provided in Section 4.010 and 4.030 in a 3-R zone, yards shall be as follows:

1. The front yard shall be a minimum of ten (10) feet.
2. The side yard shall be a minimum of five (5) feet.
3. The rear yard shall be a minimum of five (5) feet.

**Section 2.260. Height of Buildings.**

1. Except as provided in Section 4.020 in a 3-R zone no building shall exceed thirty-five (35) feet in height.

**Commercial Zone (4-C)**

**Section 2.310. Purpose of Classification.**

The 4-C zone is designed to apply to areas where more complete commercial facilities are necessary for community convenience.

**Section 2.320. Uses Permitted Outright.**

1. The 4-C zone is designated to be applied to areas such as community shopping centers and business districts that cater to the needs of nearby residential areas.
1. Hotel, motel, vacation rental, or bed and breakfast inn.
2. Club or lodge hall.
3. Hospital, sanitarium, retirement home, medical or dental clinic.
4. Retail or service establishment.

5. Automobile service station.
6. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair.
7. Building material storage yard.
8. Plumbing, electrical, or paint contractor's storage, repair or sales shop.
9. Wholesale trucking and storage establishment.
10. Park, playground, fire station, library or museum.
11. Office buildings.
12. Place of worship or school.
13. Recreational vehicle park.
14. Machine shop or cabinet shop.
15. Manufacturing, repairing, compounding, processing, storage, research, assembling, or fabricating activities except: tire retreading or vulcanizing shop, and manufacturing plants-- including lumber and plywood mills
16. Airport related buildings if located within the airport property. See airport overlay section
17. Dwelling unit(s) may be located in a building devoted primarily to a non-residential use.

PERMITTED USES WITHIN EXISTING SINGLE-FAMILY/MULTIFAMILY DWELLINGS:

18. Home Occupations subject to the general standards of Section 3.050.
19. A Residential Home as defined in ORS 197.660(2).
20. A Residential Facility as defined in ORS 197.660(1)
21. Registered or certified family child care home pursuant to ORS 657A.440.



**Section 2.330.      Conditional Uses Permitted.**

In a 4-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

2. Single family dwelling or **TINY HOUSE which complies with the requirements set forth in Section 3.045.**
3. Multiple family dwelling.
4. Planned Unit Development on a lot of at least one (1) acre in area and in compliance with Article V.
5. Utility facility; including substation, pumping station or private generator. (1)
6. Communications transmitter, receiver, antenna or tower. (1)
5. Wind generator (1).
7. Mobile or portable office.
8. Trailer, camping or recreational vehicle temporarily used as a residence during construction of a permitted use or to temporarily provide watchman security for material that cannot be reasonably stored in an established commercial storage facility.
9. **Accessory Dwelling Unit subject to the specific standards listed in Section 3.040**

**Section 2.340.      Lot Size.**

Except as provided in Sections 4.040 and 4.050 in a 4-C zone:

The minimum lot size shall be determined by the County Sanitarian as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public water supply and a public sewage disposal system are available, there shall be no minimum lot area; however, the off-street parking ordinance must be conformed with.



**Section 2.350.            Height of Buildings.**

1. Except as provided in Section 4.020 in a 4-C zone, no building shall exceed thirty-five (35) feet in height.

**Section 3.040            *Accessory Dwelling Unit (ADU) Standards***

***Purpose. Accessory Dwelling Units (ADU) shall be permitted to provide the following:***

- a) Create new housing units while respecting the look, scale, and feel of the single-family and multi-family dwelling development patterns;*
- b) Offer housing choices with less average space per person;*
- c) Offer housing options to provide for changing family needs, smaller or larger households, multigenerational housing, or reduction in overall housing costs;*
- d) Offer additional housing options for seniors, persons with disabilities, veterans, or financially disadvantaged individuals.*

***Specific ADU siting standards***

- 1) ADUs shall be accessory to an existing single-family, duplex, or multi-family dwelling; and*
- 2) ADUs shall meet the setback requirements of the underlying zone; and*
- 3) ADUs shall be 200'-600' square feet in size; and*
- 4) ADUs shall not be used for vacation rental dwellings or rentals of less than 30 day increments and may not be advertised as such.*

**Section 3.045.            Manufactured Homes in Residential Zones.**

A manufactured home placed on an individual lot in a Residential zone shall comply with the following provisions:

1. The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet. ***This standard does not apply to "tiny houses" or accessory dwelling units (ADUs). Manufactured structures commonly known as "Park Models" are permitted as "tiny houses" or ADUs provided they are sited according to standards 2, 3, and 4 below.***
2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed by a perimeter wall of concrete or grouted and filled concrete blocks such that no more than 16 inches of the enclosing material is exposed above grade. Where the

building site has a sloped grade, no more than 16 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 16 inch limitation shall not apply. However if these requirements conflict with the City of Gold Beach Flood Damage Prevention Ordinance (Ordinance 422) the requirements of Ordinance 422 shall apply.

3. The manufactured home shall have a pitched roof, with a nominal slope of three feet in height for each 12 feet in width.

4. The manufactured home shall have exterior siding and roofing which is comparable to the predominant materials used on surrounding dwellings.

*END OF PROPOSED AMENDMENTS*


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Section 2. All other sections and provisions of Ordinances 634 are unaltered and remain in effect.

Section 3. General Savings Provision and Continuity of Existing Provisions.

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

**Passed and Adopted** by the City Council of the City of Gold Beach, Oregon, State of Oregon, on this 12<sup>th</sup> day of December, 2016 and taking effect 30 days following on January 12, 2017.

  
Karl Popoff, Mayor

ATTEST:

  
Jodi Fritts, City Administrator

FIRST READING	November 14, 2016
AYES	NAYS
4	0

FIRST READING	December 12, 2016
AYES	NAYS
4	0