



CITY OF MANZANITA

655 Manzanita Ave - Manzanita, Oregon 97130
P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 812-2514 | TTY Dial 711
ci.manzanita.or.us

COUNCIL REGULAR SESSION

Manzanita City Hall
<https://ci.manzanita.or.us>

AGENDA

March 4, 2026
06:00 PM Pacific Time

Council will hold this meeting at the Manzanita City Hall: 655 Manzanita Ave

Video Information: The public may watch live on the

[City's Website: ci.manzanita.or.us/broadcast](http://ci.manzanita.or.us/broadcast)

or by joining via Zoom:

<https://us02web.zoom.us/j/86544615294?pwd=vlwv93P0UYdfI2DF2QElzHxxwXiXe.1>

Meeting ID: 865 4461 5294 Passcode: 260154

Call in number: +1 253 215 8782

If you would like to submit written testimony to the City Council on items included on the agenda, please send your comments to cityhall@ci.manzanita.or.us and indicate the agenda item and date of meeting.

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

1. CALL TO ORDER (6:00 p.m.)

2. AUDIENCE PARTICIPATION

Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to cityhall@ci.manzanita.or.us), or in person to city staff**

3. CONSENT AGENDA

Consent items are not discussed during the meeting; they are approved in one motion, and any Council member may remove an item for separate consideration.

A. Approval of Minutes

- a. February 04, 2026, Regular Session
- b. February 11, 2026, Work Session
- c. February 18, 2026, Budget Committee Work Session

B. Approval of Bills

4. INFORMATION

- A.** City Manager Report
Leila Aman, City Manager

5. NEW BUSINESS

- A.** Off-Season Tourism Grant Approvals
Nina Crist, Finance Director
Nan Devlin
- B.** Proclamation: Immigration and Customs Enforcement Activity in
Manzanita
Kathryn Stock, Mayor

6. OLD BUSINESS

- A.** Land Division Amendments Ordinance 26-01 – 2nd Reading
Leila Aman, City Manager
- B.** Wayfinding Final Design Approval
Nan Devlin
- C.** Master Fee Schedule
Leila Aman, City Manager
- D.** View Grading Moratorium
Leila Aman, City Manager
- E.** Short-Term Rental Freeze Extension
Leila Aman, City Manager
- F.** Budget Committee Member Approval
Nina Crist, Finance Director
Joy Nord, Budget Committee Chair
- G.** Planning Commission Committee Appointment and Criteria
Linda Kozlowski, Council President

7. COUNCIL UPDATES

8. ADJOURN (8:00)

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at cityhall@ci.manzanita.or.us or phone at 503-812-2514. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the ci.manzanita.or.us/broadcast.



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CITY COUNCIL REGULAR SESSION FEBRUARY 4, 2026

1. CALL TO ORDER: The meeting was called to order on February 4, 2026, at 6:00pm at the Manzanita City Hall by Mayor Kathryn Stock.

Roll: Council members present: Kathryn Stock, Jerry Spegman, Brad Hart and Tom Campbell. Council members present via Zoom: Linda Kozlowski. Staff present: City Manager Leila Aman, Finance Director Nina Crist, Public Works Director Rick Rempfer, Police Sergeant Mike Sims, Police Officer John Garcia, Police Officer Max Halverson, and Assistant City Recorder Nancy Jones. Staff present via Zoom: Development Services Manager Scott Gebhart. Panelist's present: Steeplejack Owner Brody Day. Panelist present via Zoom: Accuity Glen Kearns, and Contract Planner Walt Wendolowski.

2. AUDIENCE PARTICIPATION: There were 2 people in attendance, 12 attended via zoom, 9 attended via website. There were no public comments.

3. CONSENT AGENDA:

- A. APPROVAL OF MINUTES –
 - a. January 07, 2026, Regular Session
 - b. January 14, 2026, Work Session

- B. APPROVAL OF BILLS FOR PAYMENT

A motion was made by Campbell, seconded by Spegman, to approve the consent agenda that included approval of the January 07, 2026, Regular Session Minutes; January 14, 2026, Work Session; Approved payment of bills and all subsequent bills subject to approval by the Mayor or Council President and City Manager; Motion passed unanimously.

4. INFORMATION:

A. City Manager Report - City Manager Leila Aman
- City Manager Leila Aman spoke about the need for wheelchair access from the city hall parking area to Underhill Plaza during the Farmers Market. She said the city is working to identify access for wheelchair needs and will begin looking at a future long-term solution.

- Aman spoke about the current Dark Sky Ordinance 24-02 and said the city is developing solutions to the existing ordinance implementation issues. It is planned to be discussed at a city council work session in March or April.
- Aman spoke about the short-term rental policy process. She said the city attorney will draft a memorandum on policy recommendations that council discussed in previous work sessions. She stated that council will be asked to extend the short-term rental freeze at the next meeting to accommodate the timing and updating of the ordinances.

5. NEW BUSINESS:

A. Financial Audit 2024/2025 - Finance Director Nina Crist and Accuity Glen Kearns
Glen Kearns with Accuity provided an overview of the 2024/2025 financial audit. He stated that the city received an unmodified opinion of the financials and explained that by testing standards no issues or problems were found that would change the clean opinion. He stated that the cash position of the city is solid and spoke about the statement of activities. He said that by fiscal prudence and good management of city assets the city ended the year with a positive change in net income and no non-compliance issues.

B. Land Division Amendments Ordinance 26-01 – First Reading Public Hearing –
City Manager Leila Aman

Mayor Kathryn Stock explained the legislative public hearing process and opened the public hearing on ordinance 26-01 at 6:23pm. She stated that this is a legislative land use matter amending Ordinance 95-05 to comply with SB 406 requirements. She read a summary of the city's legislative adoption process.

City Manager Leila Aman provided a summary of the findings of facts and stated that the findings are clear, objective, and comply with legislative procedural requirements. She explained that the new state legislation regarding SB406, SB458, and HB2138 required more than incremental amendments and said that Land Division Ordinance 26-01 will replace Ordinance 95-05. She stated that this ordinance will bring the city into compliance with state law and align our land division procedures with the recent zoning updates.

Mayor Kathryn Stock asked for public comments.

There were no comments in favor.

There were no comments in opposition.

There were no neutral comments.

There were no other comments made by the public.

Mayor Kathryn Stock closed the public hearing at 6:35pm and led council in deliberation.

A motion was made by Hart to accept the First Reading of Ordinance 26-01 Amending Ordinance No 95-5 (Land Division Ordinance) to Comply with Senate Bill 406 Middle Housing

Requirements and Adopting Findings of Fact. Seconded by Spegman; Motion passed unanimously

6. OLD BUSINESS:

C. State of Emergency Update— City Manager Leila Aman

City Manager Leila Aman announced that the soil stabilization work has been completed, and the state of emergency will expire at the conclusion of today’s meeting. She explained that the city has reached out to FEMA about the possibility of reimbursement for the costs.

7. COUNCIL UPDATES:

Council members took turns sharing information and updates of what they were involved in for the month.

8. INFORMATION AND ADJOURN:

- The Planning Commission has been scheduled for February 9, 2026.
- Manzanita Municipal Court will be held February 13, 2026, at 1:30pm and is open to the public.

Mayor Stock adjourned the meeting at 6:58PM.

**MINUTES APPROVED THIS
4th Day of March, 2026**

Kathryn Stock, Mayor

Attest:

Leila Aman, City Manager



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CITY COUNCIL WORK SESSION FEBRUARY 11, 2026

1. CALL MEETING TO ORDER: The meeting was called to order on January 11, 2026, at 2:01pm at the Manzanita City Hall by Councilor Jerry Spegman.

ROLL: Council members present: Linda Kozlowski, Jerry Spegman, Brad Hart, and Tom Campbell. Council members present via Zoom: Kathryn Stock. Staff present: City Manager Leila Aman, Development Services Manager Scott Gebhart, and Assistant City Recorder Nancy Jones. Panelist present: Nan Devlin.

2. Wayfinding Update and Discussion: Nan Devlin

Nan Devlin stated that she is in attendance of today's meeting as a volunteer. She communicated that she has re-started her consulting business and is no longer working at Tillamook Coast Visitors Association (TCVA). She spoke about Manzanita's current gateway sign and explained that it has been out of compliance ever since Oregon Department of Transportation (ODOT) widened the road. She explained that signage on state highways must be of a break-away design and in compliance with the right-of-way laws. She specified that the replacement of the gateway sign is on hold waiting for a solution to these issues. She presented identity signage, directional signage, interpretive signage and went over each sign location.

City Manager Leila Aman asked council to email any suggestions, edits or changes of the signs or locations by next week. It is planned to vote on the wayfinding signage at the March city council meeting. Once approved, the manufacturing of the signs can begin.

3. Fee Schedule For Middle Housing: Development Services Manager Scott Gebhart

City Manager Leila Aman spoke about the master fee schedule and said the recommended adjustment for inflation is three percent for administrative, public works and police department fees. She said the increase will help maintain cost recovery. She reported that there will be no fee increase for system development charges, building, or short-term rental fees. She announced that the recommended water rate adjustment is 4.67% for inflation.

Development Services Manager Scott Gebhart spoke about increasing planning fees and said that the proposed changes reflect current review practices and decision pathways. He communicated that by separating administrative costs from outside professional service, it will improve transparency and cost recovery. He explained the differences between the current and proposed fee structure and said the updated fees will be project driven. He presented expected outcomes, and shared fiscal and administrative impacts.

4. Adjourn: Councilor President Jerry Spegman adjourned the meeting at 3:32pm.

**MINUTES APPROVED THIS
4th Day of March 2026**

Kathryn Stock, Mayor

Attest:

Leila Aman, City Manager

CITY OF MANZANITA
FEBRUARY 18, 2026
BUDGET COMMITTEE WORK SESSION

1. CALL MEETING TO ORDER: The meeting was called to order by Budget Committee Chair Joy Nord at 10:02am February 18, 2026, via Zoom.

ROLL: Members present: Kathryn Stock, Linda Kozlowski, Jerry Spegman, Tom Campbell, Joy Nord, and Shawn Koch. Members Present Via Zoom: Chip Greening, Kit Keating, and Jeffrey Sonshine. Brad Hart was absent and excused. Staff Present: City Manager Leila Aman, Financial and Administrative Specialist Jackie Steenerson, and Assistant City Recorder Nancy Jones. Staff Present Via Zoom: Finance Director Nina Crist.

2. Approval of 2026 Budget Calendar: Finance Director Nina Crist asked for approval of this year's Budget Committee meeting calendar. She specified that April 28th will be the presentation of the budget and will continue April 29th if needed. She announced that the city is conducting a salary survey, which is completed every 3 years. She said the results of the survey will be presented to city council on March 11th and again on April 8th for approval.

3. FY 2025/26 Second Quarter Financial Review: Finance Director Nina Crist presented the fiscal year 2025/2026 second quarter general financial review. She shared the amount of revenues received from collections and other agencies and explained the breakdown of each category. She explained the First Quarter Transient Lodging Tax (TLT), revenue comparison with FY 24/25 and 25/26, and said the city is tracking above this time last year. She spoke about earned interest, explained the Professional services breakdown and said that most of the amount recorded for City Planner is for the Comprehensive Plan update. She spoke about the System Development Charge (SDC) fund and said that last year the money was transferred and combined into one fund, but items are still tracked separately.

4. Indirect Cost Allocation Recommendation: Finance Director Nina Crist reported that she held a meeting with Budget Chair Joy Nord, and Budget Member Kit Keating to review the current indirect cost model. Budget Committee Member Kit Keating reported on the meeting and said it was very productive. She stated that the current methodology is straightforward, uncomplicated, reasonable and fair. She recommended a metric system to measure ratios of indirect cost on a yearly review and a methodology periodic review every 3 years.

5. ADJOURNMENT: Budget Committee Chair Joy Nord adjourned the meeting at 10:58am.

**MINUTES APPROVED THIS
4th Day of March, 2026**

Kathryn Stock, Mayor

Attest:

Leila Aman, City Manager

BILLS FOR APPROVAL OF PAYMENT

From 2/1/2026 - 2/28/2026

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	ROADS	VISITORS CENTER	WATER
MILLER NASH (CITY ATTORNEY)	\$24,225.50	\$18,904.00							\$5,321.50
NEHALEM BAY WW (WASTEWATER)	\$765.00	\$180.00				\$495.00			\$90.00
NC CIVIL DESIGN (CIVIL ENGINEER)	\$15,175.00						\$9,730.21		\$5,444.79
OAWU (MEMBERSHIP RENEWAL)	\$1,099.05								\$1,099.05
OLSON ASPHALT (STREET SWEEPING SERVICE)	\$1,150.00						\$1,150.00		
ONE ELEVEN (IT SERVICES)	\$4,060.00	\$4,060.00							
ONE ELEVEN (EQUIPMENT)	\$2,255.59	\$926.16							\$1,329.43
OR. DEPT OF REVENUE (FINES & ASSESSMENTS)	\$450.00				\$450.00				
OWENS PUMP & EQUIP. (MATERIALS & SUPPLIES)	\$3,508.50								\$3,508.50
PACE ENGINEERS (ENGINEER)	\$667.50								\$667.50
PACIFIC OFFICE (POSTAGE & COPIER)	\$308.04	\$271.59							\$36.45
PUBLIC SAFETY SOFTWARE (ANNUAL SUBSCRIPTION)	\$240.00				\$240.00				
RTI (PHONE SERVICE)	\$797.34	\$368.61						\$82.35	\$346.38
SOPKO WELDING (WELDING)	\$522.59								\$522.59
STAPLES (OFFICE SUPPLIES)	\$107.83	\$107.83							
STOP STICK (MATERIALS & SUPPLIES)	\$857.00		\$857.00						

BILLS FOR APPROVAL OF PAYMENT

From 2/1/2026 - 2/28/2026

VENDOR	TOTAL	ADMIN	POLICE	BLDG	COURT	PARKS	ROADS	VISITORS CENTER	WATER
SWEET SEPTIC (PORTABLE TOILETS)	\$340.00							\$340.00	
TILL. CO. PAYABLE (FINES & ASSESSMENTS)	\$160.00				\$160.00				
TCVA (VC COORDINATOR)	\$14,094.04							\$14,094.04	
TILLAMOOK PUD (ELECTRICITY)	\$4,198.71	\$536.24				\$114.10	\$692.00	\$150.57	\$2,705.80
US BANK (CITY VISA)	\$9,777.57	\$463.78	\$6,731.21	\$129.50		\$37.75	\$284.97		\$2,130.36
VAVOLINE (VEHICLE MAINTENANCE)	\$97.00		\$97.00						
VERIZON (TELEPHONE)	\$1,321.28	\$417.55	\$333.60					\$106.28	\$463.85
WALTER NELSON (MATERIALS & SUPPLIES)	\$34.43							\$34.43	
WALTER J. WENDOLOWSKI (CITY PLANNER)	\$800.00	\$800.00							
ZUMAR INDUSTRIES, INC. (MATERIALS & SUPPLIES)	\$1,531.50						\$1,531.50		
TOTALS	\$181,477.37	\$111,492.79	\$8,958.41	\$2,153.59	\$2,991.00	\$673.84	\$13,523.63	\$15,001.41	\$26,682.70

2025-2026 MANZANITA OFF-SEASON MARKETING GRANT & SPONSORSHIP APPLICANTS

OFF-SEASON MARKETING GRANT APPLICANTS							
Applicant	Project	Project Budget	Amount Requested	Other Income	Notes	Average Score	Comments
Lower Nehalem Community Trust	“Take A Nature Break” program	\$1,970	\$1,845	In-kind: \$125	Focus on nature-based activities. Broaden engagement and diversity attendance, bringing in new visitors in the off-season	48	Major focus was on locals rather than visitors
Hoffman Center for the Arts	Design project with Torrey Jay Creative	\$17,800	\$2,000	\$13,000 Cash In-kind: \$2,800 Total: \$15,800	Branding the website and migration to new platform to reach more people	50	History of well managed projects and reporting
Pine Grove Community House, Inc.	Google advertising and search engine optimization	\$5,440	\$2,000	\$500 Cash In-kind: \$2,940 Total: 3,440	Reach high intent audiences for Oregon Coast venues and encourage off-season events and weddings	50	History of well managed projects and reporting
The Winery at Manzanita	Billboard south of 101 Laneda intersection	\$7,800	\$2,000	\$5,800 Cash	Draw tourists heading Northbound on 101 into Manzanita	45	ORS 320.300 requires focus on attracting visitors from 50 miles away; however, Hwy 101 is a high-traffic area - average daily traffic in Tillamook County is 632,222 per ODOT
Nehalem Valley Historical Society	Quarterly Newsletter	\$3,438	\$1,480	\$500 Cash In Kind: \$1,458 Total: \$1,958	Outreach to members - 25% are second homeowners and out-of-state, sharing historical stories and events, encouraging support, visitation, membership events, donations	50	Key outreach effort
Manzanita Film Festival, LLC	Manzanita Film Festival - October	\$3,350	\$2,000	\$350 Cash In-kind: \$1,000 Total \$1,350	In-person event in Manzanita to share cinematic heritage and bring in tourism	50	Reported multiple overnight stays in first year of event in 2025

Total Marketing Grant Requested: \$11,325

OFF-SEASON SPONSORSHIP APPLICANTS							
Applicant	Project	Project Budget	Amount Requested	Other Income	Notes	Average Score	Comments
MacGreggor Literary	Manzanita Whiskey Festival	\$10,000	\$2,000	\$8,000	Establishing a new event. Partnering with several local businesses. Attract more people to visit in the shoulder season and drive visitors into local shops, learn about regional whiskeys.	NA	
North Tillamook Library Friends	Friends Book Swap & Art Auction	\$1,000	\$1,000	NA	May 15-16, 2026, about 30% of attendees expected from outside Tillamook County	NA	One Application; two events
North Tillamook Library Friends	Halloween Book Giveaway	\$1,000	\$1,000	NA	October 2026, about 30% of attendees expected from outside Tillamook County	NA	One Application; two events
North Tillamook County Women's Association	Holiday Fair	\$2,500	\$2,000	\$500 Cash	Requesting support with marketing this annual event to reach audiences outside local area	NA	

Total Sponsorship Requested: \$6,000

Summary

Total requests for marketing and sponsorships: \$17,325



City of Manzanita

PROCLAMATION

WHEREAS, as elected officials of Manzanita we have taken an oath of office to support and uphold the Constitutions of the United States and the State of Oregon to the best of our abilities; and

WHEREAS, the City of Manzanita is committed to providing a safe community for all people, regardless of their ethnicity, place of origin, or immigration status; and

WHEREAS, community members in our region, across our state, and throughout the nation are suffering chronic duress and discrimination due to the threat of immigration enforcement tactics currently being employed by Immigration and Customs Enforcement (ICE) and other agencies associated and acting with the Department of Homeland Security (DHS), including the use of unmarked cars, masked unidentified officers, and excessive force; and

WHEREAS, members of our community have been actively exercising their free speech and assembly rights to protest the tactics of ICE described above.

NOW, THEREFORE, I, Kathryn Stock, Mayor of the City of Manzanita, a municipal corporation in the County of Tillamook, in the State of Oregon, do hereby proclaim that city council condemns the use of aggressive and unwarranted tactics, racial profiling, denial of due process, use of unmarked vehicles, masked agents and unidentifiable personnel in immigration enforcement activities; we deem such tactics as harmful to public trust, community safety, and constitutional protections; and we support the rights of our community member to voice their disagreements

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Manzanita, I have hereunto set my hand on this 4th day of March 2026.

Kathryn Stock, Mayor

ATTEST:

Leila Aman, City Manager / Recorder



COUNCIL ORDINANCE No. 26-01

AN ORDINANCE OF THE CITY OF MANZANITA, OREGON, AMENDING ORDINANCE NO. 95-5 (LAND DIVISION ORDINANCE) TO COMPLY WITH SENATE BILL 406 MIDDLE HOUSING REQUIREMENTS AND ADOPTING FINDINGS OF FACT

WHEREAS, Senate Bill 406 requires municipalities in Tillamook County to adopt middle housing regulations in all zones allowing residential uses, including provisions for land division and expedited land division for middle housing; and

WHEREAS, the Planning Commission conducted a duly noticed legislative public hearing on June 9, 2025, on the land division amendments and continued that hearing to a date certain of September 8, 2025, and continued the hearing to November 10, 2025, received public testimony, and recommended that the City Council approve the proposed land division amendments; and

WHEREAS, the City Council conducted work sessions to review the proposed land division amendments and directed staff to finalize the amendments and prepare an ordinance; and

WHEREAS, the City has met all state and local requirements necessary for amending the City's land division ordinance; and

WHEREAS, the City Council held a legislative hearing on February 4, 2026, and adopted findings supporting the amendments;

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

Section 1. Adoption of Exhibit A.

The City Council hereby adopts Exhibit A, attached and incorporated by reference, which includes the Findings of Fact and Attachment "A" establishing the amended and restated text of Ordinance No. 95-5 (Manzanita Land Division Ordinance).

Section 2. Amendment and Restatement.

Ordinance No. 95-5 is hereby amended, retitled, restated, and adopted in its entirety as set forth in Attachment "A" to Exhibit A.

Section 3. Effective Date.

These regulations shall be and are hereby declared to be in full force and effect 31 days from the date of passage.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Kathryn Stock, Mayor

ATTEST:

Leila Aman, City Manager/Recorder

EXHIBIT A

I. BACKGROUND

- A. APPLICANT: City of Manzanita.
- B. PROPERTY LOCATION: The application affects all property within the City with the potential for a land division.
- C. REQUEST: The City seeks to replace Ordinance 95-5, Subdivision and Land Partitioning Ordinance with a new document establishing regulations for property boundary adjustments, partitions, subdivisions, expedited land divisions, and middle housing land divisions. Attachment “A” contains the specific language.
- D. REVIEW CRITERIA: SB406, Manzanita Comprehensive Plan, Ordinance 95-4, Article 9.

II. APPLICATION SUMMARY

- A. Provisions in SB406 requires communities in Tillamook County to address recent state legislation increasing opportunities for affordable and middle housing. For the City, required revisions applied to the Manzanita Zoning, Ordinance 95-4 and to the Manzanita Subdivision and Land Partitioning, Ordinance 95-5. This Exhibit with Attachment “A” addresses the changes to Ordinance 95-5.
- B. The extent of the proposed changes effectively required the creation of an entirely new Land Division document, replacing the current Ordinance 95-5 in its entirety. The new document contains nine Articles, including provisions for expedited and middle housing land divisions. A summary of the new document is as follows:
 - 1. Article 1 - General Information. This Article introduces the Ordinance, identifies its purpose, its relationship to Ordinance 95-4, along with administration, and supporting definitions. Ordinance 95-5 only applies to land divisions: partitions, subdivisions, and property boundary adjustments; Ordinance 95-4 governs planned unit developments. A defined, series partition is now subject to subdivision regulations. Variances to the Ordinance standards requires Planning Commission approval and amendments to 95-5 are subject to Ordinance 95-4 procedures and criteria.
 - 2. Article 2 - Lots and Parcels. This Article incorporates existing Ordinance requirements regarding lots and parcels but expands the material to include land division provisions not currently found in 95-5. Lots must still meet the minimum lot area requirements of the underlying zone. There are now minimum requirements for property access, including flag lots, provisions for utility easements, preference for running lot lines at right angles, and prohibition on lot averaging.

The Article also clarifies the relationship between Article 2 and Articles 5 (Property Boundary Adjustments), 6 (Partitions), 7 (Subdivisions), and 8 (Expedited Land Divisions) and specifically states Article 2 does not apply to Article 9 (Middle Housing Land Divisions).

3. Article 3 - Street Standards. This is a new Article solely focusing on streets. The material identifies the minimum right-of-way width and improvement requirements and incorporates current provisions that apply to subdivisions: alignment, street extensions, intersection angles, half-streets, cul-de-sacs, grade/curvature, and marginal access streets. The street standards are consistent with the City's adopted Transportation System Plan. The Article introduces new design guidelines for private streets and allowing the creation of a private access easement and shared access. Finally, language identifies the improvement requirements for new streets.
4. Article 4 - Property Boundary Adjustments. This is a new Article governing adjustment of a line between lots. Currently, Ordinance 95-5 does not include provisions for these requests, thereby requiring the City to rely on provisions in ORS Chapter 92. The Article outlines the entire process to submit and record an approved adjustment. Adjustments are a Type I application and reviewed by staff (see Article 7).
5. Article 5 – Partitions. The Article outlines the entire process to submit and record an approved partition. This is a Type II application with specific notice requirements (see Article 7). The language specifies the decision criteria, improvement requirements and procedures, and the plat recording requirements. The revised document incorporates most of the current regulations and clarifies the decision criteria. Staff reviews all partition applications with the right of appeal to the Commission.
6. Article 6 - Subdivisions. The Article outlines the entire process to submit and record an approved subdivision. Like a partition, this is a Type II application with specific notice requirements. New language specifies the decision criteria, improvement requirements and procedures, and recording requirements. In addition to meeting the lot and parcel design standards, and street standards, there are additional subdivision layout requirements emphasizing neighborhood connectivity. The biggest change is that staff reviews an application, and not the Commission.
7. Article 7 - Administration. Currently, Ordinance 95-5 divides the review responsibilities between the Planning Commission, and in limited cases, City staff. Article 7 changes those roles. The provisions follow the requirements in state law, in which staff review, and decide upon, all land division applications. However, the staff decision is appealable to the Commission, and the applicant has the option of bypassing staff to have the Commission review the case. There are two review types:

- a. Type I - There is no discretion with a Type I application – proposal either meets or does not meet the requirements – with conditions limited to ensure compliance with the Ordinance requirements. Only the applicant(s) receive notice and maintain the right to appeal the decision to the Commission.
 - b. Type II – This type involves a notice to area property owners prior to the staff decision. Affected agencies, both internal and external, also receive an application notice. Both area owners and agencies have 14-days on which to submit comments. Staff prepares a report after the 14-day period ends and incorporates, and responds to, any submitted comments. The applicant, and any area owner or agency that submitted comments, receive a notice of the final decision and those receiving the notice have a right to appeal the decision to the Commission. As an option, an applicant may request the Commission review the Type II application instead of staff. Staff still creates a report, but the Commission is the final decision maker. The Planning Commission automatically hears all land divisions that include a variance to any quantitative standard (e.g., lot size), effectively reviewing both the land divisions and proposed variance.
8. Article 8 - Expedited Land Division – This Article follows provisions in state law by providing a fast-track to permit the development of affordable housing. The rules apply only to residential development - along with any supporting open space - cannot incorporate protected Goal 5 resources, must meet the street standards in Article 3, and will either meet or exceed 80% of the underlying zone density, or accommodate low-income housing. The criteria limits an expedited division to the MH-1, MH-2, and MH-3 zones, excludes land in the Beaches and Dunes Overlay, and must comply with provisions in Articles 2 (Lots and Parcels) and 3 (Streets) as well as applicable provisions (e.g., lot size) in Ordinance 95-4. Article 8
 9. Article 9 - Middle Housing Land Division – This land division type applies to duplexes, triplexes, a fourplex, cottage cluster, courtyard apartments, and townhouses. It may apply to the division of existing structures or concurrently with a building permit for one of these types of residential uses. This is the Article that allows creation of the smaller housing units identified in Ordinance 95-4. Approval criteria are distinct for middle housing. The division, and resulting development must comply with applicable building codes, separate utilities are required for each unit, the plat must include appropriate easements for shared access, utilities or common areas, comply with street standards in Article 3, and cannot alter the type of housing on the parent lot.
 10. Additional Articles 8 and 9 Comments - Article 8 may apply to both partitions (Article 5) and subdivisions (Article 6). The process requires 21 days to determine completeness and 63-days to provide a final decision. Only the applicant receives the decision notice and retains appeal rights. In this case, the appeal is to Land Use Board of Appeals (LUBA). Per the legislation, an applicant has up to three years to file. Article 9 follows similar processing provisions.

Finally, in establishing the regulations City will incorporate the upcoming provisions in HB2138 to avoid the expense of additional Ordinance amendments. Therefore, Articles 8 and 9 incorporate provisions found in HB2138.

- C. The intent of the newly revised Ordinance is two-fold: comply with current state statute regarding land division administration and conform to requirements in SB406 as it applies to Tillamook County. Second, improve clarity and simplify the processes by establishing clear and objective standards for land divisions.
- D. The City notified the Department of Land Conservation and Development of the proposed revisions. The Department did not submit a response to the amendments.

III. FINDINGS – ORDINANCE AMENDMENTS

- A. To comply with requirements in SB406, the City must amend both the Zoning Ordinance (95-5) and the Subdivision and Land Division Ordinance (95-5). Therefore, findings supporting Ordinance 95-4 are also applicable to 95-5. For the record, while Ordinance 95-5 applies to all land divisions in the City regardless of zone, only Article 8 and Article 9 are specific to the affordable housing and middle housing provisions, respectively in SB406.
- B. SB406 is unique to Tillamook county as it requires compliance with new housing requirements of SB458 (and HB2138) regardless of city population. To comply, the Department of Land Conservation and Development expects the cities to meet the provisions by adopting certain standards:

- 1. Allowance of Middle Housing

FINDINGS: With Article 8 and Article 9, the revised Ordinance establishes land division regulations that permit the establishment of middle housing, as well as providing for low-income housing, in all residential zones.

- 2. Clear and Objective Standards

FINDINGS: The standards are numerical, objective, uniformly applied, and do not impose more restrictive standards to develop affordable or middle housing projects. Further, in compliance with state law, Ordinance updates ensure all land division applications are administrative reviews instead of public hearings.

- 3. Parking Compliance

FINDINGS: Parking provisions mirror requirements in the recently amended Ordinance 95-4 which meets SB406 requirements.

- 4. Lot Size & Dimensional Standards

FINDINGS: Lot sizes mirror standards in Ordinance 95-4, including specific requirements for middle housing. In addition, expedited processing supports allowances for low-income housing opportunities.

5. Middle Housing Land Divisions

FINDINGS: Ordinance 95-5, Article 9 establishes the standards permitting middle housing land divisions consistent with SB458 and HB2138 requirements. These effectively implement the requirements in Ordinance 95-4.

6. Affordability Considerations

FINDINGS: Allowing middle housing improves housing diversity, opportunity, and affordability. As revised, Ordinance 95-5 establishes new land division regulations that specifically address middle housing (Article 9). In addition, Article 8 expedites land divisions specifically for those projects that address low-income housing needs. Conducting reviews at the administrative level further reduces development costs.

C. The revisions address the following key Goals of the Comprehensive Plan:

1. Goal 1 – Citizen Involvement

FINDINGS: Consistent with current provisions for amending Ordinances, the City conducted work sessions and hearings before both the Planning Commission and City Council. The City also provided notice of the meetings in a manner consistent with both City requirements and State Law (Ballot Measure 56). These actions demonstrate compliance with Goal 1 by ensuring that citizens had timely, accessible, and substantive opportunities to participate in shaping the proposed regulations.

2. Goal 2 – Land Use Planning

FINDINGS: Provisions call for the “development of land so that land use is orderly, convenient, and suitable related to the natural environment.” Creation of middle housing land divisions allows for suitable residential infill, and concurrent with design standards in Ordinance 95-4, supports compatibility within existing neighborhoods. This insures wise use of available resources consistent with the objective of the community. The new regulations ensure implementation in a consistent manner, using clear and objective standards.

3. Goal 10 – Housing

FINDINGS: Ordinance 95-4 amendments explicitly implement the City’s housing-related policies by increasing opportunities for a wider range of housing types

while ensuring those housing forms fit within Manzanita’s established coastal character. Amendments to Ordinance 95-5 support these objectives by allowing for land division opportunities to create low-income housing and middle housing. Therefore, the revisions fulfill Goal 10’s requirement to provide for the housing needs of current and future residents.

4. Other Plan Considerations

FINDINGS: The revisions to Ordinance 95-5 are also consistent with other Plan goals. Additional infill development provides housing as well as job opportunities meeting economic needs (Goal 9). This infill also reduces energy impacts by encouraging a compact urban form (Goal 13). Ordinance provisions comply with the newly adopted City Transportation System Plan (Goal 12). The language prohibits expedited land divisions (Ordinance 95-5, Article 8) on land identified in the beaches and dunes overlay, thereby protecting the resource (Goal 18).

D. Based on the analysis above, the City finds that the amendments to Ordinance 95-5 comply with provisions in SB406, implementing SB458 and HB2138. Further, by creating opportunities for low-income housing and middle housing, the language is fully consistent with the Comprehensive Plan

E. Finally, the existing Ordinance 95-5 does not include a process in which to amend the Ordinance language. As 95-5 implements land division provisions for Ordinance 95-4, it appears appropriate to use the provisions in Section 9 of Ordinance 95-4. The criteria are as follows:

1. Section 9.010 Authorization to Initiate Amendments. An amendment to the text of this Ordinance or to the zoning map may be initiated by the City Council, the Planning Commission or by application of a property owner. The request by a property owner for an amendment shall be accomplished by filing an application with the City Manager.

FINDINGS: The City Council initiated the amendments to comply with the requirements affecting Tillamook County contained in SB406.

2. Section 9.020 Public Hearings on Amendments. The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after the amendment is proposed and shall, within 40 days after the hearing, recommend to the City Council approval, disapproval, or modified approval of the proposed amendment. After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing on the proposed amendment, and approve, disapprove, or modify the proposed amendment.

FINDINGS: This hearings before the Commission complied with the requirements in the Section. The Commission action is in the form of a recommendation to the City Council. The Council reviewed the Commission recommendation at a

scheduled public hearing. All actions are consistent with Ordinance procedures.

3. Section 9.030 Record of Amendments. The City Manager shall maintain records of amendments to the text and zoning map of the Ordinance.

FINDINGS: If approved, this Section establishes an administrative requirement for the City.

4. Section 9.040 Limitations on Reapplication. No application of a property owner 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 or a change of circumstances warrant it.

FINDINGS: This Section does not apply as the application is not by an individual property owner but at the request of the City Council to comply with provisions in SB406.

5. Section 9.050 Amendments Affecting Manufactured Dwelling Parks. If an application would change the zone of property which includes all or part of a manufactured dwelling park as defined by ORS 446.003, the governing body 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 a notice which was mailed shall not invalidate any zone change.

FINDINGS: This Section does not apply as the request does not involve property containing a manufactured dwelling park.

- F. The amendments are necessary to implement provisions of SB406 which requires communities in Tillamook County to conform with recent state changes to housing regulations. Articles 8 and 9 of the document accomplish this purpose. In addition, changes also comply with state law by requiring staff review of land division applications. On balance, the changes conform to the state requirements and provide an updated document to assist the public and staff.

IV. CONCLUSION

The City Council of Manzanita finds the proposed language contained in Attachment "A," creating the new *Ordinance 95-5, Manzanita Land Division Ordinance*, complies with applicable provisions in SB406, applicable Goals of the City Comprehensive Plan, and the identified amendment criteria in Ordinance 95-4.

ATTACHMENT A

Ordinance 95-5
MANZANITA LAND DIVISION ORDINANCE

Articles:

- Article 1 General Information**
- Article 2 Design Standards**
- Article 3 Street Standards**
- Article 4 Property Boundary Adjustments**
- Article 5 Partitions**
- Article 6 Subdivisions**
- Article 7 Administration**
- Article 8 Expedited Land Divisions**
- Article 9 Middle Housing Land Divisions**

Article 1 GENERAL INFORMATION

Sections:

1.010 Ordinance.

1.020 Purpose.

1.030 Applicability and Relationship to Ordinance 95-4.

1.040 Administration.

1.050 Scope of Regulations

1.060 Serial Partitions.

1.070 Planned Unit Developments.

1.080 Variances.

1.090 Definitions.

1.100 Fees.

1.010 Ordinance.

This Ordinance shall be known as the Manzanita Land Division Ordinance and may also be referred to the “Ordinance” or the “MLDO.”

1.020 Purpose.

The purpose of this Article is to establish standards and procedures for the dividing of land in the City. These regulations are necessary to provide uniform procedures and standards for land divisions, to assure adequate width and arrangements of streets, to coordinate proposed development with plans for utilities and other public facilities, to assure adequate sanitation and water supply to provide for the protection, conservation, and proper use of land, and to protect the public health, safety, and welfare.

1.030 Applicability and Relationship to Ordinance 95-4.

Unless otherwise exempted or specified by provisions in this Ordinance, the following shall apply:

- (A) Zones. Unless otherwise specifically prohibited by the underlying zone, land division regulations contained in Ordinance 95-5 shall apply to all zones listed in Ordinance 95-4.
- (B) Appeals. Land divisions are administrative decisions appealable to the Planning Commission. An appeal of the Planning Commission to the City Council is subject to provisions in Section 10.150 to 10.200 of Ordinance 95-4.
- (C) Variances. The Planning Commission shall review land divisions involving a variance, subject to provisions in Article 10 of Ordinance 95-4.
- (D) Amendments. The City shall follow the applicable procedures in Ordinance 95-5 to amend Ordinance 95-4.

1.040 Administration.

The City Manager of the City of Manzanita shall administer this Ordinance. Unless otherwise specifically prohibited by Charter, the City Manager is granted the authority to delegate his/her duties under this Ordinance.

1.050 Scope of Regulations.

The regulations contained in this Ordinance shall govern property boundary adjustments, partitions, subdivisions, and replats. These shall be administrative decisions and subject to procedures in Article 7 – Administration. The following shall determine the appropriate process:

- (A) Property Line Adjustments. Property line adjustments do not divide land but adjust boundaries between properties or consolidate property by eliminating a boundary. These are subject to the provisions in Article 4 and Type I application procedures in Article 7.
- (B) Partition. The City shall process a land division creating two or three parcels within a calendar year as a Partition, subject to the general design standards in Article 2, street design requirements in Article 3, and improvement standards for a Partition in Article 5. Partitions are subject to the Type II application procedures in Article 7.
- (C) Subdivision. A land division creating four or more lots within a calendar year shall be processed as a Subdivision and subject to the general design provisions in Article 2, street design requirements in Article 3, and the design standards and improvement requirements for a Subdivision in Article 6. Subdivisions are subject to the Type II application procedures in Article 7.
- (D) Replat. A replat alters the platted lots and easements of existing subdivisions. It differs from a property boundary adjustment in that it reconfigures more than two lots in an existing subdivision plat. For this reason, this Ordinance classifies replats as subdivisions and subject to the provisions noted in (C) above. Replats are subject to the Type II application procedures in Article 7.
- (E) Expedited Land Divisions. Provisions in Article 8 apply to residential land divisions that meet minimum density requirements or provide low-income housing. Application review procedures for expedited land divisions are found in Article 8.
- (F) Middle Housing Land Divisions. Provisions in Article 9 establish requirements that specifically apply to the creation of duplex, triplex, quadplex, or cottage developments. Application review procedures for middle housing divisions are found in Article 9.
- (G) Application of Development Standards in Ordinance 95-4. Development standards in Ordinance 95-4, including compliance with overlay zone requirements, shall remain in force for all land divisions regulated by this Ordinance.

1.060 Serial Partitions.

If a Partition results in the creation of a large parcel that can be subsequently divided so that there is the potential to create more than three parcels from the original, the request is classified as a Subdivision and subject to provisions in 1.040(C) above.

1.070 Planned Unit Developments.

A planned unit development can divide property but allow greater flexibility in such design factors as lot size, street width, and specific amenity requirements. Ordinance 95-4, Section 4.136 contains the specific requirements and procedures for a Planned Unit Development.

1.080 Variances.

Any request to vary or modify the quantitative standards in Ordinance 95-5 shall be subject to the variance provisions outlined in Ordinance 95-4, Article 8. The Planning Commission shall review land divisions involving a variance.

1.090 Definitions.

As used in this Ordinance, unless it is apparent from the context that it intends a different meaning, the words and phrases below shall have the following meaning. Otherwise, definitions in Ordinance 95-4, Section 1.030 apply.

Abut means to border on a given line, e.g., a given street right-of-way.

Applicant means any person who makes application to the City for approval of a subdivision or partition plan.

City means the City of Manzanita, Oregon.

Comprehensive Plan means the City of Manzanita Comprehensive Plan.

Cottage Cluster is a grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet, located on a single lot or parcel that includes a common courtyard.

Easements means a grant of the right to use a strip of land for specific purposes.

Middle Housing means duplexes, triplexes, quadplexes, cottage clusters, courtyard apartments, and townhouses.

Parcel means a unit of land created by a partitioning of land.

Partitioning means the division of an area or tract of land into two or three parcels within a calendar year and when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. **Partitioning land** does not include division of land resulting from lien, foreclosure; divisions of land resulting from the creation of cemetery lots; and divisions of land made pursuant to a court order, including, but not limited to, court orders in proceedings involving testate or intestate successions; and partition land does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by any applicable zoning requirement.

Partitioning plat means and includes a final map and other writing containing all the descriptions, locations, specifications, provisions, and information concerning a partition.

Pedestrian way means a right-of-way for pedestrian traffic.

Planning Commission means the Planning Commission of the City of Manzanita.

Plat means the final map, diagram, drawing, replat, and other writing containing the description, location, specifications, dedications, provisions, and other information concerning a subdivision, replat, or partition plat.

Property line means the division line between two units of land.

Property boundary adjustment means the relocation of a common property line between two abutting properties.

Replat means the act of platting the lots, parcels, and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

Right-of-way means the area between boundary lines of a street or dedicated easement.

Roadway means the portion or portions of a street right-of-way developed for vehicle traffic.

Sidewalk means a pedestrian walkway with permanent surfacing.

Street means the entire width between the boundary lines of a public way provided for vehicular and pedestrian traffic, and the placement of utilities and including road, highway, lane, place, avenue, alley, or similar designations.

(1) **Alley** a street which affords a means of access to property.

(2) **Arterial** means a street designed for high-volumes and regional trips. **Principal arterial** means a street carrying the highest volume of traffic of any roadway type below grade-separated freeways and provide regional connections.

(3) **Collector** means a street linking commercial, residential, industrial, and institutional areas, used partly by through traffic and partly for access to abutting properties. Collectors include **Major Collectors** and **Minor Collectors**, with major collectors generally having longer lengths, higher speed limits, higher traffic volumes, and more travel lanes than minor collectors. Major collectors offer more mobility, and minor collectors offer more access.

(4) **Cul-de-sac (dead-end street)** means a short street with one end open to traffic and the other terminated by a vehicle turn-around.

(5) **Half-street** means a portion of the width of a street, usually along the edge of a subdivision where a future subdivision or development provides the remaining portion of the street.

(6) **Local street** means a street intended primarily for access to abutting properties.

(7) **Marginal access street** means a minor street parallel and adjacent to a major arterial street providing access to abutting properties but protected from through traffic. Also known as a frontage road.

Subdivide land means to divide land into four or more lots within a calendar year.

Subdivision means either an act of subdividing land of an area or a tract of land subdivided.

Subdivision plat means and includes a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision.

TSP or Transportation System Plan means the Nehalem Bay Transportation System Plan.

1.100 Fees.

(A) The City shall charge a fee for the review of the tentative and final plans as required by this Ordinance. The City Council shall establish fees by Council resolution.

(B) The above-mentioned fees shall be in addition to any required State or County fees and/or charges.

Article 2 LOTS AND PARCELS

Sections:

2.010 Relationship to other Articles

2.020 Design Standards.

2.010 Relationship to other Articles

- (A) Provisions in this Article apply to all property boundary adjustments (Article 5), partitions (Article 6), subdivisions (Article 7), and partitions and subdivisions processed as an Expedited Land Division (Article 8).
- (B) This Article shall not apply to Middle Housing Land Divisions (Article 9).

2.020 Design Standards.

The following standards shall apply to both proposed Partitions and Subdivisions.

- (A) Minimum Area. Minimum lot or parcel area shall conform to the requirements of the zoning district in which the parcel is located. Where the slope of the ground exceeds 10% in any direction for more than 60% of the buildable area of a lot or parcel, the area shall increase according to the following table:

11 to 15% slope	Minimum area plus 20%
16 to 20% slope	Minimum area plus 50%
21 to 25% slope	Minimum area plus 100%
Over 25% slope	Minimum area plus 200%

The City may require additional lot or parcel area as a condition to respond to specific topographic or geologic conditions.

- (B) Access.
 - (1) All new residential lots or parcels shall provide a minimum of 20-feet of frontage on an existing or proposed public street, or 25-feet of frontage along a cul-de-sac. A private street or private access easement may access a residential lot or parcel when developed in accordance with the provisions of Section 3.020 when it is determined that a public street access is:
 - (a) Infeasible due to parcel shape, terrain, or location of existing structures; and
 - (b) Unnecessary to provide for the future development of adjoining property.
 - (2) All new lots or parcels for commercial, industrial, or public uses must provide, at a minimum, street frontage wide enough for a driveway. Alternatively, a commercial, industrial, or public property may use a private street or private access easement when in compliance with items (a) and (b) in subsection (B)(1) above.
- (C) Flag Lots. A flag lot shall be subject to the following development standards:

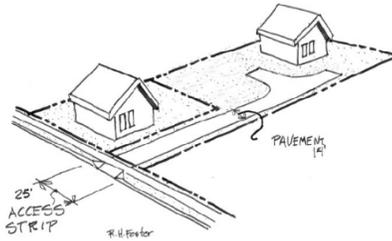


Figure 1 - Flag Lot Access

- (1) The access strip shall be a minimum of 20-feet in width. The improved surface shall be a minimum of 14-feet in width.
 - (2) If the length of the access strip exceeds 150-feet, the parcel or lot shall include a turn-around area per local Fire District requirements.
 - (3) The lot area calculation shall not include the access strip.
 - (4) Townhouses are not permitted on a flag lot.
- (D) Residential Through Lots. The layout shall avoid through lots except where essential to provide separation of residential development from traffic arteries, adjacent non-residential activities, or to overcome specific disadvantages of topography.
- (E) Lot/Parcel Side Lines. The side lines of lots, as far as practicable, shall run at right angles to the public street, private street, or private access easement upon which the lot or parcel faces.
- (F) Utility Easements. Where necessary to accommodate public utilities, the lot or parcel shall include an easement within the easement width conforming to the applicable public and/or private utility standards.
- (G) Lot Averaging. All lots must meet the minimum lot size requirements of the zone; lot averaging is prohibited.

Article 3 STREET STANDARDS

Sections

3.010 Street Design Standards.

3.020 Private Streets and Easements.

3.030 Improvements Required.

3.010 Street Design Standards

(A) General Provisions for Public Streets.

- (1) General. The location, width, and grade of streets shall take into account existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land served by the proposed streets. Where the Comprehensive Plan does not show the arrangement of streets, the street system shall either:
 - (a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 - (b) Conform to an adopted neighborhood plan to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.
- (2) Minimum Right-of-Way and Roadway Widths. The width of streets and roadways shall be adequate to fulfill City Public Works specifications of this Ordinance and, unless otherwise indicated in the Comprehensive Plan, shall not be less than the minimum widths in feet shown in the following table:

	Applicability	Right of Way	Travel Lane	Min. Lane Width	Center Turn Lane	On-street Parking	Bike Facility	Sidewalk	Planter/Buffer/zone
<u>Major Collector</u>	TSP Figure 7	48 feet	2	11 feet	n/a	8 ft	n/a	6-8 feet	n/a
<u>Minor Collector</u>	TSP Figure 8	30 feet	2	11 feet	n/a	n/a	8 feet shared (one side)		n/a
<u>Minor Collector With Parking</u>	TSP Figure 8	32 feet	1	16 feet	n/a	8 ft	8 feet shared (one side)		n/a
<u>Local Road</u>	TSP Figure 8	22 feet	1	22 feet	n/a	n/a	n/a	n/a	n/a
<u>Local with Parking</u>	TSP Figure 8	36 feet	1	20 feet	n/a	8 ft	n/a	n/a	n/a

- (3) Alignment. As far as practical, streets other than minor streets shall align with existing streets by continuations of the center lines. Staggered street alignment resulting in “T” intersections shall, wherever practical, leave a minimum distance of 200-feet between the center lines of streets having the same direction and shall not be less than 125-feet.
- (4) Future Extension of Streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, the street layout shall extend streets to the boundary of the subdivision. In addition, the City may approve a resulting dead-end street without a turn-around.
- (5) Intersection Angles.
 - (a) Street intersection angles shall be as near to right 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 approved by Public Works.
 - (b) The intersection of an arterial or collector street with another street shall have at least 100-foot tangent adjacent to the intersection unless topography requires a lesser distance.
 - (c) Other streets, except alleys, shall have at least 50-foot tangent adjacent to the intersection unless topography requires a lesser distance.
 - (d) 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.
- (6) Existing Streets. Whenever existing streets adjacent to, or within a tract, are inadequate width, the proposed development shall provide additional right-of-way where feasible.
- (7) Half-Streets. The development may include half-streets where essential to the reasonable development of the subdivision, when in conformity with the other requirements of these regulations, and when the City finds it will be practical to require the dedication of the other half when development occurs on the adjoining property.
- (8) Cul-de-Sacs. The use of cul-de-sacs is permitted only where no other design alternative exists. When allowed, a cul-de-sac shall have a maximum length of 400-feet, serve no more than 18-dwelling units, and shall terminate with a turn-around.
- (9) Street Names. Except for extensions of existing streets, a proposed street name shall not duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in the City.
- (10) Grades and Curves.
 - (a) Grades shall not exceed six percent on arterials, 10% on collector streets, or 12% on any other street.
 - (b) 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.

- (c) Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the City may accept steeper grades and sharper curves.
 - (11) Marginal Access Streets. Where a subdivision abuts or contains an existing or proposed arterial street, the City may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a nonaccess 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.
- (B) Construction Specifications. Construction specifications for all public streets shall comply with the standards of the most recently adopted public works/street standards of the City of Manzanita.

3.020 Private Streets, Private Easements and Shared Driveway Access.

- (A) Private Streets.
- (1) A private street may serve no more than six, lots or parcels. These standards shall also apply if at least three, and no more than six, parcels may be created through a series of separate partitions.
 - (2) Construction Standards. Private streets shall be subject to the following construction standards:
 - (a) Width. Private streets shall have a minimum easement width of 25-feet and a minimum paved surface width of 20-feet. Paving shall be either asphalt or concrete.
 - (b) Construction Standards. All private streets shall be constructed to the same cross-sectional specifications required for public streets and shall include provisions for adequate drainage in conformance with Public Works Standards.
 - (c) On-Street Parking. Private streets shall provide one on-street parking space per lot or parcel. The parking spaces may be located along the private street, designed as a “parking pocket,” or a combination of both. The provision for on-street parking may require a wider private street easement.
 - (d) Public Dedication. Any private street designed, or has the potential capacity, as a collector or an arterial street shall be dedicated as a public right-of-way.
 - (e) Private streets shall be named in conformance with the street name and numbering pattern established in the City.
 - (3) Private streets shall not connect two existing public streets. Such a connection shall require the dedication of a public street.
 - (4) Provision for the maintenance of a private street shall require a maintenance agreement, homeowner’s association, or similar instruments acceptable to the City. The applicable document shall be recorded against the deed record of each lot or parcel, and if appropriate, placed on the final plat.
 - (5) A private street, which is the sole access, shall include a turn-around when the street is either more than 150-feet in length or which serves more than two

dwellings. Turn-arounds shall comply with the design provisions of the local Fire District.

- (B) Private Access Easement. A private access easement created as the result of an approved land division shall conform to the following:
- (1) No more than two lots or parcels shall have their sole access to the easement. Easements serving more than two lots or parcels shall comply with provisions for a private street in (A), above.
 - (2) The minimum easement width shall be 20-feet with a minimum paved width of 16-feet.
 - (3) The surface width noted in item (2) above shall be improved with either asphalt or concrete for the entire length of the access easement.
 - (4) A private access easement, which is the sole access, shall include a turn-around when the easement exceeds 150-feet in length or serves more than one lot or parcel. Turn-arounds shall comply with the design provisions of the Fire District. In no case shall the easement length exceed 200-feet.
 - (5) All private access easements shall be designated fire lanes and signed for "no parking."
 - (6) Provision for the maintenance of an improved private access easement shall be provided in the form of a maintenance agreement, homeowner's association, or similar instrument acceptable to the City. The applicable document shall be recorded against the deed record of each parcel, and if appropriate, placed on the final partitioning plat.
- (C) Shared Driveway Access. Two adjacent lots or parcels fronting a public or private street may share a single driveway access, subject to the following:
- (1) The minimum easement width shall be 18-feet with a minimum paved width of 12-feet. The minimum length shall be 20-feet.
 - (2) The surface width noted in item (1) above shall be improved with either asphalt or concrete for the entire length of the shared access easement.
 - (3) Provision for the maintenance of the shared driveway access shall be provided in the form of a maintenance agreement, homeowner's association, or similar instrument acceptable to the City. The applicable document shall be recorded against the deed record of each lot or parcel, and if appropriate, placed on the final plat.
- (D) Lots and Parcels Served by Private Streets or Easements. The following shall apply to all lots and parcels that are accessed by either a private street or private access easement:
- (1) Lot and Parcel Size. The easement containing the private street or access easement shall be excluded from the lot or parcel size calculation.
 - (2) Setbacks. The line fronting along a private street or access easement shall be considered a property line with all subsequent setbacks measured from this easement line.
 - (3) Lot Depth and Width. Where required by the underlying zone, the lot width shall be measured along the easement boundary, and the lot depth shall be measured from the easement boundary to the rear lot line.

3.030 Improvements Required

- (A) Generally. Except as otherwise provided, land divisions subject to this Ordinance containing, or abutting, an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way on the final plat, or prior to the issuance of building permits. Right-of-way requirements are based on functional classification of the street network as established in the Transportation System Plan.
- (B) Existing Streets. Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of 30-feet.
- (C) Proposed Streets
- (1) Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.
 - (2) Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.
- (D) Extent of Improvements
- (1) Streets required pursuant to this Chapter shall be dedicated and improved in compliance with the Transportation System Plan and applicable City specifications included in the City of Manzanita Ordinance 91-2 Creating Street Improvement Standards. Improvements shall also include any bikeways designated on the Transportation System Plan map. An applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development.
 - (2) If the applicant is required to provide street improvements, the City Manager may accept future improvements guarantee in lieu of street improvements if one or more of the following conditions exist, as determined by the City:
 - (a) A partial improvement is not feasible due to the inability to achieve proper design standards;
 - (b) A partial improvement may create a potential safety hazard to motorists or pedestrians.
 - (c) Due to the nature of existing development on adjacent properties it is unlikely that street improvements would extend in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;
 - (d) The improvement would conflict with an adopted capital improvement plan;
 - (e) The improvement is associated with an approved land partition on property zoned residential use and the proposed land partition does not create any new streets; or
 - (f) Additional planning work is required to define the appropriate design

standards for the street, and the application is for a project that would contribute only a minor portion of the anticipated future traffic on the street.

(E) Transportation Facilities Modifications

- (1) A modification to a standard contained within this Article and the standard cross sections contained in Chapter 3 of the adopted TSP may be granted in accordance with the procedures and criteria set out in this section.
- (2) A modification request concerns a deviation from the general design standards for public facilities, in this Article or Chapter 3 in the adopted Transportation System Plan. The standards that may be modified include but are not limited to:
 - (a) Reduced sight distances.
 - (b) Vertical alignment.
 - (c) Horizontal alignment.
 - (d) Geometric design (length, width, bulb radius, etc.).
 - (e) Design speed.
 - (f) Crossroads.
 - (g) Access policy.
 - (h) A proposed alternative design which provides a plan superior to these standards.
 - (i) Low impact development
 - (j) Access Management Plans

(F) Modification Procedure

- (1) A modification must be proposed with the application for land use approval.
- (2) A modification is a Type II application and processed in conjunction with the underlying development proposal.

(G) Criteria for Modification. Modifications may be granted for street improvements when any one of criteria are met:

- (1) Consideration shall be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors to advance the goals of the adopted Manzanita Comprehensive Plan and Transportation System Plan as a whole. Any modification shall be the minimum necessary to alleviate the hardship or disproportional impact.
- (2) Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available.
- (3) A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship. Self- imposed hardships shall not be used as a reason to grant a modification request.
- (4) An alternative design is proposed which will provide a plan equal to or superior to the existing street standards.
- (5) Application of the standards of this chapter to the development would not be roughly proportional to the impacts created by the development.

Article 4 PROPERTY BOUNDARY ADJUSTMENTS

Sections:

4.010 Adjustments Provisions.

4.010 Adjustment Provisions.

- (A) Purpose. A property boundary adjustment is a change to a property boundary that only modifies existing lots or parcels and does not create a new lot or parcel. A property boundary adjustment is also the elimination of a property boundary line that converts two properties into one.
- (B) Review Process. A property boundary adjustment is subject to review and decision by City staff as a Type I application (Section 7.010).
- (C) Submittal Requirements. The applicant(s) must submit the following information and material:
- (1) Applications for a property boundary adjustment shall be submitted on forms provided by the City and accompanied by the appropriate fee. The owners of all property affected by the request must sign the application:
 - (2) The application shall include the following information:
 - (a) Copies of the officially recorded Ordinance transfer instrument (deed, warranty deed, or contract) that shows the legal description for the affected parcels.
 - (b) Copies of the County Assessor's maps for both properties.
 - (c) A written statement explaining the purpose for the property boundary adjustment and demonstrating that the request conforms to City land use regulations of the applicable zone, such as lot size and setbacks for existing buildings.
 - (d) The applicant(s) shall certify in writing that the application does not violate any deed restrictions attached to, or imposed upon, the subject properties.
- (D) Review Criteria. Approval or denial of a property boundary adjustment shall be based on the following criteria:
- (1) A property boundary adjustment cannot create a parcel; creation of a parcel requires approval of a land division.
 - (2) Following the property boundary adjustment, all lots or parcels must comply with lot size and dimensional standards of the applicable land use district. For nonconforming lots, the adjustment shall not increase the degree of nonconformance of the subject property.
 - (3) The adjustment shall not result in a setback violation for existing structures.

- (E) Completion of a Property Boundary Adjustment. After approval of a property boundary adjustment, the new boundary becomes effective only after completion of the following steps:
- (1) Recording of the metes and bounds legal descriptions of the adjusted properties with the Tillamook County Clerk.
 - (2) If required by ORS Chapter 92, the applicant(s) shall prepare a final map (or plat) and boundary survey, with all new boundaries monumented as required by ORS Chapters 92 and 209. The applicant(s) shall submit the prepared document to the City for approval and signature prior to recording the document in the County Clerk's office and shall return a copy of the recorded document to the City.

Article 5 PARTITIONS

Sections

5.010 Application and Review.

5.020 Improvement Requirements and Final Plat.

5.010 Application and Review.

- (A) Purpose. A partition is a land division that creates two or three parcels within a calendar year.
- (B) Review Process. A partition is subject to review and decision by City staff as a Type II application (Section 7.020).
- (C) Submittal Requirements. The following provisions shall apply to the submittal of a partition application:
- (1) Application Process. Applications for partitions shall be submitted on forms provided by the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application that addresses the review criteria of this Article.
 - (2) Submittal Requirements. Each application shall be accompanied by a preliminary partition plat drawn to a scale acceptable to the City Development Services Department and containing at a minimum, the following:
 - (a) Appropriate identification stating the drawing is a preliminary plan.
 - (b) North point, scale, and date.
 - (c) Name and addresses of landowner, applicant, engineer, surveyor, planner, architect, or other individuals responsible for the plan.
 - (d) Map number and tax lot or tax account number of the subject property.
 - (e) The boundary lines and approximate area of the subject property.
 - (f) Dimensions and size in square feet of all proposed parcels.
 - (g) The approximate location of existing streets, easements, or rights-of-way adjacent to, or within, the subject property, and existing improvements on the property.
 - (h) Areas containing wetlands, significant vegetation, ponds, creeks, and other natural features.
 - (3) The City Manager may waive some of the requirements in item (2) above, provided there is sufficient information to process the application.
- (D) Decision Criteria. Approval of a partitioning shall require compliance with the following:
- (1) Each parcel shall satisfy the dimensional standards of applicable zone unless the Planning Commission approves a variance to the standards.
 - (2) Each parcel shall meet the general design standards of Article 2.
 - (3) The partition shall not reduce setbacks for existing structures unless the Planning Commission approves a variance from these standards.
 - (4) Adequate public facilities shall be available to serve the existing and newly created parcels.

5.020 Improvement Requirements and Final Plat.

- (A) **Improvement Requirements.** During the review of Partition proposals, the City shall require, as a condition of approval, the following improvements:
- (1) **Street Improvements.**
 - (a) Consistent with the adopted transportation plans, the final plat shall dedicate sufficient land establishing the appropriate right-of-way width.
 - (b) Improvement requirements shall comply with provisions in MLDO Section 3.030.
 - (2) **Public Facilities.** Necessary public facilities – water, sanitary sewer, storm lines - shall extend to the property and available for connection.
 - (3) **Connection Fees.** In the circumstance where existing improved streets, sanitary sewer, water, and/or storm lines are adjacent to or within the project, a connection charge is required in accordance with the City's adopted Connection Charges ordinance.
 - (4) **Completion Requirements.** All required improvements shall be completed prior to recording the final partition plat and the issuance of any building permits for the subject property. Alternatively, improvements required under this Section may be assured through a performance bond or other instrument acceptable to the City prior to the approval of the final plat of the Partition.
- (B) **Improvement Procedures.** In addition to other requirements, improvements installed by a developer shall conform to the requirements of this Article and improvement standards and specifications adopted by the City or affected public agency. Improvements shall be installed in accordance with the following procedure:
- (1) **Plan Review.** Improvement work shall not commence until plans are checked for adequacy and approved by the City Engineer. Plans shall be prepared in accordance with requirements of the City Public Works Department.
 - (2) **Notification.** Improvement work shall not commence until the City Public Works Department has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City Public Works Department has been notified.
 - (3) **Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer and the Director of Public Works. The City Engineer or Public Works Department may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.
 - (4) **Underground Facilities.** All underground utilities, sanitary sewers, and storm drains installed in streets by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.
 - (5) **Final Engineering Plans.** Upon completion of the public improvements and prior to final acceptance of the improvements by the City Engineer, the developer shall provide certified as-built drawings of all public utility improvements to the City

Public Works Department. The as-built drawings shall be submitted to the City Engineer by the developer's engineer.

- (6) Sanitary Sewer Exception. Procedures (1) to (5) above shall apply to the installation of sanitary sewer service except that Nehalem Bay Wastewater Agency is the reviewing agency.

(C) Process for Final Plat Approval. The following provisions shall apply to the approval of any final partitioning plat:

- (1) Survey. Within two years of the final decision approving a preliminary plat, the applicant shall record the final survey of the approved plat. The preliminary approval shall lapse if not recorded within two years.
- (2) Final Approval. If the partition plat is consistent with the approved preliminary plat, and if the conditions of approval have been satisfied, the City Manager or designee shall sign the final plat.
- (3) Recording of Approved Plat. No building permit shall be issued, or parcel sold, transferred, or assigned until the recording of the final approved plat with the County Recorder and returning a copy of the record plat to the City. The applicant shall be responsible for all recording fees.

Article 6 SUBDIVISIONS

Sections:

6.010 Application and Review Process.

6.020 Subdivision Design Requirements.

6.030 Improvement Requirements and Final Plat.

6.010 Application and Review Process.

- (A) Purpose. A subdivision is the process of dividing land into four or more lots within a calendar year.
- (B) Review Process. A subdivision is subject to review and decision by City staff as a Type II application (Section 7.020).
- (C) Submittal Requirements. The following submittal requirements shall apply to all preliminary plan applications for subdivisions and planned unit developments.
- (1) All applications shall be submitted on forms provided by the City along with the appropriate fee. It shall be the applicant's responsibility to submit a complete application that addresses the review criteria of this Article.
 - (2) Submittal Requirements. Each application shall be accompanied by a preliminary plat drawn to a scale acceptable to the City Development Services Department and containing at a minimum, the following:
 - (a) Appropriate identification stating the drawing is a preliminary plan.
 - (b) Proposed name of the subdivision.
 - (c) North point, scale, and date.
 - (d) Vicinity sketch showing location of the proposed land division.
 - (e) Name and addresses of landowner, applicant, engineer, surveyor, planner, architect, or other individuals responsible for the plan.
 - (f) Map number and tax lot or tax account number of subject properties.
 - (g) The boundary lines and approximate area of the subject property along with gross acreage.
 - (h) The approximate location of existing streets, easements, or rights-of-way adjacent to, or within, the subject property, and existing improvements on the property.
 - (i) Contour lines at two-foot intervals if 10% slope or less, five-foot intervals if exceeding 10% slope, and a statement of the source of contour information.
 - (j) Dimensions and size in square feet of all proposed lots.
 - (k) Identification of each lot by number.
 - (l) Preliminary information on connection location to existing water, sanitary sewer, and storm water facilities.
 - (m) Direction of drainage and approximate grade of abutting streets.
 - (n) Streets proposed and their names, approximate grade, and radius of curves.
 - (o) Any other legal access to the subdivision other than a public street.
 - (p) All areas offered for public dedication.

- (q) Areas containing wetlands, significant vegetation, ponds, creeks, and other natural features.
- (D) Subdivision Review Criteria. Approval of a subdivision shall require compliance with the following:
- (1) Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless the Planning Commission approves a variance from these standards.
 - (2) Adequate public facilities shall be available to serve the existing and newly created lots.
 - (3) The proposed subdivision complies with the design and layout standards in Section 6.020.
- (E) Phased Development.
- (1) Schedule. The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time for any phase be greater than two years without reapplying for a tentative plat, and all phases of the subdivision shall be platted within 10 years of the original date of the final decision.
 - (2) Criteria. The criteria for approving a phased subdivision (in addition to all standard subdivision criteria) review proposal are:
 - (a) The public facilities shall be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;
 - (b) The development and occupancy of any phase shall not be dependent on the use of temporary public facilities.
 - (i) For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable City or public agency standard; and
 - (ii) The phased development shall not result in requiring the City or other property owners to construct public facilities as a part of the approval of the preliminary plat.

6.020 Subdivision Design Requirements.

- (A) All lots shall comply with applicable design standards in Article 2.
- (B) In addition, the subdivision shall comply with the following layout design standards, where applicable.
 - (1) General. The length, width, and shape of blocks shall provide adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of street traffic - including pedestrian and bicyclist - and recognition of limitations and opportunities of topography.
 - (2) Street. The street system shall comply with applicable public and private street standards in Article 3, including required improvements.
 - (3) Block length and access spacing. Proposed block length and access spacing shall extend the existing grid pattern where present. Otherwise, a new development shall comply with the following:

Functional Class	Maximum Block Length	Minimum Block Length and Width*	Minimum and Driveway Spacing	Minimum Intersection Set Back
Arterial	800 feet	100 feet	100 feet	150 feet
Collector	500 feet	100 feet	75 feet	75 feet
Residential	500 feet	100 feet	None	25 feet

*The maximum block width shall be 250-feet.

- (4) Access and Spacing for Highway 101. Access and road spacing standards for Highway 101 within the City and arterials shall conform to the current Oregon Highway Plan (OHP) access management spacing standards for highways, as indicated below.

Roadway	Speed Limit	Access & Road Spacing Standard (urban)
U.S. 101	55 or higher	1,320 feet
	50	1,100 feet
	40 & 45	800 feet
	30 & 35	500 feet
	25 & lower	350 feet

- (5) Traffic Circulation. The subdivision layout shall provide safe, convenient, and direct vehicles, bicycles, and pedestrian access to nearby residential areas, neighborhood activity centers (e.g., schools and parks), shopping areas, and employment centers. At a minimum, “nearby” means the distance from the subdivision boundary – quarter mile for pedestrians and one mile for bicyclists.
- (6) Connectivity. The City shall require the following:
- (a) Stub-End Streets: Where the potential exists for additional residential development on adjacent property. (See Figure 2).
 - (b) Accessways: Public accessways to provide a safe, efficient, and direct connection to cul-de-sac streets, to pass through oddly shaped, or blocks longer than 600-feet, to provide for public paths accessing nearby residential areas, neighborhood activity centers (e.g., parks, schools), shopping areas, and employment centers. (See Figure 2).

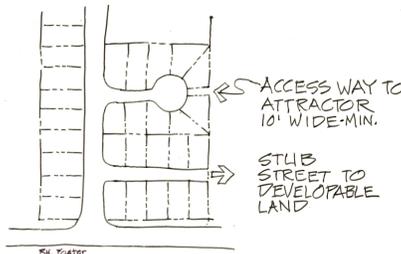


Figure 2 - Connectivity

- (7) Design Standards for Accessways. Pedestrian/bicycle accessways at the ends of cul-de-sacs shall meet the following design standards:
 - (a) Minimum dedicated width: 10-feet
 - (b) Minimum improved width: 8-feet
 - (c) The accessway shall be designed to prohibit vehicle traffic.
- (8) Collector and Arterial Connections. Accessway, bikeway, or sidewalk connections with adjoining arterial and collector streets shall be provided if any portion of the site's arterial or collector street frontage is over 600-feet from either a subdivision access street or other accessway. The accessway placement may be modified or eliminated if natural features (e.g., adverse topography, streams, wetlands) preclude such a connection.

6.030 Improvement Requirements and Final Plat.

- (A) Improvements and Bonding. Before the City certifies approval of the final plat, the subdivider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the subdivision; or execute and file with the City an agreement between specifying the period for the completion of the required improvements and repairs.
 - (1) Bonding. The subdivider shall file a financial instrument with the agreement to assure installation of the necessary improvements. The agreement shall provide that if the work is not completed within the specified period, the City may complete the work and recover the full cost and expense thereof from the subdivider. The agreement may provide for the construction of the improvements in units and for an extension of time under specified conditions. The amount shall be a sum determined by the City Engineer as sufficient to cover the cost of the improvements and repairs, including related City expenses. The financial instrument may include one of the following:
 - (a) A surety bond executed by a surety company authorized to transact business in the state of Oregon on a form approved by the City Attorney.
 - (b) A personal bond cosigned by at least one additional person, together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement.
 - (c) Cash.
 - (2) Liability. If the subdivider fails to comply with provisions of the agreement, and the City has unreimbursed costs or expenses resulting from such failure, the City shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds the cost and expenses incurred by the City, the City shall release the remainder. If the amount of the 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.

- (B) Improvement Requirements. The following improvements shall apply:
- (1) **Frontage Improvements.** The City shall require half-street improvements designed to match the City's Engineering Standards for all public streets on which a proposed subdivision fronts. Improvements shall include sidewalks, curbing, storm sewer, sanitary sewer, water lines, and such other improvements necessary to serve the development or the immediate neighborhood.
 - (2) **Project Streets.** Public or private streets within the subdivision shall comply with City Engineering Standards.
 - (3) **Water System.** The subdivision shall install water lines with valves and fire hydrants serving the subdivision and connecting to the City mains in conformance with the Engineering Design Standards. The design shall consider provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is fully developed. However, the City will not expect the developer to pay for the extra cost of mains exceeding eight inches in size.
 - (4) **Surface Drainage and Storm Sewer System.** The subdivision shall include drainage facilities within the subdivision and connect to drainageways or to storm sewers outside the subdivision. Design of drainage within the Subdivision shall be constructed in accordance with the Engineering Design Standards.
 - (5) **Sanitary Sewers.** The Subdivision shall include sanitary sewer serving the Subdivision and connecting to existing mains both on and off the property being subdivided conforming to applicable design standards of the Nehalem Bay Wastewater Agency. The Agency may require that the developer construct sewage lines of a size exceeding that necessary to adequately service the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is fully developed.
 - (6) **Sidewalks.** Sidewalks shall be installed along both sides of each public street and in any pedestrian walkway within the subdivision. This improvement may be deferred until prior to the occupancy of a dwelling.
 - (7) **Streetlights.** The installation of streetlights at required locations and complying with City standards.
 - (8) **Street Signs.** The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall comply with City standards.
 - (9) **Curb Cuts.** Curb cut and driveway installations are not required at the time of development, but if installed, it shall be according to the City standards.
 - (10) **Completion of Improvements.** Prior to proceeding with the final plat review in item (E), all improvements required under this Article shall be completed to City standards or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the Subdivision.

- (C) Improvement Procedures. In addition to other requirements, improvements installed by a developer shall conform to the requirements of this Article and improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedure:
- (1) Plan Review. Improvement work shall not commence until plans have been checked for adequacy and approved by the City Engineer. Plans shall be prepared in accordance with requirements of the City Public Works Department.
 - (2) Notification. Improvement work shall not commence until the City Public Works Department has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City Public Works Department has been notified.
 - (3) Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer and the Director of Public Works. The City Engineer or Public Works Department may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.
 - (4) Underground Facilities. All underground utilities, sanitary sewers, and storm drains installed in streets by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.
 - (5) Final Engineering Plans. Upon completion of the public improvements and prior to final acceptance of the improvements by the City Engineer, the developer shall provide certified as-built drawings of all public utility improvements to the City Public Works Department. The as-built drawings shall be submitted to the City Engineer by the developer's engineer.
 - (6) Sanitary Sewer Exception. Procedures (1) to (5) above shall apply to the installation of sanitary sewer service except that the Nehalem Bay Wastewater Agency is the reviewing agency.
- (D) Form of Final Subdivision.
- (1) Final Plat Requirements. The final plat shall be prepared in a form and with information consistent with ORS 92.010 through 92.160 and approved by the County Surveyor.
 - (2) Owners Association. *Where applicable*, the City Attorney shall review all owners' agreements, articles, and by-laws concurrently with the final plat.
 - (a) The City shall not approve the final plat, until the City Attorney approves the owner's association agreement, articles, and by-laws.
 - (b) A certificate of formation of a non-profit corporation, with a state seal, for the owner's association, shall be submitted with the final plat.
 - (c) Signed, original documents of the owner's association agreement, articles and by-laws and the certificate of formation described in subsection (B)(3) above, shall be recorded with the final plat.
 - (3) Subdivision Names. All plat names shall conform to ORS 92.090 and be approved by the County Surveyor.

(E) Final Plat Review of Subdivisions.

- (1) Final Plat Review. If the City Engineer determines that the final plat conforms fully with all applicable regulations and standards, the City Engineer shall advise the City Manager. The City Manager shall sign the plat.
- (2) Filing the Final Plat. The final subdivision plat shall be filed with the Tillamook County Clerk's Office, and a copy of the final recorded document shall be returned to the City Recorder.
- (3) Time Limit. Approval of any preliminary plans for a subdivision shall be valid for two years after the date of the final decision. A Final Plat shall be recorded within this period, or the approval shall lapse.
- (4) Time Extension. The City may extend the approval period for any subdivision for not more than one additional year. An applicant must submit a written request for an extension of approval time 30-days prior to the expiration date of the approval.
- (5) Reapplication Required. If the approval period lapses, the applicant must resubmit the proposal, including all applicable fees and the applicant will be subject to all applicable standards currently in effect.

Article 7 APPLICATION AND REVIEW PROCEDURES

Sections

7.010 Procedure for Type I Action.

7.020 Procedure for Type II Action.

7.030 Procedure for Appeals.

7.040 Conditions of Approval – Type I and Type II Applications.

7.050 Applicability to Expedited Land Divisions and Middle Housing Land Divisions.

7.010 Procedure for Type I Action.

- (A) Decision Authority. Applications subject to a Type I review shall be reviewed and decided by the City Manager.
- (B) Application. Upon receipt of an application for Type I land use action, the City shall review the application for completeness.
 - 1. If determined to be complete, the 120-day time period shall begin.
 - 2. If determined to be incomplete, the applicant shall be notified and provided an additional 30 days to submit the necessary supplemental information.
 - 3. An applicant may request additional time to submit the requested information. The City will not process the application if an applicant fails to submit the information within 180 days, and the applicant shall forfeit all applications fees.
- (C) Completeness. The application shall be deemed complete for the purposes of scheduling and all related timing provisions either:
 - 1. Upon receipt of the requested acceptable additional information; or refusal by the applicant to submit the requested information;
 - 2. On the 31st day after the original application submittal.
- (D) Decision. The City Manager shall review the application and shall render a decision based on an evaluation of the proposal and on applicable clear and objective standards contained in this Ordinance. Notice of the decision shall only be sent to the applicant(s).
- (E) Appeals. A Type I land use decision may be appealed to the Planning Commission. The appeal shall be submitted within 14 days of the date the decision is mailed. The appeal process shall follow the procedures in Section 7.030.

7.020 Procedure for Type II Action.

- (A) Decision Authority. Applications subject to a Type II procedure shall be reviewed and decided by the City Manager.
- (B) Application. Upon receipt of an application for Type II land use action, the City staff shall review the application for completeness.
 - 1. If determined to be complete, the 120-day time period shall begin.

2. If determined to be incomplete, the applicant shall be notified and provided an additional 30 days to submit the necessary supplemental information.
 3. An applicant may request additional time to submit supplemental information up to 180-days from submittal date of the application. The City will not process the application if an applicant fails to submit the information within 180 days, and the applicant shall forfeit all applications fees.
- (C) Completeness. The application shall be deemed complete for the purposes of scheduling and all related timing provisions either:
1. Upon receipt of the requested acceptable additional information; or refusal by the applicant to submit the requested information;
 2. On the 31st day after the original application submittal.
- (D) Hearing Option. The applicant has the option to request a public hearing before the Planning Commission. The procedures for notice and conducting the public hearing shall comply with the standards in Ordinance 95-4, Article 10.
- (E) Application Notice. Before making a Type II decision, the City shall mail notice of the application to:
1. All owners of record of real property within 100-feet of the subject site for a partition and 300-feet for a subdivision.
 2. Any person who submits a written request to receive a notice.
 3. Any governmental agency that is entitled to notice under an intergovernmental agreement or required by State statute.
 4. The road authority when there is a proposed development abutting or affecting their transportation facility and allow the agency to review, comment on, and suggest conditions of decision for the application.
 5. The City may notify other affected agencies, as appropriate, for review of the application.
- (F) Notice Information. The notice of a pending Type II decision in item (E) above shall include the following:
1. Identify the applicant, specific land use decisions or decisions requested.
 2. Describe the street address or other easily understandable reference to the location of the site.
 3. List the relevant decision criteria by name and number of Ordinance sections.
 4. Provide a 14-day period for submitting written comments before a decision is made on the land use application. The City shall only accept written comments either by letter or e-mail.
 5. State the place, date, and time the comments are due, and the person to whom the comments should be addressed.
 6. Include the name and telephone number of a contact person regarding the Administrative Decision.

7. State that if any person fails to address the relevant decision criteria with enough detail, they may not be able to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments based on the decision criteria are considered relevant evidence.
 8. State that all evidence relied upon by the City to make this decision is in public records and available for public review. Copies of this evidence can be obtained at a reasonable cost from the City.
 9. State that after the comment period closes, the City shall issue a decision. The decision shall be mailed to the applicant and to anyone who submitted written comments or who is otherwise legally entitled to notice.
- (G) Decision. The City Manager shall review the application and shall render a decision based on an evaluation of the proposal and on applicable criteria contained in this Ordinance. Further, the written decision shall address relevant comments submitted by the parties noticed.
- (H) Notice of Decision. Within five working days after the City's written decision, a Notice of Decision, including information on appeals, shall be sent by mail to:
1. The applicant and all owners or contract purchasers of record of the site that is the subject of the application.
 2. Any person who submits a written request to receive notice or provides comments during the application review period.
 3. Any governmental agency entitled to notice under an intergovernmental agreement, and other agencies that provided comments during the application review period.
- (I) Appeals. Except as modified by provisions in Article 8, anyone receiving notice of a Type II land use decision may appeal the decision to the Planning Commission. The appeal shall be submitted within 14 days of the date the decision is mailed. The appeal process shall follow the procedures in Section 7.030.

7.030 Procedure for Appeals.

- (A) Commission Hearing and Notice of Appeal. If a Type I or Type II decision is appealed, City staff shall schedule a hearing before the Planning Commission. The Commission hearing shall comply with procedures set forth in Ordinance 95-4, Article 10. Written notice of a public hearing on the appeal shall be mailed only to the applicant and those who received notice of the original decision. This notice shall be mailed at least 10 days prior to the public hearing on the appeal and shall contain the information required in item 7.020(F), above.
- (B) Commission Action. The Commission action on an appeal shall be in the form of a decision. Within 7 days of the Commission decision, the applicant and all individuals who participated in the public hearing, or requested notice of the decision, shall be mailed written Notice of the Decision. The notice shall specify the findings justifying the decision to approve or deny the request, any conditions of approval, and appeal procedures.

- (C) Appeals. Land use decisions by the Planning Commission may be appealed to the City Council. The appeal shall be submitted within 14 days of the date the decision is mailed. Notice requirements shall comply with provisions in Section 7.020(F).
- (D) Council Hearing and Notice of Appeal. If the Commission decision on a Type II decision is appealed, City staff shall schedule a hearing before the City Council. The Council shall conduct the hearing following the procedures set forth in Ordinance 95-4, Article 10. Written notice of a public hearing on the appeal shall be mailed to the applicant and those who received notice of the Commission decision on appeal. This notice shall be mailed at least 10 days prior to the public hearing on the appeal and shall contain the information required in Section 7.020(F).
- (E) Notice of Council Decision. Within 7 days of the final City Council decision, the applicant and those who attended the hearing or requested notice, shall be mailed written notice of the Council decision. The notice shall specify findings justifying the approval or denial of the request and any applicable conditions of approval. A decision by the City Council on a Type II application shall serve as the City's final decision. The decision shall be final on the date that notice of the decision is mailed to all parties who participated in the proceedings.

7.040 Conditions of Approval – Type I and Type II Applications.

- (A) Authorization for Conditions. Approval of a Type I or Type II action may be granted subject to conditions. Conditions shall either ensure compliance with the standards of this Ordinance, or shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by the proposed land use described in an application. The conditions may include, but are not limited to, the following:
 1. Establishing a special setback or other open space requirements and increasing the required lot size or other dimensional standards.
 2. Increasing street width and/or requiring improvements to public streets and other public facilities serving the proposed use, even including those off-site but necessary to serve the subject proposal.
 3. Designating the size, number, improvements, location and nature of vehicle access points and routes, and requiring pedestrian and/or bicycle ways.
 4. Requiring screening, fencing or other improvements or facilities deemed necessary to protect adjacent or nearby properties, and establishing requirements or standards for the installation and maintenance thereof.
 5. Protecting and preserving existing trees, other vegetation and water, scenic, historic, archaeological, unique, landmark or other natural or man-made significant resources.
 6. Addressing identified hazards such as flooding or geological.
- (B) Timing of Conditions. Whenever practical, all conditions of approval required by the City shall be completed prior to the issuance of an occupancy permit. When an applicant demonstrates that it is not practical to fulfill all conditions prior to issuance of such permit,

the City Manager may require a performance bond or other guarantee to ensure compliance with zoning regulations or fulfillment of required conditions. Bonding shall comply with adopted City regulations and procedures.

- (C) Modify Conditions. A request to change or alter conditions of approval shall be processed as a new Type I or Type II action, as per the original request.

7.050 Applicability to Expedited Land Divisions and Middle Housing Land Divisions

Provisions in Article 7 shall not apply to Expedited Land Divisions (Article 8) and Middle Housing Land Divisions (Article 9).

Article 8 EXPEDITED LAND DIVISIONS

Sections:

8.010 Applicability.

8.020 Process.

8.030 Submittal Requirements.

8.040 Criteria of Approval.

8.050 Conditions of Approval.

8.060 Final Plat.

8.070 Appeals.

8.10 Applicability.

- (A) Submittal Requirements. An expedited land division may be submitted only when it complies with the following:
- (1) Includes only land zoned for residential use.
 - (2) It is solely for the purpose of residential use, including recreational or open space uses accessory to residential use.
 - (3) Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the Comprehensive Plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect open spaces, scenic and historic areas and natural resources.
 - (4) Satisfies minimum street or other right-of-way connectivity standards established by Article 3 of this Ordinance.
 - (5) Will result in development that either:
 - (a) Creates enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or
 - (b) All dwellings will be sold or rented to households with incomes below 120 percent of the median family income for Tillamook County. A copy of a deed restriction or other legal mechanism approved by the City shall be submitted.
- (B) Application. This Article may also apply to all partitions (Article 5) and subdivisions (Article 6), provided the request is consistent with the submittal requirements in Section 8.010.
- (C) Land Use Decision. An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015.

8.020 Process.

- (A) Completeness. An application for an expedited land division is subject to the completeness review and 120-day rule requirements except as follows:
- (1) The timeline for the completeness check in Section 7.020(C) is twenty-one days, rather than thirty days.

- (2) The notice of a final decision must be provided to the applicant within sixty-three (63) days of a completed application.
- (B) **Decision.** The City shall make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether the application satisfies the requirements in Section 8.040. Notice of the decision shall be limited to the applicant and shall include:
- (1) A written determination of compliance or non-compliance with the criteria of approval in Section 8.040.
 - (2) An explanation of the right of the applicant to appeal the City's decision to the Land Use Board of Appeals, as provided in ORS 197.830 to 197.855.
- (C) **Appeal.** An appeal shall be limited to the applicant and must be based solely on one or more of the allegations:
- (1) The decision is not supported by substantial evidence in the record;
 - (2) The decision violates the substantive provisions of the applicable land use regulations;
 - (3) The decision is outside of the authority of the decision maker;
 - (4) The decision is unconstitutional; or,
 - (5) The appellant's substantive rights were substantially prejudiced by a procedural error.

8.030 Submittal Requirements.

An application for an expedited land division must submit the items listed in Section 6.010(C) and a letter or narrative report documenting compliance with the applicable approval criteria contained in Section 8.040 of this Article.

8.040 Criteria of Approval.

The City Manager will approve or deny an application for expedited land division within sixty-three days of receiving a complete application, based on whether it satisfies the applicable criteria of approval. The City Manager may approve the land division with conditions to ensure the application meets the applicable land use regulations.

- (A) The land subject to the application is within the MH-1, MH-2, and MH-3 zones.
- (B) The land will be used solely for residential uses, including recreational or open space uses that are accessory to residential use.
- (C) The land division does not provide for dwellings or accessory buildings located in the Beaches and Dunes Overlay Zone.
- (D) The land division satisfies the minimum public improvement and design standards for development in Article 2 and Article 3.
- (E) The land division satisfies the following development standards contained in Ordinance 95-4:

- (1) Applicable lot dimensional standards;
 - (2) Applicable standards that regulate the physical characteristics of permitted uses, such as building design standards;
 - (3) Applicable standards in this Ordinance for transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to facility dimensions and on-site and off-site improvements.
- (F) The land division will result in development that either:
- (1) Creates enough lots to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or
 - (2) Will be sold or rented to households with incomes below 120 percent of the median family income for Tillamook County as published annually by the Oregon Department of Administrative Services.

8.050 Conditions of Approval.

The City Manager may add conditions of approval of a tentative plan as necessary to comply with the applicable criteria of approval. Conditions may include but are not limited to the following:

- (A) A condition to prohibit the further division of the resulting lots or parcels.
- (B) A condition to require that a notation appear on the final plat indicating that the approval was given under Section 20 of House Bill 2138 (2025) as an expedited land division.
- (C) A condition to require recording of easements required by the tentative plan on a form acceptable to the City, as determined by the City Attorney.
- (D) Listed conditions of approval identified in Section 7.040(A).

8.060 Final Plat.

An expedited land division is subject to the final plat standards and procedures as specified in the applicable Article 5 (Partitions) or Article 6 (Subdivisions), except that plats may be record within three years of the final decision.

8.070 Appeals.

An appeal of an expedited land shall be to the Land Use Board of Appeals, as provided in ORS 197.830 to 197.855.

Article 9 MIDDLE HOUSING LAND DIVISIONS

Sections:

9.010 Applicability.

9.020 Process.

9.030 Submittal Requirements.

9.040 Criteria of Approval.

9.050 Conditions of Approval.

9.060 Final Plat.

9.070 Appeals.

9.010 Applicability.

(A) Application Limitations.

- (1) A middle housing land division applies to duplexes, triplexes, quadplexes, cottage clusters, courtyard apartments, and townhouses.
- (2) A middle housing land division may be submitted when the parent site is developed with middle housing, has an active building permit to construct middle housing or the application for a land division must be reviewed concurrently with a building permit application for construction of middle housing.

(B) Land Use Decision. An expedited land division and middle housing land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015.

9.020 Process.

(A) Completeness. An application is subject to the completeness review and 120-day rule requirements except as follows:

- (1) The timeline for the completeness check in Section 7.020(C) is twenty-one days, rather than thirty days.
- (2) The notice of decision must be provided to the applicant within sixty-three days of a completed application.

(B) Decision. The City shall make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether the application satisfies the requirements in Section 8.040. Notice of the decision shall be limited to the applicant and shall include:

- (1) A written determination of compliance or non-compliance with the criteria of approval in Section 8.040.
- (2) An explanation of the right of the applicant to appeal the City's decision to the Land Use Board of Appeals, as provided in ORS 197.830 to 197.855.

(C) Appeal. An appeal shall be limited to the applicant and must be based solely on one or more of the allegations:

- (1) The decision is not supported by substantial evidence in the record;

- (2) The decision violates the substantive provisions of the applicable land use regulations;
- (3) The decision is outside of the authority of the decision maker;
- (4) The decision is unconstitutional; or,
- (5) The appellant's substantive rights were substantially prejudiced by a procedural error.

9.030 Submittal Requirements.

An application for a middle housing land division must include the following:

- (A) Items listed in Section 6.010(C) and a letter or narrative report documenting compliance with the applicable approval criteria contained in Section 9.050.
- (B) Remodels, additions and alterations to existing buildings and structures require evidence in the form of a written statement provided by a design professional licensed in the State of Oregon and including such professional's stamp/seal and a site plan that demonstrates that all of the buildings and structures on a resulting lot or parcel comply with applicable building code provisions relating to the proposed property lines, and that all of the buildings and structures located on the lots or parcels comply with the Oregon Residential Specialty Code. Any structure built or building permit applied prior to application for a middle housing land division is considered existing for the purpose of this section.
- (C) A plan showing the following details:
 - (1) Separate utility connections for each dwelling unit.
 - (2) Existing or proposed easements for each dwelling unit.

9.040 Criteria of Approval.

The City Manager will approve a tentative plan for middle housing land division based on whether it satisfies the following criteria of approval:

- (A) The application provides for the development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot allowed under ORS 197.758 (5).
- (B) Separate utilities are provided for each dwelling unit.
- (C) The applicant provides easements necessary for each dwelling unit on the plan for:
 - (1) Locating, accessing, replacing, and servicing all utilities;
 - (2) Pedestrian access from each dwelling unit to a private or public road;
 - (3) Any common use areas or shared building elements;
 - (4) Any dedicated driveways or parking; and
 - (5) Any dedicated common area.
- (D) The applicant proposes exactly one dwelling unit on each resulting lot, except for lots, parcels or tracts used as common areas.

- (E) The applicant demonstrates that buildings or structures on a resulting lot will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots, that structures or buildings located on the newly created lots will comply with the Oregon residential specialty code.
- (F) The original lot dedicated and improved the abutting street right of way sufficient to comply with minimum right of way and improvement standards of Article 3, or dedication and/or improvements of the abutting street right of way are proposed that meet the standards of Article 3.
- (G) The type of middle housing developed on the original lot shall not be altered by a middle housing land division. For example, cottage cluster units within a cottage cluster do not become single-family detached residential units after a middle housing land division.

9.050 Conditions of Approval.

The City Manager may add conditions of approval of a tentative plan as necessary to comply with the applicable criteria of approval. Conditions may include but are not limited to the following:

- (A) A condition to prohibit the further division of the resulting lots or parcels.
- (B) A condition to require that a notation appear on the final plat indicating that the approval was given under Section 20 House Bill 2138 (2025) as a middle housing land division.
- (C) A condition to require recording of easements required by the tentative plan on a form acceptable to the City, as determined by the City Attorney.
- (D) Listed conditions of approval identified in Section 7.040(A).

9.060 Final Plat.

- (A) A middle housing subdivision is subject to the final plat standards and procedures as specified in the applicable Article 5 (Partitions).
- (B) Each middle housing lot final plat recorded with the county recorder shall state:
 - (1) The middle housing lot may not be further divided.
 - (2) No more than one unit of middle housing may be developed on each middle housing lot.
 - (3) The dwelling developed on the middle housing lot is a unit of middle housing and is not a single family detached residential unit, or any other housing type.
- (C) A final plat is not required prior to issuance of building permits for middle housing proposed with a middle housing land division.
- (D) A middle housing land division tentative plan is void if and only if a final plat is not approved within three years of the tentative approval.

9.070 Appeals.

An appeal of an shall be to the Land Use Board of Appeals, as provided in ORS 197.830 to 197.855.

Manzanita Wayfinding

Design Intent Drawings

Partners in Design / February 2026

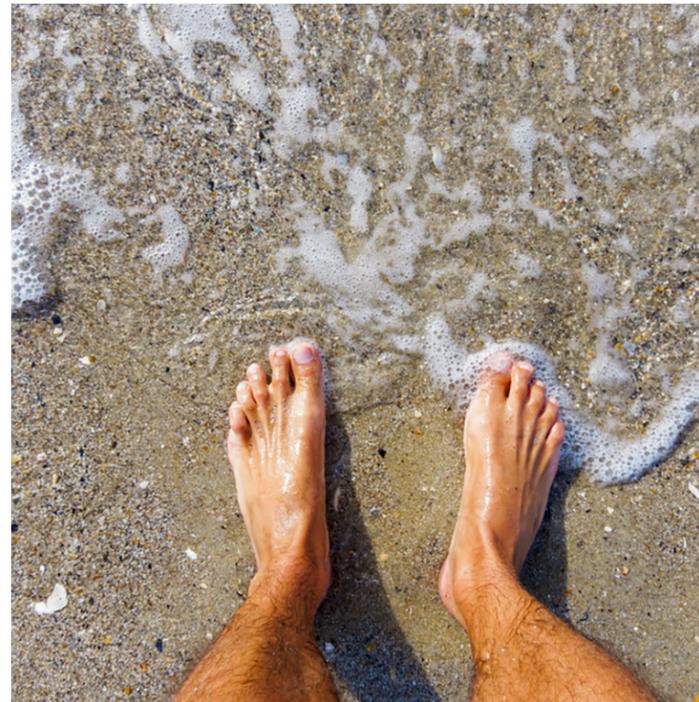
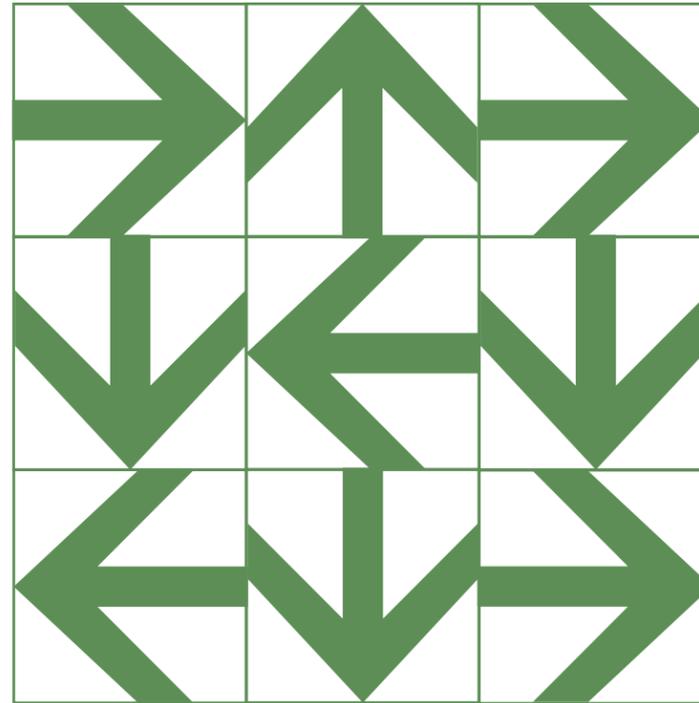


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Introduction

On the Tillamook coast rests the quaint town of Manzanita—a calm haven where ocean views are broad and residents are creative and welcoming. Snuggled within a landscape of spruce and pines, Manzanita weather is perfect, spend a day at the beach with the sun, while other areas of the Oregon coast are covered in clouds.

Manzanita is a lovely, walkable town, offering boutique shopping, golfing, surfing, horseback riding, kayaking, paddle boarding and bicycle rentals, as well as a fabulous seasonal farmers market. Drive up to nearby Oswald West State Park perched atop legendary Neahkhanie Mountain.

Today the population is near 603. The indigenous Tillamook people have lived here for 12,000 years. At least two of Oregon’s historical shipwrecks occurred off the Manzanita coast: the Glenesslin in 1913, and the Santo Cristo de Burgos (disappeared 1693) which has generated rumors of treasure buried on Neahkahnie Mountain.

Named for the manzanita (*Arctostaphylos* sp.) plants that grow in the area, Manzanita means ‘little apple’ in Spanish.



As communities grow and develop, reflecting back on the past can offer a positive and creative way to look ahead to the future.

About this Plan

Reading the Drawings and Resources:

Signage CONTENT, COLORS, TYPEFACES, SYMBOLS AND LAYOUTS will be specified and prepared by the design team, Partners in Design, and furnished to the fabricator. Color samples of reasonable size on equivalent material will be required for approval prior to fabrication.

All GRAPHICS such as those utilized on gateways, directionals, interpretive elements or orientation signage maps and photos, will be furnished to the signage fabricator in the form of electronic artwork. Graphics will be rendered by fabricator on shop drawings or separate proofs and sent to the design team and client for approval.

Quality Assurance

Design Criteria:

➤ These drawings are meant for DESIGN INTENT ONLY and are not for construction purposes. Fabricator must verify and be responsible for all dimensions and conditions of the job. Fabricator shall be familiar with the site and conditions it presents. The client and design team must be notified of any variations from the dimensions and conditions shown on these drawings.

Details on these design-intent drawings outline a design approach for the proposed signs, but do not include detailing required for complete structural integrity of the signs. Indicated dimensions are guides for proportion and scale. **It is the responsibility of the fabricator to provide the complete structural design of the signs and to incorporate all the safety features necessary to adequately support the signs for their intended use and must meet or exceed industry and local code engineering requirements.** The sign fabricator shall submit engineer stamped calculations for foundations and other sign components that affect the structural design.

➤ Shop drawings & details must be submitted for approval prior to proceeding with fabrication. All legal and code requirements approved prior to fabrication.

➤ The signs must withstand abuse, theft and vandalism and adult physical force, at minimum the equivalent of no less than resisting simple hand implements and tools (screwdrivers, knives, coins, keys and similar items). All hardware and fasteners must be vandal resistant.

➤ Any prototypes should be done prior to initiating full fabrication. In this program this may include:

- paint samples
- sample cut-out metal letters to scale
- swatches of particular graphics (selected areas)
- graphic frame sample



Wayfinding Plan Process

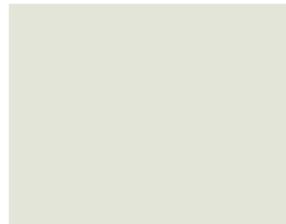
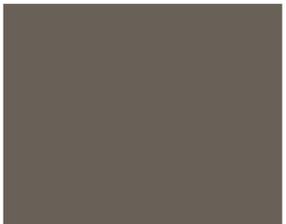
What happens now? The process is as important as the product. To ensure smooth sailing, from design to installation, responsibilities and tasks have been defined in the following matrix. Steps should not be skipped, and open dialogue is encouraged.

	1	2	3	4	5	6	7	8	9	10	11	12	13
Tasks	Design Intent Drawings	Develop RFP	Issue RFP	Review and Score RFP	Award Contract	Visit Site with Fabricator	Manage Contract	Develop Construction Drawings	Review of Construction Drawings	Provide Material and Color Swatches	Sign Footing Plans Developed	Final Approval for Construction/ Fabrication of Signs	Visit Fabricator's Shop During Sign Construction
Who's Responsible	Partners in Design (PID)	Manzanita, and Visit Tillamook Coast (VTC)	City of Manzanita	Manzanita, VTC, with comments from Partners in Design	VTC	Manzanita, VTC and Partners in Design	Manzanita, and VTC	Sign Company/ Fabricator	Manzanita, VTC and Partners in Design	Sign Company/ Fabricator	Sign Company/ Fabricator	VTC	If so choose: Manzanita, VTC, and Partners in Design to attend
Notes		Partners in Design can provide sample RFPs	PID provides a list of companies, Manzanita and VTC determines other call for entries			Review site conditions, determine needed prototyping, discuss lighting plan and permitting	VTC may want to contract some of the overseeing-management to a private contractor who will adhere to schedule and necessary reviews		Partners in Design provides comments	Partners in Design review and comments	Partners in Design provides comments	Partners in Design can provide sample RFPs	Fabricator to invite client to shop during sign construction phase

VTC = Visit Tillamook Coast

Manzanita Color Palette

Refer to Design-Intent Drawings for specific color usage. Final determination of finish and paint/ink/vinyl selection will be made with fabricator. Fabricator will compile manufacturer’s swatches for all coatings, and submit samples to be approved by the design team. **Colors are specified by project color name; CMYK formula (PREFERRED MATCH) and Gerber Vinyl Premium Film.**

 <p>Western Red/ Port Orford Cedar UV inhibitor applied</p>	 <p>Shell 10c 6m 14y 0k Gerber Oyster</p>	 <p>Haystack 55c 53m 59y 25k Gerber Duranodic</p>	 <p>Jet 0c 80m 100y 10k Gerber Black</p>	 <p>Metallic Gold Powder Coat TBD discussed with fabricator</p>			
 <p>Manzanita Horizon 50c 85m 0y 35k Gerber: Purple</p>	 <p>Tide 52c 11m 31y 0k Gerber: Aqua</p> <p>Colors not used at this time</p>	 <p>Sun 12.5c 23m 71y 0k Gerber: Imitation Gold</p> <p>Colors not used at this time</p>	 <p>Neahkahnie 85c 23m 36y 56k Gerber: Bermuda Blue</p>	 <p>Sand 11c 18m 45y 0k Gerber: Fawn</p>	 <p>Sky 36.5c 11m 0y 0k Gerber: Powder BVue</p> <p>Colors not used at this time</p>	 <p>Cedar 50c 0m 70y 32k Gerber: Kelly Green</p>	 <p>Grass 42.5c 11m 100y 0k Gerber: Apple Green</p> <p>Colors not used at this time</p>

Fonts & Directional Arrows

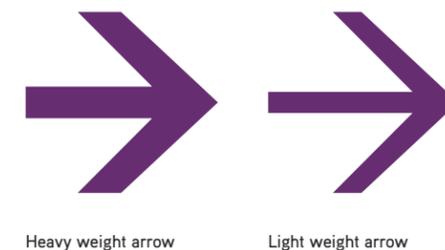
Neutra Book
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 1234567890&

Neutra Bold
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abcdefghijklmnopqrstuvwxyz
1234567890&

NEUTRA DISPLAY
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1234567890&

PT Sans Pro Regular
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Design Toolbox / Materials, Finishes & Processes



The City of Manzanita sign structures honor the architectural heritage of the Oregon Coast. The plan’s materials palette incorporates regional materials such as substantial unpainted timber (which will weather), river rock bases, exposed Craftsman hardware and sign faces that give the impression of tongue and groove facades.



Manzanita’s sign structures will honor its architecture and heritage. The plan’s materials palette incorporates regional materials such as substantial unfinished timber (which will weather), river rock, exposed craftsman hardware and slotted sign faces. The graphics create a unified program and give visual cues to this village on the Oregon Coast.

A wayfinding program is meant to last for a long period of time, sometimes as long as 20 years, so specified technologies and fabrication are crucial to longevity in the field. With the client, we will evaluate the elements of cost, performance, environment, vandalism, maintenance and flexibility.



Posts

Western red / Port Orford Cedar—UV inhibitor. Western Red or Port Orford Cedar, **best quality UV inhibitor applied**, to be reapplied annually. Vehicular Directional signs are primarily road-grade metals and painted. Some directionals are pressure treated wood—UV inhibitor. A few directionals and interpretives incorporate aluminum—powder coated posts.



Engineered Bases and Kiosk Footings

Concrete, custom hardware, bases must be engineered.

Kiosks Structures

Western red / Port Orford Cedar—UV inhibitor. Steel framing with powder coated hardware and framing.



Sign and Kiosk Footings

Concrete, custom hardware, bases must be engineered.

Sign Faces

Gateway signage is painted aluminum “boards” mounted to solid background of same color, with “grooves” created by spaces between boards. Additional graphics layer cut from aluminum, flush mounted to minimize vandalism. Directional signs are powder coated aluminum panels with laser cut vinyl graphics. Kiosk panels are High Pressure Laminate with powder coated aluminum panel frames.



Hardware

Galvanized steel, welded joints. Break-away bases where required by County and/or City. Painted finish and/or sealed finish. Kiosk roof tops are painted metal. Directionals are direct bury in new concrete footing or buried J-bolts with plate and through-bolts. Welded and smoothed joints. Some prototyping MAY be required. Optimal paint and coating selected for longevity and coastal weather conditions, **hardware should be as rust-proof as possible.**

Lamps

Gateway, with electrical source supplied by the City of Manzanita.

Graphics and Substrates

Vinyl

3M High Performance Vinyl: Polyvinyl chloride (PVC) film, **exterior grade**, UV resistant.



High Pressure Laminate (HPL)

Digitally printed subsurface images, with unlimited color, fused into a single panel with phenolic and melamine resins, with a special UV-resistant over-laminate applied. This signage HPL product must not de-laminate, separate, crack or peel. Generally impervious to moisture and resistant to UV rays, scratching, impact damage, and graffiti. Digitally printed subsurface images, with unlimited color, are fused into a single panel with phenolic and melamine resins. **HPL lifespan is generally guaranteed for 10 years.**



Paints and Coating

Best exterior quality, UV inhibitors.

Metal

Powder-coated cut aluminum letters, applied to painted metal substrates. Some with routed design.



Manzanita Locator Map and Signage Types

Identity Signage (ID)

- 1 Gateway
- 2 Manzanita City Park, restrooms and kids playground

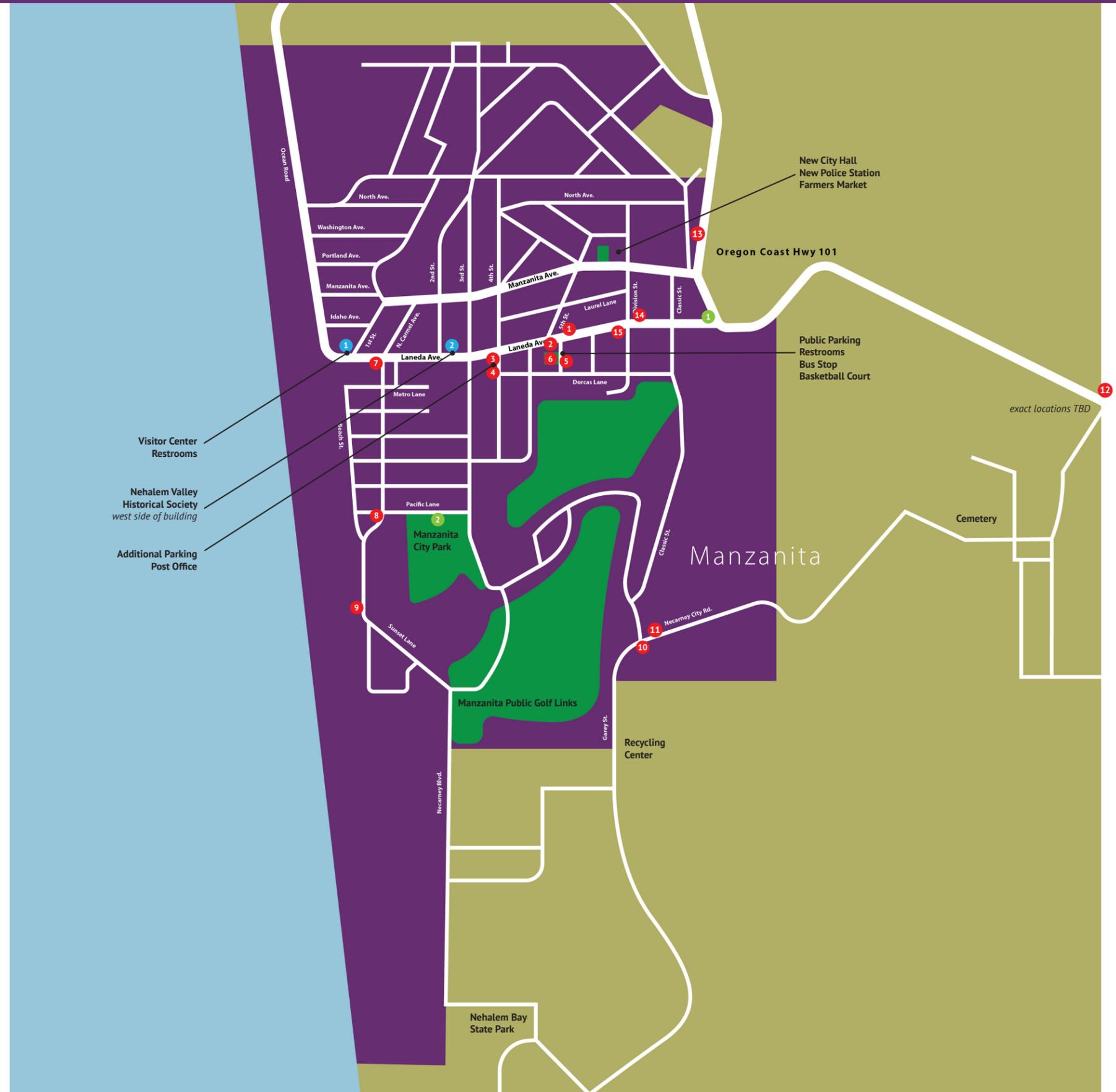
Directional Signage / Vehicular and Pedestrian (D)

arrow direction destinations, **not to be used as actual messages** (see graphic files)

- | | | |
|----|------------------|-------------------------------------------------------------------------------------------------------------------|
| 1 | south west | Public Parking, Restrooms, Bus Stop
Visitor Center |
| 2 | south east | Public Parking, Restrooms, Bus Stop
Visitor Center |
| 3 | south west east | Public Parking, Post Office Parking,
Visitor Center, Bike Trail, City Park
City Hall, Police, Hwy 101 |
| 4 | west | Public Parking, Post Office |
| 5 | east | Public Parking, city park, public golf links |
| 6 | building | Restroom symbol on building |
| 7 | south west east | Public Golf Links, Bike Trail, City Park, Nehalem State Park
Visitor Center, Restrooms
City Hall, Hwy 101 |
| 8 | east south north | City Park, Restrooms (?),
Public Golf Links, Nehalem State Park
Downtown, Visitor Center |
| 9 | south north | Public Golf Links, Nehalem State Park
Downtown, Visitor Center, Restrooms, City Park |
| 10 | east west | Cemetery, Hwy 101
Recycling Center, Nehalem State Park, Public Golf Links |
| 11 | west | Recycling Center, Nehalem State Park, Public Golf Links |
| 12 | west | Manzanita RV & State Park Turn Off (specify distance to turn-off)
location to be determined with City and ODOT |
| 13 | west | Manzanita RV & State Park Turn Off (specify distance to turn-off)
location to be determined with City and ODOT |
| 14 | west north | Downtown, Restrooms, Visitor Center
City Hall, Police, Farmers Market |
| 15 | east south | Hwy 101
City Hall, Police, Farmers Market |

Interpretive/Information (INT)

- 1 Visitor Center: interpretive, angled panel:
Spanish Galleon Beeswax Wreck 1693
- 2 Historical Society: interpretive, wall-mounted, west side of the building:
Ben Lane founder story



Manzanita Gateway

If approved this signage will need additional Design Intent Drawing.

Not to be quoted or included at this time.

Pending
Community
Approval



7' - 0"



Manzanita's Hwy. 101 turnoff is located on a curve with poor sightlines. A driver has very little warning before a turnoff decision needs to be made. The current gateway is installed on a crowded median with other signs, utilities, and heavily planted. This gateway design recommends that twin signs be installed. One for the south approach, and one for the north approach. Materials include substantial timber and craftsman style hardware. Sign faces are aluminum panels that give the appearance of tongue and groove. This design is a small-footprint solution.

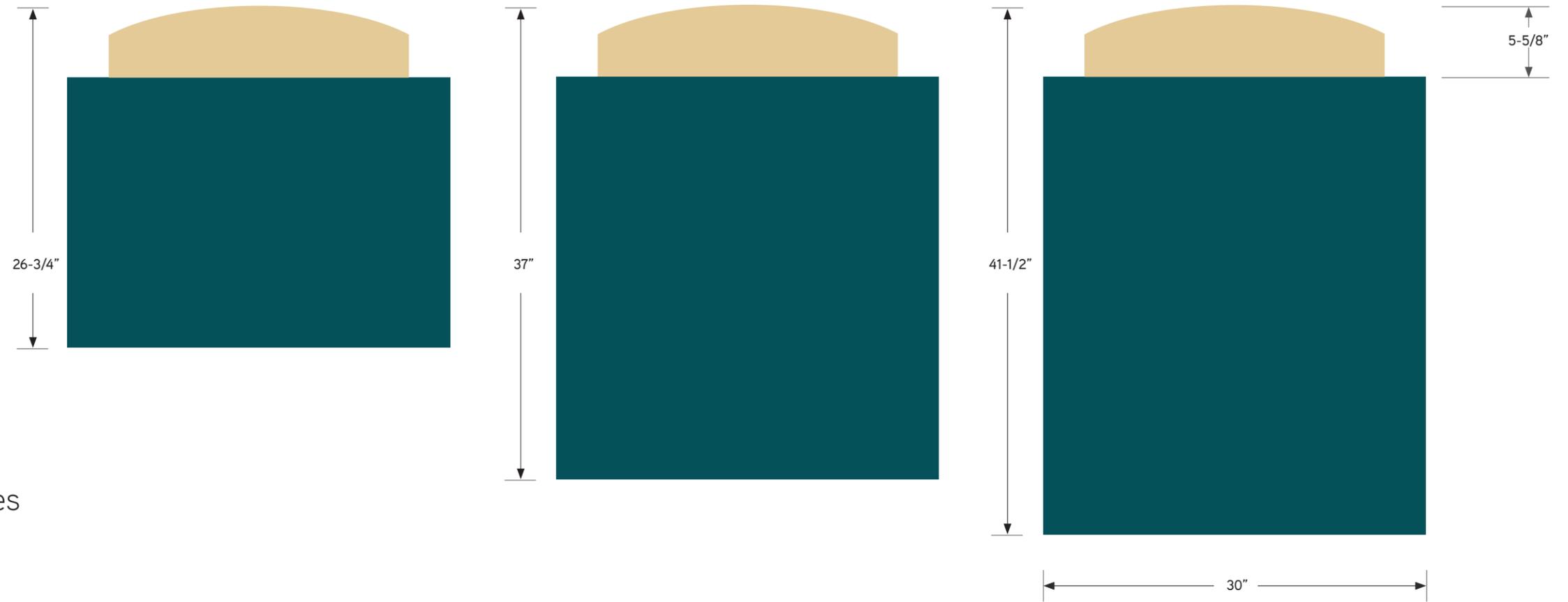
THIS IS A BREAK-AWAY SIGN



These drawings are meant for DESIGN INTENT ONLY and are not for construction. Fabricator shall verify and be responsible for all dimensions, code requirements and site conditions. Shop drawings, engineering, and details must be submitted to client for approval prior to proceeding with fabrication.

Scale:

- 1/2" = 1'-0"
- 3/4" = 1'-0"
- 1" = 1'-0"
- Half scale
- Full scale

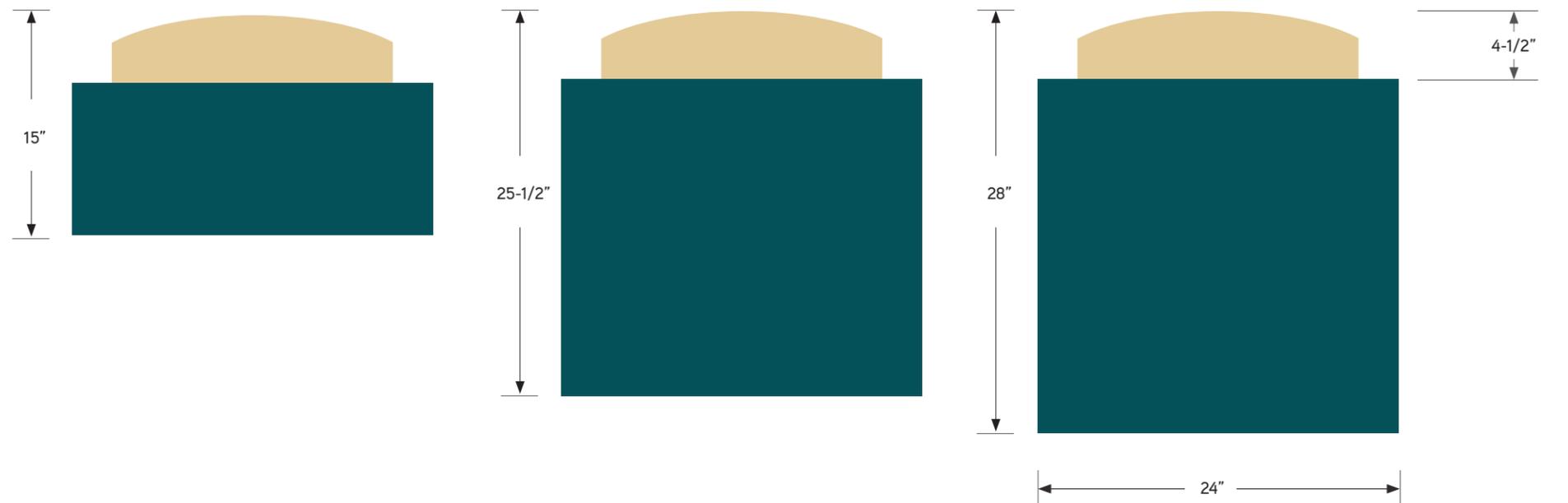


Vehicular Directional Panel Sizes

Graphics files to be provided by Partners in Design

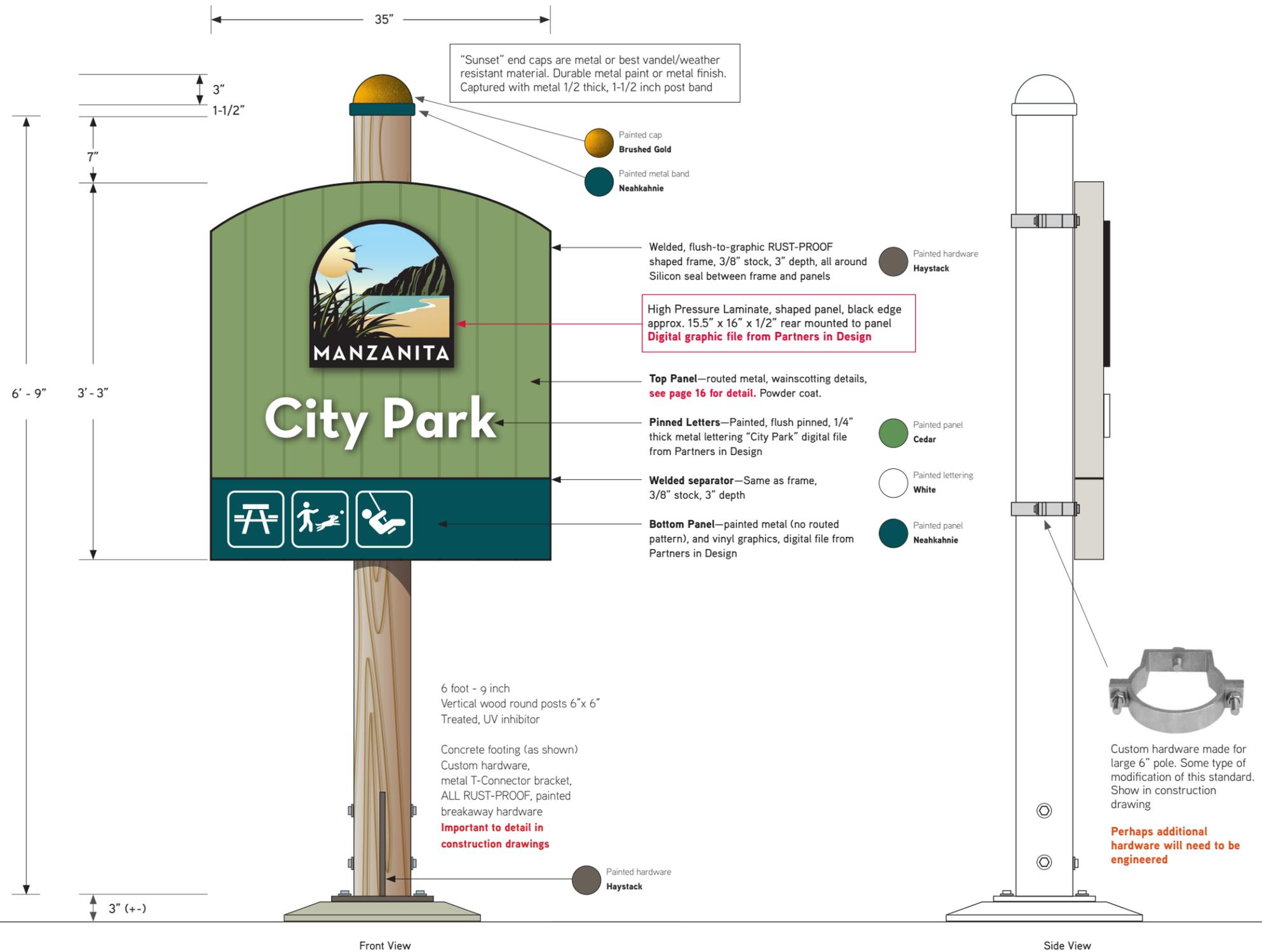
Pedestrian Directional Panel Sizes

Graphics files to be provided by Partners in Design



NOTES

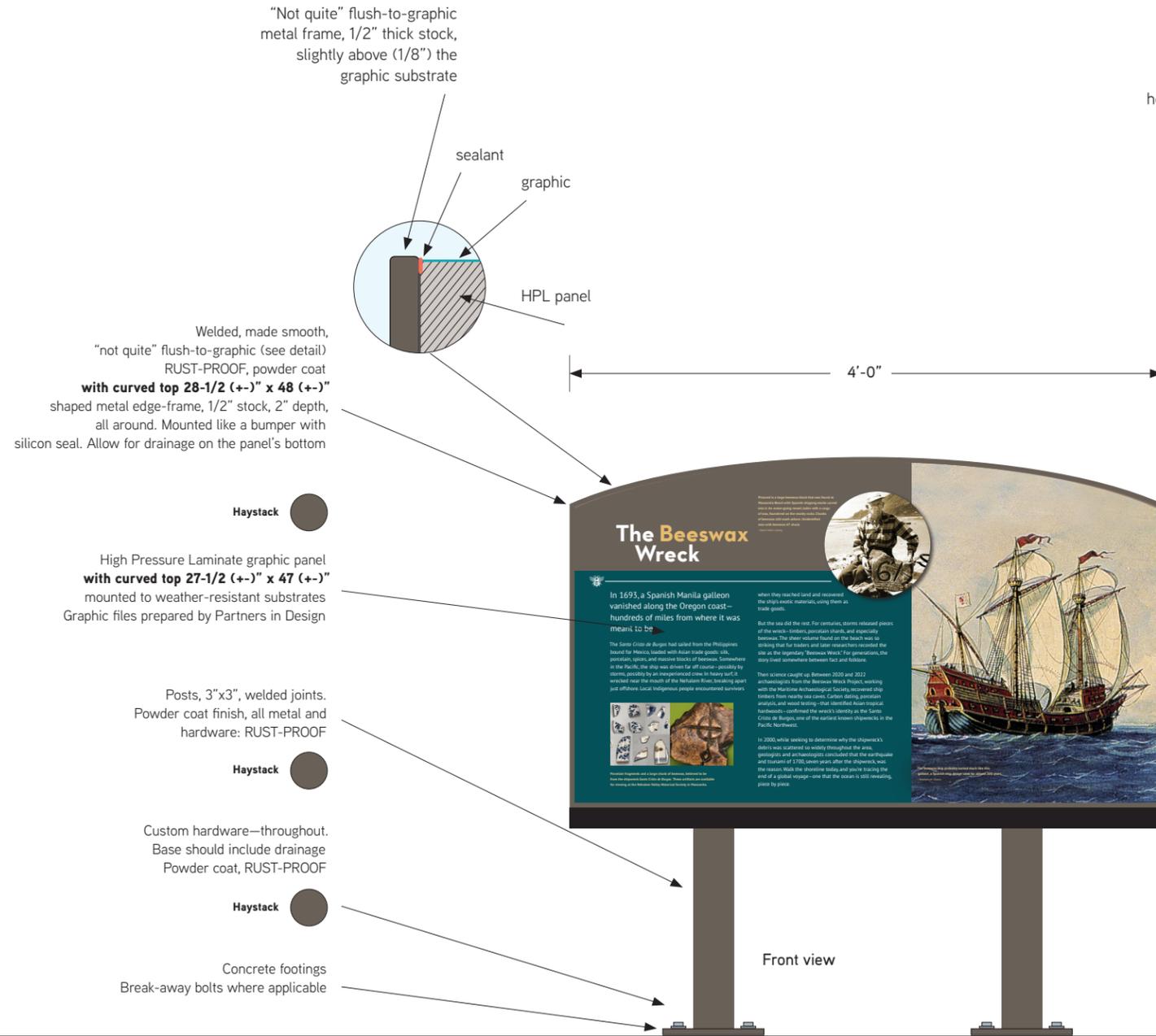
- Wood components: Western Red or Port Orford Cedar, UV inhibitor
- **Digital graphic files to be provided by Partners in Design**
- Sign, base and custom hardware to be engineered (wind, soil) by fabricator
- Concrete footing plan, surveying and permit by fabricator
- Fabricator to provide detailed construction drawings of hardware, and attachments between primary panels, posts, and footings
- HPL must be proofed and approved before installation
- **Nuts and bolts must be rust proof**



These drawings are meant for DESIGN INTENT ONLY and are not for construction. Fabricator shall verify and be responsible for all dimensions, code requirements and site conditions. Shop drawings, engineering, and details must be submitted to client for approval prior to proceeding with fabrication.

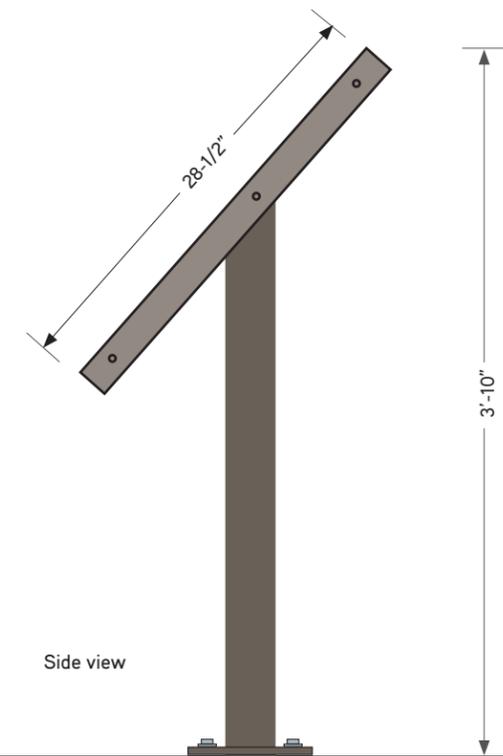
Scale:

- 1/2" = 1'-0"
- 3/4" = 1'-0"
- 1" = 1'-0"
- Half scale
- Full scale



Visitor Center

This sign is installed in front of the Manzanita Visitor Center. Footing and heights are measured from the sidewalk level. Center in lawn area. Maintain landscape during installation



- NOTES**
- Metal powder coated, **all** hardware **rust-proof**. Welded joints made smooth
 - Digital graphic file to be provided by Partners in Design
 - Sign, base and hardware to be engineered (wind, soil) by fabricator
 - Fabricator must review site for best footing
 - Footing plan by fabricator, to be shown in Construction Drawings
 - Break-away where applicable by code

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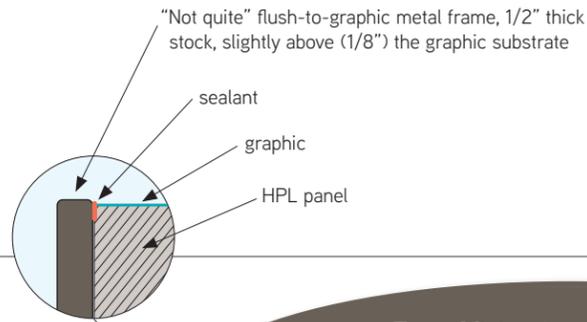
- Scale:
- 1/2" = 1'-0"
 - 3/4" = 1'-0"
 - 1" = 1'-0"
 - Half scale
 - Full scale

INT 1 Visitor Center Interpretive, angled, 2 post



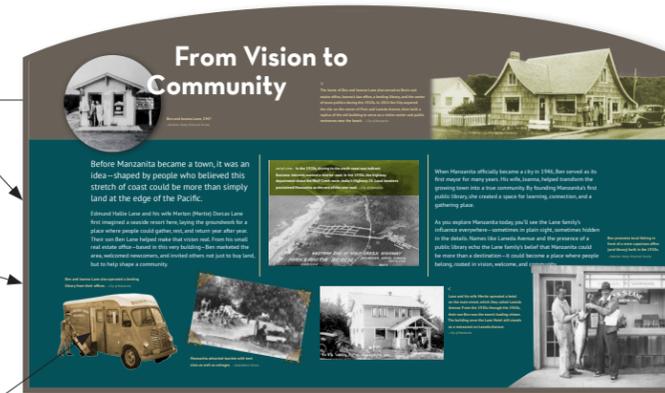
Historical Society

Installed with wall cleats, a.k.a. interlocking system, French cleat. Add security pins.
No visible hardware on graphics

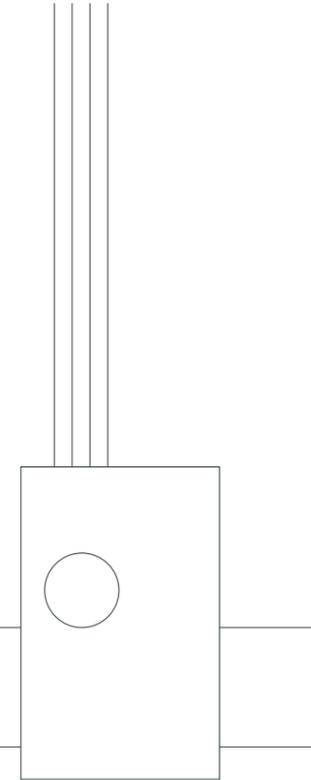


Welded, made smooth, “not quite” flush-to-graphic (see detail) **RUST-PROOF**, powder coat, shaped metal edge-frame **with curved top 28-1/2 (+-)” x 48 (+-)”** 1/2” stock, 2” depth, all around. Mounted like a bumper with silicon seal. Allow for drainage on the panel’s bottom

Haystack



High Pressure Laminate graphic panel **with curved top 27-1/2 (+-)” x 47 (+-)”** mounted to weather-resistant substrates
Graphic files prepared by Partners in Design
Actual art and panel shapes not depicted here



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Scale:

- 1/2" = 1'-0"
- 3/4" = 1'-0"
- 1" = 1'-0"
- Half scale
- Full scale

NOTES

- Metal powder coated, **all** hardware **rust-proof**. Welded joints made smooth
- Digital graphic file to be provided by Partners in Design
- HPL proof required (digital proof is acceptable, unless a specific HPL color match is required)



Most of the existing signage can be removed, walls repaired and "Manzanita" signage and unified messaging can be installed

Cleat and/or other security mount
No hardware on face of sign

Pair of HPL panels
 14" round x 1/2" thick
 HPL digital proof required

Digital graphic file provided by Partners in Design
Actual art and panel shapes not depicted here

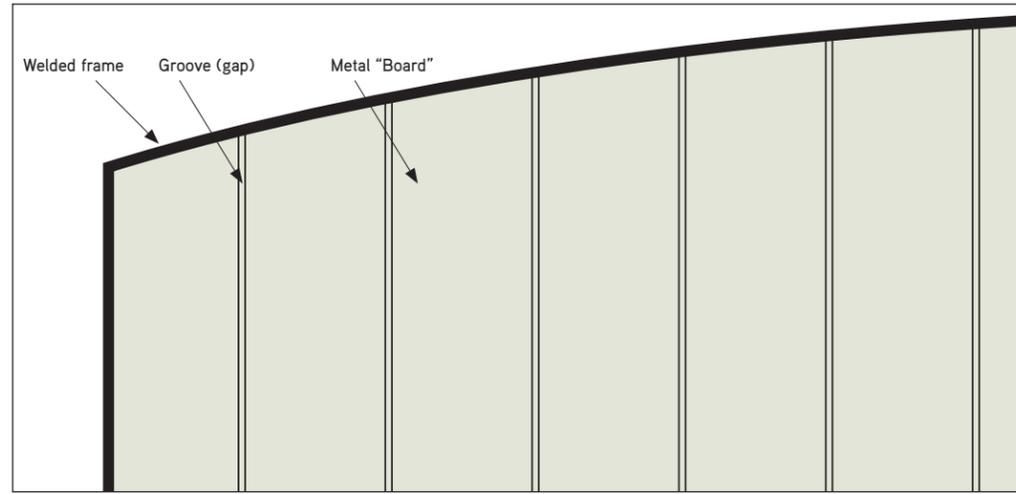
These drawings are meant for DESIGN INTENT ONLY and are not for construction. Fabricator shall verify and be responsible for all dimensions, code requirements and site conditions. Shop drawings, engineering, and details must be submitted to client for approval prior to proceeding with fabrication.

Scale:

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- 1" = 1'-0"
- Half scale
- Full scale

NOTES

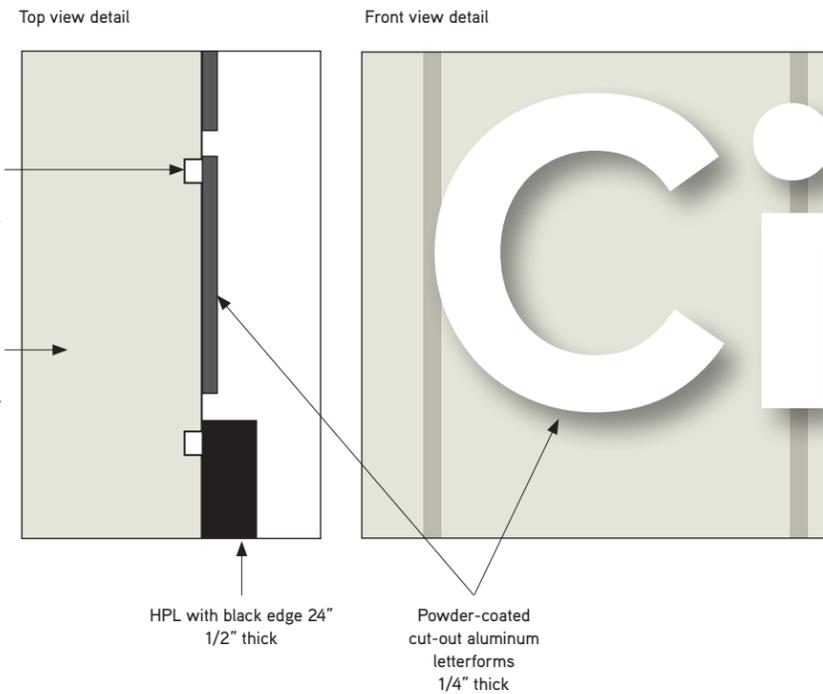
- Digital graphic file to be provided by Partners in Design
- HPL proof required (digital proof is acceptable, unless a specific HPL color match is required)



PANEL SUBSTRATE AND GRAPHICS

Powder-coated aluminum "boards" mounted, or routed. The "grooves" or gaps between the "boards" are the same color as the top surface. The width of the aluminum "boards" is based on the overall sign-face dimensions. The sign graphic files approximate the number of boards to be divided across the space, and is pattern centered with equal amounts left and right.

Board width: 3-3/4" Gap width: 1/4" Gap depth: 1/4"



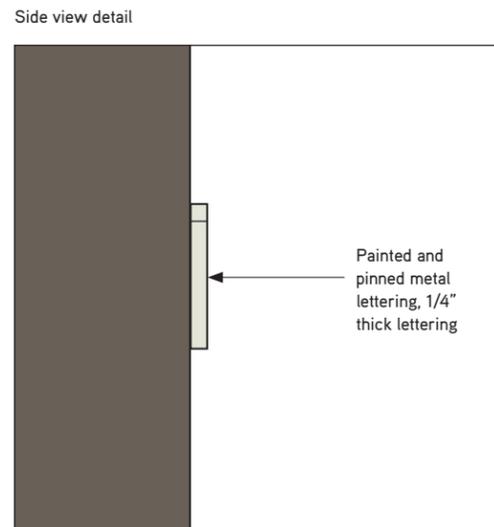
NOTES

- Graphics and boards are one side, facing traffic
- **Digital graphic file to be provided by Partners in Design**
- High Pressure Laminate (HPL) is produced for coastal weather conditions
- Visible welds to be continuous and ground to provide a smooth surface

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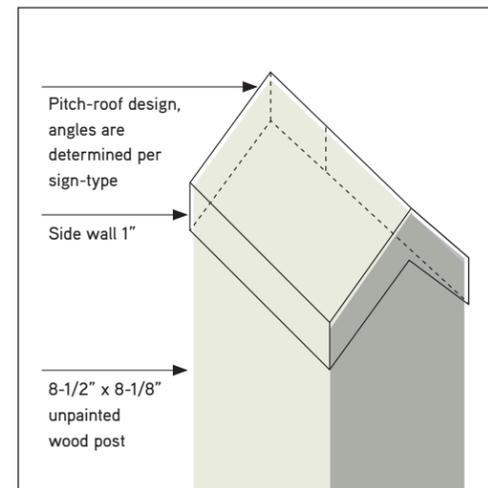
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- Half scale
- Full scale



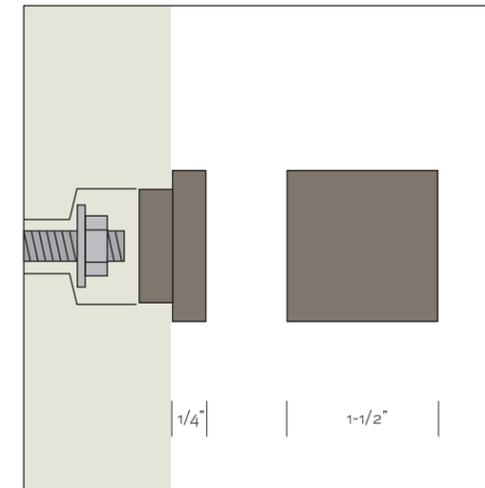
TILLAMOOK PANEL-GATEWAY

- "Tillamook Coast" painted and pinned metal lettering
- 1/4" thick lettering



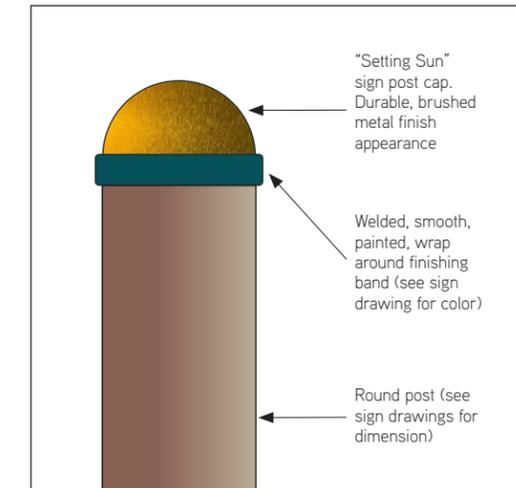
SQUARE POST END-CAP

- Constructed of galvanized steel with welded joints. To fit snugly over angled wooden post
- Side walls are 1" high
- Tamper-resistant set-screws on sides
- Detail by fabricator



HARDWARE CAP

- Tamper-resistant hardware, detail by fabricator
- Powder-coated finish, Pantone Warm Gray 11c



ROUND POST "DOME" CAP

- Wood round post, best quality, clear
- Treated UV inhibitor
- Dome caps are metal or best vandal/weather resistant material, durable paint or metal finish
- Added metal band, 1/2" thick stock, 1-1/2" band

The Beeswax Wreck



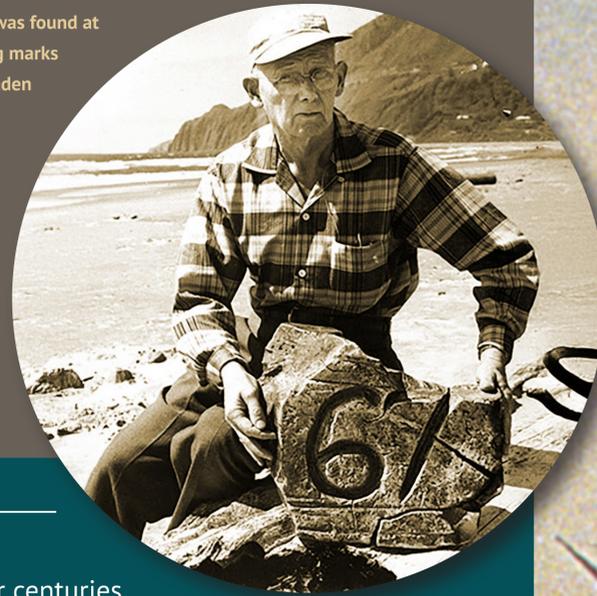
In 1693, a Spanish Manila galleon vanished along the Oregon coast—hundreds of miles from where it was meant to be.

The *Santo Cristo de Burgos* had sailed from the Philippines bound for Mexico, loaded with Asian trade goods: silk, porcelain, spices, and massive blocks of beeswax. Somewhere in the Pacific, the ship was driven far off course—possibly by storms, possibly by an inexperienced crew. In heavy surf, it wrecked near the mouth of the Nehalem River, breaking apart just offshore. Local Indigenous people encountered survivors when they reached land and recovered the ship's exotic materials, using them as trade goods.



Porcelain fragments and a large chunk of beeswax, believed to be from the shipwreck *Santo Cristo de Burgos*. These artifacts are available for viewing at the Nehalem Valley Historical Society in Manzanita.

Pictured is a large beeswax block that was found at Manzanita Beach with Spanish shipping marks carved into it. An ocean-going vessel, laden with a cargo of wax, foundered on the nearby rocks. Chunks of beeswax still wash ashore. Unidentified man with beeswax 67 chuck. —Salem Public Library

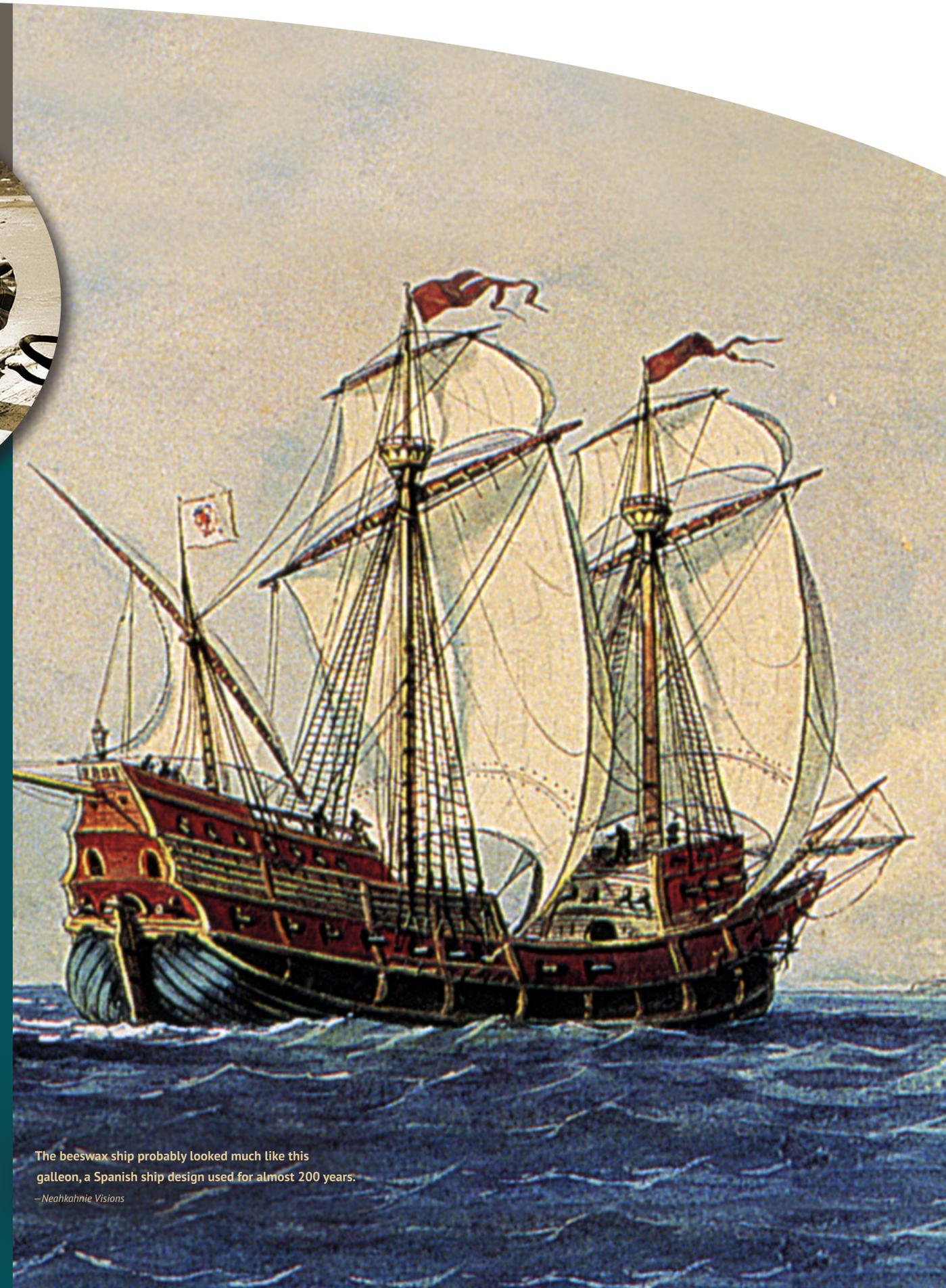


But the sea did the rest. For centuries, storms released pieces of the wreck—timbers, porcelain shards, and especially beeswax. The sheer volume found on the beach was so striking that fur traders and later researchers recorded the site as the legendary “Beeswax Wreck.” For generations, the story lived somewhere between fact and folklore.

Then science caught up. In 2000, while seeking to determine why the shipwreck's debris was scattered so widely throughout the area, geologists and archeologists concluded that an earthquake and tsunami that occurred in January 1700, seven years after the shipwreck, was the reason.

Between 2020 and 2022 the Maritime Archeological Society, teaming with nationally recognized marine archeologists, Oregon State Parks, and with local search and rescue and law enforcement, recovered timbers from nearby sea caves. Carbon dating and chemical analysis identified the timbers as Asian hardwoods harvested in the 1600's. The patterns in the porcelains together with the identification of the wood confirmed the identity as the *Santo Cristo de Burgos*, perhaps the first contact of Europeans to the Pacific Northwest.

Walk the shoreline today, and you're tracing the end of a global voyage—one that the ocean is still revealing, piece by piece.



The beeswax ship probably looked much like this galleon, a Spanish ship design used for almost 200 years. —Neahkahnie Visions

MASTER FEE SCHEDULE

CATEGORY	ITEM	INCLUDED IN BASE FEE	ADDITIONAL FEES	FEE
SHORT TERM RENTAL	New Application			\$650.00
	Periodic Re-Inspection			\$350.00
	Follow Up Inspection			\$325.00
	Random Inspection			\$225.00
	Annual Renewal			\$850.00
WATER UTILITY - SYSTEM DEVELOPMENT CHARGES	Water System Development Charges. 3/4" x 5/8" Water Service		Requires Tier 2 ROW Permit and New Water Service fee. (Materials cost may vary)	\$7,107.26
	Water System Development Charges. 1" Water Service (2 EDU)			\$17,578.58
	Water System Development Charges. 1 - 1/2 " Water Service (4.5 EDU)			\$31,983.66
	Water System Development Charges. 2" Water Service (8 EDU)			\$56,860.07
	Water System Development Charges. 3" Water Service (18 EDU)			\$127,935.66
	Water System Development Charges. 4" Water Service (32 EDU)			\$227,441.28
WATER UTILITY RATE SCHEDULE	Inside Commercial Monthly Water Rate	5/8" x 3/4" Meter	Plus Inside City Consumption unit	\$62.32
		1" Meter		\$87.25
		1 1/2" Meter		\$112.19
		2" Meter		\$180.74
		3" Meter		\$686.60
	Outside Commercial & Residential Monthly Water Rate	5/8" x 3/4" Meter	2 units included in Residential base, Plus Outside City Consumption unit	\$74.79
		1" Meter		\$104.63
		1 1/2" Meter		\$134.61
		2" Meter		\$216.87
		3" Meter		\$823.65
	Inside Residential Monthly Water Rate	5/8" x 3/4" Meter	2 units included in base.	\$51.94
		1" Meter		\$93.49
		1 1/2" Meter		\$150.61
		2" Meter		\$180.74
		3" Meter		\$581.14
	Inside City Consumption unit	Tier 1	Commercial 0 - 5,000 Residential 2,001 - 5,000	\$10.37
		Tier 2	Commercial 5,001 - 10,000 Residential 5,001 - 10,000	\$12.02
		Tier 3	Commercial +10,001 Residential +10,001	\$13.38

CATEGORY	ITEM	INCLUDED IN BASE FEE	ADDITIONAL FEES	FEE
WATER UTILITY RATE SCHEDULE	Outside City Consumption unit	Tier 1	Commercial 0 - 5,000 Residential 2,001 - 5,000	\$12.45
		Tier 2	Commercial 5,001 - 10,000 Residential 5,001 - 10,000	\$14.41
		Tier 3	Commercial +10,001 Residential +10,001	\$16.06
	Wholesale Water - Monthly Water Rate (Rt 53 & Tideland)		Per Hydrant	\$155.61
	Wholesale Consumption unit, per unit			\$3.00
	Bulk Hydrant Water Meter			\$30.90
	Bulk Hydrant Water Meter and equipment per item daily rental fee			\$20.60
	Delinquent Notice			\$5.15
	Shut Off Notice			\$41.20
	Delinquent Turn-off or turn-on. Regular business hours.			\$51.50
	Delinquent turn-on. Water restoration during non-working hours, holidays, and weekends. Service is not available 8:00pm - 8:00am	Double fee of delinquent Turn-off or turn-on. Regular business hours.		\$103.00
	Water Account sent to collections			\$51.50
	Same day water turn-on or off service (other than emergency or shut-off for delinquency)	Regular business hours.		\$41.20
	NSF			\$50.00
	Water Service Transfer Fee			\$61.80
	Fire Hydrant - Fire Flow Test			\$206.00
	Lien Search			\$20.60
Water meter Install		*Includes 3/4" x 3/4" meter ONLY if requested for residential fire sprinkler systems. Requires Tier 2 ROW Permit.	\$1,436.85	
STORM WATER	Storm Water, System Development Charges	Storm drainige into a city maintained system.	Requires Tier 2 or 3 ROW Permit for a phycial connection to a approved storm system.	\$1,766.45

CATEGORY	ITEM	INCLUDED IN BASE FEE	ADDITIONAL FEES	FEE
PARK SYSTEM DEVELOPMENT CHARGES	Park Fees, System Development Charges			\$62.00
RIGHT OF WAY PERMITS AND TRAFFIC CONTROL PLAN REVIEW	Tier 1 ROW Permit			\$103.00
	Tier 2 ROW Permit		Performance deposit based on disturbance of materials maybe required. Minimum performance deposit is \$250. Conrete and asphalt cut \$30.00 per square foot.	\$309.00
	Tier 3 ROW Permit		Base fee covers first 2 sheets, additional sheet review cost is \$400 per sheet. Performance deposit based on disturbance of materials may be required.	\$2,987.00
	Tier 3 ROW Inspections up to 20 hours.		Additional hours will be billed at a rate of \$100 per hour.	\$2,008.50
	Tier 3 ROW Permit Plan Re-review or Supplemental review (More than 3 reviews)		Additional hours will be billed at a rate of \$100 per hour if review is expected to exceed 2 hours.	\$236.90
	Agreement for Public Improvements (Bond)		\$3,000 Fee is a deposit to cover time and materials. If time exceeds the base, notice will be given on needed amount.	\$3,090.00
	Tier 1 Traffic Control Plan Review			\$206.00
	Tier 2 Traffic Control Plan Review			\$1,648.00
	Tier 3 Traffic Control Plan Review			\$3,708.00
	Road Grading Permit		Permit is for road edge grading to city standard. If work done out side of requirements a Tier 1 or 2 permit may be required.	\$0.00
OTHER PUBLIC WORKS FEES	Equipment use Fee	\$20.00 Per business day. Items include Metal detector, 2 baracades, 10 traffic cones	This covers public use of cones and metal detector.	\$20.60

CATEGORY	ITEM	INCLUDED IN BASE FEE	ADDITIONAL FEES	FEE
COURT	Late payment fee			\$15.45
	Return Item/NSF Fee			\$51.50
	Failure to Appear for Trial			\$118.45
	License Suspension			\$118.45
	Payment Plan			\$61.80
	Turnover to Collections			\$61.80
POLICE DEPARTMENT	Police Reports	Staff Hourly Rate	These are processed as records requests	\$0.00
	Finger Printing			\$36.05
POLICE DEPARTMENT	Admin Costs Associated with Towed Vehicles			\$386.25
ADMIN	NSF			\$50.00
	Business License Permit-Billed Annually	1-2 Employees		\$103.00
		3-5 Employees		\$139.00
		6+ Employees		\$180.00
	Copying Fee	Per page		\$0.25
	Special Event Permits			\$0.00
	Records Requests	Employee hourly rate		Hourly

PLANNING FEES

Application Type	Review Type	Decision Body	Administrative Base Fee (1)	Consultant / Legal / Engineering Deposit (2)
Address Request	Type 1	Staff	\$100	None
Administrative / Minor Pre-Application Meeting (30 minutes)	Type 1	Staff	\$250	None
Tree Removal Permit	Type 1	Staff	\$150	None
Temporary Permit (3)	Type 1	Staff	\$75	\$750
Property Boundary Adjustment (3)	Type 1	Staff	\$115	\$750
Final Plat – Partition	Type 1	Staff	\$100	\$500
Final Plat – Subdivision	Type 1	Staff	\$150	\$1,000
Performance Bond Review	Type 1	Staff	\$115	\$3,000
Pre-Application Conference (1 hour)	Type 1	Staff	\$500	None
Zoning Interpretation (Written Request)	Type 1	Staff	\$300	None
Extension of Land Division Approval	Type 1	Staff	\$300	None
Replat / Plat Amendment (Minor)	Type 1	Staff	\$300	None
Dune Grading – Remedial/Construction	Type 1	Staff	\$400	None
Partition (2–3 Parcels)	Type 2	Staff	\$535	\$1,500
Subdivision (4+ lots)	Type 2	Staff	\$690	\$3,000
Expedited Land Division	Type 2	Staff	\$575	\$1,500
Middle Housing Land Division	Type 2	Staff	\$575	\$1,500
Design Review	Type 2	Planning Commission	\$500	\$1,500
Conditional Use	Type 2	Planning Commission	\$460	\$1,500
Variance	Type 2	Planning Commission	\$460	\$1,500
Street Standards Modification	Type 2	Planning Commission	\$400	\$3,000
Planned Unit Development (PUD)	Type 2	Planning Commission	\$690	\$3,000
Zone Change	Quasi-Judicial	Planning Commission / City Council	\$690	\$3,000
Annexation	Quasi-Judicial	Planning Commission / City Council	\$690	\$3,000
Amendment to Urban Growth Boundary	Quasi-Judicial	Planning Commission / City Council	\$690	\$3,000
Appeal (Administrative Decision)	Quasi-Judicial	Planning Commission / City Council	\$250	None

NEXT PAGE

1. Administrative Base Fees are based on midpoint estimates of City staff time required to intake, coordinate, notice, schedule, conduct meetings, and issue land use decisions for a typical application. These fees recover City administrative costs only.

2. When an application is expected to require review by a planning consultant, attorney, and/or engineer, the city may require a deposit toward anticipated professional services costs prior to commencing review. Deposits shall be applied to actual costs incurred at the City's contract rates. Any unused portion shall be refunded. Additional deposits may be required if costs exceed the initial deposit.

3. Deposits for Temporary Permits and Property Boundary Adjustments are required only when professional consultant, legal, and/or engineering review is needed due to site constraints or application complexity.

BUILDING FEES

STRUCTURAL PERMIT FEE TABLE				
Valuation	Fee			
\$1 - \$500	\$109.18			
\$501 - \$2000	\$109.18	For the first \$500 plus	\$4.65	For each additional \$100 or fraction thereof, to and including \$25,000
\$2001 - \$25000	\$178.93	For the first \$2,000 plus	\$18.56	For each additional \$1,000 or fraction thereof, to and including \$25,000
\$25001 - \$50000	\$605.81	For the first \$25,000 plus	\$13.93	For each additional \$1,000 or fraction thereof, to and including \$100,000
\$50001 - \$100000	\$954.06	For the first \$50,000 plus	\$9.30	For each additional \$1,000 or fraction thereof, to and including \$100,000
\$100001 - and up	\$1,419.06	For the first \$100,000 plus	\$7.74	For each additional \$1,000 or fraction thereof
When a structural permit is required by the state building code for retaining walls, decks, fences, accessory structures, etc – see Structural Permit fees by valuation				
OTHER STRUCTURAL FEES				
Structural Plan Review (when applicable)	75% of structural permit fee			
Additional Plan Review (when applicable) - 30 minute minimum	\$109.18			
Fire Life Safety Plan Review (when applicable)	50 % of structural permit fee			
Each additional inspection, above allowable- per each	\$109.18			
Re-Inspection - per each	\$109.18			

Inspections for which no fee is specifically indicated (as required) - hourly. Minimum 1 hour	\$109.18
Inspections outside of normal business hours. Minimum 2 hours	\$109.18
Deferred Submittal Plan Review Fee - in addition to project plan review fees	65% of the building permit fee calculated using the value of the deferred portion with a \$250 minimum
Phased Project Plan Review Fee – in addition to project plan review fees	\$324.25 minimum plus 10% of total project building permits, not to exceed \$1500.00 for each phase. In addition to standard plan review fees.
Structural demolition – complete demolition, not subject to State Surcharge	\$1,000.00
Structural alteration (not demo) – partial, soft, interior	See Structural Permit Fee table by valuation, incurs State Surcharge
Structural Minimum Permit Fee	\$109.18
Moving structure permit, other than U-1	\$601.00
Re-Roof residential when a permit is required	\$109.18
Commercial re-roof	See Structural Permit Fee table by valuation, incurs State Surcharge
Residential Fire Suppression- Standalone System 13R, fee includes plan review (See Plumbing Fee section for Continuous Loop/Multipurpose System 13D)	
Square Footage of Area to be Covered	Fee
0 – 2000 sq ft	\$412.00
2001 – 3600 sq ft	\$515.00
3601 - 7200 sq ft	\$669.50
7201 sq ft and greater	\$824.00
Commercial Fire Suppression	See Structural Permit Fee table by valuation
Solar Permit – Prescriptive Path System, fee includes plan review. Separate Electrical Permit required, contact Tillamook County.	\$218.36
Solar Permit – Non-Prescriptive Path System	Fee as per Structural Permit Fee table by valuation to include the solar panels, racking, mounting elements, rails and the cost of labor to install. Solar electrical equipment including collector panels and inverters shall be excluded from the Structural Permit valuation.

Investigation Fees - actual or average cost may include supervision, overhead, equipment, and/or rate/wage of the employee(s) involved. Applicable to all disciplines.

Investigation Fee – hourly. Minimum 2 hours	\$109.18
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When applicable, structural permits use valuation as determined by ICC Valuation Table current as of April 1 of each year, as per OAR 918-050-0000.

MANUFACTURED DWELLING PLACEMENT FEE*

Manufactured Dwelling Placement Fee *	
Single wide	\$208.60
Double wide	\$416.12
Triple wide	\$622.12
Earthquake resistant bracing system (when not part of original dwelling installation)	\$109.18
State (Cabana) Fee	\$30.00

* Includes the concrete slab, runners or foundations that are prescriptive, electrical feeder and plumbing connections and all cross-over connections and up to 30 lineal feet of site utilities. Decks, other accessory structures, and foundations that are not prescriptive, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, and new plumbing - may require separate permits. All decks 30" above ground, carports, garages, porches, and patios are based on valuation and may also require separate permits.

-- See Structural schedule by valuation for non-dwelling modular placements

MANUFACTURED DWELLING/RV PARKS- AREA DEVELOPMENT PERMIT (ADP)

The Area Development Permit fee to be calculated based on the valuations shown in Table 2 of OAR 918-600-0030 for Manufactured Dwelling/Mobile Home Parks and Table 2 of OAR 918-650-0030 for Recreational Park & Organizational Camp – and applying the valuation amount to Table 1 as referenced for each.

MECHANICAL PERMIT FEES

Residential	Fee – per each appliance
Air conditioner	\$57.68
Air handling unit of up to 10000 cfm	\$42.23
Air handling unit 10001 cfm and over	\$57.68
Appliance of piece of equipment regulated by code but no classified in other appliance categories	\$42.23
Attic or crawl space fans	\$28.84
Chimney/liner/flue/vent	\$46.35
Clothes dryer exhaust	\$42.23
Decorative gas fireplace	\$42.23

Ductwork-no appliance/fixture - per each	\$42.23
Evaporative cooler other than portable	\$75.19
Floor furnace, including vent	\$57.68
Flue vent for water heater or gas fireplace	\$42.23
Furnace – less than 100000 BTU	\$66.95
Furnace – more than 100000 BTU	\$57.68
Furnace/burner including duct work/vent/liner	\$57.68
Gas or wood fireplace/insert	\$42.23
Gas fuel piping outlets 1 – 4 outlets	\$23.69
Each additional outlet	\$7.21
Heat pump	\$75.19
Hood served by mechanical exhaust, including ducts for hood	\$42.23
Hydronic hot water system	\$57.68
Installation or relocation domestic/type incinerator	\$57.68
Mini split system	\$75.19
Range hood/other kitchen equipment	\$42.23
Suspended heater, recessed wall heater, or floor mounted heater	\$57.68
Ventilation fan connected to single duct	\$28.84
Ventilation system not a portion of heating or air-conditioning system authorized by permit	\$42.23
Water heater	\$57.68
Wood/pellet stove	\$42.23
Other heating/cooling	\$42.23
Other fuel appliance	\$42.23
Other environment exhaust/ventilation	\$42.23
Commercial Mechanical Fees	
Fee as per Structural Permit Fee table by valuation	
Other Mechanical Fees	
Mechanical Plan Review (when applicable)	35% of mechanical permit fee
Additional Plan Review (when applicable) –	\$109.18
Reinspection – per each	\$109.18
Each additional inspection, above allowable – per each	\$109.18

Inspections for which no fee is specifically indicated – per each (as required). Minimum 1 hour.	\$109.18
Inspection outside of normal business hours. Minimum 2 hours.	\$109.18
Investigation fee - Mechanical	\$109.18
Mechanical Minimum Permit Fee	\$109.18
PLUMBING PERMIT FEES	
New 1&2 Family Dwelling – includes one kitchen, first 100 feet each of site utilities, hose bibbs, icemakers, underfloor low-point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system. Half bath counted as whole.	
One bathroom, one kitchen	\$370.80
Two bathrooms, one kitchen	\$404.79
Three bathrooms, one kitchen	\$456.29
Each additional bathroom > 3 – or – kitchen >1	\$53.56
Each additional 100 ft or fraction thereof of site utilities – water, sewer, storm (which includes rain, footing, trench, and leach) – first 100 ft included in bathroom/kitchen fee	\$46.35
Commercial and Non-New Residential	
Site Utilities	Fee
Sanitary Sewer - First 100 feet or less	\$84.46
Sanitary Sewer - Each additional 100 feet	\$46.35
Storm – first 100 feet or less	\$84.46
Storm – Each additional 100 feet or fraction	\$46.35
Water – first 100 feet or less	\$84.46
Water – Each additional 100 feet or fraction	\$46.35
Fixtures	Fee – per each
Absorption valve	\$28.84
Backflow preventer	\$57.68
Backwater valve	\$28.84
Catch basin or area drain	\$28.84
Clothes washer	\$28.84
Dishwasher	\$28.84
Drinking fountain	\$28.84
Ejectors/sump pump	\$28.84
Expansion tank	\$28.84
Fixture cap	\$28.84
Floor drain/floor sink/hub drain	\$28.84
Garbage disposal	\$28.84

Hose bib	\$28.84
Ice maker	\$28.84
Primer	\$28.84
Sink/basin/lavatory	\$28.84
Stormwater retention/detention	\$96.82
Swimming pool piping	\$63.86
Trench Drain	\$28.84
Tub/shower/shower pan	\$28.84
Urinal	\$28.84
Water closet	\$30.84
Water heater	\$57.68
Other – plumbing	\$28.84
Alternate potable water heating system	\$66.95
Interceptor/grease trap	\$28.84
Manholes	\$28.84
Roof drain (commercial)	\$57.68
Medical Gas and Process Piping Permit Fees – Commercial Plumbing	
Valuation	Fee
\$1.00 - \$5,000	\$109.18
\$5,001 - \$10,000	\$109.18 For the first \$5,000 plus \$3.30 For each \$100 or fraction thereof.
\$10,001 - \$100,000	\$274.18 For the first \$10,000 plus \$11.32 For each additional \$1,000 or fraction thereof.
\$100,001 and above	\$1,292.98 For the first \$100,000 plus \$8.01 For each additional \$1,000 or fraction thereof.
Residential Fire Suppression – Multipurpose/Continuous Loop System 13D, fee includes plan review	
[See Structural Fee section for Standalone System 13R]	
Square Footage of Area to be Covered	Fee
0 – 2000 sq ft	\$257.50
2001 – 3600 sq ft	\$309.00
3601 - 7200 sq ft	\$360.50
7201 sq ft and greater	\$412.00
Other Plumbing Fees	
Plumbing Plan Review (when applicable) –	35% of commercial plumbing permit fee
Plumbing Plan Review (when applicable) –	35% of residential plumbing permit fee
Additional Plan Review (when applicable) –	\$109.18
Reinspection – per each	\$109.18
Each additional inspection, above allowable – per each	\$109.18

Inspections for which no fee is specifically indicated (as required) per hour. Minimum 1 hour.	\$109.18
Inspection outside of normal business hours per hour. Minimum 2 hours	\$109.18
Investigation fee - Plumbing	See Structural – Investigation Fees
Plumbing Minimum Permit Fee – commercial	\$218.36
Plumbing Minimum Permit Fee – residential	\$109.18
MISCELLANEOUS PERMIT FEES	
Permit Reinstatement fee – expired permits not yet 12 months past their expiration date, as eligible, subject to State Surcharge	\$500.00 or ½ the cost of a new permit, whichever is greater.
Permit Reinstatement fee - Expired permits over one year past their expiration	New application with current valuation fees
Permit Reinstatement fee - Expired permits lacking only the final inspection	\$109.18
Permit Extension fee – to extend expiration on active permit; not subject to State Surcharge. 1st Request	\$218.36
2nd Request	\$436.72
Copy fees	8 ½ x 11 B&W \$0.25 each
	Color \$0.50 each
	11 x 17 B&W \$0.75 each
Returned Check fee (NSF)	\$50.00
Seismic Surcharge – Structural/Mechanical – review required on all essential structures	1% of building permit fee
Refund processing fee – not subject to State Surcharge	\$50.00
Expedited Plan Review fee – Structural, in addition to standard plan review fees – plan review services outside of normal timeframes established, must be pre-approved, subject to availability/resources	\$109.18 per hour with a minimum of 50% of standard plan review fee.

Temporary Occupancy, Residential (30-day max)	\$500.00
Temporary Occupancy, Commercial (30-day max)	\$1,000.00
Change of Use or Change of Occupancy permit fee, when no structural work is proposed	\$1,000.00
Technology Fee	5% of permit fee



City of Manzanita

COUNCIL RESOLUTION No. 26-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANZANITA, OREGON,
REPEALING THE 2025-2026 MASTER FEE SCHEDULE AND ADOPTING THE 2026-2027
MASTER FEE SCHEDULE**

WHEREAS, the City of Manzanita collects fees, rates, and charges pursuant to various ordinances and resolutions, which have been consolidated into a Master Fee Schedule; and

WHEREAS, in 2024 the City adopted a consolidated Master Fee Schedule to promote transparency, administrative efficiency, and annual review in conjunction with the City's budget process; and

WHEREAS, Section 17 of Ordinance 90-8 authorizes the City Council to adopt water rates and service charges by resolution; and

WHEREAS, ORS 455.210(3)(a) authorizes municipalities to adopt reasonable building code fees by regulation; and

WHEREAS, Ordinance 23-02 Section 8.D.3 authorizes annual adjustment of System Development Charges based on the Engineering News Record Construction Cost Index; and

WHEREAS, the proposed 2026–2027 Master Fee Schedule includes:

- An inflationary adjustment to water rates of 4.67% based on a five-year average Consumer Price Index for water and sewerage maintenance;
- Adjustments to land use and development fees to improve transparency and cost recovery;
- A 3% inflationary adjustment to certain administrative, public works, and police fees; and

WHEREAS, the City Council finds that the fees, rates, and charges set forth in Exhibit A are reasonable and necessary to recover costs and provide municipal services

Now, Therefore, be it Resolved by the City Council of the City of Manzanita

Section 1. The 2025–2026 Master Fee Schedule is hereby repealed.

Section 2. The 2026–2027 Master Fee Schedule, attached hereto as Exhibit A and incorporated herein by this reference, is hereby adopted.



City of Manzanita

This resolution is effective on **July 1, 2026.**

Kathryn Stock, Mayor

ATTEST:

Leila Aman, City Manager/ City
Recorder



CITY OF MANZANITA

167 5th Street – Manzanita Oregon 97130
P.O. Box 129, Manzanita, OR, 97130-0129
Phone: (503) 812-2514 | Fax: (503) 812-2514 | TTY Dial 711
ci.manzanita.or.us

To: Mayor and City Council

Date Written: February 25, 2026

From: Leila Aman, City Manager

Subject: **DUNE GRADING MORATORIUM FINDINGS PER ORS 197.520 (4)**

PROCEDURAL BACKGROUND

On November 9, 2022, the City adopted a Moratorium on view grading as defined in the Manzanita Zoning Ordinance 95-4, Section 3.085.6.

On February 10, 2023, at least 14 days prior to the public hearing to extend the Moratorium for a period of six months, the City provided the Department of Land Conservation and Development (DLCD) written notice that the City Council would be considering an extension of the Moratorium on March 8, 2023. Meg Reed, Ocean Shores Specialist, DLCD, provided the City with a response indicating that the notice was sufficient on February 14, 2023. The City Council approved the extension of the Moratorium for a period of six months expiring on September 9, 2023.

On August 8, 2023, at least 14 days prior to the public hearing to be held to consider the extension of the Moratorium, the City provided written notice to DLCD. This notice was provided via email to Brett Estes, North Coast Regional Representative, DLCD, and Meg Reed, Ocean Shores Specialist, DLCD. Staff was provided with an email response from Mr. Estes on August 8, 2023, indicating receipt of the notice. On September 6, 2023, the City held a public hearing.

On February 12, 2024, at least 14 days prior to the public hearing to be held to consider the extension of the Moratorium, the City provided written notice to DLCD. This notice was provided via email to Brett Estes, North Coast Regional Representative, DLCD, and Meg Reed, Ocean Shores Specialist, DLCD. Staff was provided with an email response from Ms. Reed on February 12, 2024, indicating receipt of the notice. On March 6, 2024, the City held a public hearing.

On August 13, 2024, at least 14 days prior to the public hearing to be held to consider the extension of the Moratorium, the City provided written notice to DLCD. This notice was provided via email to Brett Estes, North Coast Regional Representative, DLCD, and Meg Reed, Ocean Shores Specialist, DLCD. Staff was provided with an email response from Ms. Reed on

August 16, 2024 indicating receipt of the notice. On September 4, 2024, the City held a public hearing.

On February 12, 2025 at least 14 days prior to the public hearing to be held to consider the extension of the Moratorium, the City provided written notice to DLCD. This notice was provided via email to Brett Estes, North Coast Regional Representative, DLCD, and Meg Reed, Ocean Shores Specialist, DLCD. Staff were provided with an email response from Ms. Reed on February 13, 2025 indicating receipt of the notice. On March 5, 2025, the city held a public hearing.

On August 11, 2025 at least 14 days prior to the public hearing to be held to consider the extension of the Moratorium, the City provided written notice to DLCD. This notice was provided via email to Brett Estes, North Coast Regional Representative, DLCD, and Meg Reed, Ocean Shores Specialist, DLCD. Staff were provided with an email response from Ms. Reed on August 11, 2025 indicating receipt of the notice. On September 3, 2025, the city held a public hearing.

On February 25, 2026, the City provided written notice to the Oregon Department of Land Conservation and Development (DLCD), via email to Meg Reed, Ocean Shores Specialist, DLCD, of the City Council's intent to consider an extension of the Moratorium pursuant to ORS 197.520(4). DLCD acknowledged receipt of the notice on February 25, 2026. The City Council opened a public hearing on the proposed extension on March 4, 2026. In order to ensure full compliance with the 14-day notice requirement of ORS 197.520(4), the City Council continued the public hearing to March 11, 2026. March 11, 2026, is at least 14 days after DLCD was provided with written notice.

PROPOSED SCOPE OF THE EXTENSION

This Moratorium shall be extended for six months from its current expiration date of September 5, 2025, and continue in effect until expiring on March 5, 2026, unless revoked by the City Council or extended in accordance with ORS 197.520(4).

While the Moratorium is in effect, the City shall not consider or approve any permit for view grading as defined in the Manzanita Zoning Ordinance 95-4, Section 3.085.6.

DEFINITIONS

"Affected geographical area" includes all properties within the beaches and dunes overlay zone. This land is "urban or urbanizable land" within the meaning of ORS 197.520.

PROPOSED FINDINGS IN SUPPORT OF THE EXTENSION OF MORATORIUM

Pursuant to ORS 197.520(4), the City of Manzanita finds as follows:

- I. The problem giving rise to the need for the Moratorium still exists, specifically:
 1. The City's current Foredune Management Plan ("Plan"), reflected in Manzanita Development Code 3.080, is 25 years old, and a number of things have changed since the Plan was adopted. The plan does not reflect the current status of the foredune system or best practices with respect to management. For instance, the amount of sand in the dune system has grown substantially over time. This has made it virtually impossible to grade to the dune profile dimensions specified in the Plan. Additionally, more regulatory agencies have indicated to the City that they need to be more closely involved in grading activities. For example, disposal of excess sand in the intertidal zone may need to be reviewed and modified, and a separate Corps of Engineers permit may need to be obtained. The Plan also does not take into account today's tidal flooding and erosion conditions.
 2. Because the Plan is out of date and does not reflect current conditions or best management practices, allowing view grading under the existing Plan may result in irrevocable public harm as follows:
 - a. Sand being distributed from private property onto the public ocean shore recreation area, or sand being disturbed in the ocean shore recreation area for the benefit of one or a small number of private landowners, despite:
 - i. Minimal to no public need or justification for view grading and,
 - ii. Overwhelming public opposition to recent applications for view-grading projects.
 - b. Negative impacts to the public enjoyment of the dunes during view grading activities.
 - c. Destabilization of the vegetated dunes from unsupported view grading of the dunes which could lead to impacts to both private and public development and infrastructure.
 - d. Unknown impacts on coastal shoreland resources such as razor clam and western snowy plover habitat from sand redistribution.
 - e. Unknown impacts on ocean resources by sand displacement into the intertidal zone from sand redistribution.
 - f. Establishment of additional European beach grass (which is allowed under the existing Plan) in the foredune area, rather than native beach grasses.
 - g. Un-studied impacts on public resources and nearby private properties relating to current and future anticipated seasonal tidal events, flooding and erosion.
 3. Based on the foregoing, there is a compelling need for the Moratorium.
- II. The City is making reasonable progress to alleviate the problem giving rise to the need for the Moratorium by:
 1. The City will be held a public meeting on September 23, 2025, and conducted an online

survey to gain feedback specifically on Goal 18. The city also worked with the Department of Land Conservation and development to update goal 18 policies and draft policies are now complete. The draft Comprehensive plan will be complete in the next 6 months.

- III. The Moratorium shall be extended by a period of six months to allow the City to continue making progress toward updating the Comprehensive Plan.



City of Manzanita

COUNCIL RESOLUTION No. 26-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANZANITA, OREGON, EXTENDING THE SUSPENSION OF THE PROCESSING AND ISSUANCE OF NEW SHORT TERM RENTAL LICENSES IN THE CITY UNTIL MARCH 31, 2027.

WHEREAS, the City Council suspended via resolution (22-05) the processing and issuance of new short-term rental licenses in the City for a period not to exceed 36 months, beginning April 2022, to sunset April 6, 2025; and

WHEREAS, Council established via resolution (22-02) a Short-Term Rental Committee (STR Committee) and tasked the STR Committee with conducting research and providing the City Council with options for a new short term rental policy; and

WHEREAS, substantial research has been done and policy options have been presented to the City Council by the STR Committee; and

WHEREAS, on March 5, 2025, the City Council extended the suspension of new short-term rental licenses until March 4, 2026, to allow additional time for Council deliberation and to develop recommended amendments to the short-term rental ordinance; and

WHEREAS, the Council's proposed policy recommendations remain under legal review and require additional time for review of legal analysis and discussion of proposed changes in preparation for ordinance amendments implementing the new policy.

Now, Therefore, be it Resolved by the City Council of the City of Manzanita, Oregon,

Section 1

The City of Manzanita hereby extends its temporary suspension of (a) the issuance of any new short term rental licenses and (b) the acceptance and processing of applications for new short term rental licenses, until March 31, 2027 or until such time as the City Council ends this suspension via Resolution or adoption of Ordinance amendments to implement a new policy, whichever occurs first.

Section 2

This temporary suspension does not apply to applications for, or renewals of, existing short-term rental licenses under Manzanita Ordinance No. 10-03, as amended.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.



City of Manzanita

Kathryn Stock, Mayor

ATTEST:

Leila Aman, City Manager/ City
Recorder



COUNCIL RESOLUTION No. 26-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANZANITA, OREGON,
MAKING APPOINTMENTS TO THE BUDGET COMMITTEE.**

WHEREAS, ORS 294.414 requires that the governing body of each municipal corporation shall establish a budget committee in accordance with the provisions of the statute; and

WHEREAS ORS 294.414 requires that the budget committee consists of members of the governing body, and a number equal to the number of members of the governing body of electors of the municipal corporation appointed by the governing body; and

WHEREAS, there are currently two open positions on the budget committee; and

WHEREAS, the City Council at its January 7, 2026, meeting approved selection criteria and assigned a member of city council and a member of the budget committee to conduct a selection process;

WHEREAS, Councilor Jerry Spegman, and Budget Committee member Joy Nord were selected to serve on the selection committee; and

WHEREAS the selection committee conducted the application review and evaluation process; and

WHEREAS, the selection committee unanimously recommends the following candidates to serve on the City's Budget Committee for a three-year term:

1. Chip Greening
2. Jeffrey Sonshine

Now, Therefore, be it Resolved by the City Council of the City of Manzanita, Chip Greening and Jeffrey Sonshine are hereby appointed to the budget committee for a three year term commencing March 2026.

Introduced and adopted by the City Council on _____.

This resolution is effective on _____.

Kathryn Stock, Mayor

ATTEST:

Leila Aman, City Manager/ City
Recorder

Planning Commission Criteria 2026

- A balanced group of people representing people who live and/or own property in Manzanita City Limits or Urban Growth Boundary.
- Has read the Comprehensive Plan and possesses an understanding of basic land use issues/principles.
- Can objectively weigh and balance complex issues and rely on the Comprehensive Plan and Ordinance for decision making. (e.g., does not let personal opinion bias objective analysis of a land use issue).
- Has limited, if any, potential conflicts of interest.
- Applicant demonstrates ability to listen and communicate effectively in a group setting.
- Applicant confirms they have read Chapter 9 - Ethics, Decorum, Outside Statements of the City of Manzanita Rules of Procedure for City Council Meetings.

Planning Commission Meetings are held on the second Monday of each month at 4 pm. In cases where Monday falls on a holiday, the Planning Commission will meet the following day on Tuesday. There are also potential trainings and special meetings that may be required. Can you comply with this time commitment?

Yes No

Meetings are currently held in person with the availability to attend via Zoom. Are you able to participate in person? Please describe your availability to attend meetings either via Zoom or in person below.

Is there anything else you would like to share with the selection committee about your experience and interest in the position?

You are also welcome and encouraged to submit a CV or Resume as part of your application.

THE DEADLINE FOR SUBMISSIONS IS MARCH 26, 2026, AT 4:00 PM

Please return this form
by email to cityhall@ci.manzanita.or.us

If you have any questions, please call 503-812-2514 or email us at cityhall@ci.manzanita.or.us

CHAPTER 9 – Ethics, Decorum, Outside Statements Amended May 8, 2024

- I. **Ethics.** All members of the Council and all members of any committee appointed pursuant to Rule 8 shall review and observe the requirements of state ethics law, all members of the Council and/or any committee member appointed pursuant Rule 8 shall refrain from:
 - A. Disclosing confidential information.
 - B. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
 - C. Expressing an opinion outside of Council meetings or committee meetings contrary to the official position of the Council or the committee without saying so.
 - D. Conducting themselves in a manner that may bring discredit upon the government of the city.

- II. **Decorum.**
 - A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.
 - B. Members of the Council or Committee shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
 - C. Members of the city staff and all other persons attending meetings shall observe the Council’s rules of proceedings and adhere to the same standards of decorum as members of Council.
 - D. No flags, posters, placards, or signs may be carried or placed within the Council Chambers or Committee location of which the City Council or Committee is officially meeting. This restriction shall not apply to arm bands, emblems, badges, or other articles worn on personal clothing or individuals, provided that such devices do not interfere with the vision or hearing of other persons at the meeting or pose a safety hazard.

- III. **Statements to the Media and Other Organizations**
 - A. Representing City. If a member of the Council or Committee, including the Mayor, appears as a representative of the city before another governmental agency, media or organization to give a statement on an issue, the member may only state the official position of the city, as approved by majority of Council.
 - B. Personal Opinions. If a member of Council or Committee, including the Mayor, appears in their personal capacity before another governmental agency, media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

- C. Social Media. If a member of the Council or Committee, including the Mayor, creates a social media post, participates in a social media post, or distributes by any electronic means comment or information regarding Manzanita City government, the member may only state the official position of the City, as approved by a majority of the Council unless the member provides a clear statement they are expressing their own opinion and not that of the City.
- D. Electronic Mail – All members of the Council or Committee shall observe the following guidelines when using an electronic method for correspondence in their elected roles:
 - 1. All Council email correspondence is subject to the Oregon Public Records and Meetings laws and is subject to disclosure (pursuant to ORS 192)
 - 2. Email may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the Council, the City Manager, or City Department Directors.
 - 3. Email may not be used to discuss policy issues with a quorum of the Council at one time or a quorum of a standing advisory body in any manner which would be in violation of the Oregon Public Meetings Law (pursuant to ORS 192).

IV. Resolution Number 20-22 Condemning Racism and Encouraging a Commitment to Fair and Equal Treatment for all. Resolution number 20-22 Condemning Racism and Encouraging a Commitment to Fair and Equal Treatment for All is incorporated into this Rule 9 as if fully set forth herein. Conduct in contravention of said resolution may be grounds for sanctions against a member of Council or Committee.