



CITY COUNCIL AGENDA
August 8, 2016, 6:30PM
Regular Meeting
 CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

Call to order: Time: _____

1. **The pledge of allegiance**
2. **Roll Call:**

	Present	Absent
Mayor Karl Popoff		
Council Position #1 Melinda McVey		
Council Position #2 Larry Brennan		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
STARTING VOTE		
City Administrator Jodi Fritts		
Student Liaison VACANT		

3. **Special Orders of Business:**
 - a) Mayor’s Thank You to local branch of the LDS Church for July 23, 2016, Make a Difference Day in Gold Beach
 - b) Proclamations: Suicide Prevention Month & Bully Prevention Month

4. **Consent Calendar:**
None Scheduled

5. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting

6. **Public Hearing**
The City Council will briefly recess as the Council and open the public hearing acting as the Gold Beach Urban Renewal Agency

- a. FY 1617 Urban Renewal Budget
- b. Written testimony from Urban Renewal Citizen Advisory Committee member
- c. GBURA R1617-01 Adopting Urban Renewal Agency FY 1617 budget

The Council will reconvene as the City Council and resume the agenda

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community

7. **Citizen Requested Agenda Items**
None Scheduled
8. **Public Contracts and Purchasing**
None Scheduled
9. **Ordinances & Resolutions**
 - a. Resolution R1617-03 adopting FY1617 water & sewer rates
10. **Miscellaneous Items (including policy discussions and determinations)**
 - a. Discussion of wild/feral animal feeding in the City
 - b. Review and discussion of previously provided proposed land use changes for marijuana businesses, and for tiny houses and ADUs
11. **City Administrator's Report**
To be presented at the meeting
12. **Mayor and Council Member Comments**
 - a. Mayor Karl Popoff
 - b. Councilors
 - 1) Melinda McVey
 - 2) Larry Brennan
 - 3) Becky Campbell
 - 4) Doug Brand
 - 5) Tamie Kaufman
 - c. Student Liaison, Vacant
13. **Citizens Comments**
As permitted by the Mayor
14. **Executive Session**
No Executive Session is scheduled.

The next regularly scheduled City Council meeting is **Monday, September 12, 2016, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. **Adjourn** **Time:** _____

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SPECIAL ORDERS OF BUSINESS



SECTION 3.

Special Orders of Business

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 3 a.
Council Meeting Date: August 8, 2016

TITLE: Mayor's Thank You to Gold Beach LDS Branch

SUMMARY AND BACKGROUND:

Mayor Popoff wanted to formally thank the Gold Beach branch of the Church of Jesus Christ of Latter-Day Saints for their volunteer Make a Difference Day work on July 23rd.

REQUESTED ACTION:

Informational only



City of Gold Beach

29592 Ellensburg Avenue • Gold Beach, OR 97444

Administration: 541-247-7029 • Police: 541-247-6671 • www.goldbeachoregon.gov

Visitor Center: 541-247-7526 • www.goldbeach.org

Wednesday, July 6, 2016

Coos Bay Oregon Stake
Church of Jesus Christ of Latter-Saints
3355 Virginia Ave
North Bend, OR 97459

RE: Make A Difference Day in Gold Beach

Dear LDS Members:

I wanted to take this opportunity to personally thank you on behalf of the City of Gold Beach and our citizens for your tremendous volunteer efforts on Saturday, July 23rd. Having your church members young and old descend on us last week was such a fun and joyful experience. Some of our city staff worked alongside your members at our Visitor Center and they said what a bunch of worker bees you all were! More stuff was accomplished in town on that one day than probably has happened in years. Additionally, your Make a Difference Day started a volunteer ball rolling that has gotten folks together to work on all kinds of projects in and around Gold Beach--with a plan that will span several months and perhaps years.

So THANK YOU very much to your members. We are very grateful for your hard work and blessed that you chose Gold Beach to Make a Difference this year. Make a difference you certainly did. And I want to extend a special thank you for the work you performed at our city owned Visitor Center—that is an important facility for us and the “face” of the City to our visitors. Having all that work down there just makes us shine. Thank you.

Most Sincerely,



Karl Popoff
Mayor of Gold Beach

The City of Gold Beach is dedicated to enhancing quality of life, while promoting the health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community.

Wild Rivers
Coast
101 MILES OF NATURE'S BEST



SECTION 3.

Special Orders of Business

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 3 b.
Council Meeting Date: August 8, 2016

TITLE: Requested Proclamations

SUMMARY AND BACKGROUND:

Request from Gordon Clay of TheCitizensWhoCare.org for Suicide Prevention Month and Bully Prevention Month Proclamations by the Mayor

REQUESTED ACTION:

Informational only



PROCLAMATION
Declaring September as Suicide Prevention Month

WHEREAS, suicide is the 10th leading cause of all deaths in the United States; and the 2nd leading cause of death for ages 10-24ⁱ; and

WHEREAS, tragically, more Oregonians die by suicide than by homicide, giving Oregon the 10th highest rate of suicide in the U.S.; and

- suicide is the 8th leading cause of death overall in Oregon; and
- the second leading cause of death for ages 10-34

WHEREAS, over 50% of people who die by suicide use a firearmⁱⁱ; guns stored in the house are used for suicide 40 times more often than for self-protectionⁱⁱⁱ; and

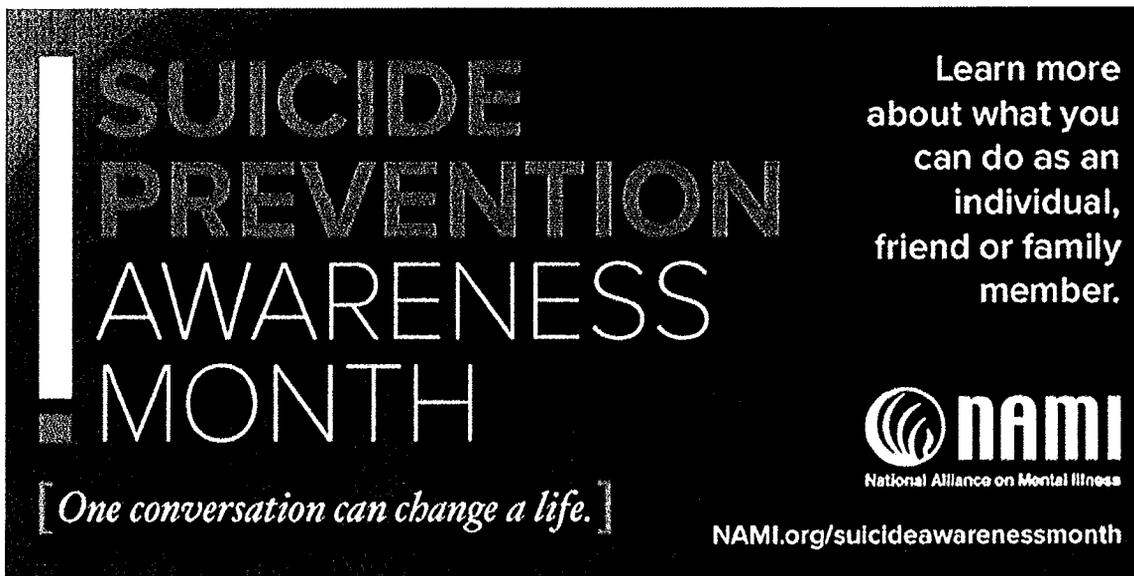
WHEREAS, according to the 2014/15 Oregon Healthy Teen Survey, Curry County led all Oregon school districts in the percent of 8th and 11th grade students who seriously considered attempting suicide in the 12 months prior to the survey and represented more than double the average 8th and 11th grader actually attempting suicide during that same period^{iv}, and

WHEREAS, the stigma associated with mental illness and suicide works against suicide prevention by discouraging persons at risk from seeking lifesaving help and further traumatizes survivors of nonfatal attempts, and

WHEREAS, The Oregon Plan for Youth Suicide Prevention: A Call to Action, updated in 2016, outlines strategies for community based action to end the stigma associated with suicide

NOW, THEREFORE, I Karl Popoff, Mayor of the City of Gold Beach, hereby declare and proclaim the month of September 2016 as Suicide Prevention & Awareness Month for the City of Gold Beach.

BE IT FURTHER RESOLVED that the City encourages schools, students, parents, health care workers, religious institutions, and community organizations to engage in a variety of prevention and awareness activities designed to remove the stigma around suicide.

A black and white poster for Suicide Prevention Awareness Month. The text "SUICIDE PREVENTION AWARENESS MONTH" is written in large, white, sans-serif capital letters on a dark background. To the right, a smaller white text reads "Learn more about what you can do as an individual, friend or family member." Below this is the NAMI logo, which consists of a stylized circular emblem and the text "nami National Alliance on Mental Illness". At the bottom left, a quote in a white serif font says "[One conversation can change a life.]". At the bottom right, the website "NAMI.org/suicideawarenessmonth" is listed.

**SUICIDE
PREVENTION
AWARENESS
MONTH**

Learn more
about what you
can do as an
individual,
friend or family
member.

nami
National Alliance on Mental Illness

[One conversation can change a life.]

NAMI.org/suicideawarenessmonth

DATED this 8th day of August, 2016

Karl Popoff, Mayor

ⁱ <http://afsp.org/about-suicide/state-fact-sheets/#Oregon>

ⁱⁱ <http://www.pewresearch.org/fact-tank/2013/05/24/suicides-account-for-most-gun-deaths/>

ⁱⁱⁱ guns stored in the house are used for suicide 40 times more often than for self-protection;
<http://open.nysenate.gov/legislation/bill/J1557-2015>

^{iv} <http://www.thecitizenswhocare.org/schoolboard/healthyteen-wellness-county-comparison-composite.html>



PROCLAMATION Declaring October as Bully Prevention Month

WHEREAS, bullying is physical, verbal, sexual or emotional intimidation or harm intentionally directed at a person or group of people and occurs in neighborhoods, playgrounds, schools, on the job and through technology, such as the Internet and cell phone; and

WHEREAS, research indicates that bullying is the most common form of violence, annually affecting millions of American children and adolescents and thousands of Oregon children and adolescents; and

WHEREAS, in the 30 days before taking 2014/15 Oregon Healthy Teen survey, over half of all Curry County 8th graders felt harassed:

- They led the state in the percentage that felt harassed for being perceived as gay, lesbian, bisexual or transgendered, because of their weight, clothes acne, or physical characteristics, for their group of friends, and being harassed via cyberbullying, or other reasons.
- During the 12 months before the survey, they were in more physical fights on school property, or were threatened with a weapon on school grounds than 8th graders in any other Oregon county.
- Curry County 8th graders ranked 2nd in the state having received unwanted sexual comments or attention or because of their race or ethnic origin.
- In seven of these 11 categories, Curry County 8th graders were negatively impacted at more than twice the rate of the average Oregon 8th grader.

WHEREAS, targets of bullying are more likely to acquire physical, emotional, and learning problems; students who are repeatedly bullied often fear such activities as riding the bus, going to school, and attending community activities; and

WHEREAS, children who bully are at greater risk of engaging in more serious violent behaviors while children who witness bullying often feel less secure, more fearful, and intimidated.

NOW, THEREFORE, I Karl Popoff, Mayor of the City of Gold Beach, hereby declare and proclaim the month of October 2016 as Bully Prevention Month for the City of Gold Beach.

BE IT FURTHER RESOLVED that all Gold Beach citizens are encouraged to engage in activities designed to make our community safer for all children and adolescents, and show support for students who have experienced bullying.

STAND UP FOR THE UNDERDOG (OR CAT)!



STOP BULLYING.

11/01/2016 10:10:10

DATED this 8th day of August, 2016

Karl Popoff, Mayor



PUBLIC HEARING



SECTION 6.

Public Hearing

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **6. a. & c.**
Council Meeting Date: August 8, 2016

TITLE: Public Hearing Urban Renewal FY 1617 Budget

SUMMARY AND BACKGROUND:

The City adopted an urban renewal district and plan in June of 2013. Since then a series of problems (not created by the City) have prevented the certification of the tax roll and collection of tax increment financing (TIF) to the district. On February 18, 2016, the frozen tax values were finally certified by the County Assessor in order for the district to begin to receive tax revenue.

Through an egregious oversight on my part, a budget for the district was not presented to the Council during our regular budget process. The Deputy Assessor notified me On July 28th that we had missed the filing deadline for division of tax for the November 2016 taxes. I accepted blame for the failure and said I would notify the Council at our next meeting. The Deputy Assessor said they would check to see if we could still file the form UR-50 for this tax season. I immediately began preparing the necessary documents for review and adoption at the August 8th meeting in case that was a possibility.

The next morning I was contacted by the Mayor. The County Assessor called the Mayor and informed him of my mistake but said that if the City could have the form to his office by August 19th they could still certify this year's tax roll. I told the Mayor that I had already prepared the documents for adoption on Monday and had already emailed the legal notice to the paper for publishing hopefully on Saturday, but on Wednesday at the latest. The notice was also published on the City website.

About a half hour after the Mayor's call he called back to say Jane Stebbins from the Pilot had contacted him about our failure to submit appropriate forms for the past 3 years. He said he had answered what he could but referred her to me. In the meantime she had emailed me with specific questions. I called her and explained the failure was this year only. The prior years had to do with short staffing in the Assessor's office after we initially adopted the plan, the values of the property in the district, the requirement that we revise the boundary, and the denial of the request for an under levy last year.



SECTION 6.

Public Hearing

I made no attempt to blame anyone but myself for failure to file the form UR-50 THIS year. While there was more to our conversation than me “just plain forgetting” even though it was because of serious family health issues, any explanation really just amounts to an excuse. It was my fault I forgot about the budget. The Assessor and his Deputy have graciously extended the time limit for our filing and I thanked them.

We received written testimony from one of the UR Citizen Advisory Committee members on Friday August 5th. The request was that the envelope be opened and read at the meeting on Monday. The City doesn’t hold public records until a date specified. Once we receive documents at the counter, unless they are confidential, they are opened, date stamped, and processed. A subsequent report with that testimony is attached after this report.

REQUESTED ACTION:

Open the hearing, receive public comments (if any), close the hearing, deliberate and make a decision to ADOPT/NOT ADOPT the Urban Renewal Agency budget for fiscal year 2016-2017.

SUGGESTED MOTION FOR ADOPTION

I make the motion that the Gold Beach Urban Renewal Agency adopt Resolution GBURA R1617-01—a resolution adopting the fiscal year 2016-2017 budget, making appropriations, declaring tax increment, and collecting the maximum amount of the division of tax.

Once the matter has been dispatched resume the regular Council meeting as the City Council.

Jodi Fritts

From: Jodi Fritts
Sent: Friday, July 29, 2016 2:33 PM
To: 'klpopoff@frontier.com'
Subject: FW: Gold Beach Urban Renewal

Mr. Mayor:

Here is the email from the Assessor's Office yesterday and my response.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach

From: Jodi Fritts
Sent: Thursday, July 28, 2016 6:37 PM
To: 'Tracy Garner'
Subject: RE: Gold Beach Urban Renewal

No you are correct. Because it's been so long since we submitted this (2013) and we haven't collected any taxes, I totally missed the budget deadline so now we go ANOTHER year with no revenue to the District. My fault completely. Thanks for letting me know. I'll let the council know it was my fault.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach

From: Tracy Garner [<mailto:garnert@co.curry.or.us>]
Sent: Thursday, July 28, 2016 4:03 PM
To: Jodi Fritts
Cc: Jim Kolen
Subject: Gold Beach Urban Renewal

Jodi, I was going through the district budget documentation getting prepared for pre-tax extension and I do not see that you filed the UR-50 and budget resolution for the Gold Beach Urban Renewal. The deadline for these filings was July 15, 2016. Did you intend on the UR division of tax (DOT) for the 2016-17 year, or are you are holding off? If you were intending on DOT for 2016-17, those documents needed to be filed by July 15, 2016. We could do some checking, but it may be too late for this year.

Jodi Fritts

From: Jodi Fritts
Sent: Friday, July 29, 2016 3:39 PM
To: Jane Stebbins (jstebbins@currypilot.com)
Subject: FW: Gold Beach Urban Renewal
Attachments: GBURA1617.pdf

Importance: High

Here's the email chain. Holler if you have any additional questions.

Jodi Fritts-Matthey

City Administrator
City of Gold Beach

From: Jodi Fritts
Sent: Friday, July 29, 2016 3:17 PM
To: 'Jim Kolen' (KolenJ@co.curry.or.us)
Cc: 'klpopoff@frontier.com'; Jodi Fritts
Subject: RE: Gold Beach Urban Renewal
Importance: High

Jim:

I just want to say thank you to you and Tracy for bringing this to my attention. Because it's been so long I completely forgot the urban renewal district.

The Mayor said you told him you would extend our UR-50 filing deadline to Aug 19th. I really appreciate that. Attached are copies of the budget docs that will be adopted at our August 8th meeting.

Thanks again,

Jodi Fritts-Matthey

City Administrator
City of Gold Beach

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Jodi Fritts

From: Jodi Fritts
Sent: Friday, July 29, 2016 4:04 PM
To: 'Jane Stebbins'
Subject: RE: urban renewal funds
Attachments: GBURA CHRON.pdf; URB6_URB5_61515.pdf

Importance: High

I'm sorry, I didn't answer your other questions!

We typically collect ABOUT \$500,000 annually in taxes. We also have a \$60,000 levy for programmatic fire truck replacement. That is a 7 year levy that started again for November 2015 tax year (approved by voters in May 2015)

The UPDATED UR boundary map is attached.

And I know you said you didn't need it but this is the short history on the UR plan adoption. I try to be as transparent as I possibly can be.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach

From: Jane Stebbins [<mailto:jstebbins@currypilot.com>]
Sent: Friday, July 29, 2016 3:14 PM
To: Jodi Fritts
Subject: urban renewal funds

Hi Jodi,

I hate to start off our working relationship this way, but it's come to my attention that paperwork hadn't been filed in the past three years to transfer money from property taxes garnered to a new Urban Renewal Plan for the city of Gold Beach.

Karl said you "just plain forgot," owned up to it and the city will just continue from here. He's understanding of the plight, but of course, I need your side of the story!

I also wonder:

- how much the city collects in property tax
- The Urban Renewal Area boundaries

Karl also said one year the paperwork was filed late?

Whazzup?! Please clue me in!

Thanks, Jane

PS This is not running in Saturday's paper.

FORM UR-1

NOTICE OF BUDGET HEARING

A public meeting of the Gold Beach City Council acting as the Gold Beach Urban Renewal Agency will be held on Monday, August 8, 2016 at 6:30pm, in the City Council Chambers at Gold Beach City Hall. The purpose of this meeting is to discuss the Urban Renewal Agency budget for the fiscal year beginning July 1, 2016. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at City Hall between the hours of 8am and 5pm or online at www.goldbeachoregon.gov. This budget is for an ANNUAL budget period. This budget was prepared on a basis of accounting that is different than used the preceding year. If different, the major changes and their effect on the budget are: This is the FIRST YEAR of the Gold Beach Urban Renewal District budget.

Contact: Jodi Fritts, City Administrator

Telephone: 541-247-7029 Email: jfritts@goldbeachoregon.gov

FINANCIAL SUMMARY - RESOURCES			
TOTAL OF ALL FUNDS	Actual Amount	Adopted Budget	Approved Budget
	20 -	This Year 20 -	Next Year 2016-2017
Beginning Fund Balance/Net Working Capital	0	0	0
Federal, State and All Other Grants	0	0	0
Revenue from Bonds and Other Debt	0	0	0
Interfund Transfers	0	0	0
All Other Resources Except Division of Tax & Special Levy	0	0	0
Revenue from Division of Tax	0	0	29,000
Revenue from Special Levy	0	0	0
Total Resources	0	0	29,000

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
Personnel Services			0
Materials and Services			0
Capital Outlay			0
Debt Service			26,372
Interfund Transfers			0
Contingencies			2,000
All Other Expenditures and Requirements			0
Unappropriated Ending Fund Balance			628
Total Requirements	0	0	29,000

FINANCIAL SUMMARY-REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM *			
Name of Organizational Unit or Program			
FTE for that unit or program			
	0	0	0
FTE	0	0	0
Non-Departmental / Non-Program	0	0	0
FTE	0	0	0
Total Requirements	0	0	0
Total FTE	0	0	0

STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING *
 The Gold Beach Urban Renewal Agency adopted an urban renewal plan in June 2013. The Curry County Assessor certified the Urban Renewal Amended Frozen Values on February 16, 2016. November 2016 is the first year division of tax will be collected within the district. This is the first budget of the URA. The debt service line item is to reimburse the City General Fund for expenditures paid by the General Fund in the creation and adoption of the district and plan.

STATEMENT OF INDEBTEDNESS		
LONG TERM DEBT	Estimated Debt Outstanding	Estimated Debt Authorized, But
	July 1	Not Incurred on July 1
General Obligation Bonds	\$0	\$0
Other Bonds	\$0	\$0
Other Borrowings	\$26,372	\$0
Total	26,372	0

Leather interior.
 immaculate condition.
 \$13,300
 707-458-3887

31 motor home.
 41,000 miles.
 Sleeps 6. \$7,900.
 707-951-5294

2006 22-ft., Thor,
 @The Wave, travel
 trailer. Exc. cond.,
 AC/Heat, Sleeps 4,
 full tub/shower/sink,
 \$6,000/Obo.
 541-469-7383
 541-661-0975
 541-425-0860

2007 Harley Davidson
 Softail Deuce.
 Customized, Ape
 hanger handlebars,
 braided steel lines,
 Vance & Hines ex-
 haust & more. Mean
 little bike! Incl. orig.
 stock parts, only
 2,800 mi., black and
 chrome, beautiful.
 Great Bike!
 \$14,000/Obo.
 541-469-5969

2005 33ft.
 5th wheel
 Yellowstone XL, 2
 slides, 2 solar pan-
 els, patio room.
 Beautiful! Lots of
 room to enjoy and
 relax. \$21,000.
 541-254-0482 or
 541-661-1979

2006 36-ft. Montana
 5th wheel. 3 slides,
 Island Kitchen, very
 clean, plus more.
 Set-up in a 55+ park.
 Blue Book: \$23,000.
 Asking \$20,000/Obo.
 Please call (no text)
 541-415-4842

655
 Utility Trailers

2015 Hellmark Cargo
 24-ft., 10,000 lb. ca-
 pacity. Used once,
 \$8,500 OBO,
 719-281-4932

VINTAGE
 Too many
 collectibles?
 Sell them in the
 Curry Coastal.
 Pilot
 541-469-3123
 www.CurryPilot.com

BARGAIN CORNER
 Bargain Ads
 are FREE for
 subscribers*
 selling an item
 under \$99.
 *Not a subscriber,
 pay only \$5.
 They publish for a
 week in both the
 Pilot 541-469-3123
 and the
 Del Norte TriPLICATE
 707-464-2141

Classified
Success Stories
 We placed a property for sale ad and had over 25 phone calls! 5 people actually made an appointment and came to look at the property, which is now sold! I have lived here a long time and have placed many ads, but the response on this was over the top! Thank you! (D.T.)

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FORM UR-1
 NOTICE OF BUDGET HEARING
 A public meeting of the Gold Beach City Council acting as the Gold Beach Urban Renewal Agency will be held on Monday, August 8, 2016 at 6:30pm, in the City Council Chambers at Gold Beach City Hall. The purpose of this meeting is to discuss the Urban Renewal Agency budget for the fiscal year beginning July 1, 2016. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at City Hall between the hours of 8am and 5pm or online at www.goldbeachoregon.gov. This budget is for an ANNUAL budget period. This budget was prepared on a basis of accounting that is different than used the preceding year. If different, the major changes and their effect on the budget are: This is the FIRST YEAR of the Gold Beach Urban Renewal District budget.
 Contact: Jodi Fritts, City Administrator
 Telephone: 541-247-7029 Email: jfritts@goldbeachoregon.gov

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
	Actual Amount	Adopted Budget	Approved Budget
TOTAL OF ALL FUNDS	20	This Year 20	Next Year 2016-2017
Beginning Fund Balance/Net Working Capital	0	0	0
Federal, State and All Other Grants	0	0	0
Revenue from Bonds and Other Debt	0	0	0
Interfund Transfers	0	0	0
All Other Resources Except Division of Tax & Special Levy	0	0	0
Revenue from Division of Tax	0	0	29,000
Revenue from Special Levy	0	0	0
Total Resources	0	0	29,000

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
	Actual Amount	Adopted Budget	Approved Budget
Personnel Services			0
Materials and Services			0
Capital Outlay			0
Debt Service			26,372
Interfund Transfers			0
Contingencies			2,000
All Other Expenditures and Requirements			0
Unappropriated Ending Fund Balance			628
Total Requirements	0	0	29,000

STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING *
 The Gold Beach Urban Renewal Agency adopted an urban renewal plan in June 2013. The Curry County Assessor certified the Urban Renewal Amended Frozen Values on February 16, 2016. November 2015 is the first year division of tax will be collected within the district. This is the first budget of the URA. The debt service line item is to reimburse the City General Fund for expenditures paid by the General Fund in the creation and adoption of the district and plan.

STATEMENT OF INDEBTEDNESS			
	Estimated Debt Outstanding	Estimated Debt Authorized, But Not Incurred on July 1	
LONG TERM DEBT	July 1		
General Obligation Bonds	\$0	\$0	
Other Bonds	\$0	\$0	
Other Borrowings	\$26,372	\$0	
Total	26,372	0	

Publish August 3, 2016
 No. 71136053

ATTORNEY **CARPET CLEANING** **HEALTH SERVICES** **PROPERTY MANAGEMENT**

Professional Directory

RESOLUTION GBURA R1617-01

A RESOLUTION BY THE GOLD BEACH URBAN RENEWAL AGENCY ADOPTING THE FISCAL YEAR 2016-2017 BUDGET, MAKING APPROPRIATIONS, DECLARING TAX INCREMENT, AND COLLECTING THE MAXIMUM AMOUNT OF THE DIVISION OF TAX

- WHEREAS:** The City of Gold Beach City Council adopted an urban renewal district and plan on June 10th, 2013; and
- WHEREAS:** The plan was amended on May 11th, 2015 to bring the boundary into compliance with ORS 457.420(2)(b)(A) ; and
- WHEREAS:** The Curry County Assessor certified the frozen tax base to the City on February 18, 2016; and
- WHEREAS:** The Assessor will divide and collect the tax increment for the District for the November 2016 tax assessment; and
- WHEREAS:** It is necessary for the City acting as the Urban Renewal District to adopt a budget in order to receive the tax division.

ADOPTING BUDGET

NOW THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach acting as the Gold Beach Urban Renewal District adopts the budget for the Gold Beach Urban Renewal District for the fiscal year 2016-2017 in the amount of \$29,000. A copy of the budget is attached to this resolution as EXHIBIT A.

MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts shown below are hereby appropriated for the 2016-2017 fiscal year:

<u>REVENUE FROM TAX INCREMENT:</u>		<u>\$29,000</u>
	Total Revenue	\$29,000
<u>EXPENDITURES</u>		
Debt Service (General Fund reimbursement)	\$26,372	
Contingency	\$2,000	
Unappropriated	628	
	<hr/>	
Total Expenditures	\$29,000	

DECLARING TAX INCREMENT

BE IT RESOLVED that the Gold Beach Urban Renewal Agency hereby elects to certify to the Curry County Assessor a request by the Gold Beach Urban Renewal Agency for the

maximum amount of tax increment revenue that may be raised by dividing the taxes under Section 1c, Article IX of the Oregon Constitution and ORS Chapter 457.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, ACTING AS THE GOLD BEACH URBAN RENEWAL AGENCY, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 8th DAY OF AUGUST, 2016.

APPROVED BY:

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator
Authorized Officer GBURA

GOLD BEACH CITY COUNCIL
AGENDA REPORT

Agenda Item No. 6. b.
Council Meeting Date: August 8, 2016

TITLE: UR Advisory Committee Member testimony

We received the following written testimony from one of the UR Citizen Advisory Committee members on Friday August 5th. The request was that the envelope be opened and read at the meeting on Monday. The Admin Office doesn't hold public records until a date specified. Once we receive documents at the counter, unless they are confidential, they are opened, date stamped, and processed.

After the written testimony are the following attachments:

- Staff Agenda Report
- Emails between staff and GBURA member
- Adopted UR plan projects and funding timeline

As a separate document (due to file size) urban renewal history 2013-present



WRITTEN TESTIMONY

RECEIVED

AUG 05 2016

CITY OF GOLD BEACH

City of Gold Beach
Council Members
Mayor Popoff + City Admin.
To Be opened + Read, Monday
Aug. 8, 2016, Agenda item GBURA
Gold Beach Urban Renewal Agency

RECEIVED

Beth Barker-Hidalgo

AUG 05 2016

August 8, 2016

[REDACTED]
Gold Beach, OR 97444
[REDACTED]

CITY OF GOLD BEACH

To: Gold Beach City Council, Mayor Karl Popoff and Jodi Fritts, City Administrator

Thank you for taking the time to read my statement into the record for the Gold Beach City Council meeting August 8th, 2016.

I am writing this statement to express my concerns over the status of the Gold Beach Urban Renewal Agency. As a citizen representative of the Gold Beach Urban Renewal agency I have communicated, requests for updates to the status of GBURA on more than one occasion via email. On each occasion the responses I received indicated that as there were no GBURA funds, no meetings had taken place and there were no updates to communicate.

My professional background includes experience with project management and planning in a multitude of disciplines. It seems to me that a certain amount of planning is required in order to have a road map when funding is available for urban renewal projects. This has been my opinion and it is at this point I feel I should have been more attentive and assertive as a citizen representative and pushed for activity related to planning for urban renewal projects. Had I been a bit more aggressive perhaps we wouldn't be tackling issue from a negative perspective. Water under the bridge now.

My approach to tackling issues that result in less than favorable returns is to assess the process. I do not seek to find fault in individuals with influence on the process unless behaviors or activities warrant. In this case I feel there were several opportunities and therefore individuals that have a role in the current status of the agency.

I am requesting a thorough analysis of the current committees, processes, policies and or procedures that have had an impact/influence on the GBURA. If during this analysis it is found there has been improper, illegal or inappropriate activities that led to the current status of GBURA, I respectfully request that actions be taken to address this, up to and including termination/resignation if warranted and as personnel policies, contractual language, by-laws and or committee responsibilities dictate.

As a community member, tax payer, and GBURA citizen representative I am disappointed with information I have heard from local officials as to the current status of the GBURA and I am concerned that as this unfolds the community will lose trust in the City of Gold Beach's ability to administer programs/projects of this nature in the future.

As we all know, tourism is a vital economic driver for Gold Beach. Improvements to the aesthetic environment of Gold Beach have begun and will continue to have a positive impact, and create best first impressions of our dynamic and beautiful community. Urban Renewal projects are proven to lend increased economic value to cities which means sustainability for our economic future.

I trust the Council, Mayor, City Administrator and Budget Committee members will embark on a thorough audit and present a path to success for the GBURA.

Thank you,

Beth Barker-Hidalgo 



SECTION 6.

Public Hearing

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 6. b.
Council Meeting Date: August 8, 2016

SUMMARY AND BACKGROUND:

Some serious allegations and concerns are expressed in the letter. While this is not my preferred forum for addressing concerns, it is certainly a citizen's right to address the Council directly. My preference is to try and discuss the matter with staff before going straight up to the Council. If resolution can't be found at the staff level then escalation to the Council is warranted.

I have spoken to Ms. Barker-Hidalgo a few times in the past about the status of the TIF and how we are at the mercy of another jurisdiction as far as collection and dispersal of those of the funds. Until the tax roll certification was completed we had no mechanism to collect any TIF. I did a global search on my email from 2010 to present and I was only able to find 3 emails specific to urban renewal. All three were in April of 2013 before the district and plan were adopted. I spent about an hour searching with the following tags: beth barker, barker-hidalgo, urban renewal, URA, GBURA, urban renewal. If there are more emails between me and Ms. Barker-Hidalgo about urban renewal I honestly was not able to locate them in my email folders. If they are there I couldn't find them.

I am staff to the Urban Renewal Agency but I am not part of the agency. I do not have the authority (that I am aware of) to call meetings of the agency. The last meeting of the agency was in May 2015 to adopt the revised boundary. You may recall that was necessary because the value of the properties within the district was over 25% of our total assessed value after the Assessor initially processed the district in 2014. It took the better part of a year to complete the work to reduce the district to the statutory limit. There have been no subsequent meetings therefore nothing to report.

As far as planning needed to have a road map for funding of the district projects, that work has already been completed. It was required as part of our plan adoption. I have attached the relevant portions of the adopted plan which list the projects, funding required, and timelines (which will have to be adjusted by 3 years now). We are locked and loaded as far as planning we have just been in a holding pattern these past 3 years waiting for the TIF. Once we start receiving that in November then we can hit the ground running. Again, because I am not part of the agency, I don't call meetings of the agency, but you all certainly can decide to meet



SECTION 6.

Public Hearing

whenever you like. Once the agency decides to meet I would, as staff, notify the lay members of the group (citizen advisory members).

I'm not trying to deflect responsibility but we are not in control of the tax assessment process in the City or County. The County assesses and collects on behalf of all districts—for which we are grateful, but we have no control over their agency or staff. I would say the past 3 years have been “less than favorable” but certainly not anything we could control. It is unfortunate this has taken longer than anticipated but up until February 2016 we had no say or control. Post-February 2016, as staff, I should have presented the budget committee with a proposed budget for the agency prior to June 30th. I admit failure on that. Once pointed out, I immediately took steps to correct the situation.

Ms. Barker-Hidalgo has formally requested a “thorough analysis of the current committees, processes, policies and or procedures that have an impact/influence on the GBURA.” Again, as staff I am not a member of the agency, but I would say the following:

- CURRENT COMMITTEES: the agency itself, the Council (who happens to be the same group), the budget committee, and maybe the planning commission;
- CURRENT PROCESSES: the budget process is the only one that comes to mind and preparation of the annual budget will not be missed in the future;
- CURRENT POLICIES: I am not aware of any GBURA specific policies so my guess is that it would default to our regular city policies;
- CURRENT PROCEDURES: I am not aware of any GBURA specific procedures. Since the agency will begin to receive revenue this year the agency may want to come up with procedures for disbursement of the funds for projects identified in the plan.

Ms. Barker-Hidalgo further respectfully requests that action be taken if any “improper, illegal or inappropriate activities that led to the current status of the GBURA” is discovered, “up to and including termination/resignation”. I am not sure what exactly the “current status of the GBURA” means. The status is the City Council is the Agency. The agency is not in legal trouble. The agency isn't in financial trouble (we have no \$\$ to have trouble with!). So I don't know how to intelligently address this concern. I am also not aware of any “improper, illegal or inappropriate activities”. In my mind that means embezzlement. I certainly haven't embezzled GBURA funds nor have any of my staff, nor any of you. The failure of me to present a timely budget is certainly a failure but I honestly don't believe it rises to the level of “improper, illegal or inappropriate” activity. However, the Council is the GBURA and also my supervisor. If you feel my failure to file a timely budget warrants termination, here is the portion of my contract related to termination. I serve at the pleasure of the Council. **Please note: I will not be tendering my resignation.**



SECTION 6.

Public Hearing

SECTION 5: DISCIPLINE AND TERMINATION

A. TERMINATION WITHOUT CAUSE BY CITY

The City Council may terminate this Agreement and City Administrator's employment with the City, at the pleasure of the City Council as provided in the City Charter. In such event, City shall pay to City Administrator on the date of termination, in addition to any wages and benefits owed as of the date of termination, a lump sum cash equivalent to three (3) months' salary less all amounts required by law to be withheld and deducted. City shall pay the cost to continue all health insurance benefits as provided under this

Agreement for the three months following City Administrator's termination pursuant to this Section 5 A. City Administrator acknowledges that this contract provision cannot be changed or modified by any statement or policy of City which would tend to indicate that City Administrator may not, at any time, be dismissed without cause, or that City Administrator is other than an "at will employee". Acceptance of severance by City Administrator shall constitute a waiver and release of all claims by City Administrator and any persons legally entitled to assert claims as a result of City Administrator's dismissal against the City, its mayor, council, employees, volunteers, agents or representatives, whether such claims are known or unknown to City Administrator at the time such severance pay is accepted.

C. DISCIPLINARY ACTION OR TERMINATION FOR CAUSE

City may terminate City Administrator for cause at any time. Grounds for removal for cause include:

- (1) Intentional violation of the Charter, ordinances or resolutions of the City of Gold Beach, or state or federal law.
- (2) Incompetence, dishonesty, intemperance, addiction to controlled substances, immoral conduct, insubordination, or discourteous treatment of the public or fellow employees.
- (3) Any other willful failure of good conduct tending to injure the public service.
- (4) Neglect of duty or excessive absence.
- (5) Illegal action involving personal gain.
- (6) Crimes of moral turpitude.

Before disciplining the City Administrator, City Council shall notify City Administrator as provided in Section 19 of this Agreement of any charges against her and any possible sanctions being considered by the City Council. City Administrator shall also be advised of the date and time when the City Council will consider charges and possible sanctions. She will be afforded an opportunity to refute the charges, either orally or in writing, before the City Council, and to have representation of her choice at the hearing. Sanctions available to the City Council other than termination include oral or written reprimand, and suspension with pay.



SECTION 6.

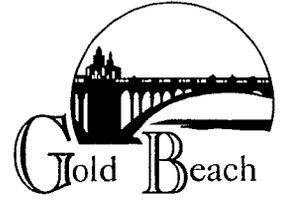
Public Hearing

Finally, Ms. Barker-Hidalgo states that she is “disappointed with information I have heard from local officials as to the current status of the GBURA”. The only “local officials” that would have ANY knowledge of the Gold Beach Urban Renewal District are the members of the Gold Beach Urban Renewal Agency (you) or city staff. To my knowledge none of us have discussed the “current status of the GBURA” outside of our circle—not that it matters if you have, it’s just not something that comes up in casual conversation. But maybe I’m wrong. I just know I have only talked with the assessor staff about our tax certification—and then the Mayor and Ms. Stebbins from the Pilot last week. I’m not sure if any of you have contact with folks about urban renewal? If other “local officials” are talking about the “status of the GBURA” then they are fabricating that “status” because there is no status other than we are waiting for funds to start our work.

Now if we are talking about the City Administrator and interactions with other local jurisdictions that is a completely different subject than GBURA. If those individuals want to use this budget preparation failure as a jumping off point to discuss other perceived deficiencies then that is a topic for another meeting.

I have to say I take offense at the insinuation that “improper, illegal or inappropriate activities” may be occurring here at the City. We (and specifically me) have done nothing to invite that kind of nasty accusation. I firmly believe that the community is not going to lose trust in the City’s ability to administer programs and projects because there is proof of our work. You can see it in new sidewalks, in park improvements, in our new wastewater plant, in improvements to our water distribution system, in the best police and fire departments in the state, and in a progressive Council that adopted urban renewal in the middle of a recession, and increased our room tax solely to benefit a neighboring jurisdiction because it was the right thing to do. We have a proven track record in the past 7 years of having successful, honest, fiscally responsible, ethical, and worthwhile projects completed on time, under budget, and efficiently. If my failure to prepare an urban renewal budget can wipe out all those great things then I guess I don’t know how to even respond to that...

In closing, I will publicly apologize to the Council for my failure to prepare the budget in a timely fashion. I have explained to you privately what led to that failure, I took immediate steps to correct the problem, and I have pledged to not repeat the error. I will accept whatever consequences you feel are appropriate.—including termination.



EMAILS

Jodi Fritts

From: Jodi Fritts
Sent: Friday, April 5, 2013 5:30 PM
To: 'brenttho@mind.net'; 'rel_90806@yahoo.com'; 'billmatthey@gmail.com';
'princessanyway@gmail.com'; 'moondancer646@yahoo.com'; 'katerambo@icloud.com';
Jodi Fritts; Candy Cronberger
Cc: 'sandy@goldbeachchamber.com'; 'zoomtothemoon@yahoo.com'; 'bethbh48@gmail.com'
Subject: Urban Renewal Plan meeting before the Planning Commission
Attachments: Gold Beach Report .pdf; Gold Beach UR Plan.pdf; 4_PC Staff Report 03262013v2.pdf; URB5_GoldBeach_Highlight_LowRes.pdf; How Does Tax Increment Financing Affect Property Tax Payers.pdf
Importance: High

Hi All:

Here are the UR Plan documents for the meeting on Tuesday the 9th. If you would like hard copies we can print them for you here—no need to waste your own ink—just email Candy or me and let us know.

Looking forward to seeing you all on Tuesday. Have a good weekend.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach



"If we open a quarrel between the past and the present we shall find we have lost the future."
Sir Winston Churchill

This electronic communication, including any attached documents, may contain confidential and/or legally privileged information that is intended only for use by the recipient(s) named above. If you have received this communication in error, please notify the sender immediately and delete the communication and any attachments.

"Forget it Jake. It's Chinatown..."

Jodi Fritts

From: Jodi Fritts
Sent: Tuesday, April 9, 2013 11:40 AM
To: 'Beth Barker-Hidalgo'
Subject: RE: Urban Renewal Plan meeting before the Planning Commission

Starts at 6:30. If you can make it (late is fine) that would be great.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach



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"Forget it Jake. It's Chinatown..."

From: Beth Barker-Hidalgo [<mailto:bethbh48@gmail.com>]
Sent: Tuesday, April 09, 2013 5:47 AM
To: Jodi Fritts
Subject: Re: Urban Renewal Plan meeting before the Planning Commission
Importance: High

Good morning Jodi,

What time is the UR planning meeting? I have a class at 6pm this evening, but if I can make the UR meeting I will. Please let me know.

Thank you,

Beth Barker-Hidalgo
Cell 916-548-2579
bethbh48@gmail.com

On Apr 5, 2013, at 5:29 PM, Jodi Fritts wrote:

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<image002.jpg>

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03262013v2.pdf><URB5_GoldBeach_Highlight_LowRes.pdf><How Does Tax Increment
Financing Affect Property Tax Payers.pdf>

Jodi Fritts

From: Jodi Fritts
Sent: Tuesday, April 9, 2013 11:44 AM
To: 'Beth Barker-Hidalgo'
Subject: RE: Urban Renewal Plan meeting before the Planning Commission

The important meeting for you is the April 22nd before the Council so if you can make that it would be great. The PC meeting is just presenting the plan to them. See you soon.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach



"If we open a quarrel between the past and the present we shall find we have lost the future."
Sir Winston Churchill

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"Forget it Jake. It's Chinatown..."

From: Beth Barker-Hidalgo [<mailto:bethbh48@gmail.com>]
Sent: Tuesday, April 09, 2013 11:42 AM
To: Jodi Fritts
Subject: Re: Urban Renewal Plan meeting before the Planning Commission

Big bummer - the class doesn't end until 8p. Maybe next time??

Beth Barker-Hidalgo
Cell 916-548-2579
bethbh48@gmail.com

On Apr 9, 2013, at 11:40 AM, Jodi Fritts wrote:

Starts at 6:30. If you can make it (late is fine) that would be great.

Jodi Fritts-Matthey
City Administrator
City of Gold Beach

<image001.jpg>

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Sent: Tuesday, April 09, 2013 5:47 AM

To: Jodi Fritts

Subject: Re: Urban Renewal Plan meeting before the Planning Commission

Importance: High

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City Administrator

City of Gold Beach

<image002.jpg>

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"Forget it Jake. It's Chinatown..."

<Gold Beach Report .pdf><Gold Beach UR Plan.pdf><4_PC Staff Report
03262013v2.pdf><URB5_GoldBeach_Highlight_LowRes.pdf><How Does Tax Increment
Financing Affect Property Tax Payers.pdf>



ADOPTED URBAN RENEWAL PROJECTS AND FUNDING TIMELINE

IV. URBAN RENEWAL PROJECTS

Urban renewal projects authorized by the Plan are described below. As shown in the Report, urban renewal funds will be combined with existing and other future sources of funding to finance project costs. Projects authorized by the Plan are:

Streetscape Improvements: Streetscape improvements to sidewalks, including but not limited to benches, trash receptacles, plantings, lighting, and other improvements to enhance the transportation system.

Property Assistance/Redevelopment Opportunity Program: Create grant or loan programs for the rehabilitation of buildings. Projects could include façade improvements, remodel, fire/safety compliance, American Disability Act (ADA) accessibility, etc.

Signage: Facilitate unified signage plan for the city and businesses. Way finding signs will assist visitors in locating attractions; gateway signage will welcome visitors to Gold Beach. This project could include a Pole Sign Program to assist business owners with removal and replacement for more pedestrian friendly (and visually appealing) signage.

Port/Airport Way Bike-Pedestrian Improvements: The Port is the gateway into Gold Beach. There is a road system from Highway 101 that passes through the Port, past the jetty and parallels the airport (Port Drive, South Jetty Road, Oceanside Drive). This system gets utilized heavily by locals, but is in poor condition. This route could provide good beach access and be made into a scenic byway for tourists and residents. Signage and sidewalk/trail improvements would help accomplish this goal.

Attractive Public Parking: Develop attractive public parking and signage to encourage visitors to park and walk to different areas.

Community/Tourist Attraction Facilities:

Improvements to the Event Center on the beach (Fairgrounds): Assistance for capital improvements as this is the primary meeting center and it supports the economic health of the town. This project serves and benefits the urban renewal area by providing a venue for activities including the fair, conventions and trade shows that will bring residents and visitors alike to Gold Beach to frequent the other businesses add to the overall economic health of the urban renewal area.

Community Center: Provide a space for meetings and activities in partnership with the public library. This project serves and benefits the urban renewal area by providing a venue for the citizens of Gold Beach to have meeting spaces for community meetings. By bringing citizens to the city center, they will also likely frequent the other businesses add to the overall economic health of the urban renewal area.

Family Entertainment/Recreation Project: Assist in the development of a family entertainment/recreation project, potentially including a cinema and one or two other activities (bowling alley, recreation center, etc.) that would provide entertainment opportunities for locals and tourists alike. This project is a private/public partnership opportunity.

Performing Arts Facility: Upgrade this existing facility to make it an asset to the community and an attraction for visitors. This project serves and benefits the urban renewal area by providing a venue for cultural activities that will bring residents and visitors alike to Gold Beach to frequent the other businesses add to the overall economic health of the urban renewal area.

Pocket Parks: Create pocket parks to provide gathering spaces for residents and visitors.

Property Acquisition: Acquisition from willing seller for private development or for public projects as allowed by statute.

Small Business/Restaurant Program: Small grants or loans to new businesses to help them get started, or a space lease program during the first year to help new businesses get on their feet.

Sidewalk Program: Grants or loans to assist property owners. Better walkability to help visitors enjoy the town more.

Administration: Administrative costs may be covered by urban renewal funds as well as those that are incurred to prepare and implement the Urban Renewal Plan.

IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA

The projects identified for the Area are shown in Table 10, below. The descriptions of the projects and how they relate to the existing conditions in the Area are as follows:

Streetscape Improvements: Streetscape improvements to sidewalks, including but not limited to benches, trash receptacles, plantings, lighting, and other improvements to enhance the transportation system

Existing Conditions: There is not a cohesive set of streetscape improvements throughout the Area. Streetscape improvements are a way of establishing district identity and a sense of place within a business district.

Property Assistance/Redevelopment Opportunity Program: Create grant or loan programs for the rehabilitation of buildings. Projects could include façade improvements, remodels, fire/safety compliance, American Disability Act (ADA) accessibility, etc.

Existing Conditions: No funding presently exists for property assistance/development opportunity programs, although there are a great number of businesses that could benefit from planning and development assistance.

Signage: Facilitate a unified signage plan for the city and businesses. Way finding signs will assist visitors in locating attractions; gateway signage will welcome visitors to Gold Beach. This project could include a Pole Sign Program to assist business owners with removal and replacement for more pedestrian friendly (and visually appealing) signage.

Existing Conditions: No funding presently exists for a signage program. Unified signage can help establish district identity and create a sense of place in a community. Good signage will help to increase visits to local businesses and help grow the economy.

Port/Airport Way Bike-Pedestrian Improvements: The Port is the gateway into Gold Beach. There is a road system from Highway 101 that passes through the Port, past the jetty and parallels the airport (Port Drive, South Jetty Road, Oceanside Drive). This system gets utilized heavily by locals, but is in poor condition. This route could provide good beach access and be made into a scenic byway for tourists and residents. Signage and sidewalk/trail improvements would help accomplish this goal.

Existing Conditions: The existing sidewalks are not unified and in some places are in poor repair. There is no existing bicycle pathway.

Attractive Public Parking: Develop attractive public parking and signage to encourage visitors to park and walk to different areas.

Existing Conditions: There is on-street parking throughout the area, but as businesses grow, additional parking will be needed.

Community/Tourist Attraction Facilities:

Improvements to the Event Center on the Beach (Fairgrounds): Assistance for capital improvements as this is the primary meeting center and it supports the economic health of the town.

Existing Conditions: The Event Center (Fairgrounds) is the main meeting place for Gold Beach. Improvements are needed to keep it a viable option for a meeting facility.

Family Entertainment/Recreation Project: Assist in the development of a family entertainment/recreation project potentially including a cinema and one or two other activities (bowling alley, recreation center, etc.) that would provide entertainment opportunities for locals and tourists alike. This project is a private/public partnership opportunity.

Existing Conditions: These entertainment options do not exist in Gold Beach. There is a definite need for increased recreational activities.

Community Center: Provide a space for meetings and activities in partnership with the public library.

Existing Conditions: There is no community meeting facility in Gold Beach. There is a definite need for increased recreational activities that could occur in a community meeting center.

Performing Arts Facility: Upgrade this existing facility to make it an asset to the community and an attraction for visitors.

Existing Conditions: The city of Gold Beach presently has a community theater located in a building that could use upgrading. The non-profit group has made steady progress, but could use assistance in their fundraising for building improvements.

Pocket Parks: Create pocket parks to provide gathering spaces for residents and visitors.

Existing Conditions: There are no pocket parks in the urban renewal area and no funding to develop them.

Property Acquisition: Acquisition from willing seller for private development. Focus funds on projects that will provide a major attractor for the town.

Existing Conditions: There are properties within the Area that are presently privately or publicly owned that the Agency may wish to acquire in the future. (Any acquisition must be done through a Plan amendment that specifies those properties to be acquired.)

Small Business/Restaurant Program: Small grants or loans to new businesses to help them get started, or a space lease program during the first year to help new businesses get on their feet.

Existing Conditions: No funding presently exists for a small business/restaurant program, although there is a need to develop additional business opportunities in Gold Beach.

Sidewalk Program: Grants or loans to assist property owners. Better walkability to help visitors enjoy the town more.

Existing Conditions: No funding presently exists to assist in sidewalk improvements. There are existing sidewalks that are in disrepair or that could be made more attractive to help create a sense of place in the Gold Beach commercial district.

URA Administrative Costs:

Administrative Costs are incurred to prepare and implement the Urban Renewal Plan.

Existing Conditions: The funding for preparation has come from the general fund. This allows for reimbursement and funding future administrative costs, if desired.

V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The present value of the costs of the projects are shown in Table 10 below. The sources of funds are tax increment revenues.

Table 10 - Estimated Cost of Projects

Project	Present Value Tax Increment
Streetscape Improvements	\$335,000
Property Assistance	\$170,000
Signage	\$50,000
Port/Airport Way Bike-Pedestrian Improvements	\$265,000
Public Parking	\$665,000
Community/Tourist Attraction Facilities	\$2,874,000
Property Acquisition	\$200,000
Small Business/Restaurant	\$100,000
Sidewalk Program	\$255,000
Administration	\$84,791
Total Projects	\$4,998,791

Source: ECONorthwest and Elaine Howard Consulting, LLC

Table 11 - Projects and Costs in Year of Expenditure Dollars

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Resources								
Beginning Balance	\$ -	\$ 29,508	\$ 27,510	\$ 14,367	\$ 12,452	\$ 23,889	\$ 13,147	\$ 16,347
Pay-as-you-go	\$ 29,508	\$ 53,402	\$ 78,656	\$ 104,986	\$ 132,437	\$ 161,058	\$ -	\$ 38,960
Bond/Loan Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,750,000	\$ -
Interest Earnings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Resources	\$ 29,508	\$ 82,910	\$ 106,167	\$ 119,352	\$ 144,889	\$ 184,947	\$ 1,763,147	\$ 55,307
Expenditures (nominal \$)								
Streetscape Improvements	\$ -	\$ 55,400	\$ 57,400	\$ 77,200	\$ 43,000	\$ -	\$ -	\$ -
Property Assistance	\$ -	\$ -	\$ 17,200	\$ 17,800	\$ 18,400	\$ 19,100	\$ -	\$ 13,600
Signage	\$ -	\$ -	\$ 17,200	\$ 11,900	\$ 18,400	\$ 12,700	\$ -	\$ -
Port/Airport Way Bike-Ped Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,000	\$ 46,100	\$ 27,300
Public Parking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 480,600	\$ -
Community/Tourist Attraction Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,185,100	\$ -
Property Acquisition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Small Business/Restaurant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sidewalk Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative/Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41,200	\$ -	\$ -
Financing Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000	\$ -
Total Expenditures	\$ -	\$ 55,400	\$ 91,800	\$ 106,900	\$ 121,000	\$ 171,800	\$ 1,746,800	\$ 40,900
Ending Fund Balance	\$ 29,508	\$ 27,510	\$ 14,367	\$ 12,452	\$ 23,889	\$ 13,147	\$ 16,347	\$ 14,407

Source: ECONorthwest

Table 11 - Projects and Costs in Year of Expenditure Dollars, continued

	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Resources								
Beginning Balance	\$ 14,407	\$ 24,131	\$ 16,361	\$ 19,208	\$ 17,055	\$ 18,455	28,063	28,591
Pay-as-you-go	\$ 73,224	\$ 109,030	\$ 146,447	\$ 185,547	\$ -	\$ 59,908	104,528	151,157
Bond/Loan Proceeds					\$ 2,000,000			
Interest Earnings								
Total Resources	\$ 87,631	\$ 133,161	\$ 162,808	\$ 204,755	\$ 2,017,055	\$ 78,363	132,591	179,748
Expenditures (nominal \$)								
Streetscape Improvements								
Property Assistance	\$ 21,200	\$ 14,600	\$ 22,700					
Signage								
Port/Airport Way Bike-Ped Improvements	\$ 42,300	\$ 102,200						
Public Parking					\$ 339,900	\$ 50,300	104,000	
Community/Tourist Attraction Facilities					\$ 1,618,700			
Property Acquisition			\$ 120,900	\$ 187,700				
Small Business/Restaurant								35,900
Sidewalk Program								116,700
Administrative/Reimbursement								
Financing Fees	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ -	0	0
Total Expenditures	\$ 63,500	\$ 116,800	\$ 143,600	\$ 187,700	\$ 1,998,600	\$ 50,300	104,000	152,600
Ending Fund Balance	\$ 24,131	\$ 16,361	\$ 19,208	\$ 17,055	\$ 18,455	\$ 28,063	28,591	27,148

Source: ECONorthwest

Table 11 - Projects and Costs in Year of Expenditure Dollars, continued

	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39
Resources									
Beginning Balance	27,148	22,631	23,533	19,146	18,364	20,390	13,438	16,128	42,996
Pay-as-you-go	199,883	250,802	304,013	359,618	417,726	478,448	459,290	475,868	115,504
Bond/Loan Proceeds									
Interest Earnings									
Total Resources	227,031	273,433	327,546	378,764	436,090	498,838	472,728	491,996	158,500
Expenditures (nominal \$)									
Streetscape Improvements		153,800			74,600		45,700		
Property Assistance					32,000	33,100	34,200	35,400	
Signage									
Port/Airport Way Bike-Ped Improvements									
Public Parking									
Community/Tourist Attraction Facilities			308,400	308,900	213,200	364,000	376,700	413,600	156,500
Property Acquisition									
Small Business/Restaurant	37,200			51,500	42,600	33,100			
Sidewalk Program	167,200	96,100			53,300	55,200			
Administrative/Reimbursement									
Financing Fees	0	0	0	0	0	0	0	0	0
Total Expenditures	204,400	249,900	308,400	360,400	415,700	485,400	456,600	449,000	156,500
Ending Fund Balance	22,631	23,533	19,146	18,364	20,390	13,438	16,128	42,996	2,000

Source: ECONorthwest



ORDINANCES & RESOLUTIONS



**SECTION 9.
Ordinances & Resolutions**

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 9. a.
Council Meeting Date: August 8, 2016

**TITLE: Resolution R1617-03 Adopting FY1617 Water &
Sewer Rates**

SUMMARY AND BACKGROUND:

At the July meeting we went over the various rate scenarios. The Council voted to adopt 30% Residential/70% Commercial flat rate increase that Councilor Kaufman originally suggested based on the Option 2 proposal in the water rate study. The Council directed me to prepare a resolution for adoption this month to be effective 90 days after enacted to allow notice to all property owners. We will send out notices and well as water conservation information in this month's water bill and also post it on the website. The resolution shows an effective date of November 7th. The new rates will be evident on the November billing (week of November 21st).

REQUESTED ACTION:

Review the proposed resolution to ensure I have captured what the Council requested at the July meeting.

SUGGESTED MOTION FOR ADOPTION

I make the motion that the Council adopt Resolution R1617-03—a resolution setting water & sewer rates and implementing an annual inflation adjustment rate and repealing resolution R1516-03 and any other resolutions that may be in conflict.

≈

PRIOR REPORTS ON THIS TOPIC

COPY OF JULY 2016 AGENDA REPORT:

We discussed the water rates as outlined in the water rate study last month, in addition to a proposal from Councilor Kaufman after the June 1 workshop (*I asked that my staff proposal be disregarded from consideration – it was too much of an increase*).



SECTION 9.

Ordinances & Resolutions

After the discussion I said I would prepare some more scenarios of the impact of the various rates. I have attached the following information (I have also sent these as separate PDFs so they are more legible)

- Proposed rates based on the discussion from last month
- Excerpt from the water rate study (minus Option 1A which the council discounted at the workshop)—the excerpt has a breakdown of the rate impact on what the study determined were the general “break points” in usage
- My analysis of the top 5 high users in each rate class for FY1516,
 - in addition I extracted the mobile home parks and apartments so you can easily compare the impacts,
 - I also extracted the large government users so you can compare the impact to those agencies

Councilor Kaufman made the suggestion that the Council decide which rate structure to adopt tonight but do not make the effective date for 60-90 days to allow the users plenty of notice.

REQUESTED ACTION:

Decision on what rate structure to adopt and what the effective date will be.

COPY OF JUNE AGENDA REPORT:

TITLE: Water Rate Study Discussion & Decision for rates for FY1617

SUMMARY AND BACKGROUND:

Last month, RosAnna Norval from RCAC presented the draft Water Rate Study. We held a workshop on June 1st to further discuss the study and recommend changes. The different rate options were discussed pro/con.

Attached to this report a breakdown of the rate options with 2 additions: one from Councilor Kaufman which is a variation on Option 2 (the flat \$5 increase), and the second is from staff based on Councilor Kaufman’s proposed flat increase ratio with changes to the proposed tier rates. After reviewing our current per 1K gallon rates I am concerned the new rate structure may be too low per 1K gallon. Please review and discuss.

We typically raise rates in July based on the prior 12 months municipal cost index inflation factor. Since we are proposing to completely restructure the rates this year, the restructuring will be our annual adjustment for FY1617. Based on the decision tonight I will prepare the rate resolution for the July meeting.

RESOLUTION R1617-03

A RESOLUTION SETTING WATER & SEWER RATES AND IMPLEMENTING AN ANNUAL INFLATION ADJUSTMENT RATE AND REPEALING RESOLUTION R1516-03 AND ANY OTHER RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, The City of Gold Beach provides water and sewer utility services for businesses, agencies, and private residents within the Gold Beach city limits, and water service within the Urban Growth Boundary; and

WHEREAS, the City of Gold Beach Utility Code Sections 3.125 & 3.400 grant the City Council exclusive control over and regulation of water and sewer use charges, including the authority to review, and by resolution, to set or change charges; and

WHEREAS, the City Council has determined that annual rate adjustments are necessary to keep pace with inflation and maintain financially sustainable water and sewer utility systems. Inflation adjustments are based on the Municipal Cost Index published by American City and County. The published inflation rate for June 2015 to June 2016 was 1% (0.9524). Base Sewer rates will be adjusted according to this inflation factor; and

WHEREAS, in order to adequately determine future water infrastructure needs the City Council caused a water master plan to be prepared by the City engineers which was adopted as Resolution R1516-10; and

WHEREAS, in order to determine adequate funding needs for existing water infrastructure operation & maintenance and funding for the water system capital improvements identified in the water master plan, the City Council caused a water rate analysis to be conducted which was adopted as Resolution R1617-01; and

WHEREAS, the City Council reviewed the various rate options presented in the rate study and proposed additional options for review based on the information contained in the plan and at the July 11, 2016 council meeting formally approved a flat base rate increase and restructuring of the existing per gallon rate to go into effect 90 days after the adoption of resolution formalizing the approved rate increase which the Council directed the City Administrator prepare for the August 8, 2016 meeting.

THEREFORE BE IT RESOLVED the City Council of the City of Gold Beach, Oregon, adopts the consolidated utility rate schedule attached to this resolution as EXHIBIT A **to go into effect November 7, 2016, ninety (90) days from the date of adoption of this resolution**, and hereby repeals Resolution R1516-03 and any other resolutions that may be in conflict.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, AND EFFECTIVE THIS 8th DAY OF AUGUST, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

**EXHIBIT A TO RESOLUTION R1617-03
FY 2016-2017 WATER RATES**

WATER RATES

RESIDENTIAL RATES	
INSIDE RESIDENTIAL	
TIERS PER 1K	30R/70C FLAT
1,500 BASE	\$ 20.73
1,501-5,000	\$ 1.00
5,001-15,000	\$ 2.00
15,001 +	\$ 2.75
WATER RESERVE PER ACCT	\$4.00
Monthly maintenance rate per Code Section 3.190(2)	base rate + water reserve
OUTSIDE RESIDENTIAL	
TIERS PER 1K	30R/70C FLAT
1,500 BASE	\$ 22.44
1,501-5,000	\$ 1.05
5,001-15,000	\$ 2.10
15,001 +	\$ 2.89
WATER RESERVE PER ACCT	\$4.00
Monthly maintenance rate per Code Section 3.190(2)	base rate + water reserve

COMMERCIAL RATES	
INSIDE COMMERCIAL	
TIERS PER 1K	30R/70C FLAT
1,000 BASE	\$ 30.55
1,001-7,000	\$ 1.00
7,001-83,000	\$ 2.00
83,001 +	\$ 2.75
WATER RESERVE PER ACCT	\$4.00
Monthly maintenance rate per Code Section 3.190(2)	base rate + water reserve
OUTSIDE COMMERCIAL	
TIERS PER 1K	30R/70C FLAT
1,000 BASE	\$ 33.22
1,001-7,000	\$ 1.05
7,001-83,000	\$ 2.10
83,001 +	\$ 2.89
WATER RESERVE PER ACCT	\$4.00
Monthly maintenance rate per Code Section 3.190(2)	base rate + water reserve

**EXHIBIT A TO RESOLUTION R1617-03
FY 2016-2017 SEWER RATES**

SEWER RATES			
Sewer Utility	\$ 21.95	Per EDU/ERU	Monthly sewer usage fee
Sewer Reserve	\$ 3.00	Per Account	Reserve fund for Sewer maintenance
WWTP Debt Service	\$ 20.00	PER EDU/ERU	Debt service for WWTP plant
Sewer Line 101 Debt Service	\$ 6.00	PER EDU/ERU	Debt service for Hwy 101 main sewer line improvements completed in 2005
Monthly Maintenance Rate	\$ 50.95	INCLUDES Reserve and Debt Service	<i>Pursuant to City Code Section 3.440(2)</i>



MISC. ITEMS

**INCLUDING POLICY DISCUSSIONS &
DETERMINATIONS**



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10 a.**
Council Meeting Date: August 8, 2016

TITLE: Feeding of wild or feral animals within the City limits

SUMMARY AND BACKGROUND:

This subject comes up in the front office several times a year. In the past few months it has again bubbled up to the top. We have had several complaints about a property owner on Mateer Road attracting and feeding wild skunks which has caused great distress to not just the adjoining neighbors but also people driving by as the skunks are being fed at the road.

Another animal complaint started as a barking dog complaint. When the owner with the dog came in they said they are honestly trying to keep their dogs quiet but a new neighbor has moved into the neighborhood and is feeding "about 20" feral cats which is causing everyone's dogs in the neighborhood to totally freak out. I live not far from the alleged feeding area and I can say there has been a noticeable increase in the number of stray cats. So the barking dog question comes down to: which came first? There had never been barking dog complaints until the feral cat feeding started.

I did a quick look at other city animal feeding codes and the City of Florence has a pretty comprehensive animal control code that I like for several reasons. I am bringing this to the Council because I have had several property owners that have requested the City adopt a formal code on wild/feral animal feeding.

REQUESTED ACTION

**Discuss and determine whether the City wants to regulate feeding of wild/feral animals.
Review Florence code for other possible animal related regulations.**

**CITY OF FLORENCE
ORDINANCE NO. 17, SERIES 2011**

An Ordinance Amending Florence City Code Title 6 Chapter 6: Animal Control

WHEREAS, the Council has held public hearings, conducted workshops and deliberated at public meetings about the need for a new Animal Code;

WHEREAS, the public health and welfare of the City of Florence is best protected by amending the Animal Code to include a leash law, a new definition of dangerous animals, and by making other changes to the existing Code;

NOW, THEREFORE, the City of Florence ordains as follows:

Section 1: Title 6, Chapter 6 of the Florence City Code shall be and hereby is amended to read as follows:

TITLE 6
CHAPTER 6

ANIMAL CONTROL

SECTION:

6-6-000:	Definitions
6-6-005:	Exemption for Law Enforcement Animals
6-6-010:	Owner/Keeper Responsibility for Animal
6-6-015:	Animal Waste
6-6-020:	Dog Licensing
6-6-025:	Animal at Large
6-6-030:	Off Leash Areas
6-6-035:	Dangerous Animals
6-6-040:	Animal Nuisances
6-6-045:	Impound
6-6-050:	Unclaimed Animals
6-6-055:	Warrant for Seizure of Animals
6-6-060:	Rabid & Diseased Animals
6-6-065:	Cruelty & Mistreatment
6-6-070:	Feeding of Wild Animals Prohibited
6-6-075:	Trapping Animals
6-6-080:	Exemption for Government Agents
6-6-085:	Injury by Vehicle
6-6-090:	Removal of Carcass
6-6-095:	Destruction of Animals
6-6-096:	Prohibited Animals
6-6-100:	Penalties

6-6-105: Undertaking on Appeal

6-6-000: Definitions: As used in this chapter, the following definitions apply:

- (1) "Animal" means any nonhuman mammal, bird, reptile, amphibian or fish.
- (2) "Animal Daycare and Overnight Boarding Facility" means an animal shelter or a place of business where animals are boarded, but does not include a breeding kennel.
- (3) "Dangerous Animal" means any animal that the Municipal Court Judge has determined to have:
 - (A) Without provocation, placed a person in reasonable fear of imminent physical injury; or
 - (B) Attacked a person or domestic animal without provocation; or
 - (C) Been trained for or used in animal fighting
- (4) "Domestic Dog" or "dog" means animals of the species *Canis familiaris*.
- (5) "Domestic Cat" or "cat" means animals of the species *Felis catus*.
- (6) "Exotic Pet" means an animal, other than livestock, kept and maintained as a pet, including but not limited to guinea pigs, gerbils, turtles, ferrets, small reptiles, and various small rodents or mammals specifically bred as household pets and customarily and routinely kept in residential areas as a domestic pet, but excluding the domestic dogs and domestic cats.
- (7) "Keeper" means, in addition to its ordinary meaning, an individual, firm, partnership, association, or corporation which is in possession of, in temporary control of, or who is responsible for the care of an animal. The term "Keeper" also means the parent or guardian of the Owner of an animal, if the Owner is under the age of 18 years and the Owner resides with the parent or guardian on the date of the alleged violation.
- (8) "Livestock" includes, but is not limited to, the following animals that are normally kept for agricultural purposes: pigs, horses, mules, asses, swine, emus, ostrich, turkeys, ducks, geese, male chickens (roosters), camels, llamas, alpacas, sheep, goats, deer, moose, elk, bison, fur bearing animals including fox and mink and animals of the bovine species, but does not include domestic cats, domestic dogs, or exotic pets.
- (9) "Off Leash Area" means an area designated by the Florence City Council pursuant to this chapter of the Florence City Code as an area where dogs are not required to be leashed.

- (10) "Owner" means an individual, firm, partnership, association, or corporation that owns an animal.
- (11) "Physical injury" means impairment of physical condition or substantial pain.
- (12) "Prohibited Animals" means livestock, rodents which do not meet the definition of exotic pets, poisonous snakes, large carnivorous snakes, bears, deer, felines other than domestic cats, crocodiles, alligators, or other similar predators not customarily and routinely kept in residential areas as domestic pets.
- (13) "Run at Large" means an animal is off or outside the private premises from which the Owner or Keeper is allowed to exclude others and is not under the complete, tethered control of the Owner or Keeper by adequate leash or bridle. Any animal fully enclosed inside a vehicle shall not be considered to be "at large". As used in this Chapter, "adequate leash or bridle" means a leash or bridle that is strong enough to physically restrain and control the animal and one that does not extend beyond 6 feet in length.
- (14) "Small Animal Clinic" means a business establishment in which veterinary services are rendered to small domestic pets on an outpatient basis with overnight boarding allowed.

6-6-005: Exemption for Law Enforcement Animals. An animal owned by a law enforcement agency is exempt from the provisions of this Chapter, so long as the animal is under the care and control of a law enforcement officer.

6-6-010: Owner/Keeper Responsibility for Animal. The Owner or Keeper of an animal which violates the provisions of this chapter is responsible for the animal's acts and condition and the Owner or Keeper is subject to the penalties provided in Section 6-6-100 for the animal's violations of any provision of this chapter.

6-6-015: Animal Waste. It shall be unlawful for an Owner or Keeper of an animal, other than a domestic cat, to allow it to deposit solid waste matter on any property other than the property of the Owner or Keeper of the animal without prior permission from the owner or occupant of the property, unless the Owner or Keeper of the animal promptly and completely removes the solid waste deposited by the animal.

6-6-020: Dog Licensing

(1) Except as provided in subsections (2) and (3) of this section, every dog within the city that has a set of permanent canine teeth shall be licensed by the City. The license tag provided by the City shall be attached to a collar worn by the dog. The Owner and/or Keeper of the dog is in violation of this Chapter if the dog is not wearing its collar and tag at any time. The fee for dog licenses shall be established by Resolution of the City Council and is due and payable upon the issuance of the license.

(2) An Owner or Keeper of a dog within the city shall obtain a license for the dog by the later of:

(A) 30 days after becoming the Owner or Keeper of the dog or establishing residence within the city, or

(B) The expiration date of a valid license previously issued to the dog in another jurisdiction in the state.

(3) Licenses shall not be required for dogs owned by dealers, breeders or exhibitors while such dogs are being transported by dealers, breeders, or exhibitors to and from a dog show or fair. Licenses are not required for dogs that are used as service animals for persons with disabilities. A companion or therapy animal is not a service animal unless the animal has been individually trained to perform one or more tasks for a person with disabilities and has been trained to behave in public. A license is not required for the period in which a dog is validly licensed in another jurisdiction in the state. A license is not required for the period that a dog is temporarily kept or boarded in a Small Animal Clinic or Animal Daycare and Overnight Boarding Facility located within the City. The City Manager, or designee, may waive the requirement that the license tag be attached to a collar worn by the dog if good cause is shown by the dog's owner for such a waiver and the owner provides an alternative method of displaying the tag, or the information on the tag, which is satisfactory, in the sole judgment of the City Manager, for identifying the dog and its owner.

6-6-025: Animal at Large.

(1) No animal, except domestic cats, shall run at large. The Owner or Keeper of an animal is responsible for an animal at large.

(2) Notwithstanding the subsection (1) of this section, domestic cats with infectious diseases are prohibited from running at large as provided in Section 6-6-060.

6-6-030: Off Leash Areas.

(1) The Florence City Council may, in its discretion, designate certain areas of public parks or other areas under the ownership or control of the City, which are owned or leased by the City, as areas where dogs are not required to be leashed, subject to the other provisions of this section.

(2) A designation of an area as an Off Leash Area by the Florence City Council shall be effective as soon as notice of the designation has been provided to the Florence Chief of Police. Owners and Keepers of dogs utilizing Off Leash Areas must comply with any City regulations applicable to all Off Leash Areas as established by Resolution of the City Council or as established by the City Manager.

(3) The Owner or Keeper of a dog that is in an Off Leash Area must control the dog at all times. The Owner or Keeper of a dog shall not allow a dog to fight with other dogs, or to harass, bark at, bite, threaten, or injure any person or animal.

(4) If a dog or an Owner or Keeper is found to be in violation of this section, the dog may be excluded from Off Leash Areas for up to twenty-four hours. If a citation is issued for

animal nuisance under this chapter, the dog shall be excluded from all Off Leash Areas, pending a review of and determination on the citation by the Florence Municipal Court Judge. An Owner or Keeper who returns a dog to an Off Leash Area during the time the dog is excluded from Off Leash Areas is subject to the penalties described in 6-6-100.

(5) Dogs which have been designated as Dangerous Animals under this Chapter shall not be permitted in an Off Leash Area under any circumstances.

(6) Any Owner or Keeper of a dog shall be subject to the penalties described in 6-6-100 for violation of the terms and conditions of an Off Leash Area.

6-6-035: Dangerous Animals An animal may be designated as a Dangerous Animal by order of the Florence Municipal Court Judge. If an animal is designated as a Dangerous Animal, the following restrictions shall apply to the animal:

(1) The Owner or Keeper of the Dangerous Animal shall cause the animal to be confined to premises from which the Owner or Keeper may lawfully exclude others, either securely indoors or confined in a securely enclosed and locked pen or similar structure; such pen or structure must be securely constructed and must be adequate to ensure the confinement of the animal.

(2) No Owner or Keeper of a Dangerous Animal shall permit the animal to leave the premises from which the Owner or Keeper may lawfully exclude others unless the animal is humanely muzzled and either securely leashed or otherwise securely restrained and led by a person physically capable of handling the animal.

(3) The Florence Municipal Court Judge may require that the animal's Owner or Keeper post signs on the premises where the animal is kept indicating that the animal is a Dangerous Animal.

(4) If the animal designated as a Dangerous Animal is a dog, the dog shall at all times be required to wear a special dog tag indicating that the dog is a Dangerous Animal. In addition, the dog must be micro-chipped for identification purposes. The Owner shall be responsible for payment for the special tag and microchip.

(5) Dangerous Animals are prohibited in all public parks and on any other property owned by the City.

6-6-040: Animal Nuisances An animal is a nuisance if it:

(1) Bites, injures or attacks a person without provocation;

(2) Places a person in fear of imminent physical injury, without provocation, said fear being reasonable under the circumstances;

(3) Injures or kills an animal belonging to a person other than the Owner or Keeper of the nuisance animal;

- (4) Is trained for or used in animal fighting;
- (5) Disturbs any person by frequent or prolonged noises;
- (6) Chases vehicles, including bicycles, or obstructs traffic;
- (7) Chases people;
- (8) Damages property belonging to a person other than the Owner or Keeper of the animal;
- (9) Scatters garbage;
- (10) Is under the control of an Owner or Keeper who fails to comply with Section 6-6-030(3) and/or any off leash regulations at an Off Leash Area;
- (11) Is found running at large in the City more than three (3) times within any twelve month period or five (5) or more times over the entire time the animal has lived in the City.

6-6-045: Impound

- (1) An animal that has violated this Chapter or that lacks a required license may be seized and impounded by an officer of the Florence Police Department.
- (2) If an animal poses an imminent threat to human or animal life, and the officer has determined that other means of controlling the animal are or would likely be ineffective, the officer may kill the animal.
- (3) An impounded animal shall be placed in an animal shelter under contract with the City of Florence Police Department and shall be held by that animal shelter until:
 - (A) The Florence Police Department has authorized the release of the animal to the Owner or Keeper of the animal;
 - (B) The Florence Police Department has authorized the release of the animal to the animal shelter; or
 - (C) The animal shelter has received a court order releasing the animal to the shelter, directing the shelter to release the animal to the animals Owner or Keeper, or directing the shelter to humanely destroy the animal.
- (4) An animal released to an animal shelter by the Florence Police Department or by court order as provided in paragraph (3) of this section, shall be handled according to Oregon law and the animal shelter's policies, rules and regulations, including those governing humane destruction of the animal.

(5) If an animal has been impounded and one or more citations have been issued to the animal's Owner or Keeper, but the animal's Owner or Keeper does not make a personal or written appearance on the citation(s) in the Florence Municipal Court within the time required by the citation(s), then the Court may issue an order terminating the rights of the Owner to the animal and declaring that the animal may be handled according to Oregon law and the animal shelter's policies, rules and regulations, including humane destruction of the animal. Prior to issuing an order terminating the rights of the Owner, the Court shall cause a written notice to be delivered or mailed to the Owner or Keeper of the animal. The notice shall advise the Owner or Keeper that the Owner or Keeper's rights to the impounded animal will be forfeited unless the Owner or Keeper makes a personal appearance in the Florence Municipal Court within five business days of the date of the notice. The notice shall be mailed or delivered to the Owner or Keeper of the animal at the address shown on the citation or at any address provided to the Court by the animal's Owner or Keeper.

(6) If an animal has been impounded and the Owner or Keeper of the animal makes a first appearance in the Florence Municipal Court, but the Owner or Keeper later fails to appear as required by the Municipal Court, then the Court may proceed as provided in subsection (5) of this Section.

6-6-055: Warrant for Seizure of Animals

(1) Any police officer, reserve officer, or code enforcement officer may apply to the Florence Municipal Court for a warrant authorizing the search for and seizure of any animal that has violated this chapter. The Florence Municipal Court Judge may issue the warrant based on a prima facie showing that the violation has occurred.

(2) Nothing in this section is intended to limit the search and seizure authority of City police officers as otherwise provided by law.

6-6-060: Rabid & Diseased Animals Management and disposition of rabid animals shall be as prescribed by Oregon Law. Owning or keeping an animal infected with a contagious disease and allowing that animal to run at large or to enter any public place where the health of another animal or any person may be affected is prohibited.

6-6-065: Cruelty & Mistreatment Except as otherwise authorized by law, no person shall intentionally or recklessly:

(1) Subject any animal under human custody or control to mistreatment.

(2) Subject any animal under his custody or control to neglect.

(3) Kill or injure, without legal privilege, any animal under the custody or control of another, or any wild bird. This includes killing animals for human consumption.

6-6-070: Feeding Wild Animals Prohibited

(1) No person shall scatter or deposit any food or other attractants on public or private property with or without the intent of attracting and/or feeding wild animals, including, but not limited to, bears, seagulls, crows, pigeons, raccoons, feral cats, wild rabbits, rodents, coyotes, and deer. Leaving food outside for any purpose, including for the purpose of feeding domestic animals and pets, in a place where wild animals can access it, shall be a violation of this section if the food in fact becomes an attractant for wild animals.

(2) Exceptions

(A) This section shall not apply to birdseed held in receptacles which are reasonably designed to prevent, and do prevent, access to the food by wild animals such as bears, seagulls, crows, pigeons, raccoons, deer, rabbits, and rodents.

(B) This section shall not apply to the feeding of caged animals such as domestic chickens, rabbits, guinea pigs, or various rodents that are commonly kept as pets and allowed by the City Code, provided that they are fed in a way that is reasonably designed to prevent, and does prevent, access to the food by wild animals such as bears, seagulls, crows, pigeons, raccoons, deer, rabbits, and rodents.

(C) This section shall not apply to providing food, during daytime hours, in live traps being used to capture feral cats for spaying and/or neutering.

6-6-075: Trapping Animals Trapping animals within the City limits is prohibited except as follows:

(1) Upon written authorization of the Chief of Police or his designee, it shall be legal to trap abandoned domestic and feral cats for the purpose of delivering them to the Florence Area Humane Society or another location approved by the Chief of Police.

(2) Upon the written authorization of the Chief of Police, or his designee, it shall be legal for a licensed pest control business to use live traps within the City for the purpose of controlling pest animals. For purposes of this section "pest animals" means any animals which can cause disease or damage to humans, animals or property.

6-6-080: Exemption for Government Agents Police officers, including the City's code enforcement officer, and government wildlife agents are exempt from the provisions of this Chapter when they trap, drug or kill any animal reasonably deemed by them to be a danger to any person, any domestic animal, or a hazard to aviation, navigation, or the use of City streets.

6-6-085: Injury by Vehicle Any person operating a vehicle within the City who runs over, strikes, injures, maims, or kills any domestic animal shall immediately stop and render aid to such animal, if injured, or provide for the disposition of the carcass if such animal is killed. In either case, such person shall make due and diligent inquiry to determine the Owner of such animal, and, if the Owner can be found, shall notify the

Owner of the occurrence. If the Owner cannot be found, such person shall report the same to the Chief of Police, or his designee.

6-6-090: Removal of Carcass No person shall permit an animal carcass owned or controlled by him to remain upon public property, or to be exposed on private property for a period of time longer than is reasonably necessary to remove or dispose of the carcass.

6-6-095: Destruction of Animals

- (1) Subject to subsection (4) of this section, if an animal has been found to have violated Florence Code 6-6-040(1), the Florence Municipal Court Judge may enter an order terminating the animal Owner's rights to the animal and/or requiring that the animal be humanely destroyed.
- (2) Subject to subsection (4) of this section, if an animal has been found to have committed two or more violations of Florence Code 6-6-040(2), (3) or (4) within a five-year period, the Florence Municipal Court Judge may enter an order terminating the animal Owner's rights to the animal and/or requiring that the animal be humanely destroyed.
- (3) If the Judge determines that an animal's violation of Florence Code 6-6-040 (1), (2), (3) or (4) was caused by the neglect, abuse or tormenting of the animal by its Owner, the Judge may enter an order terminating the animal Owner's rights to the animal and prohibiting the Owner from owning or possessing animals within the City of Florence. Further, if the Judge determines that the neglect, abuse or torment was the primary cause of the animal's violation of Florence Code 6-6-040 (1), (2), (3) or (4) then the Judge may allow the abused animal to be placed with an animal shelter for possible adoption.
- (4) If the Florence Municipal Court Judge determines that an animal is unlikely to be a repeat offender of the provisions of this Chapter, then the Judge may suspend any orders in subsection (1) or (2) of this section for a period of up to five years, subject to certain conditions, which may include:
 - (A) A requirement that neither the animal nor the animal's Owner or Keeper commit any further violations of this Chapter;
 - (B) A requirement that the animal be sterilized;
 - (C) A requirement that the animal's Owner or Keeper pay Court ordered fines resulting from the animal's violation of this code.
 - (D) A designation of the animal as a Dangerous Animal that is subject to the Dangerous Animal Restrictions described in Florence Code 6-6-035.
 - (E) A provision that allows law enforcement officers, including city code enforcement officers, upon a future violation of Sections 6-6-025, 6-6-035 or 6-6-040 by

the animal, to take the animal into custody pending further review and order by the Florence Municipal Court Judge.

(F) Any other condition that the judge deems appropriate.

6-6-096: Prohibited Animals It shall be a violation of this Chapter to own or keep any prohibited animals inside the City. However, the City Manager, subject to the terms or conditions the City Manager may impose, may permit prohibited animals to be temporarily kept in the City for special projects or special events when the presence of the animal service a public purpose or is reasonably necessary for a special event.

6-6-100: Penalties

- (1) Violations of this Chapter shall be punishable as provided in this section 6-6-100. However, no greater penalty shall be imposed than the penalty prescribed by Oregon statute for the same act or omission.
- (2) Violation of section 6-6-060 (Rabid & Diseased Animals) and 6-6-065 (Cruelty & Mistreatment) of this Chapter shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) and/or imprisonment not to exceed three hundred sixty-five (365) days, or both fine and imprisonment.
- (3) As used in this Chapter, the following violations are punishable by a fine not to exceed \$750:
 - (A) Owning or keeping an animal that is a nuisance under Section 6-6-040.
 - (B) Violation of an order terminating an owner's rights issued pursuant to Section 6-6-095.
 - (C) Violation of Section 6-6-035 as it pertains to the confinement and/or control of dangerous animals.
 - (D) Violation the terms and conditions of an off leash area as provided in Section 6-6-030.
- (4) Violation of the dog licensing provisions of Section 6-6-020 is punishable by a fine not to exceed \$175.
- (5) Violations of Section 6-6-025 (Animal at Large) shall be punishable as follows:
 - (A) The first violation: \$50.
 - (B) The second violation: \$100.
 - (C) The third violation: \$200.
 - (D) The fourth violation: \$400.

- (E) The fifth and all subsequent violations: \$750.
- (6) All other violations of this Chapter, except as set out in subsections (1) through (5) above, are punishable by a fine not to exceed \$500.
- (7) Reimbursement of Impound Costs. The Florence Municipal Court Judge may order the Owner or Keeper of an animal that violates any provision of this Chapter to reimburse the City of Florence for any and all impound costs incurred by the City.
- (8) Exclusion from Off Leash Areas. If an animal is found in violation of the provisions of this Chapter and the violation occurred in an Off Leash Area, the Florence Municipal Court Judge may order that the animal be excluded from all Off Leash Areas.

6-6-105: Undertaking on Appeal If an animal has been impounded and the Owner or Keeper has filed an appeal of an order of the Florence Municipal Court, the Owner or Keeper of the animal must provide a bond, deposit or other security to assure payment of the cost incurred by the City for housing the animal pending appeal. The bond, deposit or other security shall be in the amount set by the Municipal Judge.

Section 2. This ordinance shall be effective 30 days after its passage by the Council and signature by the Mayor.

Passed by the Florence City Council this 15th day of August, 2011.

AYES	<u>5-Councilors Jagoe, Xavier, Roberts, Holman and Mayor Brubaker</u>
NAYS	<u>0</u>
ABSTAIN	<u>0</u>
ABSENT	<u>0</u>

Signed by the Mayor this 16th day of August, 2011.


 Phil Brubaker, Mayor

ATTEST:

 Kelli Weese, City Recorder



SECTION 10.

MISC. ITEMS (including policy decisions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. **10.b.**
Council Meeting Date: August 8, 2016

**TITLE: Planning Commission Code Revision
Recommendations for Marijuana Zoning Regulations
and Tiny Houses & ADUs**

SUMMARY AND BACKGROUND:

I provided the drafts of the PC recommended changes to the land use code in May hoping to have them formally reviewed in June or July. I am providing the copies again with additional definitions as recommended by legal counsel. I also have comments from her we will discuss at the meeting.

REQUESTED ACTION:

Review and determine whether the Council wishes to pursue amendments to the zoning code and whether to make additions/changes/etc. If so, a statutory notice process will be initiated and we will start the adoption process.

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PRIOR REPORTS ON THIS TOPIC

From May Agenda Report

The Council directed staff earlier this year to have the Planning Commission review possible amendments to the Zoning Code for Medical & Recreational Marijuana businesses, and also a citizen requested amendment to allow for Tiny Houses.

The PC met in three workshop sessions and drafted and revised proposed amendments to the zoning code. Attached are their proposals. This are for REVIEW ONLY tonight and discussion at the June meeting and possible adoption in July or August.

REQUESTED MOTION/ACTION:

FYI only this month. Please review for discussion at the June meeting



**PLANNING
COMMISSION
PROPOSED
MARIJUANA
BUSINESS LAND USE
AMENDMENTS**

Add to Section 1.030 Definitions:

Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae.

Marijuana Facility means a Medical Marijuana Grow Site, a Medical Marijuana Processing Site, a Medical Marijuana Dispensary, a Recreational Marijuana Producer, a Recreational Marijuana Processor, a Recreational Marijuana Wholesaler or a Recreational Marijuana Retailer.

Medical Marijuana Dispensary means a medical marijuana dispensary registered with the Oregon Health Authority pursuant to ORS 475B.450.

Medical Marijuana Grow Site means a medical marijuana grow site registered with the Oregon Health Authority pursuant to ORS 475B.420.

Medical Marijuana Processing Site means a medical marijuana processing site registered with the Oregon Health Authority pursuant ORS 475B.435.

Recreational Marijuana Processor means a recreational marijuana processor licensed by the Oregon Liquor Control Commission pursuant to ORS 475B.090.

Recreational Marijuana Producer means a recreational marijuana producer licensed by the Oregon Liquor Control Commission pursuant to ORS 475B.070.

Recreational Marijuana Retailer means a recreational marijuana retailer licensed by the Oregon Liquor Control Commission pursuant to ORS 475B.110.

Recreational Marijuana Wholesaler means a recreational marijuana wholesaler licensed by the Oregon Liquor Control Commission pursuant to ORS 475B.100.

**PROPOSED AMENDMENTS TO GBZO TO ALLOW FOR RECREATIONAL AND
MEDICAL MARIJUANA DISPENSARIES CONDITIONALLY IN THE
COMMERCIAL 4-C AND INDUSTRIAL 5-I ZONES**

Existing zoning ordinance language in regular format
Proposed amendments ***Bold & Italics***

ADD to Section 1.030 DEFINITIONS

Medical Marijuana Dispensary means a medical marijuana dispensary registered under ORS 475B.450 or a site for which an applicant has submitted an application for registration under ORS 475B.450.

Recreational Marijuana Facility means a location where a wholesaler, retailer, producer, or processor licensed through the Oregon Health Authority or the Oregon State Liquor Control Commission conducts activities related to their marijuana business. This definition is not meant to include personal use marijuana activities as approved in Measure 91 by voters in November 2015.

Commercial Zone (4-C)

Section 2.310. Purpose of Classification.

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

Section 2.320. Uses Permitted Outright.

The 4-C zone is designated to be applied to areas such as community shopping centers and business districts that cater to the needs of nearby residential areas.

1. Hotel, motel, vacation rental, or bed and breakfast inn.
2. Club or lodge hall.
3. Hospital, sanitarium, retirement home, medical or dental clinic.
4. Retail or service establishment.

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

PERMITTED USES WITHIN EXISTING SINGLE-FAMILY/MULTIFAMILY DWELLINGS:

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

Section 2.330. Conditional Uses Permitted.

In a 4-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the

general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

- 1. Single family dwelling.
- 2. Multiple family dwelling.
- 3. Planned Unit Development on a lot of at least one (1) acre in area and in compliance with Article V.
- 4. Utility facility; including substation, pumping station or private generator. (1)
- 5. Communications transmitter, receiver, antenna or tower. (1)
- 5. Wind generator (1).
- 6. Mobile or portable office.
- 7. Trailer, camping or recreational vehicle temporarily used as a residence during construction of a permitted use or to temporarily provide watchman security for material that cannot be reasonably stored in an established commercial storage facility.
- 8. Medical Marijuana Dispensary (subject to the specific conditional use standards of Section 6.042 (11))**
- 9. Recreational Marijuana Wholesaler or Retailer (subject to the specific conditional use standards of Section 6.042 (11))**
- 10. Medical or Recreational Marijuana producer (grower) provided the entire growing operation and accessory uses are conducted within a legally constructed building. No outside growing or storage is permitted. (subject to the specific conditional use standards of Section 6.042 (11))**

Section 2.340. Lot Size.

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

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

Section 2.350. Height of Buildings.

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

Industrial Zone (5-I)

Section 2.410. Purpose of Classification.

The industrial zone is generally intended to provide for limited or light industrial uses. Conditional uses in this zone are designed for heavier industrial uses.

Section 2.420. Uses Permitted Outright.

In a 5-I zone, the following uses and their accessory uses are permitted outright:

1. Retail or service establishment.
2. Automobile service station.
3. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair.
4. Building material storage yard.
5. Plumbing, electrical, or paint contractor's storage, repair or sales shop.
6. Tire retreading or vulcanizing shop.
7. Wholesale trucking and storage establishment.
8. Machine shop or cabinet shop.

9. Manufacturing, repairing, compounding, processing, storage, research, assembling or fabricating activities except those specifically listed in Section 2.430.
10. Utility facility, including substation or pumping station.
11. Communications transmitter, receiver, antenna or tower.

Section 2.430. Conditional Uses Permitted.

In a 5-I zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Manufacturing plant, including lumber and plywood mills.
2. Airport or heliport.
3. Place of worship or school.
4. Park, playground, fire station, library or museum.
5. Planned Unit Development on a lot of at least three (3) acres in area and in compliance with Article V.
6. Wind generators (1).
7. Recreational vehicle park or campground
8. Mobile or portable office.
9. ***Medical Marijuana Dispensary (subject to the specific conditional use standards of Section 6.042 (11))***
10. ***Recreational Marijuana Wholesaler or Retailer (subject to the specific conditional use standards of Section 6.042 (11))***
11. ***Medical or Recreational Marijuana producer (grower) provided the entire growing operation and accessory uses are conducted within a legally constructed building. No outside growing or storage is permitted. (subject to the specific conditional use standards of Section 6.042 (11))***

Section 2.440. Lot Size.

Except as provided in Sections 4.040 and 4.050 in a 5-I zone, the minimum lot size shall be determined by the County Sanitarian as necessary for proper installation and operation of water supply and sewage disposal systems. If both a public water supply and a public sewage disposal system are available, there shall be no minimum lot area; however, compliance with the off-street parking ordinance shall be required. must be conformed with.

Section 2.450. Height of Building.

Except as provided in Section 4.020 in a 5-l zone, no building shall exceed thirty-five (35) feet in height; however, buildings up to fifty (50) feet in height may be allowed as a conditional use.

10. Medical or Recreational Marijuana Uses

The following criteria and conditions are applied to specific uses and activities in the Commercial (4-C) and Industrial (5-I) zones:

- a) The facility shall be registered and licensed through the State of Oregon and shall comply with all state regulations regarding medical or recreational marijuana facilities, depending on its type of state registration.**
- b) The facility shall be located 200' or more feet from residential uses.**
- c) The facility shall be located 1000' or more feet from the exterior boundary line of parcel containing any public, private, preschool, or religious based school for students under the age of 18.**
- d) The facility shall not be located with 1000' of a building containing another marijuana business.**
- e) The facility must be located entirely within a permanent building and may not be located in a trailer, cargo container, motor or recreational vehicle.**
- f) Outside storage of merchandise, raw materials, or other materials associated with the facility is prohibited.**
- g) Drive-up use or windows are prohibited.**
- h) The facility shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the facility's exterior refuse containers.**
- i) Production of oil based products or distilling of oil shall only be permitted within the Industrial (5-I) zone.**



**PLANNING
COMMISSION
PROPOSED TINY
HOUSE & ADU
AMENDMENTS**

**PROPOSED AMENDMENTS TO GBZO TO ALLOW FOR ACCESSORY DWELLING
UNITS (ADUs) & TINY HOUSES WITHIN THE
RESIDENTIAL (1-R, 2-R, 3-R) AND COMMERCIAL (4-C) ZONES**

Existing zoning ordinance language is in regular format
Proposed amendments ***Bold & Italics***

ADD to Section 1.030 DEFINITIONS

ACCESSORY DWELLING UNIT (ADU) means a smaller secondary home on the same lot as a primary dwelling having a total square footage of 200'-500' square feet. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, water and sanitary sewer utilities. There are two types of ADUs:

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

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

Tiny Houses are subject to the following siting standards:

- 1) Must be sited on a legally created parcel and are subject to the setback requirements of the underlying zone.***
- 2) If the structure is of modular construction the siting standards of Section 3.045 (2, 3, & 4) shall apply to the placement of the dwelling.***

ARTICLE II. Use Zones

Residential Zone (1-R)

Section 2.010. Purpose of Classification.

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

Section 2.020. Uses Permitted Outright.

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

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

Section 2.030. Conditional Uses Permitted.

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

1. Place of worship, school, grange hall or community building.
2. Public use facility or public utility, including but not limited to fire stations and parks.(1)
3. Recreational vehicle temporarily used during construction of a permitted use for a period not to exceed twelve months.

4. Utility facility, including substation or pumping station or private generator. (1)
5. Communications transmitter, receiver, antenna or tower. (1)
6. Planned Unit Development in compliance with Article V.
7. Wind generators (1).
8. Home occupations not meeting the general standards of Section 3.050, including bed and breakfast inns, in compliance with Sections 3.050 and 6.010.
9. Use of an existing dwelling unit as a vacation rental dwelling. (4) (and Section 6.050 & 6.051).

Section 2.040. Lot size.

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

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

Section 2.050. Set-Back Requirements.

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

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

Section 2.060. Height of Buildings.

1. Except as provided in Section 4.020 in a 1-R zone, no building shall exceed twenty-five (25) feet in height. ***Height of ADUs and Tiny Houses are subject to subsection 2 below.***

2. ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.

Residential Zone (2-R)

Section 2.110. Purpose of Classification.

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

Section 2.120. Uses Permitted Outright.

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

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

Section 2.130. Conditional Uses Permitted.

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

1. Mobile or manufactured home park subject to compliance with local building code requirements. (2)
2. Place of worship, school, grange hall, or community building.
3. Public use facility such as a fire station or park.

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

Section 2.140. Lot Size.

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

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by a public water or sewer system, the lot area shall conform to the requirements established by the County Sanitarian to avoid problems of water supply and sewage disposal due to soil structure and water table.
2. When both a public water and sewage system are available:
 - (a) For uses other than a mobile home park, the minimum lot area shall be five-thousand (5,000) square feet.
 - (b) For mobile or manufactured home park, the minimum shall be eight thousand (8,000) square feet or two thousand (2,000) square feet per home space whichever is greater.

3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***

3. The minimum average width shall be fifty (50) feet.

Section 2.150. Set-back Requirements.

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

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

Section 2.160. Height of Buildings.

1. Except as provided in Section 4.020 in a 2-R zone, no building shall exceed twenty-five (25) feet in height. ***Height of ADUs and Tiny Houses are subject to subsection 2 below.***
2. ***ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.***

Residential Zone (3-R)

Section 2.210. Purpose of Classification.

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

Section 2.220. Uses Permitted Outright.

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

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

Section 2.230. Conditional Uses Permitted.

In a 3-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Section 6.010 through Section 6.050. All conditional uses must meet the general standards of Section 6.041. Numbers in parenthesis following a use indicate the specific standards described in Section 6.042 that must be met in addition to the general standards in order to approve that particular use.

1. Place of worship, school, grange hall, or community building.
2. Public use facility such as a fire station or park.

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

Section 2.240. Lot Size.

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

1. Lot sizes suitable for building shall be dependent on the availability of public water and sewage systems. If the lot is not served by both a public water and sewer system, the lot area shall conform to the requirements established by the County Sanitarian to avoid problems of water supply and sewage disposal due to soil structure and water table.
2. When both a public water supply and sewage disposal system are available the minimum lot area shall be four-thousand (4000) square feet.
3. ***Smaller minimum lot area down to three thousand (3,000) square feet may be permitted specifically for tiny house use subject to review by the Planning Commission pursuant to the procedural standards of Article VI-Conditional Uses.***
3. The average lot width shall be a minimum of fifty (50) feet.

Section 2.250. Set-Back Requirements.

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

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

Section 2.260. Height of Buildings.

- 1.** Except as provided in Section 4.020 in a 3-R zone no building shall exceed thirty-five (35) feet in height. *Height of ADUs and Tiny Houses are subject to subsection 2 below.*

- 2.** *ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.*

Commercial Zone (4-C)

Section 2.310. Purpose of Classification.

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

Section 2.320. Uses Permitted Outright.

The 4-C zone is designated to be applied to areas such as community shopping centers and business districts that cater to the needs of nearby residential areas.

1. Hotel, motel, vacation rental, or bed and breakfast inn.
2. Club or lodge hall.
3. Hospital, sanitarium, retirement home, medical or dental clinic.
4. Retail or service establishment.
5. Automobile service station.
6. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair.
7. Building material storage yard.
8. Plumbing, electrical, or paint contractor's storage, repair or sales shop.
9. Wholesale trucking and storage establishment.
10. Park, playground, fire station, library or museum.
11. Office buildings.
12. Place of worship or school.
13. Recreational vehicle park.
14. Machine shop or cabinet shop.
15. Manufacturing, repairing, compounding, processing, storage, research, assembling, or fabricating activities except: tire retreading or vulcanizing shop, and manufacturing plants-- including lumber and plywood mills
16. Airport related buildings if located within the airport property. See airport overlay section

17. Dwelling unit(s) may be located in a building devoted primarily to a non-residential use.

PERMITTED USES WITHIN EXISTING SINGLE-FAMILY/MULTIFAMILY DWELLINGS:

18. Home Occupations subject to the general standards of Section 3.050.

19. A Residential Home as defined in ORS 197.660(2).

20. A Residential Facility as defined in ORS 197.660(1)

21. Registered or certified family child care home pursuant to ORS 657A.440.

Section 2.330. Conditional Uses Permitted.

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

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

Section 2.340. Lot Size.

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

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

Section 2.350. Height of Buildings.

- 1.** Except as provided in Section 4.020 in a 4-C zone, no building shall exceed thirty-five (35) feet in height. *Height of ADUs and Tiny Houses are subject to subsection 2 below.*
- 2.** *ADUs and Tiny Houses shall not exceed fifteen (15) feet in height.*

Section 3.040 Accessory Dwelling Unit (ADU) Standards

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

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

Specific ADU siting standards

- 1) ADUs shall be accessory to an existing single-family, duplex, or multi-family dwelling; and**
- 2) ADUs shall meet the setback requirements of the underlying zone; and**
- 3) ADUs shall be 200'-500' square feet in size; and**
- 4) ADUs shall not be used for vacation rental dwellings or rentals of less than 30 day increments and may not be advertised as such; and**
- 5) Either the primary dwelling or ADU shall be occupied by the owner or a family member of the owner of the subject property.**