

CITY OF WHEELER, OREGON

755 Nehalem Blvd, P.O. Box 177, Wheeler, OR 97147 Telephone: (503) 368-5767 / Fax: (503) 368-4273
Website: www.ci.wheeler.or.us / Email: citymanager@ci.wheeler.or.us

Conditional Use Permit Application

Covers the information required for Conditional Permitted Uses in R1, R2, P (Public) and General Commercial (Use Water Related Conditional Use Permit for Water Related Commercial, Water Related Industrial and Estuary)

Application # (Provided by the City Manager) _____ Date Submitted _____

Legally Recorded Property Owner _____

Mailing Address _____ City _____

State ____ ZIP ____ Phone _____ Email _____

Building Contractor: _____

License # _____ Phone _____ Email _____

Mail/Email Permit to: _____

Location Information of the lot(s): Physical Address _____

(1) Is this request for a structure in the Downtown Commercial District _____

(2) (Legal Description (Example: on map 2N10002CB, Wheeler, Block 31, Lot 12) _____

Township 2N Range 10 Section (Example: 02CB on above map) _____ Tax Lot _____

(Find info for 2N1002BC to 2N1003DD at <https://www2.co.tillamook.or.us/Documents/AandT/TaxMap/pdf/t2nr10/>)

(3) Lot Size ____ x ____ x ____ x ____ (Skip if more than 4 sides) Lot(s) Square Footage _____

(4) Zone(s) _____ (See:

<https://www.ci.wheeler.or.us/sites/default/files/fileattachments/administration/page/2181/3-1-land-zoning-map.pdf>)

(5) Road Access to the lot(s) (Name of Public Street(s)/Private Road/Easement) _____

(6) Closest Distance of lot(s) to: (a) Vosburg , Gervis or Zimmerman Creek if less than 50 feet ____ Which Creek _____

(b) Nehalem Bay (if west of Hwy 101) _____ (c) Wetlands (if less than 50 feet) _____

(7) FIRM Panel # _____ Flood Zone _____ Date on FEMA Map _____

(FIRM Panel # Example: 41057C0209F; Flood Zone Examples: A, AE or None) To obtain the info for the above, see:
<https://msc.fema.gov/portal/search?AddressQuery=61%20gamble%20street%2C%20wheeler%2C%20or#searchresultsanchor> & https://www.fema.gov/sites/default/files/2020-07/fema_find-flood-map-make-FIRMette_tutorial.pdf

This completes the common information section

All Conditional Use Permits require a Planning Commission hearing and their approval. Schedule a hearing with the City Manager. Any Planning Committee Decision can be appealed to the City Council.

Lot/Building Details and Decision Criteria

(1) Proposed Use of the Structure

For the conditional uses below, use the Green Path Construction Form (all other forms are common):

Church (R1 and R2) _____ Community Meeting Hall (R1, R2 and P) _____ Public Utility _____ Municipal Building _____
Hospital/Medical _____ Public/Private School _____

For the conditional uses below, use the Blue Path Construction Form (all other forms are common):

Day Care (R1 & R2) _____ Adult Day Care (R2 Only) _____ Residential Home _____ Residential Facility _____

For the conditional uses below, use the Red Path Construction Form (all other forms are common)

Manufactured Home Park _____ RV Park (R2 only) _____ Plant Nursery _____

The following uses follow the Design Review Construction Form (all other forms are common):

Auto Service station _____ Hotel/Motel/Time Share _____ B&B (GC Only) _____ Government Office _____
Church (GC only) _____ Community Meeting Hall (GC only) _____ RV Park (GC only) _____
Multi Family Dwelling (R1 Only) _____

General Description of the work _____

For a new structure complete all below then jump to page 5. If requesting a Conditional Use of an existing Building, skip to page 4 now (Conditional Use of an Existing Building)

(2) Structure Details (SF = Square Feet):

Lot(s) area SF _____ Structure 1 Area SF _____ Structure 2 Area SF _____ Structure 3 Area SF _____

Total Structure area SF _____ % of Lot(s) _____ Landscape Area SF _____ % of Lot _____ Parking area SF _____

(3) Required Reports and Plans:

(A) A dimensioned site plan drawn to scale showing: the lot with all bordering streets, all existing and planned structures located on the lot, walkways, driveways, fences, walls, parking and loading locations and if west of Hwy 101 railroad tracks. To keep from adding to the site plan for the next step if the permit is approved, see Site Plan & Survey Requirements at HTTP

(B) A Landscape Plan showing existing trees and vegetation – noting what is to be kept and what is to be removed - and planned new trees and vegetation including the size and variety of all new materials. Show existing tree type, circumference at 4' and drip line.

(C) An elevation drawing of each side of the structure(s) showing its height relative to the mean elevation. The mean elevation is the average of the high and low corner pins – not the average of all pins - from which the **24' maximum height** is calculated. Show the height of the low & high pin on the tallest elevation drawing.

(D) A site survey by a surveyor licensed in Oregon. To keep from adding to the survey for the next step if the permit is approved, see Site Plan & Survey Requirements at HTTP

(E) Nehalem Bay Fire & Rescue District Building Review & Approval Form

(F) A site specific Geologic Survey by a qualified professional engineering geologist or soil engineer licensed in Oregon (this may be waved until after the Conditional Permit is granted by the Planning Commission).

(G) There are additional requirements for specific conditional uses in the Zoning Ordinance, Section 15.100 and additional information may be required by the Planning Commission.

(4) The applicant shall show that the proposed Conditional Use meets the following Decision Criteria:

1. A need exists for the use at the proposed location.
2. The use will not overburden the following public facilities and services: traffic (in Wheeler generally and on nearby streets), water, sewer, and schools. Depending on the proposed use and location a storm drainage plan may be required. For which facility impact you need to address, see the matrix at <http>

3. The site layout shall provide an adequate amount of space for yards, buildings, drives, parking, loading and unloading areas, storage facilities, utilities, or other facilities which are required by city ordinances or desired by the applicant.

4 The proposed use will be compatible with the general character of the area due to the architectural style, building materials and colors, landscaping, fencing, and/or other building or site characteristics.

The Conditional Use Permit is the first step in the permit process and its approval affirms that the proposed conditional use is appropriate for that location in that zone. If the Conditional Use Permit is approved, proceed to the next step based on use (choose the correct path forms and applications as indicated in **Proposed Use of the Structure** above).

In addition to a Performance Bond that is required if the city has to make any improvements, a Performance Bond may imposed by City Council to ensure that the project is built in the scheduled time and built as approved.

A question you may ask:

Why do 3 (A) and (D) require less than the Site Plan and Survey Requirements?

They are the minimum requirements per the Zoning Ordinance for this permit now. If the Conditional Permit is approved and you proceed to the next step you will need to add more information to those documents. Alternately you might want to do it all from the beginning.

NO PERMIT WILL BE ISSUED UNTIL ALL FEES ASSOCIATED WITH THIS APPLICATION ARE PAID IN FULL

FOR OFFICE USE ONLY

Received by: _____ Date: _____ Fee Paid: _____

Date of site visit: _____ Staff Name: _____

Staff comments / recommendations : _____

Conditional Use of an Existing Building

Total area for proposed use SF _____

There are additional requirements for specific conditional uses in the Zoning Ordinance, Section 15.100. Do any of these apply/which? _____ / _____

Depending on the requirements of Section 15.100, addition information may be required by the Planning Commission.

A Sign Permit is required assuming the new use has an outside sign.

A Parking Plan meeting the requirements of the Zoning Ordinance, Section 11.090 may be required by the Planning Commission depending on the expected vehicle traffic.

The applicant shall show that the proposed Conditional Use meets the following Decision Criteria:

1. A need exists for the use at the proposed location.
2. The use will not overburden the following public facilities and services: traffic (in Wheeler generally and on nearby streets), water, sewer, and schools. Depending on the proposed use and location a storm drainage plan may be required. For which facility impact you need to address, see the matrix at http
3. The site layout shall provide an adequate amount of space for yards, buildings, drives, parking, loading and unloading areas, storage facilities, utilities, or other facilities which are required by city ordinances or desired by the applicant.
- 4 The proposed use will be compatible with the general character of the area.

The Conditional Use Permit is the first step in the permit process and its approval affirms that the proposed conditional use is appropriate for that location in that zone. If the Conditional Use Permit is approved, proceed with this permit and a cover letter from the Wheeler City Manager to the Tillamook Building Department to obtain the necessary permits for remodeling.

City of Wheeler Conditional Use Sign Permit Application

Application # (Provided by the City Manager) _____ Date Submitted _____

Is this sign: New? ___ a Replacement? ___ If so, described the sign to be replaced _____

Sign Dimensions:

Height _____ Width: _____ Thickness _____

Submit a drawing of the sign location on the building or overhang with dimensions.

Attach a color drawing or picture of the sign.

The sign must conform to the requirements of the Wheeler Sign Ordinance (99-02)

NO PERMIT WILL BE ISSUED UNTIL ALL FEES ASSOCIATED WITH THIS APPLICATION ARE PAID IN FULL

FOR OFFICE USE ONLY

Received by: _____ Date: _____ Fee Paid: _____

Date of site visit: _____ Staff Name: _____

Staff comments / recommendations : _____

Common Applications, Forms and Reports

Actual Use (from Conditional Permit) _____

There are additional requirements for specific conditional uses in the Zoning Ordinance, Section 15.100. Do any of these apply/which? _____ / _____

Required Documents:

- (1) Detailed Site Plan per Site Plan & Survey Requirements at HTTP _____ if you did not already submit this for the Conditional Use Permit or had changes required by the Conditional Use Permit.
- (2) Detailed Survey per Site Plan & Survey Requirements at HTTP _____ if you did not already submit this for the Conditional Use Permit or had changes required by the Conditional Use Permit.
- (3) Ownership and Title report showing all names on the deed and any liens and deed restrictions.
- (4) CCF Application with attached Grading and Erosion Control Plan and Stormwater Plan.
- (5) A Parking Plan meeting the requirements of the Zoning Ordinance, Section 11.090 with designated Open Space (can be included with Landscape Plan).
- (6) Fencing, Lighting, and Signage Plan and a Sign Permit (assuming an outside sign is desired).
- (7) Driveway Approach Permit.
- (8) Construction Application Permit.
- (9) If any City improvements are required to serve this use, a Performance Bond will be required.
- (10) All new construction and substantial renovation in the 100 year floodplain shall require a Certificate of Elevation by a registered surveyor.
- (11) Floodplain Development Permit is required if any part of the lot(s) is in a Flood Zone.
- (12) A Right of Way Permit is required if street access is not already available.
- (13) Depending on the requirements of Section 15.100, addition information may be required by the Planning Commission.
- (14) If accessory buildings are desired, fill out the Accessory Structure Application Form.
- (15) A copy of the Wheeler City Water and Nehalem Bay Wastewater approvals if using those services.

City of Wheeler Conditional Use Sign Permit Application

Application # (Provided by the City Manager) _____ Date Submitted _____

Is this sign: New? ___ a Replacement? ___ If so, described the sign to be replaced _____

Sign Dimensions:

Height _____ Width: _____ Thickness _____

Submit a drawing of the sign location on the building or overhang with dimensions.

Attach a color drawing or picture of the sign.

The sign must conform to the requirements of the Wheeler Sign Ordinance (99-02)

For Office Use Only:

Sign Fee _____ Date Paid _____ Paid to _____

Inspection by _____ Date _____

Results _____

Clearing, Cutting and Filling (CCF) Permit Application

A Clearing, Cutting and Filling Permit is required unless minimal excavation is required on a lot sloping 1 in 12 or less.

RESPONSIBILITY

Whenever damage, erosion, or sedimentation of adjacent or downslope properties is caused by stripping vegetation, grading or other development, it shall be the responsibility of the property owner, person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems and repair damage to property prior to issuance of final approvals for the project. The property owner shall be responsible for repairing existing streets, public facilities, and surrounding properties damaged in the development of the property. City staff may make periodic inspections to ensure grading and erosion control measures are working effectively. The City shall have the right to require the party developing the property to pay for additional measures to assure compliance with this ordinance.

PROPERTY OWNERS SIGNATURE _____ DATE _____

Required Documentation:

(1) Grading and Erosion Control Plan: Estimate the depths and location of all excavations and fills. Identify the type and location of erosion control measures. Erosion control measures shall be installed prior to construction and shall be continuously maintained. Debris shall be removed from the property within 30 days of the completion of the associated activity unless an alternate timeline is approved with the permit application.

(2) Storm Water Drainage Plan: Identify roof drains, foundations drains, drainage swales, and culverts. Storm water systems shall be consistent with the Wheeler Storm Water Master Plan and designed to avoid sedimentation and flooding of adjacent and downslope properties.

(3) (Only applies if all or part of the lot(s) are in a designated Wetland) Wetland Delineation Report and Concurrence and Agency Authorization: For work in wetlands, submit authorization from the Division of State Lands and the US Army Corps of Engineers. Work will only be permitted where the City finds that the filling will not cause flooding of adjacent properties or public streets or drainage systems and that the drainage system is adequate to handle actual or projected storm run-off.

FOR OFFICE USE ONLY

Received by: _____ Date: _____ Fee Paid: _____

Date of site visit: _____ Staff Name: _____

Staff comments / recommendations : _____

Date of additional site visit (if required): _____ Staff Name: _____

Staff comments / recommendations : _____

Final action:

Approved ___ Denied ___ Date _____ Approver _____

RIGHT-OF-WAY PERMIT APPLICATION

Right-Of-Way Request:

(a) What Street Name: _____ from intersection with what Street _____
Extending (how many feet) _____ in what direction _____ OR

(b) Easement location: _____

Proposed use of right-of-way: _____

Describe any material or vegetation to be removed: _____

Describe any material or vegetation to be introduced: _____

Attach a plat map with the exact location marked and two color photographs, one taken at each end of the distance indicated in Right-Of-Way Request above.

If the City Manager decides that the City Engineer or Planner should review this application, the applicant will be charged for billed time. The City Manager and Planning Commission Chair will review this application.

NO PERMIT WILL BE ISSUED UNTIL ALL FEES ASSOCIATED WITH THIS APPLICATION ARE PAID IN FULL

FOR OFFICE USE ONLY

Received by: _____ Date: _____ Fee Paid: _____

Date of site visit: _____ Staff Name: _____

Staff comments / recommendations : _____

City Manager final action:

Date: _____ Approved: _____ Denied: _____

Additional Fees:

For: _____ Date Billed: _____ Date Paid: _____

DRIVEWAY APPROACH CONSTRUCTION PERMIT APPLICATION

This application is required with all new residential dwelling construction- not additions - unless there is an existing driveway that meets the conditions in 4 and 5 below.

(1) Proposed Driveway to be on the (Example: East) _____ side of (what street) _____

(2) The applicant shall draw a plot plan for the lot showing the proposed driveway approach, the distance from the centerline of the driveway to the two lot corners, the distance from lot to the actual street, and the location of the street. If this is included on the Construction Application, say "see Construction Plat" here _____

(3) The proposed driveway approach location must be staked and flagged on the site. Applicant must call for a Public Works inspection for proper drainage, traffic hazards, and general acceptability before permit will be issued.

(4) A drainage culvert will normally be required near the street. The Public works inspector will determine the location.

(5) Paving – or other surfacing - of the driveway in such a way as to prevent gravel, soil, or other material from entering the street it connects to is required. If surfacing is not completed by the expiration date of the permit, the City will cause paving to be done and charge the property owner the actual cost plus 10% administrative fee. If this charge is not paid within one month of date of the bill, it will become a lien on the property. I have read the above and I understand there is a potential for a lien on my property.

Property Owner Signature _____ Date Signed _____

FOR OFFICE USE ONLY

Received by _____ Date _____ Fee Paid _____ Call for inspection received _____

Public Works comments after inspection _____

Permit issue date _____ Call for final inspection received _____

Public Works comments after final inspection: _____

Certificate of completion issue date _____ Approver _____

Floodplain Development Permit Application

A Floodplain Development Permit is required for all development in the Special Flood Hazard Area (SFHA) Zone A, AE, A1-A30, AH, or AO as identified on the FEMA Flood Insurance Rate Map. As property owner you are making application for a permit in a designated floodplain area and by signing this application you agree that all work shall be done in accordance with the requirements of the Wheeler Zoning Ordinance Article 9 Flood Hazard Overlay Zone and consistent with all other applicable City, State and Federal regulations. The work to be performed shall be described below and in appropriate attachments. This application does not create liability on the part of the City of Wheeler or any officer, or employee thereof for any flood damage that results from reliance on this application or any administrative decision made lawfully thereunder. These documents will be permanently retained by the City. A Residential Construction Permit must accompany this application.

A. DESCRIPTION OF WORK (Complete for all work)

1. Describe the Proposed Development:

New Building ___ Manufactured Home ___ Improvement to Existing Building ___ Filling ___ Other ___

3. In what Special Flood Hazard Area Zone(s) is the proposed development located? _____

5. Will other local, State or Federal permits be obtained? Yes ___ No ___

Type _____

6. Is the proposed development in an identified floodway? Yes ___ No ___

7. If yes to #6, is a "No Rise Certification" with supporting data attached? Yes ___ No ___

For the following: if the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the substantial improvement provisions shall apply.

A. Complete for New Structures and Building Sites

1. Base Flood Elevation at the Site: _____ feet NGVD ___ or NAVD 88 ___

2. Required lowest flood elevation (including basement): _____ feet NGVD ___ or NAVD 88 ___

3. Number of flood openings (vents) _____ and enclosed area _____ sq. feet below BFE.

B. Complete for Alterations, Additions, or Improvements to Existing Structures

1. What is the estimated market value of the existing structure? \$ _____

2. What is the cost of the proposed construction? \$ _____

FOR OFFICE USE ONLY

Received by: _____ Date: _____ Fee Paid: _____

Permit Approved ___ Denied (Findings of Fact attached) ___ Approver/Denier _____

Elevation Certificate attached? Yes ___ No ___ As-Built lowest floor elevation: ___ feet NGVD ___ NAVD 88 ___

Inspected by _____ Date _____ Approver _____ Date: _____

CONDITIONS OF APPROVAL _____ See attached report with conditions dated _____

When construction is complete, prior to occupancy, submit an as-built elevation certificate.

Accessory Structure Permit Application

(1) Proposed Use of the Structure

General Description of the accessory building(s) _____

(2) Structure Details (SF = Square Feet):

Building 1 ____ Height above **mean elevation*** ____ Plumbing? ____ Electric power? ____ Area (SF) ____

Building 2 ____ Height above mean elevation* ____ Plumbing? ____ Electric power? ____ Area (SF) ____

Building 3 ____ Height above mean elevation* ____ Plumbing? ____ Electric power? ____ Area (SF) ____

(3) Requirements:

- (A) The use of metal shipping containers or semi-truck trailers as an accessory structure is prohibited.
- (B) No accessory building may be used as a dwelling unit (temporary or otherwise).
- (C) The height of the accessory structure shall not exceed 15 feet. ***The average of the high and low lot corner pins – not the average of all pins - is the mean elevation from which the 15' maximum height is calculated.**
- (D) All accessory structures 250 square feet or more shall require a foundation and a Building Permit from the Tillamook Building Department.
- (E) All Accessory Structures must be on the Site Plan
- (F) The exterior siding and roofing of all accessory structures shall have the same general materials as the primary dwelling
- (G) No accessory structure shall be located in the front setback.
- (H) There is no maximum accessory structure size or number of structures provided the total footprint of all accessory structures - including those under 250 square feet - does not exceed 30% of the yard area (lot area excluding driveways and dwelling unit(s)).

FOR OFFICE USE ONLY

Received by _____ Date _____ Fee Paid _____ Call for inspection received _____

Public Works comments after inspection _____

Permit issue date _____ Call for final inspection received _____

Public Works comments after final inspection: _____

Certificate of completion issue date _____ Approver _____

Green Path Construction Permit Application

Structure Details (SF = Square Feet):

of Structures ____ Stories ____ Height above mean elevation ____

Elaborate if multiple buildings _____

Setbacks (Required setbacks vary according to 15.100 and whether you are in the Downtown Commercial District or not):

Front ____ Rear ____ Right Side ____ Left Side ____

All requirements of the zone in which the structure is located apply (for Public zone use R2 requirements)

- (1) **R1** Minimum Lot Size for a Single Building is 5000 SF. Each additional building requires 2500 SF.
- (2) **R2** Minimum Lot Size for two attached buildings is 5000 SF. Additional dual attached buildings require 2500 SF.
- (3) Minimum Lot Dimensions:
Lot Width - 40 feet; corner lot - 50 feet along each street frontage Lot Depth – 85 feet.
If the lot is pie shaped and does not meet the depth, you may apply for a variance and different setbacks.
- (4) Maximum Lot Coverage:
Single Building - 50% Dual Attached Buildings - 60%

Special Requirements:

- (1) Church, Community Meeting Hall, Hospital/Medical building, or Residential Home. The primary structure and related buildings shall be at least 30 feet from a side or rear lot line.
- (2) Public Utility or Communication Facility.
 - A. When located in or adjacent to a residential zone, suitable fencing or landscaping shall be provided.
 - B. When located in or adjacent to a residential zone, all equipment storage shall be in an enclosed building.
 - C. The minimum lot size may be waived on a finding that a reduced lot size will not have a detrimental affect on adjacent property.

Procedure:

After all the applicable fees have been paid, all applicable forms submitted to and approved by the City Manager, the entire package with a cover letter from the City Manager plus any additional information required by the Building Department shall be taken by the applicant to the Tillamook Building department to obtain a Building Permit.

If All or a portion of this property may be located within an identified wetland. If the site is a jurisdictional wetland, you must obtain any necessary State or Federal permits before beginning your project. This may be very difficult.

This application, if approved, includes only the work described above and/or plans and specifications bearing the same permit number. The applicant agrees to comply with all applicable codes and ordinances governing planning, sanitation, and construction, and agrees to meet any and all of the conditions listed below. The granting of this permit does not presume to give authority to violate or cancel the provisions of any Federal, State, County, or Local laws regulating construction or the performance of construction. This permit application does not assure permit approval. Such approval can only be given after staff review determines compliance with all applicable legal requirements.

(8) Applicant Understanding and Signing:

I understand that it is my responsibility as permit applicant to request and receive all required inspections pertaining to this permit as outlined in Oregon Administrative Rule (OAR) Chapter 918. I, the applicant, verify that I have read and understand the above information. I further certify that the information that I have provided is complete and accurate,

and may be relied upon by the City of Wheeler and Tillamook County in the processing of my application. I understand that certain fees are not refundable, and that additional fees may be charged after administrative review of the application. I accept responsibility for any inaccuracies in the information that I have provided and for the consequences thereof.

Legally authorized representative's signature _____ **Date** _____

Legally authorized representative's printed name _____

FOR OFFICE USE ONLY

Are Conditional Use, Variances, or other Planning Issues involved? _____ File # _____

Application Approval by _____ Date _____

NKN #56 excise tax paid _____ Amount _____ Waiver _____ Date _____

City review Fee _____

Geological rpt rvw _____ Building Fee _____ State surcharge _____

Plan Check Fee _____ Water Sys Dev Chg _____ Water connect Fee _____

Strm wtr plan rvw _____

Infrastr rvw fee _____

Fees from other Forms:

CCF Form Fee _____

Driveway fee _____

Right-of-way Fee _____

Flood Plain Fee _____

TOTAL DUE _____

Blue Path Construction Permit Application

Structure Details (SF = Square Feet):

of Structures _____ Stories _____ Height above mean elevation _____

Elaborate if multiple buildings _____

All requirements of the zone in which the structure is located apply

(1) **R1** Minimum Lot Size for a Single Building is 5000 SF. Each additional building requires 2500 SF.

(2) **R2** Minimum Lot Size for two attached buildings is 5000 SF. Additional dual attached buildings require 2500 SF.

(3) Minimum Lot Dimensions:

Lot Width - 40 feet; corner lot - 50 feet along each street frontage Lot Depth – 85 feet.

If the lot is pie shaped and does not meet the depth, you may apply for a variance and different setbacks.

(4) Maximum Lot Coverage:

Single Building - 50% Dual Attached Buildings - 60%

(5) Setbacks:

Front Yard (20' required) _____ Rear Yard (10' required) _____ Right Side (5' required) _____ Left Side (5' required) _____

For a corner lot only: Rear Yard (5' required) _____ Corner Street Side (15' required) _____

Front Yard (20' required) _____ Non-street Side (5' required) _____

Special Requirements:

(1) Residential Home. The primary structure and related buildings shall be at least 30 feet from a side or rear lot line.

(2) Day Care Center. Day care centers or nursery schools shall provide and maintain at least 100 square feet of outdoor play area per child. A sight-obscuring fence (except in clear vision areas) at least 4 feet but not more than 6 feet high shall separate the play area from abutting lots and from a street.

Procedure:

After all the applicable fees have been paid, all applicable forms submitted to and approved by the City Manager, the entire package with a cover letter from the City Manager plus any additional information required by the Building Department shall be taken by the applicant to the Tillamook Building department to obtain a Building Permit.

If All or a portion of this property may be located within an identified wetland. If the site is a jurisdictional wetland, you must obtain any necessary State or Federal permits before beginning your project. This may be very difficult.

This application, if approved, includes only the work described above and/or plans and specifications bearing the same permit number. The applicant agrees to comply with all applicable codes and ordinances governing planning, sanitation, and construction, and agrees to meet any and all of the conditions listed below. The granting of this permit does not presume to give authority to violate or cancel the provisions of any Federal, State, County, or Local laws regulating construction or the performance of construction. This permit application does not assure permit approval. Such approval can only be given after staff review determines compliance with all applicable legal requirements.

(8) Applicant Understanding and Signing:

I understand that it is my responsibility as permit applicant to request and receive all required inspections pertaining to this permit as outlined in Oregon Administrative Rule (OAR) Chapter 918. I, the applicant, verify that I have read and understand the above information. I further certify that the information that I have provided is complete and accurate,

and may be relied upon by the City of Wheeler and Tillamook County in the processing of my application. I understand that certain fees are not refundable, and that additional fees may be charged after administrative review of the application. I accept responsibility for any inaccuracies in the information that I have provided and for the consequences thereof.

Legally authorized representative's signature _____ **Date** _____

Legally authorized representative's printed name _____

FOR OFFICE USE ONLY

Are Conditional Use, Variances, or other Planning Issues involved? _____ File # _____

Application Approval by _____ Date _____

NKN #56 excise tax paid _____ Amount _____ Waiver _____ Date _____

City review Fee _____

Geological rpt rvw _____ Building Fee _____ State surcharge _____

Plan Check Fee _____ Water Sys Dev Chg _____ Water connect Fee _____

Strm wtr plan rvw _____

Infrastr rvw fee _____

Fees from other Forms:

CCF Form Fee _____

Driveway fee _____

Right-of-way Fee _____

Flood Plain Fee _____

TOTAL DUE _____

Red Path Construction Permit Application

Structure Details (SF = Square Feet):

Describe the main building _____

All requirements of the zone in which the structure is located apply

(1) **R2** Minimum Lot Size for two attached buildings is 5000 SF. Additional dual attached buildings require 2500 SF.

(2) Minimum Lot Dimensions:

Lot Width - 40 feet; corner lot - 50 feet along each street frontage Lot Depth – 85 feet.

If the lot is pie shaped and does not meet the depth, you may apply for a variance and different setbacks.

(3) Maximum Lot Coverage:

Single Building - 50% Dual Attached Buildings - 60%

(4) Setbacks:

Front Yard (20' required) _____ Rear Yard (10' required) _____ Right Side (5' required) _____ Left Side (5' required) _____

For a corner lot only: Rear Yard (5' required) _____ Corner Street Side (15' required) _____

Front Yard (20' required) _____ Non-street Side (5' required) _____

Special Requirements:

Manufactured Home Parks. A mobile home park shall be built to State standards in effect at the time of construction and shall comply with the following additional provisions:

(A) Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by State law.

(B) The space provided for each mobile home shall be provided with city water, and sewage connections.

(C) The park shall abut and have direct access to an arterial or collector street and shall not have access to minor residential streets.

(D) A centralized storage area for boats, campers, camping trailers shall be provided. Such storage area shall contain a minimum of 160 square feet for each mobile home space and be enclosed by a sight-obscuring fence.

(E) Mobile homes shall be located no less than twenty feet from side or rear property lines and twenty- five feet from a street providing access.

(F) Streets which are to be dedicated to the city, if any, shall be dimensioned and improved in accordance with the Subdivision Ordinance. For other streets, required rights-of-way shall be as follows:

(1) Minor one-way street serving less than 20 spaces = 25 feet

(2) Minor two-way street serving less than 40 spaces = 30 feet

(3) Street serving 40 or more spaces = 40 feet

For other streets, required pavement widths shall be as follows:

(1) Minor one-way street serving less than 20 spaces = 15 feet

(2) Minor two-way street serving less than 40 spaces = 22 feet

(3) Street serving 40 or more spaces = 28 feet

At a minimum, connection to a public street shall be provided by a minor, two-way street. Aside from the pavement widths set forth above, private streets shall conform to the design and improvement standards of the Subdivision Ordinance.

(G) Walkways, not less than 4 feet in width, shall be provided from each mobile home space to service buildings and along one side of all streets.

(H) Sight-obscuring fences or evergreen plantings, at least six feet in height, surrounding the mobile home park, except at entry and exit points, shall be provided.

(I) Signs are limited to one identification sign with a maximum area on one side of 24 square feet and limited to eight (8) feet in height above ground. Such signs may be indirectly illuminated.

(J) Manufactured homes placed in the park shall conform to the provisions of Section 11.040.

(K) Applications for mobile home parks shall be accompanied by complete plans and specifications of the proposed park and all permanent buildings indicating the proposed methods of compliance with the requirements. Such plans shall be to a scale of not less than one inch to fifty feet. A performance bond may be required, or an acceptable alternative, in an amount to be determined by the Planning Commission, to insure that a development proposal is completed as approved and within the time limit agreed to.

Recreational Vehicle Park. A recreation vehicle park shall be built to the standards of the Oregon State Building Codes Agency in effect at the time of construction and shall comply with the following additional provisions:

(A) The space provided for each recreational vehicle shall be at least 1,500 square feet.

(B) All recreational vehicles and structures shall be located at least 25 feet from all park property lines.

(C) Except for access roadways into the Park, the Park shall be screened on all exterior boundaries except the waterfront by a sight-obscuring hedge or fence not less than six feet in height.

(D) The recreation vehicle pad shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide runoff of surface water.

(E) No trailer or recreational vehicle shall remain in a park for more than thirty (30) days in a sixty (60) day period with the following exception. The long-term placement of a trailer or recreational vehicle or vehicles may be allowed for the recreational or vacation use by members or prospective members of a membership recreational vehicle park. There can be no more than twenty-five percent (25%) of the total RV park spaces utilized for long-term placement of trailers or recreational vehicles which are to be used by occupants staying thirty (30) days or less.

(F) Signs are limited to one identification sign with a maximum area of one side of 32 square feet and limited to eight feet in height above the ground. Such signs may only be indirectly illuminated.

(G) Application for a recreational vehicle park shall be accompanied by preliminary plans, showing layout of spaces, buildings, roadways, walkways, drainage, sewers, water lines, and electric lines, along with building floor plans of the proposed park and all permanent buildings indicating the proposed method of compliance with requirements. Such plans shall be to a scale of not less than one (1) inch to fifty (50) feet. A performance bond or an acceptable alternative may be required, in an amount to be determined by the City Planning Commission, to ensure that a development proposal is completed as approved and within the time limits agreed to.

(H) A Conditional Use Permit will be applied for prior to any grading or construction being undertaken.

Plant Nursery. A Plant Nursery shall comply with all local and Oregon regulations.

Procedure:

After all the applicable fees have been paid, all applicable forms submitted to and approved by the City Manager, the entire package with a cover letter from the City Manager plus any additional information required by the Building Department shall be taken by the applicant to the Tillamook Building department to obtain a Building Permit.

If All or a portion of this property may be located within an identified wetland. If the site is a jurisdictional wetland, you must obtain any necessary State or Federal permits before beginning your project. This may be very difficult.

This application, if approved, includes only the work described above and/or plans and specifications bearing the same permit number. The applicant agrees to comply with all applicable codes and ordinances governing planning, sanitation, and construction, and agrees to meet any and all of the conditions listed below. The granting of this permit does not presume to give authority to violate or cancel the provisions of any Federal, State, County, or Local laws regulating construction or the performance of construction. This permit application does not assure permit approval. Such approval can only be given after staff review determines compliance with all applicable legal requirements.

(8) Applicant Understanding and Signing:

I understand that it is my responsibility as permit applicant to request and receive all required inspections pertaining to this permit as outlined in Oregon Administrative Rule (OAR) Chapter 918. I, the applicant, verify that I have read and understand the above information. I further certify that the information that I have provided is complete and accurate, and may be relied upon by the City of Wheeler and Tillamook County in the processing of my application. I understand that certain fees are not refundable, and that additional fees may be charged after administrative review of the application. I accept responsibility for any inaccuracies in the information that I have provided and for the consequences thereof.

Legally authorized representative's signature _____ **Date** _____

Legally authorized representative's printed name _____

FOR OFFICE USE ONLY

Are Conditional Use, Variances, or other Planning Issues involved? _____ File # _____

Application Approval by _____ Date _____

NKN #56 excise tax paid _____ Amount _____ Waiver _____ Date _____

City review Fee _____

Geological rpt rvw _____ Building Fee _____ State surcharge _____

Plan Check Fee _____ Water Sys Dev Chg _____ Water connect Fee _____

Strm wtr plan rvw _____

Infrastr rvw fee _____

Fees from other Forms:

CCF Form Fee _____

Driveway fee _____

Right-of-way Fee _____

Flood Plain Fee _____

TOTAL DUE _____

Design Review Path Construction Permit Application

Structure Details (SF = Square Feet):

Describe the main building _____

All requirements of the zone in which the structure is located apply

(1) **R1** Minimum Lot Size for a Single Building is 5000 SF. Each additional building requires 2500 SF.

(2) Minimum Lot Dimensions:

Lot Width - 40 feet; corner lot - 50 feet along each street frontage Lot Depth – 85 feet.

If the lot is pie shaped and does not meet the depth, you may apply for a variance and different setbacks.

(3) Maximum Lot Coverage:

Single Building - 50% Dual Attached Buildings - 60%

(4) Setbacks (Required setbacks vary according to 15.100 and whether you are in the Downtown Commercial District or not):

Front ____ Rear ____ Right Side ____ Left Side ____

Special Requirements:

Auto Service Station. An Auto Service Station or Gas and Convenience Store Combination shall comply with all local, state and federal regulations; EPA and Oregon DEQ regulations in particular.

Bed and Breakfast. All Bed and Breakfast establishments are subject to Inspection, and practices that do not comply with the requirements above and all federal, state and local regulations shall be subject to the penalties and remedies of those laws and ordinances.

(A) The Bed and Breakfast shall be limited to a maximum of four guest rooms in the GC zone.

(B) No guest room shall be located within a basement

(C) No retail or other sales shall be permitted unless clearly incidental and directly related to the conduct of the establishment (e.g., coffee cups or t-shirts with the business logo).

(D) The establishment shall not be used by the public or paying guests for the hosting of receptions, weddings, private parties, or similar functions.

(E) Meals shall be limited to breakfast and snacks and shall be served only to overnight guests (except staff may also receive breakfast). The operator shall be responsible for obtaining necessary food service and other permits and county inspections.

(F) The improvements, maintenance, and operation of the establishment shall continually comply with applicable building code, safety, and health regulations.

(G) A copy of the Tillamook county Bed & Breakfast permit and any renewals must be sent to the City Manager.

Church, Community Meeting Hall, or Government Building. The primary structure and related buildings shall be at least 30 feet from a side or rear lot line.

Hotel/Motel/Time Share. A Hotel, Motel, or Time Share shall comply with all local, state and federal regulations.

(A) For a motel, hotel or time share condominium, the minimum lot size shall be 5,000 square feet. The density of the development shall be determined as follows: 1 unit for the first 5,000 square feet and 1 unit for each

additional 1,000 square feet.

(B) Outdoor storage areas shall be enclosed by suitable vegetation, fencing or walls.

Recreational Vehicle Park. A recreation vehicle park shall be built to the standards of the Oregon State Building Codes Agency in effect at the time of construction and shall comply with the following additional provisions:

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(H) A Conditional Use Permit will be applied for prior to any grading or construction being undertaken.

Design Review

1. All commercial and industrial development in any zone and any multifamily dwelling in any zone are subject to Design Review by the Planning Commission.
2. When Design Review is required, no permit will be issued until site plans have been reviewed and approved under Comprehensive Plan Policies and Ordinance Provisions by the Planning Commission.
3. The site plan shall be drawn to a measureable scale and shall show the pre-construction or excavation condition of the site, and indicate any trees over 6 inches diameter at 4 feet above ground level, streams, lowlands, rock outcroppings, slopes, or other natural features. Building elevations shall indicate the type of materials to be used for roofing, siding, or other treatment. A plot plan with a complete landscape design shall indicate all retained mature vegetation, proposed plantings and ground covers, as well as other landscaping materials to be used, the extent and design of paved areas, culverts, and other proposed design features and functions.
4. The following guidelines shall be used by the Planning Commission in the evaluation of proposals:
 - (A) Site Design
 - (1) Where existing natural or topographic features are present, they should be used to enhance the development. For example, incorporate small streams in the landscape design rather than placing them in a culvert and filling.
 - (2) Existing trees should be left standing except where necessary for building placement, sun exposure, safety or other valid purpose. Landscaped vegetation buffers shall be provided along major streets or highways, or to separate adjacent uses. The use of native plants is encouraged.

- (3) Graded areas shall be replanted as soon as possible after construction to prevent erosion. In areas where planting will not thrive, other materials such as wood fences, decorative rock, stone walls, and paving of brick or stone shall be used.
- (4) Exterior lighting shall be restrained in design, and shielded so as not to cast glare on adjacent private or public property or the night sky.
- (5) Storage or mechanical equipment shall be screened from view. Trash enclosures and screening shall be carefully located and treated to integrate with the appearance of the site/building design. Screen all outdoor storage. Roof top equipment shall be screened a minimum of 1 foot higher than the highest point on the equipment and shall be setback a minimum of 10 feet from the building edge.
- (6) Primary building entrances shall open directly to the outside and shall have walkways connecting them to the street sidewalk. Create storefronts and entries that are visible and easily accessible from the street. Either orient the primary entrance to the building along a street facing property line or create an ADA accessible courtyard / plaza incorporating pedestrian amenities including street trees, outdoor seating and decorative pavers. Ensure a direct pedestrian connection between the street and buildings on the site, and between buildings and other activities within the site. In addition, provide for connections between adjacent sites, where feasible.
- (7) Community amenities such as patio/seating areas, water features, art work or sculpture, clock towers, pedestrian plazas with park benches or other features located in areas accessible to the public are encouraged and may be calculated as part of the landscaping requirement. Benches in public areas on private property, adjacent to public right of way shall comply with design review standards for architectural style.
- (8) A landscaping plan shall be submitted which shows existing and proposed vegetation, trees, landscaping materials, a timeline for installation and maintenance, and other features in order to permit the Planning Commission to review the plan. Landscaping shall be provided along project site boundaries where it does not interfere with access and clear vision. Landscaping is intended to soften the effects of built and paved areas. It also helps reduce storm water runoff by providing a surface into which storm water can percolate.
- (9) Parking lots shall be divided into groups of no more than 8 spaces with landscaping and walkways dividing the groups. A walkway or sidewalk shall be provided to separate the parking from public streets and adjacent property. Parking shall be designed to be as unobtrusive as possible, through site location and landscaping.
- (10) Uses shall provide a hard-surfaced, well-marked and lighted pedestrian access system consistent with the accessibility standards of the Americans with Disabilities Act Accessibility Guidelines.

(B) Building Design

- (1) The height and scale of the buildings should be compatible with the site and adjoining buildings. Use of materials should promote harmony with the surrounding structures and site. The materials shall be chosen and constructed to be compatible with the natural elements and applicable city ordinances.
- (2) Architectural style should not be restricted. Evaluation of a project should be based on quality of design and the relationship to its surroundings. However, the use of styles characteristic of Wheeler and the coastal area are preferred. These include the use of wood look siding such as fiber cement shingles. The City encourages the use of pitched roofs, large overhangs, wood fences and wood signs. Colors should be earth tones harmonious with the structure, with bright or brilliant colors used only for accent.

- (3) Monotony of design in single or multiple building projects shall be avoided. Variety of detail, form, and site design shall be used to provide visual interest.
 - (4) The impact that structures will have on views from adjacent or other areas will be taken into account.
 - (5) The property owner shall establish one street facing entrance or store front with access acceptable to the City.
 - (6) The street facing entrance or store front shall provide windows or window displays a minimum of 4 feet in height along the ground floor street-facing frontage for a minimum of 50 percent of the horizontal length of the building. Glass doors may be credited toward the 50 percent requirement. This section applies only to retail and similar establishments.
 - (7) Architectural features or landscaping shall be provided for at least 30 percent of the wall length on each street facing elevation.
 - (8) Multi-story commercial, mixed-use or multifamily dwellings shall have ground floors defined and separated from upper stories by architectural features that visually identify the transition from ground floor to upper story.
 - (9) Provide recessed shielded lighting on street-facing elevations. Provide articulated facades for every 40 feet of building length. Articulated facades shall contain at least one of the following features: building offsets, projections, changes in elevation or horizontal direction, or a distinct pattern of divisions in surface materials. Large expanses of blank walls shall only be located in areas that are not visible to the public.
 - (9) New commercial or mixed-use residential / commercial structures shall be encouraged to provide weather protection for pedestrians along street facing elevations.
5. Performance Bond. The Planning Commission may require that the property owner furnish to the City a performance bond, cash or surety for the value of the cost of improvements that will be dedicated for public use in order to assure that the improvements are completed within the timeframe specified. These improvements may include open space, and infrastructure such as sidewalks, streets, water, sewer, and stormwater drainage.
 6. Compliance with Approved Plans
Compliance with conditions of approval and adherence to the submitted plans, as approved, is required. Any departure from these conditions of approval and approved plans constitutes a violation of this ordinance.
 7. Time Limit for Design Review
Approval of an application for design review shall be void after one year or such lesser time as the authorization may specify unless construction has taken place. The Planning Commission may extend authorization for an additional period not to exceed six months provided a written request is submitted to the City Manager at least 10 days prior to the expiration of the permit. The Planning Commission shall review the request at the next available Planning Commission meeting.
 8. Limitations on Refiling of Application.
Applications for which a substantially similar application has been denied will be heard by the Planning Commission only after a period of six months has elapsed from date of the earlier decision.

Procedure:

A Design Review hearing before the Planning Commission must be scheduled with the City Manager. This must take place after the Conditional Use Permit Approval. Any Planning Committee Decision can be appealed to the City Council.

After an approved Design Review and all other applicable permits, forms and reports have been approved and their associated fees paid, the entire package with a cover letter from the City Manager plus any additional information required by the Building Department shall be taken by the applicant to the Tillamook Building department to obtain a Building Permit. **If All or a portion of this property may be located within an identified wetland. If the site is a**

jurisdictional wetland, you must obtain any necessary State or Federal permits before beginning your project. This may be very difficult. This application, if approved, includes only the work described above and/or plans and specifications bearing the same permit number. The applicant agrees to comply with all applicable codes and ordinances governing planning, sanitation, and construction, and agrees to meet any and all of the conditions listed below. The granting of this permit does not presume to give authority to violate or cancel the provisions of any Federal, State, County, or Local laws regulating construction or the performance of construction. This permit application does not assure permit approval. Such approval can only be given after staff review determines compliance with all applicable legal requirements.

(8) Applicant Understanding and Signing:

I understand that it is my responsibility as permit applicant to request and receive all required inspections pertaining to this permit as outlined in Oregon Administrative Rule (OAR) Chapter 918. I, the applicant, verify that I have read and understand the above information. I further certify that the information that I have provided is complete and accurate, and may be relied upon by the City of Wheeler and Tillamook County in the processing of my application. I understand that certain fees are not refundable, and that additional fees may be charged after administrative review of the application. I accept responsibility for any inaccuracies in the information that I have provided and for the consequences thereof.

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TOTAL DUE _____

