



AGENDA AND PUBLIC MEETING NOTICE

Planning Commission Meeting

City Hall - 210 Laurel Avenue - Tillamook OR 97141

JANUARY 4, 2018

7:00 P.M.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES - December 7, 2017

PUBLIC COMMENTS NON-AGENDA ITEMS - This is the time reserved for citizens to address the Planning Commission on matters related to City Government and be recognized for Planning Commission consideration. Time is limited to five (5) minutes for each speaker. The purpose of the citizen hearings period is to provide citizens an opportunity to be heard by the Planning Commission primarily on issues not on the agenda.

PUBLIC HEARINGS FOR QUASI-JUDICIAL LAND USE ACTIONS AND LEGISLATIVE LAND USE ACTIONS

- 1. QUASI-JUDICIAL: None
- 2. LEGISLATIVE:
 - A. Code Changes and Amendments

BUSINESS - None

NON-AGENDA ITEMS

- 1. Items of Commission Concern
- 2. Announcements
Planning Commission Training Sessions:

DLCD Training Sessions Online: www.coastlatlas.net/training

* Archived Planning Commission Training Sessions Online:
www.oregonapa.org

FUTURE AGENDA ITEMS

ADJOURNMENT OF PUBLIC MEETING

THIS IS A PUBLIC MEETING PER ORS CHAPTER 192. CITY HALL IS ACCESSIBLE TO THE HANDICAPPED. PLEASE CONTACT THE OFFICE OF THE CITY MANAGER SHOULD SPECIAL ACCOMMODATIONS BE REQUIRED FOR CITIZENS WITH VISUAL OR MANUAL IMPAIRMENT. PERSONS WITH HEARING IMPAIRMENTS MAY CONTACT THE OREGON RELAY SERVICE BY PHONING 1-800-648-3458 (TTY) OR 1-800-848-4442 (VOICE).

SE ANIMA A LOS CIUDADANOS QUE TENGAN INTERÉS EN EL TEMA (S) DEL ORDEN DEL DÍA PARA ASISTIR A ESTA REUNIÓN ES UNA REUNIÓN PÚBLICA POR ESTATUTOS REVISADOS DE OREGON 192, CON EL TESTIMONIO PÚBLICO PERMITIÓ, UNA VEZ RECONOCIDO POR EL PRESIDENTE DEL COMITÉ. EL COMITÉ ANTERIORMENTE SE RESERVA EL DERECHO CELEBRAR UNA SESIÓN EJECUTIVA POR LOS ESTATUTOS REVISADOS DE OREGON CAPÍTULO 192.660. EL AYUNTAMIENTO ES ACCESIBLE A DISCAPACITADOS. POR FAVOR, PÓNGASE EN CONTACTO CON LA OFICINA DEL ADMINISTRADOR DE LA CIUDAD DEBEN SER ADAPTACIONES ESPECIALES REQUERIDA. LOS CIUDADANOS CON IMPEDIMENTOS VISUALES O MANUALES PUEDEN COMUNICARSE CON EL SERVICIO DE RETRANSMISIÓN DE OREGON LLAMANDO AL 1-800-648-3458 (TTY) OR 1-800-848-4442 (VOZ).

Planning Commission Regular

Meeting Date: 01/04/2018

Subject:

APPROVAL OF MINUTES - December 7, 2017

Background:

Recommendation:

Motion:

Attachments

PC Draft Minutes 12-7-2017

Planning Commission Meeting Minutes

DECEMBER 7, 2017

CALL TO ORDER

The City of Tillamook Planning Commission Chair Jan Stewart called the regularly scheduled meeting of the Planning Commission to order at 7:03 PM.

She asked D. Reeves to call the roll of the commission members. D. Reeves noted Tamra Jacobs had asked to be excused. All other commissioners were present.

ROLL CALL

Present: Chairperson Jan Stewart
Planning Commission Member Ruth LaFrance
Planning Commission Member Ray Jacobs
Planning Commission Member Nick Hahn
Planning Commission Member Elaine Baucom

Absent: Planning Commission Member Tamra Jacobs

Staff Present: City Manager Paul Wyntergreen
Executive Assistant Debbi Reeves

Attendees: See List On File

APPROVAL OF MINUTES - November 2, 2017

Chair Stewart asked for approval of the minutes from November 2, 2017. R. LaFrance noted she had found several typographical errors none of which changed the content of the minutes.

Moved by Planning Commission Member Nick Hahn, seconded by Planning Commission Member Elaine Baucom

N. Hahn made a motion to approve the minutes of November 2, 2017 with corrections as noted. E. Baucom seconded the motion. The motion passed.

AYE: Planning Commission Member Ruth LaFrance, Planning Commission Member Ray Jacobs, Planning Commission Member Nick Hahn, Planning Commission Member Elaine Baucom

Other: Chairperson Jan Stewart (RECUSE)

PUBLIC COMMENTS NON-AGENDA ITEMS

Chair Stewart read the disclosure statement and asked if there were any persons wishing to speak on non-agenda items. There were none.

PUBLIC HEARINGS FOR QUASI-JUDICIAL LAND USE ACTIONS AND LEGISLATIVE LAND USE ACTIONS

Chair Stewart read the Quasi-Judicial Hearing Disclosure statement into the record and noted the Planning Commission would be continuing the hearing from the November meeting for Allan and Stacie Kimmel. She asked the commission members if they had any bias, ex parte contact, or conflict of interest to declare. R. LaFrance stated that she had been absent from the November meeting but had listened to the recorded audio of the workshop and meeting. She also noted she is on the Tillamook Urban Renewal Board of Directors but does not feel like she has anything to declare. The other commissioners had nothing to declare. There were no challenges from the audience.

1. QUASI-JUDICIAL: Hearing Continued from November 2, 2017 for Allan Kimmel, Kimmel's Courtyard Site Plan

P. Wyntergreen went over the staff report and commented on the updated information received from the Kimmels. There was discussion of the draft food cart standards.

Allan and Stacie Kimmel - 5307 3rd Street- Tillamook OR 97141:

P. Wyntergreen asked if the fire pits were still a part of the plan and S. Kimmel stated that they were. She noted the fire pits are in the tops of the tables and the propane tank is locked underneath. There was discussion of the lighting on the pavilion and the restroom facility. There was a discussion about insurance and S. Kimmel noted each cart owner will have their own insurance. The Kimmels have insurance on their property. There was discussion about the distance between each of the carts and that the fire code will determine the permissible criteria for that. There was discussion of the alleyways and how the carts will be brought in and set up. There was discussion about self contained suppression carts. There was discussion about food storage, food preparation, food trucks compared to food carts, and propane tanks. A. Kimmel noted that one of the illustrations does not accurately show the anticipated placement of the carts.

Chair Stewart asked for those in favor of the application to come forward.

Bryan Pohl - 1908 10th Street - Tillamook OR 97141:

B. Pohl spoke about the application criteria, the permitting process, bollards, and sidewalks. He noted the condition for new sidewalks is a huge expense for the applicant and that other new businesses have not been required to do this. He noted this is a temporary or interim use. There was discussion about what timeframe constitutes temporary/interim use. There was discussion about the width of the

alleyway next to the Thayer Bank Building (Rob Trost Real Estate). A. Kimmel noted it is 14 feet in width.

Chair Stewart asked for those speaking in opposition to the application to come forward. There were none. She asked for neutral testimony and there was none. She then closed the Public Hearing for commission discussion.

N. Hahn made a motion that SP-17-02 be approved in accordance with staffs finding and facts with the exception the applicant have 24 months to complete the sidewalk updates and that they not have to install the bollards. There was no second on the motion therefore the motion died.

There was discussion about the bollards, sidewalk updates, temporary use, interim use, the time length for these uses, safety and fire concerns. N. Hahn noted fire, county, and city code will address most of these concerns. Condition #3 pertaining to safety was discussed.

Moved by Planning Commission Member Nick Hahn, seconded by Planning Commission Member Ruth LaFrance

N. Hahn made a motion to approve SP-17-02 in accordance with staff's facts and findings with the exception that the applicant not have to install bollards and have 36 months to do the sidewalks. The motion was seconded by R. LaFrance. R. LaFrance made a friendly amendment to the motion to include that the applicants come back to the Planning Commission in 36 months to revisit the sidewalk condition. R. Jacobs seconded the friendly amendment. N. Hahn, R. LaFrance and R. Jacobs all voted Aye on the friendly amendment. E. Baucom voted Nay. Chair Stewart called for the vote on the amended motion. The motion passed.

AYE: Planning Commission Member Ruth LaFrance, Planning Commission Member Ray Jacobs, Planning Commission Member Nick Hahn

NAY: Planning Commission Member Elaine Baucom

Other: Chairperson Jan Stewart (RECUSE)

Carried

Chair Stewart noted there is 10 days from the date the final order is signed for appeal.

2. **LEGISLATIVE: Code Changes and Amendments**

Chair Stewart read the Legislative Hearing Disclosure Statement into the record.

P. Wyntergreen spoke about the proposed amendments to the code. He spoke about the 10 day appeal process which is inconsistent with all other appeal times in the code. A 14 day appeal period is being presented in a handout given to the commissioners. There was discussion about the RO zone and proposed changes regarding density.

Food cart standards were discussed and P. Wyntergreen noted the standards being presented were from the City of Gresham and would be refined to fit Tillamook.

There was discussion about unit types, propane tanks, rigid shelters, hand washing stations for customers, and accessibility to restrooms for customers. N. Hahn said he thought food carts should be held to the same standards as a restaurant. There was discussion of temporary use permits and annual permits.

The code changes to Section 153.004 and posting notices were discussed.

Chair Stewart called a 5 minute recess from 8:05 PM to 8:10 PM.

There was discussion about building height currently at 45 feet and the proposed increase to 55 feet. Mayor Weber noted that other cities are putting parking on the ground floor with the upper floors being used for commercial or residential use which makes the building higher. There was discussion about a 5 foot setback, no setback, zero lot lines, and off street parking. P. Wyntergreen commented the proposed changes will be reworked as discussed and brought back to the Planning Commission next month. He noted the process is that the Planning Commission makes a recommendation to the City Council for the code changes.

BUSINESS

Chair Stewart spoke about the November 2017 Planning Report handed out and submitted by Melissa Jenck who provides planning services to the City. She stated it was a good report but would like to see property addresses or locations added to the report for clarity. She also noted she has always signed the lot line adjustments in the past but has not been doing this since M. Jenck started. P. Wyntergreen will check the code on this.

NON-AGENDA ITEMS

There were no non-agenda items discussed.

1. Items of Commission Concern

E. Baucom would like to know if there are any planning training sessions coming up in the next few months that she might be able to attend. P. Wyntergreen stated he would look around and see if anything is available and let all of the commissioners know. Chair Stewart mention the online training sessions. The commission members discussed doing the online training at a meeting and then having commission discussion at one of the upcoming meetings.

P. Wyntergreen spoke about the upcoming redesign of City Hall and the temporary move coming next year while the renovation is being done.

2. Announcements

Planning Commission Training Sessions:

DLCD Training Sessions Online: www.coastalatlantis.net/training

* Archived Planning Commission Training Sessions Online:
www.oregonapa.org

FUTURE AGENDA ITEMS

Chair Stewart asked for any future agenda items but there were none.

ADJOURNMENT OF PUBLIC MEETING

With no further business Chair Stewart adjourned the meeting at 8:35 P.M.

Chair Jan Stewart

Respectfully Submitted by Debbi Reeves, Executive Assistant

DRAFT

Planning Commission Regular

2.A.

Meeting Date: 01/04/2018

Subject:

Code Changes and Amendments

Background:

The Planning Commission reviewed and discussed code changes at their December meeting. There were several changes made at that meeting regarding the Zoning Code and the addition of Food Cart Standards. The Staff Report shows the updated recommendation for changes and additions in each section of the code.

Blue wording is an explanation or question to the Commission to decide upon. Bold Blue is the proposed wording if the Commission decides to add this to the code.

Bold Black is new and/or changed wording and strikeout is removal of wording.

Recommendation:

Motion:

Attachments

Staff Report Code Changes

RECOMMENDED STAFF CODE CHANGES FOR
JANUARY 4, 2018 PLANNING COMMISSION MEETING

(deletions from existing code are in ~~strikeout~~ and additions in **bold italics**)

Section 153:003 – Definitions (In order to make it easier for users to navigate/scroll through our code, staff recommends that the Definition Section be moved from the beginning of our development code to the end as Section 153.036)

Building Height: ~~the vertical distance from the average contact ground level of the building to the highest point of the building.~~ **See “Height of Building” definition.**

Development: any manmade change to improved or unimproved tracts of land, including, but not limited to, construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations located within the area.

Planning Commission should consider whether it wishes to further define development and into permanent and interim uses or not.

Interim: temporary; intended for a short period only, lasting, existing, serving, or effective for a time only; not permanent. (Kimmel’s Courtyard was approved subject to Planning Commission verification of interim nature after 3 years. TURA will forgive part of loan if successful operation over two years.)

Permanent: lasting or intended to last or remain unchanged indefinitely, existing perpetually, everlasting, especially without significant change. Intended to exist or function for a long, indefinite period without regard to unforeseeable conditions.

~~Food Cart/Food Trailer: a mobile kitchen and food service establishment that is vehicle-mounted or wheeled and is capable of being readily moved, set up on the street to facilitate the sale and marketing of prepared food to people from pedestrian traffic. Food carts and Food Trailers can be found selling food of just about any variety. Food carts and Food Trailers either allow the vendor to sit or stand inside and serve food through a window, or have all of the room inside the cart for storage and to house the cooking machinery, usually some type of grilling surface. The cart style is determined principally by the type of food served at the cart. Some food carts are towed by another vehicle or are part of a vehicle, while some alternatively are pushed by a human. Food Carts/Food Trailers include the following:~~

~~Conventional Unrestricted Units which are enclosed trucks, trailers, buses with open foods—mobile taquerias, barbecue trailers, snow cone units, grilled chicken buses.~~

~~Conventional Restricted Units includes trucks, trailers, vans with packaged foods only prepared at an approved commissary.~~

~~Ice cream tricycles and push carts (Individually packaged ice cream)~~

~~Unrestricted fixed location and park vendor units such as hot dog and other open foods carts~~

~~Ice cream trucks and vans (Individually packaged frozen desserts)~~

~~Grade: the average elevation of the existing ground at the centers of all walls of the existing building. See "Grade (Natural)" definition.~~

Mobile Unit Food and Beverage Carts: A mobile unit must be originally manufactured to serve as a food cart or food truck, not retrofitted from another vehicle or structure intended for a different function. Mobile vehicles, as well as units or carts that can be pushed or pulled down a street or highway, such as a trailer, designed and built for the mobile food and beverage industry shall be allowed. No open carts are allowed. Food cart units permitted on a property within the Tillamook Urban Growth Boundary shall meet the following standards as determined by an inspection by the building official. It shall have a State insignia indicating compliance with Oregon State Construction Standards in effect at the time of manufacture, and including compliance for reconstruction or equipment installation made after manufacture. Regardless of deterioration, misuse, neglect, accident or other cause, the mobile unit shall meet the State standards for construction as evidenced by the insignia.

Mobile Unit Food and Beverage Cart Users: Owners and operators of individual and affiliated Mobile Unit Food and Beverage Carts, along with their employees.

Section 153.004 (15) (G) – Administrative Notice

In addition to the notice by mail provided to the persons listed in Section 4 (14'D'), notice of a land use request application shall be posted on the property **within 24 hours from ~~at the time the notice of application is mailed~~ at least ten (10) days before any administrative decision is made.** The posting shall inform the public of the general nature of the request and announce that written comments and objections will be accepted by the Planning Department for ~~seven (7) days~~ **ten (10) days** from the date of posting. The notice shall also say that only those persons who respond in writing will receive a copy of the written decision and have a right to appeal that decision to the Planning Commission.

Section 153.013 - DENSITY INCREASING CONCEPTS WITHIN THE R-0 ZONE

- (5) Height Requirements. No building or structure shall hereafter be erected, enlarged or structurally altered to exceed a height of ~~forty-fifty-five (4555)~~ feet. For exceptions, see § 153.050 of this development code.
- (6) Lot - Requirements and Design. The following lot requirements and design standards shall be observed and apply to all new development.
 - A. Lot Area: Each lot shall have a minimum area of 1,452 square feet unless otherwise allowed or required. The residential density standards of subsection B, below, shall be met.
 - B. Minimum and maximum residential density: New development shall achieve an overall density between 8 units per acre and ~~30~~ **40** units per acre. Density is calculated by dividing the number of dwelling units by the property area in

acres (minus area required for street right-of-way). Decimals are rounded to the nearest whole number.

C. Lot Width:

- 1) Each lot for an attached dwelling or business shall have a minimum width of twenty (20) feet;
- 2) Each lot for a detached dwelling or business shall have a minimum width of fifty (50) feet;
- 3) The lot width may be reduced further for rear lot development.

D. If the subject property is located within 500 feet of Central Commercial zoned property, there shall be no property line setback requirements.

E. Front Yard **in all other areas**: The front yard setback shall be a minimum of twenty (20) feet. Corner lot front yard setbacks, one side must have a minimum of 10 feet. Front yard setbacks may be reduced to ten (10) feet for an enclosed porch, portico, or other architectural feature that is connected directly to a building entrance.

F. Side Yard **in all other areas**: There shall be a minimum side yard of five (5) feet, except for common wall dwellings or businesses as provided in "G", below. The portions of buildings or structures, which are above the 15-foot height, measured from ground level, must be inset an additional one-half foot for each foot of height exceeding fifteen (15) feet.

G. Rear Yard **in all other areas**. There shall be a minimum rear yard of five (5) feet, except for common wall dwellings as provided in "G", below. The portions of buildings or structures which are above the 15-foot height must be inset an additional one-half foot for each foot of height exceeding fifteen (15) feet.

- (7) Off-Street Parking. Off-Street parking shall be provided as required in §153.054, **unless the subject property is located within 500 feet of Central Commercial zoned property and on-street parking exists or can be made available on its frontage, in which case, no onsite parking shall be required.**

Section 153.052 (12) – MOBILE UNIT FOOD AND BEVERAGE CART STANDARDS

This section applies to Mobile Unit Food and Beverage Carts. The definition for Mobile Unit Food and Beverage Carts is found in the Definitions section. All Mobile Unit Food and Beverage Carts will comply with the Oregon Health Authority requirements and all other applicable Fire and Life Safety codes.

Standards for Mobile Unit Food and Beverage Carts

- A. Users currently in operation with a valid Temporary Use permit are mobile units with at least 50 percent of sales coming from Mobile Unit Food and Beverages can be approved under the standards in effect at the time of their last permit issued. Temporary Uses currently in operation also have the option of applying under the standards in effect at the time of application.**
- B. Mobile Unit Food and Beverage Carts shall be on a paved surface such as, but not limited to concrete, asphalt, pavers and other surfaces as approved by the City Planner. If new paved surface is added to a site to accommodate a cart, the property shall still be**

required to comply with applicable lot coverage, impervious surface and parking lot standards.

- C. Carts shall not occupy pedestrian walkways or required landscape areas.**
- D. Carts shall not occupy parking needed to meet the minimum bicycle or automobile parking requirement for another use. Blocking automobile access to parking spaces shall be considered occupying the spaces.**
- E. If a site where a cart is located abuts a lot with a residential use, the cart use shall meet all buffer widths required for a proposed commercial use. Buffer widths shall be allowed to overlap with setback requirements.**
- F. The use shall provide adequate vision clearance as required.**
- G. Ingress and egress shall be safe and adequate when combined with the other uses of the property as required.**
- H. Users shall not create tripping hazards in pedestrian or vehicular areas with items such as cords, cables, and pipes.**
- I. Awnings attached to Mobile Unit Food and Beverage Carts shall have a minimum of 7 feet of clearance between the ground and the awning to allow access for pedestrians under the awning.**
- J. Cart signage:**
 - 1. Shall comply with applicable requirements.**
 - 2. Users shall be required to post City Mobile Unit Food and Beverage Cart permits; City business licenses; and Tillamook County Health Department food service licenses in a location visible to customers.**
- K. Unless otherwise specified in this section, Mobile Unit Food and Beverage Carts shall be exempt from a finding of adequate public facilities unless it is determined that the proposed use exceeds the capacity of existing public facilities or causes unsafe conditions.**
- L. The [City Planner](#) Manager may impose any approval conditions intended to minimize adverse impacts created by the use on surrounding property and uses.**
- M. Carts are exempt from land-use district density, floor-area ratio and design guidelines and standards.**
- N. Carts shall meet the following dimensional requirements:**
 - 1. Land-use district minimum setbacks shall be met for the site perimeter.**
 - 2. Carts shall not be located within 25 feet of an active driveway entrance as measured in all directions from where the driveway enters the site at the edge of the street right of way.**
 - 3. Carts shall be located at least 3 feet from the right of way or back of sidewalk, whichever provides the greater distance from the right of way.**
 - 4. Carts shall provide at least 5 feet between service windows or other customer service points and an active drive aisle. The distance shall be measured perpendicular to the service window/point.**

5. **Carts shall remain at least 5 feet away from other Mobile Unit Food and Beverage Carts or Commercial Stands.**
- O. Carts shall not occupy fire lanes or drive aisles necessary for vehicular circulation or fire/emergency vehicle access as determined by the [City Planner](#).**
- P. Carts shall limit the visual effect of accessory items not used by customers, including but not limited to tanks, barrels and miscellaneous items, by using screening or storing them in containers to substantially limit views of such items from the street. Screening could be temporary fencing or landscaping (such as landscaping in pots or planters). Storage containers could be small sheds or storage units. Screening shall be approved by the Police Department in order to ensure surveillance of the site remains possible for crime prevention purposes.**
- Q. For drive-through carts, the following standards apply:**
1. **To ensure adequate distance for at least three vehicles to line up behind the vehicle ordering at the drive-through, drive-through Mobile Unit Food and Beverage Carts shall have at least 85 feet in queuing distance behind each drive-through window where sales occur. Required queuing distance may be increased as determined by the [City Planner](#) if a change in distance will promote traffic and pedestrian safety. Queuing distance shall be measured from the initial edge of the service window or point of service, along the queuing path, to where the driveway from the street crosses from the right of way into the property. The measurement method can be adjusted by the [City Planner](#) for unusual circumstances or if needed to meet the intent of this standard.**
 2. **Drive-through stacking lanes and service areas shall not be located between the street and the Mobile Unit Food and Beverage Cart.**
- R. The following health and sanitation standards shall apply:**
1. **Applicants shall provide wastewater/graywater disposal documentation that indicates how the outputs will be stored (if applicable) and what wastewater/graywater disposal method will be used. The documentation shall indicate a proper disposal method that ensures fats, oils, and grease do not enter the City's wastewater infrastructure. Non-storm water discharges to the City's storm water system are prohibited.**
 2. **Carts shall ensure the availability of a restroom with hand washing facilities for employees.**
 3. **If the applicant intends to contract with a third party for wastewater/graywater disposal, a copy of the contract must be provided to the City within 30 days of receiving a permit.**
 4. **The City may require the food or beverage service operator to provide proof of payment or other documentation that wastewater and graywater are being disposed of properly.**
- S. For sites with more than one Mobile Unit Food and Beverage Cart, at least one-third of the carts within 25 feet of each street right of way shall have a primary service window facing the street. If the cart is within 25 feet of more than one street, it shall face its primary service window to the primary street. The primary street shall be the street with the highest classification or as determined by the [City Planner](#). If the service window faces a landscape area between the cart and the sidewalk, a paved pedestrian path is required between the cart and the sidewalk. A grouping of carts can share one path.**

- T. The applicant shall provide an estimate of the parking demand on the site and provide information about how parking demand will be accommodated, such as through off-street parking or on-street parking on adjacent blocks. That analysis shall consider parking needs of other uses on the site. Off-street parking may be required by the **City Planner** if the applicant cannot demonstrate adequate parking is available to meet demand or it has been determined that a renewing Mobile Unit Food and Beverage Cart has experienced parking or related traffic issues on the site or on adjacent blocks.**
- U. Carts shall have lighting to ensure a safe environment for customers. If permanent lighting, such as parking lot lighting, already exists on the site, the **City Planner** may determine that the lighting satisfies this requirement. Otherwise, lighting (such as temporary lighting) shall be added that complies with the following:**
- 1. At a minimum, areas intended to be occupied by customers, such as areas near Mobile Unit Food and Beverage Cart service windows and customer seating, shall be illuminated when carts are in operation during hours of darkness;**
 - 2. No direct light source shall be visible at the property line adjacent to residential at 3 feet above ground level;**
 - 3. Lighting fixtures shall be oriented and/or shielded so as not to create glare on abutting properties; and**
 - 4. The Planner may modify lighting standards if such modifications are deemed necessary and appropriate for the use and surrounding area and help meet the intent of the standard.**
- V. Carts and their accessory items visible from the street shall be kept in good repair and be maintained in a safe and clean condition in compliance with the following:**
- 1. Carts shall not have missing siding, skirting, or roofing.**
 - 2. Carts shall not have more than 10 percent of any side experiencing rust, peeling paint, corrosion or other deterioration.**
 - 3. Carts shall not have components or attachments in disrepair in a manner that causes an unsafe condition.**
 - 4. Tents and canopies associated with the carts shall not have:**
 - a. Tears in the tent/canopy material that exceed 6 inches.**
 - b. Mold on the material.**
 - c. A lack of anchoring.**
 - d. Broken or non-functioning supports.**
- W. Mobile units shall not have any internal floor space available to customers.**
- X. Mobile Unit Food and Beverage Carts shall not exceed 26 feet in length.**
- Y. Structures used to provide shelter to customers shall only be tents, canopies and similar **rigid shelter** structures. This does not preclude the use of awnings attached to and supported by a mobile unit or umbrellas designed for café or picnic tables. All canopies, tents and other **rigid** structures erected on Mobile Unit Food and Beverage Cart sites shall comply with Building Code anchoring and engineering standards and Fire Code standards.**

Section 153.053 (4)(A)(2)(a) – (HC Signs in opening table differ from the narrative. Table limits On-building signs at 3 signs of 40 square feet each whereas the narrative allows 3 signs of 120 square foot each. PC should choose which and equalize. There is no CC in the table; however, equals HC and should be added to that column).

Section 153.071 (2) (A) Code Amendments - Notice of hearing.

Notice of time and place of the public hearing before the Planning Commission and of the purpose of the proposed amendment shall be given by the City ~~Manager Recorder~~ in the following manner.

1. If an amendment to the text is proposed, the notice shall be by ~~one~~ publication **on the City's website and social media outlets, in a press release to local publications known to the City, and posting in three prominent places of public viewing** ~~in a newspaper of general circulation in the City not less than four (4) days nor more than~~ **at least** 10 days prior to the date of hearing. If an amendment to the Zoning Map is proposed, the notice shall be as provided in Section 4 of this Ordinance.

Section 153.073 (3) (A) (B)

3. Types of Development Requiring Site Plan Review Approval.
 - A. An administrative site plan review shall be conducted when plans are made in the R-0, C- C, N-C, H-C, L-I, G-I Zone District as described in 153.004(15).
 - B. A site plan review shall be conducted before the City Planning Commission when plans are made in the R-0, P & S-P, C-C, N-C, **H-C**, ~~G-I~~, L-I, G-I Zone District:
 1. For all new developments, expansion and major modification of existing developments
 2. For expansion of an existing structure, which is greater than 50% of the existing structure or greater than 10,000 square feet.

Section 153.076 (2) (A)

- A. The appellant must be an interested party who has participated either orally or in writing in previous Planning Commission proceedings pertaining to the decision under appeal. The appeal must be made within ~~ten (10)~~ **fourteen (14)** days of the written notice of decision of the Planning Commission, in writing to the Tillamook City Council. All appeals shall be made in writing, based on a specific issue about the criteria and/or standards raised during the Planning Commission Hearing, dated and signed by the appellant. Such appeal shall be filed with the appropriate fee listed in § 153.004 of this Ordinance within fourteen (14) days after the written notice of decision of the Planning Commission with the City Recorder.