

## NOTICE OF CITY COUNCIL MEETING

The City Council of the City of King City will hold a **Regular Session at 5:30 PM**, Wednesday, August 19, 2020, by teleconference at City Hall 15300 SW 116<sup>th</sup> Ave, King City, Oregon 97224 – Please see instructions below.

**Posted Date:** Thursday, August 13, 2020

Location: (teleconference – Email comments to [rsmith@ci.king-city.or.us](mailto:rsmith@ci.king-city.or.us))

The King City Council will hold a meeting on Wednesday, August 19, at 5:30 PM.

Councilors will be calling into the meeting via conference call. Members of the public will be able to listen to the meeting on the teleconference line or watch the meeting via video link. Minimal staff will be in the City Hall Conference Room, 15300 SW 116<sup>th</sup> Ave, King City, Oregon 97224. To avoid the potential spread of the COVID-19 virus, members of the public will not be allowed in the room. The packet can be found online at: [http://www.ci.king-city.or.us/government/mayor\\_and\\_council/agendas\\_and\\_minutes.php#](http://www.ci.king-city.or.us/government/mayor_and_council/agendas_and_minutes.php#)

The City has taken steps to utilize current technology to make meetings available to the public without increasing the risk of exposure. The public can participate by emailing public comments to City Recorder at [rsmith@ci.king-city.or.us](mailto:rsmith@ci.king-city.or.us) or leaving a voicemail that can be played during the meeting. The audio/Video recording of the meeting will be posted to the City website within two to three days of the meeting.

Join Zoom Meeting:

<https://us02web.zoom.us/j/86335547229?pwd=OXhJY0h5V1h5ZWl3SU45bmhtcFRjUT09>

Meeting ID: 863 3554 7229

Password: 923757

One tap mobile

+12532158782,,86335547229# US (Tacoma)

+13462487799,,86335547229# US (Houston)

Dial by your location

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Meeting ID: 863 3554 7229

Find your local number: <https://us02web.zoom.us/j/86335547229?pwd=OXhJY0h5V1h5ZWl3SU45bmhtcFRjUT09>

Live broadcast coverage of the King City Council Meetings can now be seen on TVCTV cable channel 30 and live-streaming on [MACC TVCTV's](#) YouTube page.

*{Next Page for Agenda}*

AGENDA		Action Item
<b>***REGULAR SESSION***</b>		
<i>Moment of Silence</i>		
5:30 PM	1. <b>CALL TO ORDER</b>	Time:
	2. <b>ROLL CALL</b>	
	3. <b>APPROVAL OF MINUTES:</b>	M S A
	3.1 FEBRUARY 19, 2020	
5:40 PM	4 <b>SPECIAL PRESENTATION:</b>	
	None	
5:40 PM	5 <b>OPEN FORUM:</b> We welcome public comment. At this time, the Council will be happy to receive your comment pertaining to items on the agenda (including, questions, suggestions, complaints, and items for the future,). Each person's time will be limited to three minutes.	
5:50 PM	6. <b>UNFINISHED BUSINESS:</b> NONE	
5:50 PM	7. <b>NEW BUSINESS:</b>	No Action
	7.1 Discussion on Proposed Master Fee Schedule	
	7.2 Public Hearing – King City Community Development Code – Accessory Dwelling and Housekeeping Amendments Case No. LU 2020-01	M S A
	7.3 ORDINANCE No. 0-2020-01 AN ORDINANCE AMENDING THE KING CITY COMMUNITY DEVELOPMENT CODE TO ADOPT REVISED ACCESSORY DWELLING UNIT REGULATIONS AND OTHER MINOR AMENDMENTS	M S A
6:30 PM	8. <b>POLICE CHIEF'S REPORT</b>	M S A
6:35 PM	9. <b>CITY MANAGER'S REPORT</b>	
6:40 PM	10. <b>MAYOR'S AND COUNCILOR'S REPORTS</b>	Time:
7:30 PM	11. <b>ADJOURN</b>	
<b>NEXT MEETING</b>		
<b>SEPTEMBER 16, 2020, REGULAR MEETING</b>		
The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082.		
M=Motion S=Second A=Action		

**3. APPROVAL OF MINUTES:**

**3.1 FEBRUARY 19, 2020**

**CITY OF KING CITY  
CITY COUNCIL MEETING MINUTES**

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**Call to Order:** A regular meeting of the King City – City Council was held at the City Hall beginning at 7:00 P.M. on Wednesday, February 19, 2020. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 7:04 P.M., followed by roll call and the Pledge of Allegiance

**Roll Call:** **The following City Council members were present:**

Mayor Ken Gibson  
Councilor Smart Ocholi  
Councilor David Platt  
Councilor Gretchen Buehner  
Councilor Jaimie Fender  
Councilor John Boylston  
Councilor Micah Paulsen

**Absent:**

**None**

**Staff present included:**

City Manager (CM) Mike Weston  
City Recorder (CR) Ronnie Smith

**Agenda Item 4:** **Approval of Minutes from December 18<sup>th</sup>, 2019**

**MOTION MADE BY COUNCILOR BOYLSTON TO APPROVE THE MINUTES FROM DECEMBER 18 2019, SECONDED BY COUNCILOR FENDER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 7-0.**

**Agenda Item 5:** **Special presentation: Oregon Flash – Baseball Field**

Oregon Flash spoke about using the baseball field at the King City Community Park. They would also be interested in redeveloping the field to allow more games.

**MOTION MADE BY COUNCILOR FENDER FOR STAFF TO ENGAGE FURTHER IN CONVERSATIONS WITH THE ORGANIZATIONS AND TO DISCUSS WITH SOUTHSIDE SOCCER AND FORMULATE A MORE COHESIVE PLAN, SECONDED BY COUNCILOR BUEHNER.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED THE MOTION CARRIED 7 -0.**

**Agenda Item 6:** **Open Forum:**

Mayor Gibson opened public comment on any item on the agenda (including questions, suggestions, complaints, and items for future agenda) and stated each person's time would be limited to three minutes.

Leslie McCaughey – SW King George Drive:  
Submitted to the Council a Parking Issue Petition, asking the City to take action to deal with the parking issues on SW 116<sup>th</sup> Ave and King George.

Viva Guehler – 12700 SW Beef Bend Road:  
Asked is tCityity can notify tCityity that golf carts can go to the Park.

Dena Hewitt – 16800 SW Queen Mary:  
She is concern about a trailer that keeps parking in the area.

Agenda Item 7: Unfinished Business: None

Agenda Item 8: New Business:

**8.1 Approve TGM Contracts with ODOT**

Council Disscued and considered the contract.

**MOTION MADE BY COUNCILOR BUEHNER TO APPROVE THE TGM CONTRACT WITH ODOT, SECONDED BY PLATT.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7 -0.**

**8.2 Consider Budget Committee Appointments**

The Council asked to applicants to introduce themselves.

1. Veva Goehler – Incumbent
2. Mark Marchese
3. Sam Locklin – Incumbent

After consideration, the Mayor called for a motion.

**MOTION MADE BY COUNCILOR BUEHNER TO APPOINT VEVA GOEHLER, MARK MARCHESE, AND SAM LOCKLIN TO THE BUDGET COMMITTEE, SECONDED BY MAYOR GIBSON.**

**VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 0- RECUSED  
THE MOTION CARRIED 7 -0.**

**Agenda Item 9: Police Chief's Report**

Gave an update on WACCA; he also said that the officers are doing some continued education.

**Agenda Item 10: City Manager's Report**

Gave an update on the employee health program and mentioned that it is a successful program. CM also discussed repurposing some funds for education.

**Agenda Item 11: Mayor and Councilor's Reports**

- Councilor Buehner – has an MPAC meeting, she is also chairing the CPO4K meeting next week.

- Councilor Boylston – MAAC did a speech meeting and needed more funding. Councilor Boylston also announced his resignation due to moving out of the area.
- Councilor Fender – discussed some of the tree issues at the Edgewater HOA.
- Councilor Ocholi – No Report
- Councilor Platt – attended the an MLK day event. He also mentioned that the trees in highlands HOA have excellent policies on common areas, including Street trees.
- Councilor Paulsen – No Report
- Mayor Gibson – also attend the MLK event. He mentioned that it was pleasant to be a part of this. He also mentioned that there was a presentation from ODOT.

**Agenda Item 12: Adjournment**

**COUNCILOR BUEHNER MOVED TO ADJOURN THE MEETING, MAYOR GIBSON SECONDED, THE MEETING ADJOURNED AT 8:58 P.M.**

Respectfully Submitted by:

Attested by:

\_\_\_\_\_  
Ronnie Smith  
City Recorder

\_\_\_\_\_  
Mike Weston  
City Manager

# 7.1 Discussion on Proposed Master Fee Schedule

# MASTER FEES & CHARGES



FISCAL YEAR 2020 - 2021

EFFECTIVE OCTOBER 1ST, 2020





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Preface

City of King City, Oregon

The City of King City provides a full range of municipal services to the community, including police protection, traffic control, and improvement, street maintenance and improvement, Planning and zoning regulation, building inspection, and regulation. This Master Fee Schedule consolidates all City charges adopted by City Council resolution for the various services that the City provides. Typically, it is updated annually and reflects all fee resolutions passed by Council during the year.

Fee Variance and Waiver Statement

Based upon an unusual circumstance or event, past practices demonstrated hardship or public benefit; the City Manager is authorized to waive or decrease a fee(s) or charge(s) in a particular matter or establish a fee not yet authorized in this schedule. When the City Manager establishes a new fee, it shall be incorporated into this document, and it shall be included and specified during the next update to this document.

A waiver or reduction request must be in writing and communicated to the Council to allow an opportunity for comment. If the City Manager or his designee agrees to said waiver or reduction, he/she shall inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$1,000 or less).

Effective Dates and Resolutions

The FY 2020-2021 Master Fees Schedule fees are effective as of October 1, 2020, with the adoption of Resolution #R-2020-19, adopted by City Council on August 12, 2020, which is incorporated in full by this reference.

General Methodology Used for Fee Increases

Unless otherwise noted the fee’s through-out the Master Fee Schedule for Fiscal Year (FY) 2021-2022 have been increased from Consumer Price Index - All items in West urban, all urban consumers, not seasonally adjusted, Series Id: CUUR0400SA0, Area: WEST, Base Period: 1982-84=100 Years: 2017 Second half to – May 2020. Formula:

Current Rate for Photo Copy Color:		0.5
Current CPI Adjustment Value 2020 May:		273.062
Last CPI Adjustment Value Seconed Half 2017:		256.365
Multiplier		1.07
Rounded Multiplier		1.10
Increase:		0.05
New Amount for Photo Copy Color:		0.55

Building Program Methodology Used for Increases

Per OAR 918-020-0220 and ORS 455.210, the city notified the State Building Codes Division that the City of King City was proposing to make modifications to the Building Inspection Program Fee Schedule effective October 1, 2020.

King City has proposed to the State a 20% increase to all building and electrical permit-related fees, including structural, plumbing, electrical, mechanical, and related fees. The proposed fee changes were necessary to offset the inflationary increase in program costs, to maintain a fund balance reserve, and to maintain our current levels of permit, plan review, and inspection services. Additionally, to maintain program funding, permit-related fees were also proposed to automatically be adjusted biennia on July 01 by 2.5% for the next three biennia. *For example, July 1, 2022, July 1, 2024, and July 1, 2026.*

The City's Formula is broken into detail below.

The Building Program Fees are estimated to take effect on October 1, 2020

1. The base permit fees is increased by 20%.

The below items will be added as a line item called City Surcharge fee.

2. **Staff time:** For each Application is estimated to be twenty (20) minutes to process. The base fee as 42.00 dollars per Hour for Permit Tech time. Formula:  $(42.00 \times 0.33)$
3. Xpress Bill Pay E-payment, Equipment, services: We are using a third party called Xpress Bill Pay via Caselle; the fees are broken down accordingly. The costs are \$19.00 for Monthly service fee from Xpress + \$75.00 for Support, Maintenance, and Hosting by Xpress + the purchase of two CC Swiping terminals \$75.00 + \$75.00 plus one (1) hour IT time \$125.00 divided 50 applications than divided by eight Departments. Formula:  
$$=(((19+75) \times 12 + 275) / 50) / 8$$
4. Equipment (computers): the fees are base on the following two computers at the price of \$1500 plus 2 hours of IT time  $(125 \times 2) = \$3250$ . We divided 50 applications than divided by the eight Departments. Formula:  $=(3250 / 8 / 50)$
5. Implementation of the Caselle: Is calculated by taking the per month hosted maintenance & support for four workstations \$,2690.00/month, multiplied by 12 months; then, we added the \$34,550 for the total implementation of Caselle. We divided that charge by ten years. We awe than divided that by 8eight departments, then divided by 50 applications. Formula:  $=(2690 \times 12 + (34550 / 10)) / 8) / 50$
6. We Rounded up to the nearest dollar for the city surcharge fee. For example, the above city surcharges equal \$55.94; we rounded to \$56.00 per permit.

## Section One

### Administration

#### Billable Hourly Rates

Any work performed during overtime hours shall be billed as the calculated hourly rate multiplied by 125 percent. The City Manager and/or department directors are authorized to adjust calculated billings to reflect the impact of unusual circumstances or situations.

Department	Assistant/Paralegal	Admin Supervisors rates	Senior/Executive Staff Rates
City Manager	\$95.00	\$130.00	\$150.00
Community Development	\$95.00	\$130.00	\$150.00
GIS	\$95.00	\$130.00	\$150.00
City Records	\$95.00	\$130.00	\$150.00
Court	\$95.00	\$130.00	\$150.00
Public Works	\$95.00	\$130.00	\$150.00
Parks & Rec	\$95.00	\$130.00	\$150.00
Engineering	See Engineering Rates on page 25		See Engineering Rates on page 25
Planner	\$95.00	\$130.00	\$150.00
Legal <sup>1</sup>	\$186	\$421	540
Operations	\$95.00	\$130.00	\$150.00
Code Compliance	\$95.00	\$130.00	\$150.00
Police	\$95.00	\$130.00	\$150.00

#### Public Records<sup>1</sup>

Item	Charge		
Black & white single or double-sided Photocopy	1.76	Per page	
Color single or double-sided Photocopy	\$1.76	Per page	
Municipal code Book	\$132	Per book	Available online
Community Development Code (Chapter 16)	\$71.50	Per copy	Available online
Comprehensive Plan	\$60.50	Per copy	Available online
Concept Plans	\$60.50	Per copy	Available online
Annual Budget/Audit Reports	\$27.50	Per report	Available online
Business License Listing	\$25.00	Per report	Available online
Postage	Actual Cost	Per item	
Other City-created documents	See billable hours, plus materials		
File transfer Protocol (FTP) or SharePoint	\$5.00	Per 10 pages	
Zoning Letters	\$52.00	Per Hour, minimum one Hour	Zoning Map is online
Zoning Maps	See Billable Hourly Rates above	See Billable Hourly Rates above	Available online
Lien Searches	30.00	Per Search	
Police/Admin Policy Manual	\$38.30	Per Binder	Some online
Records Research	\$20	Per 15 min/per request (minimum \$20.00)	

**Commented [RS1]:** The Fee's through-out the Master Fee Schedule for Fiscal Year (FY) 2021-2022 have been increased from Consumer Price Index - All items in West urban, all urban consumers, not seasonally adjusted, Series Id: CUUR0400SA0, Area: WEST, Base Period: 1982-84=100 Years: 2017 Second half to – May 2020.

**Formula:**

Current Rate for Photocopy Color: 0.25  
 Current CPI Adjustment Value 2020 May: 273.062  
 Last CPI Adjustment Value Second Half 2017: 256.365  
 Multiplier 1.07  
 Rounded Multiplier 1.10  
 Increase: 0.03  
 New Amount for Photocopy Color: 0.28

**Commented [RS2]:** Cost:

Per Paper Sheet 0.134  
 Paper Delivery fee 0.03  
 Printer Contract Meter per use 0.1003  
 Printer Purchase 1.5  
 Total 1.7643

## Business Registration

Business Registration is required annually for all businesses doing business in the City. There will be no prorating of tax for any business. Delinquent Registration will be charged a 10% of the original business tax plus interest at 9% per annum from the due date until full payment is received.

Business Registrations are considered delinquent thirty (30) day after July 01 every year.

Item	Fee
Standard first-year base fee (original business tax)	\$167
Renewal after the first year	\$105
3 months of any year	\$75
Temporary business (up to 30 days)	\$60
Appeal City Council (denial, suspension or revocation of license)	\$650
Appeal to City Manager (denial, suspension or revocation of license)	\$250

Failure to register business see section 12 Violations of the Municipal Code.

## Metro Business License versus City Business Registration or Both:

Instead of obtaining separate business licenses/registrations within each Portland-area City that you conduct business in, you can purchase a single license from Metro to construct, alter, and repair structures in 20 cities that have licensing/registration requirements in the metropolitan area, excluding Portland. The license covers all construction trades, both commercial and residential, as well as all landscape contractors. Exception: if your principal place of business is inside the City of King City, the business is required to apply for a City of King City Business Registration in addition to the Metro license.

For Metro applications, contact Metro at 503-797-1620 or visit their website at: <https://www.oregonmetro.gov/tools-working/regional-contractors-business-license>

## Notary Public Administration Fees

Notary Public Fee Schedule According to OAR 160-100-410

Item	Fee
For taking an acknowledgment	\$10
For taking a verification upon an oath or affirmation.	\$10
Municipal code Book	\$10
For certifying a copy of a document.	\$10
For witnessing or attesting a signature.	\$10
For administering an oath or affirmation without a signature.	\$10

## General Record Retention and Archiving Fees

This fee applies to all documents received by customers, residents, and contractors.

Item	Fee
To archive all records per State mandate. Up to 5 pages	\$35.00
<b>Additional Charges per page of the submitted document.</b>	
8 1/2" x 11" or 8 1/2" x 14"	\$1.76 per page
8 1/2" x 17"	\$ 2.00 per page
18" x 24" (outsourced)	\$ 45.00 per page
24" x 36" (outsourced)	\$ 55.00 per page
36" x 42" (outsourced)	\$ 100.00 per page
Other (larger than 36" x 42")	\$ 150.00 per page

## KING CITY BUSINESS INFORMATION

A Community for All Ages

**4,190 POPULATION**

The Population Research Center from Portland State University Certified Population Estimate as of July 1, 2019

**MEDIAN HOUSEHOLD INCOME \$53,750**

In 2018, the median household income of King City residents was \$53,750. King City households made slightly more than Salem households (\$53,619) and Waco households (\$53,636).

**TOTAL BUSINESSES 120**

**PERMANENT TAX RATE**

\$1.53 per \$1,000/Assessed Value

**Commented [RS3]:** The Fee's through-out the Master Fee Schedule for Fiscal Year (FY) 2021-2022 have been increased from Consumer Price Index - All items in West urban, all urban consumers, not seasonally adjusted, Series Id: CUUR0400SA0, Area: WEST, Base Period: 1982-84=100 Years: 2017 Second half to - May 2020.

### Formula:

Current Rate for Standard First Year Registration: 150  
 Current CPI Adjustment Value 2020 May: 273.062  
 Last CPI Adjustment Value Second Half 2017: 256.365  
 Multiplier 1.07 (current CPI/last CPI)  
 Rounded Multiplier 1.10 (rounded)  
 Increase: 15.00 (New Amount - Current Rate)  
 New Amount for Standard First Year Registration: 165.00  
 (Current Rate \* Rounded Multiplier)

## Animal License

Washington County Animal Services charges the following fees: Please note the City of King City does not charge or license animals at this time.

Please go to <https://www.co.washington.or.us/HHS/AnimalServices/Licensing/index.cfm> to find more information on the county's licensing.

Item	Fee		
Sterilized (spayed/neutered)	\$27.00	\$43.00	\$60.00
Fertile (intact)	\$45.00	\$83.00	\$118.00
Senior Citizen*	\$20.00	\$33.00	\$48.00

\*Owner must be at least 65 years of age and dog must be sterilized (spayed/neutered).

## Other Animal License Fees

Item	Fee
Replacement Metal Tag (see details below)	\$5.00
Other County Valid License Transfer (valid licenses from other Oregon counties can be transferred for \$5 without paying the license fee)	\$5.00
Late fee (any license that is 30 days overdue must pay a late fee)	\$12.00

## Miscellaneous Administration Fees

Notary Public Fee Schedule According to OAR 160-100-410

Item	Fee
Administration Fee of 20% for insurance claims related to damage to City property.	20%
NSF check charges	\$35.00
Fax	Local \$2.00 Long Distance \$5.00

## Passport Fees

Passport fees are set by the U.S. Department of State.

Payable to "U.S. Department of State"	Fee
To be attached to "adult" applications (16 years or older)	\$110.00
To be attached to "minor" applications (under 16 years old)	\$80.00
To EXPEDITE any passport application ... add	\$60.00
For "minor" Passport Card only (under 16 years old)	\$15.00
For "adult" Passport Card only (16 years or older)	\$30.00
<b>Passport Fees made payable to "City of King City"</b>	
For regular passport applications	\$35.00
For Passport Card applications	\$35.00
Passport Photo Fee	No photo services available at this time.

## Franchise Fees

Franchise agreements approved by the city council set franchise fees.

### Electricity and Natural Gas

#### **Portland General Electric**

Franchise fee: 3.5% of defined gross revenue  
Expires January 6, 2022 (Ordinance O-2011-01)

#### **Northwest Natural**

Franchise fee: 5% of gross revenue collected  
Expires July 5, 2026 (Ordinance O-06-04)

### Garbage/Solid Waste

#### **Pride Disposal**

Franchise fee: 3% of gross receipts  
Expires None (Ordinance O-2018-06)  
Municipal Code Chapter 8.16 SOLID WASTE DISPOSAL

### Cable

#### **Comcast (MACC)**

Franchise fee: 5% of gross revenue  
Expires June 30, 2025 (Ordinance O-2015-03)

#### **Northwest Fiber (MACC)**

Franchise fee: 5% of gross revenue  
Expires May 24, 2022 (Ordinance 07-02)  
Transferred from Frontier

### Telecommunications Services

#### **Astound Broadband**

Franchise Fee: 5% of gross revenue  
Expires October 1, 2024 (Ordinance O-2014-05)

#### **Fatbeam, LLC**

Franchise Fee: 3.5% of gross revenue  
Expires November 1, 2019 (Resolution R-2019-15)



## Section Two

### City Attorney's Office

**Commented [RS4]:** New section.

#### Discovery Fees

The following fees shall be charged for the services of the City Attorney's Office in addition to the fees below, the City will also charge for Records Research stated in section one (1) page two (2) , and attorneys billable hours as stated in Section one (1) page two (2.)

Item	Fee
<b>Attorneys time</b>	See Billable Hourly Rates on page 6
Copies up to 5 pages	\$35.00
Each additional page	\$1.76
Audio and video copies	\$20 first tape/DVD/CD \$16 each additional copy of tape/DVD/CD
Copies of Photographs	\$1.00 per print
Copies of Photographs on DVD/CD	\$20.00
Flash Drives	\$7.00 8GB \$13.00 16 GB \$20.00 32 GB

**Commented [RS5]:** This part overs staff time up to 30 minutes.

## Section Three

### Municipal Court

King City Municipal Court collects fines for traffic citations, parking violations, and miscellaneous programs approved by the Judge and City Council. Traffic fine amounts are set by state legislature based on the offense classification. The following fees shall be charged for the Municipal Court activities of the City:

#### General Fees

Item	Fee
Payment Plan Installment Fee (no more than a year)	\$30.00
<b>Late Fee</b>	<b>1.5% added to the agreed amount</b>
Failure to Appear	\$75.00
DMV Reinstatement City fee	\$15.00
Returned Check Fee	\$30.00
Vacate Fee (this fee is a charge when someone requests the Judge to review a file, change the status, and/or vacate a charge from the DMV record.)	\$20.00
Fix-it-ticket Administrative Fee	\$35.00
Traffic School	50% to the relevant fine provided for the violation in the Violations Bureau Fine Schedule
Certified Copies of Court Documents	See below

**Commented [RS6]:** Was increased from 25 to 35.

#### Request for Certified Copies of Court Documents

This fee applies to all documents requested by customers, residents, and contractors.

Item	Fee
Certified Court Documents. Up to 5 pages.	\$35.00
<b>Additional Charges per page of the requested document.</b>	
8 ½" x 11" or 8 ½" x 14"	\$1.76 per page
8 ½" x 17"	\$ 2.00 per page
18" x 24" (outsourced)	\$ 45.00 per page
24" x 36" (outsourced)	\$ 55.00per page
36" x 42" (outsourced)	\$ 100.00 per page
Other (larger than 36" x 42")	\$ 150.00 per page

**Commented [RS7]:** To keep the Court and Police reports fee reasonable for applicants. The city's formula is broken down above and goes into detail below. Please Note the Victim DO NOT PAY for the first report.

1. Staff time for each application is estimated to be 10 minutes (0.17 in decimal) per report.  
Formula: (\$40.00 \* 0.17)  
2.Xpress Bill Pay E-payment, Equipment, services: We are using a third party called Xpress Bill Pay via Caselle; the fees are broken down accordingly. The costs are \$19.00 for Monthly service fee from Xpress + \$75.00 for Support, Maintenance, and Hosting by Xpress + the purchase of two CC Swiping terminals \$75.00 + \$75.00 plus one (1) hour IT time \$125.00 divided 250 applications than divided by eight Departments.

Formula: = (((19+75) \*12+275)/250)/8

3. Equipment (computers): the fees are based on the following two computers at the price of \$1500 plus 2 hours of IT time (125\*2)=\$3250. We divided 250 applications than divided by the eight Departments.  
Formula: =(3250/8/250)

4. Implementation of the Caselle: Is calculated by taking the per month hosted maintenance & support for four workstations \$2690.00/month, multiplied by 12 months; then, we added the \$34,550 for the total implementation of Caselle. We divided that charge by ten years. We awe than divided that by 8eight departments, then divided by 250 application  
Formula: =((2690\*12+(34550/10))/8)/50

5. Total is =35.79

6. we rounded to 35.00 per ROW permit.

#### Traffic Fines

This fee applies to the presumptive fines for the charged offense. Please note the issuing officer may fine the maximum fine. For failure to appear to court, the Judge may adjust the fine to the maximum fine defined by the State of Oregon.

The City surcharge is used for police training.

Penalties	Presumptive Fine ORS 153.019	Police Surcharge	Presumptive Fine ORS 153.019 w/surcharge	Special Zone Fine ORS 153.020
Class A	\$440.00	\$20.00	\$460.00	\$875.00
Class B	\$265.00	\$20.00	\$285.00	\$525.00
Class C	\$165.00	\$20.00	\$185.00	\$325.00
Class D	\$115.00	\$20.00	\$135.00	\$225.00

Per ORS 153.650 Disposition of fines for traffic offenses The above traffic fines are broken up as followed:

State of Oregon	\$50.00
Washington County	\$16.00
City of King City	Remaining amount

**Commented [RS8]:** We added a \$20.00 police surcharge that will be used for police training.

## Parking Fines

In accordance with Chapter 10.08 and other State of Oregon ORS, the fines below will be the minimum for the Police department. Please note the Police Department may charge the maximum that the State allows per ORS.

Item	Fee
Abandoned Vehicle	\$80.00
Angle Parking	\$40.00
Bicycle Lane	\$80.00
Blocking Driveway	\$65.00
Blocking Mail Box	30
Blocking Disabled Parking Space	300
Blocking Emergency Vehicles	80
Bank Zone/Bus Zone/Taxi Zone	50
Construction Zone	65
Hotel/Motel Zone	30
Double Parking	50
During Prohibited Times	50
Emergency/Safety Zone	80
10 ft. from Fire Hydrant	30
Head in Only Parking	50
Leaving Motor Running	30
Leaving Keys in Vehicle	30
Loading Zone	30
No Parking Zone/Tow Away Zone	65
On Crosswalk/Sidewalk (ROW)	30
Over 1 Ft. from Curb	30
Over Space Line	30
Overtime Parking	30
Permit Only Parking	50
Traffic Hazard	80
Disabled Parking Space	300
Residential Parking Zone	50 <sup>1</sup>
Reserved/Restricted Area	30
School Zone	65
Wrong Side of Street	30
Where Prohibited	50
Parking not listed	30

**Commented [RS9]:** Parking Fines are the same as last years.

<sup>1</sup> Per O-2015-4 the fine for violation is set to \$50.00 per day.

## Section Four:

### Building Division

Building fees include structural, mechanical, plumbing, and electrical charges. Fees apply to residential, commercial, and industrial properties unless otherwise specified.

#### Research and Consultation Fees

Item	Fee
Records Research	\$ 85 per hr per request, minimum one Hour
Fee Estimates - new commercial projects	\$ 85 per hr per request, minimum one Hour
Consultation for code review, hypothetical projects	\$ 150 per Hour, minimum one Hour

**Commented [RS10]:** New

#### Refund Policy:

1. Permit Refunds
  - a. Where a permit has been issued and no inspections have been completed, 80% of the permit fee will be refunded.
  - b. There are no refunds when a permit has been issued and inspections performed.
2. Plan Review Refund
  - a. Where a plan review has not begun, 80% of the plan review fee will be refunded.
  - b. There are no refunds when plan review efforts have been expended for a permit.

**Commented [RS11]:** Amy please review.

#### Structural Permits

Valuation shall be calculated in accordance with OAR 918-050-0100 (Residential/Commercial/Industrial):

Total Valuation	Fee	Plus, each additional \$1,000 or fraction thereof
\$1.00 to \$2,000	\$77.50	
\$2,001 to \$25,000	\$77.50	for the first \$2,000 in value plus \$11.52 for each additional \$1,000 or fraction thereof
\$25,001 - \$50,000	\$342.46	for the first \$25,000 in value plus \$9.00 for each additional \$1,000 or fraction thereof
\$50,001 - \$100,000	\$567.46	for the first \$50,000 in value plus \$6.56 for each additional \$1,000 or fraction thereof
\$100,001- \$250,000	\$895.46	for the first \$100,000 in value plus \$4.68 for each additional \$1,000 or fraction thereof
\$250,001- \$600,000	\$1,597.46	for the first \$250,000 in value plus \$4.62 for each additional \$1,000 or fraction thereof
\$600,001- \$1,200,000	\$3,214.46	for the first \$600,000 in value plus \$4.21 for each additional \$1,000 or fraction thereof
\$1,200,001- \$2,000,000	\$5,740.46	for the first \$1,200,000 in value plus \$3.28 for each additional \$1,000 or fraction thereof
\$2,000,001 and up	\$8,364.46	for the first \$2,000,000 in value plus \$3.26 for each additional \$1,000 or fraction thereof.
State Surcharge	12%	of the building permit fee
City Surcharge	\$56.00	Per permit
Building Plan Review	65%	of the building permit fee
Fire and Life Safety Plan Review	40%	of the building permit fee

**Commented [RS12]:** The following statement will be added to the preface pages.

King City is proposing a 20% increase to all building and electrical permit related fees, including structural, plumbing, electrical, mechanical, and related fees. The proposed fee changes are necessary to offset the inflationary increase in program costs, to maintain a fund balance reserve, and to maintain our current levels of permit, plan review, and inspection services.

Additionally, to maintain program funding, permit related fees are proposed to automatically be adjusted biennia on July 01 by 2.5% for the next three biennia. *For example; July 1, 2022, July 1, 2024*

**Commented [RS13]:** King City is adding the city surcharge line item to help recoup the cost of staff time, equipment, and implementation of the new system.

#### Solar Installation Permits

Type	Fee
Prescriptive system	\$180
Non-Prescriptive system	\$77.50 Min
	shall have permit fees and plan review calculated in accordance with the above fee schedule

#### Phased Projects

Type	Fee
Permit	\$240
	plus 10% of the total project building permit fee not to exceed \$1,500 for each phase.

## Deferred Submittals

Type	Fee	
Permit	65%	of the building permit fee calculated according to OAR 918-050-0110 (2) and (3) using the value of the particular deferred portion or portions of the project, with minimum fee of \$240.00. This is in addition to the project plan review fee based on the total project valuation.

## Residential Fire Suppression Permits (Stand Alone System)

See Plumbing permit for multipurpose or continuous loop system.

Total Square Foot	Fee
0 sq. ft. to 2,000 sq. ft.	\$138.00
2,001 sq. ft. to 3,600 sq. ft.	\$192.00
3,600 sq. ft. to 7,200 sq. ft.	\$264.00
7,201 sq. ft. and greater	\$370.80

## Other Inspections and Fees

Item	Fee
Re-inspection Fee	\$85.00 per inspection
Each additional inspection over the allowable	\$85.00 per inspection
Inspections for which no fee is specifically indicated	\$85.00 per inspection
Investigation fee	\$85 per Hour
Additional plan review	\$85 per hour
Inspections outside normal business hours	\$127.50 per Hour (minimum charge of 2 hours)

## Manufactured Dwelling Permit Fees

Item	Fee
Manufactured Home Placement Permit (includes plan review)	\$309.36 per permit
State Manufactured Home Fee	\$30 per permit
State Surcharge	12%



# BUILDING A COMMUNITY FOR ALL

[Go to http://www.ci.king-city.or.us/ to learn more](http://www.ci.king-city.or.us/)

### Mechanical Permit Fee Schedule (Commercial)

Total Valuation	Fee	
\$1.00 - \$5,000	\$87.00	
\$5,001 to \$10,000	\$87.00	\$87.00 for first \$5,000 and \$1.58 for each additional \$100 or fraction thereof, to and including \$10,000
\$10,001 to \$25,000	\$166.00	\$166.00 for first \$10,000 and \$1.60 for each additional \$100 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$406.00	\$406.00 for first \$25,000 and \$1.51 for each additional \$100 or fraction thereof, to and including \$50,000
\$50,001 and up	\$783.50	\$783.50 for first \$50,000 and \$1.25 for each additional \$100 or fraction thereof

### Mechanical Permit Fee Schedule (Residential)

Total Valuation	Fee
<b>Heating/Cooling</b>	
Furnace up to 100,000 BTU (including ducts and vents)	\$16.80
Furnace 100,000 BTU and over (including ducts and vents)	\$20.88
Floor furnace (including vent)	\$16.80
Air conditioner	\$16.80
Heat pump	\$16.80
Mini-split system	\$16.80
Ductwork	\$16.80
Hydronic hot water system	\$16.80
Residential boiler (radiator or hydronic)	\$16.80
Unit heaters (fuel-type, not electric), in-wall, in-duct, suspended	\$16.80
Suspended heater, wall heater, or floor mounted heater	\$16.80
Flue / vent for any of above	\$12.00
Repair units	\$14.58
Vent not included in appliance permit	\$8.16
Other heating / cooling	\$16.80
<b>Other Fuel Appliances</b>	
Water heater	\$12.00
Gas fireplace	\$12.00
Flue vent for water heater or gas fireplace	\$12.00
Log lighter (gas)	\$12.00
Wood / pellet stove	\$12.00
Wood fireplace / insert	\$12.00
Chimney / liner / flue / vent	\$12.00
Other fuel appliances	\$12.00
<b>Environmental Exhaust &amp; Ventilation</b>	
Range hood / other kitchen equipment	\$12.00
Clothes dryer exhaust	\$12.00
Single-duct exhaust (bathrooms, toilet compartments, utility rooms)	\$8.16
Attic / crawlspace fans	\$12.00
Other environmental exhaust & ventilation	\$12.00
<b>Fuel Piping</b>	
For first four (4)	\$6.48
Each additional over four (4)	\$1.20
<b>Boiler / Compressor / Absorption System</b>	
<3HP: absorb unit to 100K BTU	\$16.80
3-15 HP: absorb unit 100K to 500K BTU	\$30.72
15-30 HP: absorb unit .5-1 mil BTU	\$42.00
30-50 HP: absorb unit 1-1.75 mil BTU	\$62.64
>50 HP: absorb unit >1.75 mil BTU	\$104.64

**Other**

Air handling unit to 10,000 CFM	\$12.00
Air handling unit 10,000 CFM+	\$20.64
Non-portable evaporate cooler	\$12.00
Vent fan connected to a single duct	\$8.16
Ventilation system not included in appliance permit	\$12.00
Hood served by mechanical exhaust	\$12.00
Domestic incinerators	\$20.88
Commercial or industrial type incinerator	\$83.94
Other units, including wood stoves	\$12.00
Minimum Permit Fee	\$87.00 per permit
City Surcharge Fee	\$56.00 per permit
Mechanical Plan Review Fee	25% of the mechanical permit fee

**Other Inspections and Fees**

Item	Fee
Re-inspection Fee	\$85.00 per inspection
Each additional inspection over the allowable	\$85.00 per inspection
Inspections for which no fee is specifically indicated	\$85.00 per inspection
Investigation fee	\$85 per Hour
Additional plan review	\$85 per hour
Inspections outside normal business hours	\$127.50 per Hour (minimum charge of 2 hours)



## Plumbing Permit Fee Schedule

Medical Gas - Plumbing permit fees for medical gas shall be determined, based on the value of installation costs and the system equipment, including, but not limited to, inlets, outlets, fixtures, and appliances, and applied to the City's fee schedule with a set minimum fee. The plan review fee shall be equal to 25% of this permit fee.

Total Valuation	Fee	
\$1.00 to \$5,000	\$87.00	
\$5,001 to \$10,000	\$87.00	\$87.00 for first \$5,000 and \$1.58 for each additional \$100 or fraction thereof, to and including \$10,000
\$10,001 to \$25,000	\$166.00	\$166.00 for first \$10,000 and \$1.60 for each additional \$100 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$406.00	\$406.00 for first \$25,000 and \$1.51 for each additional \$100 or fraction thereof, to and including \$50,000
\$50,001 and up	\$783.50	\$783.50 for first \$50,000 and \$1.25 for each additional \$100 or fraction thereof

## New 1-2 family dwellings (includes 100 feet for each utility connection)

Item	Fee
SFR (1) bath	\$299.04
SFR (2) bath	\$420.00
SFR (3) bath	\$478.80
Each additional bath/kitchen	\$54.00
Rain drain, single-family Dwelling	\$78.30

## Site Utilities

Item	Fee
Catch basin or area drain	\$19.92
Drywell, leach line, or trench drain	\$19.92
Manufactured home utilities	\$132.00
Manholes	\$19.92
Rain drain connector	\$19.92
Footing drain – 1st 100'	\$66.00
Footing drain – each additional 100'	\$55.68
Sewer – 1st 100'	\$66.00
Sewer – each additional 100'	\$55.68
Water service – 1st 100'	\$66.00
Water service – each additional 100'	\$55.68
Storm & rain drain – 1st 100'	\$66.00
Storm & rain drain – each additional 100'	\$55.68
Interior mainline (sewer or water piping) – 1st 100'	\$66.00
Interior mainline (sewer or water piping) – each addtl 100'	\$55.68
<b>Fixture or item</b>	
Absorption valve	\$19.92
Commercial backflow prevention device	\$55.68
Residential backflow prevention device	\$33.06
Backwater valve	\$19.92
Clothes washer	\$19.92
Dishwasher	\$19.92
Drinking fountain	\$19.92
Ejectors/sump	\$19.92
Expansion tank	\$19.92
Fixture/sewer cap	\$19.92
Floor drain / floor sink / hub	\$19.92
Garbage disposal	\$19.92
Hose bib	\$19.92



Ice maker	\$19.92
Interceptor / grease trap	\$19.92
Primer	\$19.92
Roof drain (commercial)	\$19.92
Sink / basin / lavatory	\$19.92
Tub / shower / shower pan	\$19.92
Urinal	\$19.92
Water closet	\$19.92
Water heater	\$19.92
Minimum Permit Fee	\$87.00
State Surcharge	12% of the plumbing permit fee
City Surcharge Fee	\$56.00 per permit
Plumbing Plan Review Fee	25% of the plumbing permit fee when applicable

## Residential Fire Suppression Permits

(multipurpose or continuous loop system)

Total Square Foot	Fee
0 sq. ft. to 2,000 sq. ft.	\$138.00
2,001 sq. ft. to 3,600 sq. ft.	\$192.00
3,600 sq. ft. to 7,200 sq. ft.	\$264.00
7,201 sq. ft. and greater	\$370.80

## Other Inspections and Fees

Item	Fee
Re-inspection Fee	\$85.00 per inspection
Each additional inspection over the allowable	\$85.00 per inspection
Inspections for which no fee is specifically indicated	\$85.00 per inspection
Investigation fee	\$85 per Hour
Additional plan review	\$85 per hour
Inspections outside normal business hours	\$127.50 per Hour (minimum charge of 2 hours)

## Electrical Permit Fees

New 1-2 family dwellings (includes attached garage)	Fee
1,000 square feet or less	\$174.18
Each additional 500 square feet or portion	\$40.08
Limited energy, residential	\$90.00
Limited energy, non-residential	\$90.00
Each manufactured or modular Dwelling, service and/or feeder	\$109.08
<b>Services or feeders installation, alteration, and/or relocation</b>	<b>Fee</b>
200 amps or less	\$96.36
201 amps to 400 amps	\$128.22
401 amps to 600 amps	\$192.72
601 amps to 1,000 amps	\$288.75
Over 1,000 amps or volts	\$545.58
Reconnect only	\$80.22

Temporary services or feeders installation, alteration, and/or relocation	Fee
200 amps or less	\$80.22
201 amps to 400 amps	\$120.36
401 amps to 600 amps	\$160.50

Branch circuits – new, alteration, or extension, per panel		Fee
Fee for branch circuits with service or feeder fee, each branch circuit		\$7.98
Fee for branch circuits without service or feeder fee, each branch circuit		\$56.22
Each additional branch circuit		\$ 7.98
Miscellaneous (service or feeder not included)		Fee
Pump or irrigation circle		\$64.08
Sign or outline lighting		\$64.08
Signal circuit(s) or limited-energy panel, alteration, or extension		\$90.00
Renewable Energy		5KVA - \$96.36 5.01-15KVA - \$128.22 15.01-25KVA - \$192.72 Wind generation 25-50KVA - \$288.72 Wind generation 50-100KVA - \$545.58 Solar generation excess of 25KVA, charge an additional \$9.60 /KVA, no increase beyond the calculation for 100KVA.
Minimum Permit Fee		\$87.00
State Surcharge		12% of the electrical permit fee
City Surcharge Fee		\$56.00 per permit
Electrical Plan Review Fee	25% of the electrical permit fee when applicable (OAR 918-780-0040)	

## Other Inspections and Fees

Item	Fee
Re-inspection Fee	\$85.00 per inspection
Each additional inspection over the allowable	\$85.00 per inspection
Inspections for which no fee is specifically indicated	\$85.00 per inspection
Investigation fee	\$85 per Hour
Additional plan review	\$85 per hour
Inspections outside normal business hours	\$127.50 per Hour (minimum charge of 2 hours)

## Section Five

### Parks & Recreation

#### Parks & Recreation Fee

##### Service Contracts for classes and activities:

Fees for each class and activity shall be set at 15% of the fee charged for the classes and activities. See below for insurance requirements.

##### Reservations charges:

All fields and court reservations will be charged at two-hour (2) blocks. No refunds will be issued. There will be open play/field\* for residents; please check the schedule online. See below for insurance requirements.



**Commented [RS14]:** The Parks & Rec fees are staying the same except for the typo mentioned below.

Item	Fee
Tennis Court	\$10.00
basketball Court	\$10.00
Baseball / Softball Fields*	\$55.00
Soccer East Field*	\$55.00
Soccer West Field*	\$55.00
Soccer Full Field (east and West) *	<del>\$65.00</del>
Gazebo*	\$35.00

**Commented [RS15]:** There was a typo in this fee. In the last fee schedule it was \$55 and it should have been \$65.

\* Gold Star Sponsor > than \$10,000 subject to terms of use.

\* Open Play/field – Open to everyone (no reservations needed or there is currently no reservations)

**Refund Policy:** No refused will be issued by the City.

#### Admission/Event Fees:

Organizations which charge admission or event fees at any City athletic field must notify the Parks and Recreation Department ten days before the scheduled event and will be charged 15% of the gross income received. The group will be required to provide Parks and Recreation with financial records of their event within five working days after the completion of the event. See below for insurance requirements.

#### Room Rental Fee:

All rooms rentals are charged a per hour rate. Exceptions to the rental policy may be made at the staff's discretion, depending upon extenuating circumstances.

Room	Fee
Council Chambers	\$35.00 Hourly Usage Fee
Non-Refundable Cleaning Fee	\$25.00
Non-Refundable Cleaning Fee (with food)	\$50.00
Refundable Deposit	\$100.00
Microphone	\$10.00 per use
TV	\$10.00 per use

The city reserves the right to reuse or reject access for violations of city ordinances, rules, and policies.

#### Insurance Requirements:

For Room, Gazebo, Services contracts, and admission/events Applicant agrees to provide comprehensive general liability insurance a minimum of one (1) week prior to services, naming The City of King City as an additional insured in the following amount: \$2 million single occurrence / \$3 million general aggregate. Services shall not be granted until the required certificate has been received and approved by the City.

## Section Six

### Commercial Filming and Photography

#### Filming and Photography

Permits are required for all film, video, and photography productions in the public right-way and city-owned property. See below for insurance requirements.

All one-day permits are considered 24 hours long.

Film/Video rate for ROW		Fee
Permit Processing Fee (Street Closure)		\$1,000 plus billable hour rate for police.
Permit Processing Fee (No Street Closure)		\$650.00
Film/Video rate for KC Park		Fee
Park One Day Permit (Park Closure)		\$1,000 plus billable hour rate for police.
Park One Day Permit (No Park Closure)		\$250.00
Still Photography rate per Venue		Fee
Park One Day Permit		\$35.00
Annual Photo Park Permit		\$175.00

Filming and Photography companies will need to provide comprehensive general liability insurance a minimum of one (1) week prior to services, naming The City of King City as an additional insured in the following amount: \$2 million single occurrence / \$3 million general aggregate. Services shall not be granted until the required certificate has been received and approved by the City.

## Section Seven

### Police Department

The following fees shall be charged for the Police Department activities of the City:

#### Alarm Permit

Per the [KCMC 5.16.030, Alarm user permits are required](#). The King City Police Department issues and maintains permits for alarm systems for residential and commercial properties that are located within the city's boundary. This includes all robbery or burglary alarm systems, both monitored and unmonitored. The annual permit fee for operating an alarm system will be as followed.

Item	Fee
Commercial Permit	\$20.00 per year
Residential Permit	\$10.00 per year
Updating information	\$5.00 per update

#### Alarm Code Violations Fines

Per the [KCMC 5.16.140 Violation – Penalty](#). The King City Police Department will assess a fine. Fines for excessive false alarms in a permit year shall be as followed.

Violation	Fee
Second false alarm in a year	\$100.00
Third false alarm in a year	\$125.00
Fourth false alarm in a year	\$175.00
Fifth false alarm in a year	\$275.00
Sixth and any additional false alarms	\$425.00
Renewal Late Fee	\$5.00

#### Request for Police Reports

This fee applies to all documents requested by requesting parties.

Item	Fee
Police Report. Up to 5 pages.	\$35.00 (except for victims named in reports)
<b>Additional Charges per page of the requested document.</b>	
8 ½" x 11" or 8 ½" x 14"	\$1.76 per page
8 ½" x 17"	\$ 2.00 per page
18" x 24" (outsourced)	\$ 45.00 per page
24" x 36" (outsourced)	\$ 55.00per page
36" x 42" (outsourced)	\$ 100.00 per page
Other (larger than 36" x 42")	\$ 150.00 per page

#### Miscellaneous Police Fee

Item	Fee
Records research	\$20.00 per 15 minutes (\$20 minimum)
Police/Admin Policy Manual	38.30 per binder
File Transfer Protocol (FTP) or SharePoint	\$5.00 (per 10 pages)
Video (tape,CD,FTP,DVD,SharePoint)	\$35.00
Photographs (hard copies, FTP, CD, SharePoint)	\$15.00
Traffic Citation Discovery	\$10.00
Storage Fee (Equipment, bikes, personal items)	\$35.00 (per day)
Vehicle Impound	\$100.00 (per vehicle)
Good Conduct Background Letters	\$35.00
Flash Drives	\$7.00 8GB
	\$13.00 16 GB
	\$20.00 32 GB

**Commented [RS16]:** Currently, we charge a one-time fee of \$45.00. In this proposal we are suggesting the following:

Fees be broken down to two sections:  
1. Commercial, and  
2. Residential

The fees are proposed at \$20.00 for commercial and \$10.00 for residential. These fees will be assessed yearly after a 30 day notification.

## Liquor License

Item	Fee
Liquor License (Original Application)	\$100.00
Liquor License (Name or Other Change)	\$75.00
Liquor License (Renewal Application)	\$35.00
Liquor License (Temporary License)	\$35.00

See Section Three for Traffic Fines on page 11.

## Section Eight

### Public Works Support Services

Any work performed during overtime hours shall be billed as the calculated hourly rate multiplied by 125 percent. The following fees shall be charged for the Public Works Support maintenance activities of the City:

#### General Fees:

Item	Fee
Public facilities damage (street signs, fences, etc.)	Billed at cost plus 20% for overhead plus lost revenue
Sign installation for new subdivisions	Billed at cost plus 20% for overhead
Citizen-requested items (street tree relocation, etc.)	Billed at cost plus 20% for overhead
<b>Not specified in this section</b>	<b>See billable hours</b>

#### Sign Request:

Public Notice is required to be sent out to residents that are within 250 feet of the affected area.

##### For Deposits that are required:

If the cost to review, inspect, and account for the improvements or requests exceeds the Deposit, then the Applicant shall pay the difference. All deposits received by the City Recorder under this provision shall be deposited in the appropriate Fund for appropriation to the proper expenditure (consultant, staff time, or reimbursement).

Item	Fee and Deposits
Citizen Requested Sign Removal	\$150.00 Deposit
Citizen Requested Sign Placement	\$200.00 Deposit
<b>Traffic Studies</b>	See Engineering Division on page 25

## Section Nine

### Engineering Division

Engineering fees consist of inspections, permits, printed and electronic maps, as well as erosion control charges.

Labor will be invoiced by Murrsmith staff classification plus 20% City admin cost at the following hourly rates, which are valid from January 1, 2020, to December 31, 2020. After this period, the rates are subject to adjustment.

#### Murrsmith Classification and Hourly Rate

Classification	Hourly Rate
Principal Engineer VI	\$308.00
Principal Engineer V	\$297.00
Principal Engineer IV	\$285.00
Principal Engineer III	\$273.00
Principal Engineer II	\$263.00
Principal Engineer I	\$241.00
Professional Engineer IX	\$230.00
Engineering Designer IX	\$222.00
Professional Engineer VIII	\$219.00
Engineering Designer VIII	\$210.00
Professional Engineer VII	\$207.00
Engineering Designer VII	\$200.00
Professional Engineer VI	\$198.00
Engineering Designer VI	\$190.00
Professional Engineer V	\$186.00
Engineering Designer V	\$178.00
Professional Engineer IV	\$175.00
Engineering Designer IV	\$175.00
Professional Engineer III	\$170.00
Engineering Designer III	\$170.00
Engineering Designer II	\$156.00
Engineering Designer I	\$144.00
Technician IV	\$172.00
Technician III	\$151.00
Technician II	\$130.00
Technician I	\$110.00
Administrative III	\$120.00
Administrative II	\$110.00
Administrative I	\$102.00

#### Plan Review and Construction Observation Cost<sup>2</sup>

When a developer constructs public improvements including but not limited to streets, water and sewer lines, with the development of land using private funds and the developer elects to utilize the services of the City Engineer in connection with the design, installation, and inspection of such improvements; the developer shall deposit with the City Recorder for payment of such services a sum equal to 12 percent of the estimated cost of construction of said improvements or, if the City Engineer does not prepare bid documents for the construction or improvements, then the Deposit shall be in an amount equal to 10 percent of the actual cost of construction as determined by the award of a successful bid.

<sup>2</sup> Engineering Services Pursuant to ORS 92.097



## Plan Review and Construction Observation Cost (cont.)

In the event a developer elects to utilize the services of a licensed engineer to design or supervise the installation of the improvements of streets, water and sewer lines or other public improvements that are to be installed in the City of King City in conjunction with the development of land using private funds, then such plans and construction of improvements shall be reviewed and inspected by the City Engineer for determination that the same complies with the applicable standards of the City for such improvements.

The developer shall deposit with the City Recorder an amount equal to five (5) percent of the estimate of the "actual cost" of the total project, all public and private improvements, excluding buildings, to cover the actual cost of the City Engineer, Planning Consult and city staff services (review, inspection, and accounting) but in no event less than the sum of \$150.00 for such services. The appropriate cost estimate and fee must accompany all engineering plans before the review is undertaken.

For all projects \$50,000.00 or greater city staff will document and keep an accounting of the actual time and costs spent to process the review and inspection of all public improvements, including staff and consultant time at final inspection. Any portion of the Deposit not used will be refunded.

If the cost to review, inspect, and account for the improvements exceeds the Deposit, then the Applicant shall pay the difference.

All deposits received by the City Recorder under the provisions of Section 1 and 2 above shall be deposited in the appropriate Capital Improvement Fund for appropriation to the proper expenditure (consultant, staff time, or reimbursement).

## Moratorium Surcharge<sup>3</sup>

Using [KCMC 12.08.095](#), the 5-Year Moratorium Surcharge for early excavation is as followed.

Years	Fee
One (1)	Not Allowed
Two (2)	\$250.00 per square foot
Three (3)	\$200.00 per square foot
Four (4)	\$150.00 Per Square foot
Five (5)	\$100.00 per square foot

## Right-of-Way Permit Fees

Minor Utility Facilities, Installed or Constructed by Public<sup>4</sup> or Private Entities.

**Performance Bonds:** A public improvements performance bond is to be provided to the City prior to construction in an amount equal to 125 percent of the final accepted engineer's estimate. 2) A maintenance bond in the amount of 20 percent of the final accepted engineer's estimate is required prior to final City acceptance of constructed public improvements. The maintenance bond shall remain in effect for a period of not less than one year after all public improvements are accepted by the City.

Item	Improved Surfaces Fee	Unimproved surfaces Fee
Construction Permit	\$350.00	\$300.00
Sidewalk Permit	\$350.00	\$300.00
Street Opening Permit	\$350.00	\$300.00
Any other right of way use permit <sup>5</sup>	\$135.00	N/A

## Encroachment Permit Fees

Item	Fee
Type 1 – Major Encroachment Permit <sup>6</sup>	\$1,500
Type 2 – Minor Encroachment Permit <sup>7</sup>	\$600.00
Encroachment appeal	\$600.00

<sup>3</sup> (Ord. No. O-2019-02, § 1, 10-16-2019)

<sup>4</sup> Quasi-public agencies other than the City and Franchise Utilities.

<sup>5</sup> Large truck where prohibited or anything that isn't defined in the Right-of-Way permit section.

<sup>6</sup> Such as driveway decking, reinforced concrete structures, boathouses, decks and hatches, manholes, or other structures that are not typically found in rights-of-way or public easements.

<sup>7</sup> Easily removable structures, such as fences, driveway, entrances, monument walls, or timbers, less than 3' tall, or other non-loadbearing structures.

### Commented [RS17]:

To keep the ROW permit fee reasonable for applicants. The city's formula is broken down above and goes into detail below.

1. Staff time for each application is estimated to be one hour to process—the base fee as 230 dollars per hour for the engineer's time.

Formula:  $(230 \times 1)$

2.Xpress Bill Pay E-payment, Equipment, services: We are using a third party called Xpress Bill Pay via Caselle; the fees are broken down accordingly. The costs is \$19.00 for Monthly service fee from Xpress + \$75.00 for Support, Maintenance, and Hosting by Xpress + the purchase of two CC Swiping terminals \$75.00 + \$75.00 plus one (1) hour IT time \$125.00 divided 50 applications than divided by eight Departments.

Formula:  $=(((19+75) \times 12 + 275) / 50) / 8$

3. Equipment (computers): the fees are base on the following two computers at the price of \$1500 plus 2 hours of IT time  $(125 \times 2) = \$3250$ . We divided 50 applications than divided by the eight Departments.

Formula:  $= (3250 / 8 / 50)$

4. Implementation of the Caselle: Is calculated by taking the per month hosted maintenance & support for four workstations \$2690.00/month, multiplied by 12 months; then, we added the \$34,550 for the total implementation of Caselle. We divided that charge by ten years. We awe than divided that by 8eight departments, then divided by 50 application

Formula:  $= ((2690 \times 12 + (34550 / 10)) / 8) / 50$

5. Total is =339.77

6. we rounded to 350.00 per ROW permit.

### Commented [RS18]: Added,

I believe being transparent is the best way to avoid conflicts and confusion later.

Does this work?

**Commented [RS19]:** Staff reviewed time spent, legal notice mailing, planning commission, and equipment that is required for this type of permit. Staff recommends that a deposit of no less than \$1,500 be required for this type of permit.

1. Staff time is broken down in three segments as followed:

a. Planning Staff time formula :  $(\$130 \times 3 \text{ hours})$

b. Engineering Staff time  $(6.5 \text{ Hours per Application})$  Formula:  $(\$230 \times 3 \text{ hours})$

c. Admin Staff time  $(1.5 \text{ hours per application})$

Formula:  $(\$120 \times 1.5 \text{ hours})$

3. Legal Notification Published in a Newspaper

\$100.00

4. Mailing Notice to residents 250 feet \$75.00

5. Planning Commission Meeting \$50.00

6. Xpress Bill Pay E-payment, Equipment, services:

We are using a third party called Xpress Bill Pay via ...

**Commented [RS20]:** 40% of the type one Major

Encroachment permit.

## Grading/Earthwork Permit Fees

Is broken down in the following manner.

Item	Fee
Minor (0 to 100cy)	\$150.00
Major (100 + cy)	\$250.00

## General Engineering Fees

### For Deposits that are required:

If the cost to review, inspect, and account for the improvements or request exceeds the Deposit, then the Applicant shall pay the difference. All deposits received by the City Recorder under this provision shall be deposited in the appropriate Fund for appropriation to the proper expenditure (consultant, staff time, or reimbursement).

Item	Fee
Street Vacation	\$2,500.00 Deposit
Street Name Change	\$500 Deposit
Franchise Application	\$2,000.00
Parking Permit Review Study	\$500.00 Deposit
Transportation Review Study <sup>8</sup>	\$2,500.00 Deposit
Flood Plain Review	\$500.00 Deposit

## Erosion Control Permit Fees

Areas 1 acre and greater will require a 1200-C permit per the Oregon Department of Environmental Quality (ODEQ).

Dwelling Type	Size	Fee
Single Family Residential	0 sf – 750 sf	\$175.00
	750 sf – 1 acre	\$300.00
	Greater than 1 acre	\$670.00
Multi-Family and Commercial	N/A	\$ 300 plus labor and material for time spent administering the permit in excess of 8 hours.
Single Family Residential landscaping erosion control Permit, plan review and inspection	N/A	\$75.00

## Record Retention and Archiving Fees for Engineering

This fee applies to all documents received by customers, residents, and contractors.

Item	Fee
To archive all records per State mandate. Up to 10 pages	\$20.00
<b>Additional Charges per page of the submitted document.</b>	
8 ½" x 11" or 8 ½" x 14"	\$0.28 per page
8 ½" x 17"	\$ 0.50 per page
18" x 24"	\$ 2.00 per page
24" x 36"	\$ 3.00 per page
36" x 42"	\$ 4.00 per page
Other (larger than 36" x 42")	\$ 5.00 per page

## Research and Consultation Fees for Engineering

Item	Fee
Records Research	\$ 150 per hr per request, minimum one Hour
Fee Estimates - new commercial projects	\$ 150 per hr per request, minimum one Hour
Consultation for code review, hypothetical projects	\$ 150 per Hour, minimum one Hour

Commented [RS21]: New item.

<sup>8</sup> This would include street widening, and traffic studies that are not defined in this section.

## Other Inspections and Fees for Engineering

Item	Fee
Re-inspection Fee	\$85.00 per inspection
Each additional inspection over the allowable	\$85.00 per inspection
Inspections for which no fee is specifically indicated	\$85.00 per inspection
Investigation fee (with permit)	\$85 per Hour
Additional plan review	85/hour
Inspections outside normal business hours	\$127.50 per Hour (minimum charge of 2 hours)

## Investigation fees, Work without a permit:

*Investigation* - Whenever any work for which an erosion control permit is required has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for the work.

*Fee* - An investigation fee equal in amount and in addition to the permit fee shall be collected whether or not a permit is issued.

## Erosion control enforcement fees:

For violations of KCMC Chapter 16 and in addition to penalties prescribed under the municipal code enforcement fees may also be assessed on a time and materials basis plus overhead billed at 2.4 times direct costs.

## Street Parking Permits (annually)

Per Ordinance number O-2015-04 chapter 10.08 of KCMC the city can establish a residential parking zone and permit procedures.

Place/Item	Fee
SW Queen Anne Avenue:	No Fee per Resolution R-2015-10
SW Royalty Parkway:	No Fee per Resolution R-2015-10
SW King Charles Avenue:	No Fee per Resolution R-2015-10
SW King Charles Avenue:	No Fee per Resolution R-2015-10
SW 124th Avenue:	No Fee per Resolution R-2015-10
SW King Richard Drive:	No Fee per Resolution R-2015-10
SW Queen Mary Avenue:	No Fee per Resolution R-2015-10
Other Street Parking Permits	\$66.00
Parking Violations	\$50.00 per day (also see Municipal Court on page 11)

Commented [RS22]: New Item

## POD Permits

POD permits are good for up to two (2) weeks. If the pod is needed long, it will fall into a Temporary Use Permit, see Planning Division on page 29 for more information (public notification is required for Temporary Use permits.)

Authority	Fee
POD Permit	\$56.00

Commented [RS23]: New item: We write POD permits for blocking the ROW but currently don't charge for this.

## Appeal for Engineering

The appeal of staff decision or hearing body to the next higher authority

Authority	Fee
City Manager	\$150.00
Planning Commission	\$600.00
City Council	\$900.00

## Section Ten

### Planning Division Development Actions

Per [KCMC Chapter 16.44](#) the fees will be the following.

#### Definitions:

Fee: a sum paid or charged for a city service

Deposit: an act of placing an amount of money with the city to use for development expenditure.

#### For Deposits that are required:

If the cost to review, inspect, and account for the improvements or requests exceeds the Deposit, then the Applicant shall pay the difference. All deposits received by the City Recorder under this provision shall be deposited in the appropriate Fund for appropriation to the proper expenditure (consultant, staff time, or reimbursement).

Most land use application types are usually not standalone applications. For example, a Conditional Use usually includes site plan review and Goal 5 Safe Harbor. If this is the case, the city will ask for the highest deposit amount.

Pre-application conference ( <a href="#">KCMC Chapter 16.44.022</a> )	Fee
First Meeting (conference)	\$450.00
Second Meeting ( follow up Meeting with Staff to discuss issues addressed at the pre-application conference)	No Fee for second Meeting
Third Meeting and subsequent meetings	\$370.00

Other Consultation	Fee
A private meeting to discuss a project outside the context of a pre-application conference or at-the-counter services by a planner.	\$150.00 per Hour

Action	Fees or Deposit
Application for Conditional Uses. ( <a href="#">KCMC Chapter 16.156</a> )	\$2,000.00 Deposit
Goal 5 Safe Harbor ( <a href="#">KCMC Chapter 16.142</a> )	\$1,300.00 Deposit
Lot Line Adjustment ( <a href="#">KCMC Chapter 16.200</a> )	\$1,000. 00 Deposit
Minor Partition > than 3 lots ( <a href="#">KCMC Chapter 16.200</a> )	\$2,000.00 Deposit
Major Partition < than 3 lots (includes the creation of a street ( <a href="#">KCMC Chapter 16.200</a> ))	\$3,000.00 Deposit
Request for formal Code interpretation under KCMC Chapter 16	\$600.00 (fee)
Subdivision (with or without Planning Department) ( <a href="#">KCMC Chapter 16.196</a> )	\$6,000 Deposit plus (+) \$250.00 per lot
Final Plat Review ( <a href="#">KCMC Chapter 16.196.070</a> )	\$1,000.00 Deposit
For major revisions that don't comply with the Planning Commission Decision will have to reapply	\$6,000 Deposit
Variances ( <a href="#">KCMC Chapter 16.148.160</a> )	\$2,500.00 fee
Accessory Building which requires a building permit and > than 120 square feet (e.g., garage carport).	\$1,000.00 fee
Temporary structure, Use permit ( <a href="#">KCMC Chapter 16.168</a> )	\$300.00 (fee)
Fence Permit ( <a href="#">KCMC Chapter 16.180</a> )	\$30.00 (fee)
Flood Plain and Drainage Hazed Review ( <a href="#">KCMC Chapter 16.140</a> )	\$2,500 Deposit
City and Planner Review ( <a href="#">KCMC Chapter 16.140.030</a> )	\$3,000.00 Deposit
Planning Commission Review (items need to go to the Planning Commission)	\$6,000.00 Deposit



**Commented [RS24]:** Need to work on this.

**Commented [RS25]:** The fee is for City manager, Planner and Engineer.

**Commented [RS26]:** Kieth's time plus 20% admin cost.

**Commented [RS27]:** Formula used was \$130x8hours plus 20%

**Commented [RS28]:** Staff reviewed time spent, legal notice mailing, planning commission, and equipment that is required for this type of action. Staff recommends that a deposit of no less than \$6,000.00 be required for this type of action. Plus a \$250.00 per lot.

1. Staff time is broken down in three segments as followed:  
a. Planning Staff time formula : (\$130\*12 hours)  
b. Engineering Staff time(6.5 Hours per Application) Formula: (\$230\*6.5 hours)  
c. Admin Staff time (1.5 hours per application) Formula: (\$120\*1.5 hours)  
2. Legal Notification Published in a Newspaper \$1,119.63  
3. Mailing Notice to residents 250 feet \$75.00  
4. Planning Commission Meeting \$1,400.00 (Staff time =(150+130+120)\*(3.5))  
5. Xpress Bill Pay E-payment, Equipment, services: We are using a third party called Xpress Bill Pay via Caselle; the fees are broken down accordingly. The costs are \$19.00 for Monthly service fee from Xpress + \$75.00 for Support, Maintenance, and Hosting by Xpress + the purchase of two CC Swiping terminals \$75.00 + \$75.00 plus one (1) hour IT time \$125.00 divided 50 applications than divided by eight Departments.  
Formula: =(((19+75)\*12+275)/50)/8  
6. Equipment (computers): the fees are base on the following two computers at the price of \$1500 plus 2 hours of IT time (125\*2)=\$3250. We divided 50 applications than divided by the eight Departments.  
Formula: =(3250/8/50)  
7. Implementation of the Caselle: Is calculated by taking the per month hosted maintenance & support for four workstations \$2690.00/month, multiplied by 12 months; then, we added the \$34,550 for the total implementation of Caselle. We divided that charge by ten years. We awe than divided that by 8eight departments, then divided by 50 application  
Formula: =((2690\*12+(34550/10))/8)/50

**Commented [RS29]:** CPI increase used above then rounded to the nearest whole \$5.00.

## Sign Review, Permit, and Inspections

Per the King City Municipal Code chapter 16.148, the fees will be the following.

### For Deposits that are required:

If the cost to review, inspect, and account for the improvements or requests exceeds the Deposit, then the Applicant shall pay the difference. All deposits received by the City Recorder under this provision shall be deposited in the appropriate Fund for appropriation to the proper expenditure (consultant, staff time, or reimbursement).

Item	Fee or Deposit
Administration Sign Review ( <a href="#">KCMC Chapter 16.148.140</a> )	\$305.00 per sign area (fee)
Planning Commission Review ( <a href="#">sign variance KCMC Chapter 16.148.160</a> )	\$1,500 Deposit
Temporary Sign Permit (30 days or less)	\$50.00
Sign Retrieval Fee	\$45.00
Inspections ( <a href="#">KCMC Chapter 16.148.170</a> )	
Planning Staff	\$130.00 per inspection
Structural inspection	See Building Division on page 13

**Commented [RS30]:** Staff reviewed time spent, legal notice mailing, planning commission, and equipment that is required for this type of action. Staff recommends that a deposit of no less than \$6,000.00 be required for this type of action.

1. Staff time is broken down in three segments as followed:
  - a. Planning Staff time formula : (\$130\*1 hours)
  - c. Admin Staff time (20 minutes hours per application) Formula: (\$120\*0.33 hours)

2.Xpress Bill Pay E-payment, Equipment, services: We are using a third party called Xpress Bill Pay via Caselle; the fees are broken down accordingly. The costs are \$19.00 for Monthly service fee from Xpress + \$75.00 for Support, Maintenance, and Hosting by Xpress + the purchase of two CC Swiping terminals \$75.00 + \$75.00 plus one (1) hour IT time \$125.00 divided 50 applications than divided by eight Departments.

Formula:  $=(((19+75)*12+275)/50)$

3. Equipment (computers): the fees are base on the following two computers at the price of \$1500 plus 2 hours of IT time  $(125*2) = \$3250$ . We divided 50 applications than divided by the eight Departments.

Formula:  $=(3250/8/50)$

4. Implementation of the Caselle: Is calculated by taking the per month hosted maintenance & support for four workstations \$,2690.00/month, multiplied by 12 months; then, we added the \$34,550 for the total implementation of Caselle. We divided that charge by ten years. We awe than divided that by 8eight departments, then divided by 50 application

Formula:  $=(2690*12+(34550/10))/8/50)$

## Comprehensive Plan and Community Development Code Amendments

Per [KCMC Chapter 16.44](#) the fees will be the following.

### For Deposits that are required:

If the cost to review, inspect, and account for the improvements or requests exceeds the Deposit, then the Applicant shall pay the difference. All deposits received by the City Recorder under this provision shall be deposited in the appropriate Fund for appropriation to the proper expenditure (consultant, staff time, or reimbursement).

Legislative amendments to a map	Fee
Comprehensive Plan Map Amendments	\$6,000.00 Deposit
Zoning Map Amendment	\$6,000.00 Deposit

Quasi-judicial amendments to a map	Fee
Comprehensive Plan Map Amendment	\$6,000.00 Deposit
Community Development Code Map Amendment	\$6,000.00 Deposit
Zoning Map Amendment	\$6,000.00 Deposit

## Research Fees for Planning

Item	Fee
Records Research	\$ 150.00 per hr per request, minimum one Hour
Letter of Zoning Verification	\$52.00 per hour, minimum one Hour
Letter of verification of compliance with the Community Development Code of an existing Development.	\$ 150.00 per hour, minimum one Hour
Deed research to determine the legality of a lot.	\$ 150.00 per hour, minimum one Hour
Research/Interpretation of old planning files and informal code interpretation.	\$ 150.00 per hour, minimum one Hour

## Reconsideration and Appeal For Planning

The appeal of staff decision or hearing body to the next higher authority

Authority	Fee
Reconsideration of Planning Commission Decision ( <a href="#">KCMC Chapter 16.72</a> )	\$350.00
Appeal of Administrative or City Manager decisions to the Planning Commission. This also includes formal code interpretation.	\$600.00
Appeal of a Hearing Body decision to City Council	½ of the original application fee Minimum \$900.00 and not to exceed \$5,000.00

## Site Review and Inspections Fees

Per the King City Municipal Code Chapter 16.152.

Items	Fee
Single-family Dwelling on infill lots (i.e., lots or parcels not approved as part of a land partition/subdivision)	\$217.00
Single-family Dwelling or townhomes approved as a part of a land partition/subdivision/planned development application	\$550.00
Non-single family residential development, including apartments, commercial, industrial, and institutional uses	\$1,100
Re-inspection Fees	\$150.00
<b>Residential remodels</b>	
Interior remodels and accessory structures	\$150.00
Exterior addition of no more than 500 sq ft	\$150.00
Exterior addition exceeding 500 sq ft (same fee as if new construction) - Building permit apply to.	See a – c. above and Structural Permits on page 13

## Annexation

See King City Municipal Code [Chapter 16.192](#) and [Metro Fee schedule](#). The Metro fee can not be waived by the City Manager or the City Council.

Annexation Application	Fee
Annexation of any size lot	\$2,000 plus (+) application Metro Mees
Expenses related to additional noticing caused by delays brought on by the Applicant (s).	\$350.00
Copies of Planning Documents	See Public Records on page 6

## Planning Record Retention and Archiving Fees

These fees are in addition to the application fees. These apply to all documents received by customers, residents, and contractors.

The following fees will be applied to the customer's account and will be deducted from the deposit or posted payment received

Documents that are not submitted electronically will need to be scanned into the system. Anything larger than 8 ½" x 17" will need to be outsourced for scanning by a third party.

Item	Fee
Land use applications without a public hearing	\$35.00
Land use applications with a public hearing	\$35.00
Sign permits	\$5.00
Demolition (Notice of Demolition Approval)	10.00
<b>Additional Charges per page of the submitted document.</b>	
8 ½" x 11" or 8 ½" x 14"	\$1.76 per page
8 ½" x 17"	\$ 2.00 per page
18" x 24" (outsourced)	\$ 45.00 per page
24" x 36" (outsourced)	\$ 55.00per page
36" x 42" (outsourced)	\$ 100.00 per page
Other (larger than 36" x 42")	\$ 150.00 per page

## Tree Removal Permit

Within the boundary of King City, there are three (3) different types of trees are recognized by the King City Development Code:

- **Naturally occurring or planted trees** – that are not related to any development approval. These could either be on private property, public property, or public ROW. These are generally the ones referred to in CDC 16.128 that are ≥6" dbh.
- **Landscape trees** – these were required as a condition of development approval. These would be on private property. The requirements would be based on CDC 16.124 and the relevant conditions for development approval.
- **Street trees** – within the public ROW. These are the property of the city and can't be removed or pruned without city approval. It is still the abutting home owner's responsibility to repair and maintain the street tree per King City Municipal Code 12.08. Note: this might include "yard trees" in the original portion of King City, which was developed in the 1960 through 1980.

Application Category	Application Type	Base Fee
Tree Removal Permit	Permit	\$50.00 per tree
Street Tree Removal Permit	Permit	\$100.00 per tree
Appeal of Administrative or City Manager decisions to the Planning Commission.	Appeal Application	\$600.00



In any case, the City manager may ask the Applicant to consult with an [ISA certified arborist](#) about preserving the tree and file the report with the permit application to the City.

For all street trees and complex tree removal permits, the Applicant must consult with an [ISA certified arborist](#) about preserving the tree and file the report with the permit application to the City.

Please note all Street trees require a tree removal permit. In accordance with King City CDC 16.128.040§B – The City Manager may require additional information from the Applicant to properly evaluate the Application. If an independent review is deemed necessary, the City may require a deposit from the Applicant sufficient to cover an independent evaluation by an ISA Certified Arborist of the City's choosing.

A Public Right-of-Way permit application is required for the repair of the sidewalk.

## Systems Development Charges

Please note that fees associated with Water, Sanitary, and Stormwater are estimated based on the information provided by the respective organization and may be subject to additional fees and terms. Based on Oregon State Statute (ORS 223.304), the charges are broken down into three components; (1) reimbursement (to recover existing facility capacity available for growth), (2) improvement (to recover planned capacity improvements for growth), and (3) administration (to recover direct costs).

### Stormwater System Development Charge

Clean Water Services set this charge. Rates herein are updated as their governing board adopts changes. Please note this charge can not be waived by the City Manager or the City Council.

Items	Reimbursement	Improvements	Administration	Total
All Developments	\$3,480.00	\$2,320.00	-	\$5,800.00

### Sanitary System Development Charge

Clean Water Services set this charge. Rates herein are updated as their governing board adopts changes. Please note this charge can not be waived by the City Manager or the City Council.

Items	Total
All Developments	\$560.00

### Reserved space for King City Transportation System Development Charge

### Parks and Recreation System Development Charges

This SDC only applies to West King City Park Master Plan adopted by R-04-02 on March 17, 2004

For the purposes of periodically adjusting the park SDC, the City will determine annually the increase in the Construction Cost Index (CCI) published in the weekly periodical *ENR* published by McGraw Hill, Inc. This publisher's construction (and building) cost index is widely accepted in the engineering and construction industry. *ENR* updates the CCI monthly and provides annual summaries in the July edition. For more information, please see Exhibit C.

Item	Fee
per housing unit regardless of the type or size of the housing unit.	\$3,467.38 per ERU

ERU = Equivalent Residential Unit

### Metro Construction Excise Tax

This is a non-city fee that is assessed as part of a building permit. Please note this charge can not be waived by the City Manager or the City Council.

This charge is set by Metro. Rates herein are updated as their governing board adopts changes.

**Metro Construction Excise Tax** **.12% of Valuation (Value\* .0012=Tax)**

Permits for construction projects valued at \$100,000 or less will be exempted from this tax as well as permits for the development of affordable housing units and permits issued to 501(c)(3) nonprofit organizations for other projects aimed at serving low-income populations. Permits for construction valued at more than \$10 million will be assessed a flat \$12,000 fee (0.12 percent of \$10 million). To learn more about the construction excise tax, go to the [Metro construction excise tax webpage](#).

**Commented [RS31]:** We removed:  
Engineering Development Charge  
Planning Development Charge

These items don't make sense to charge.

**Commented [RS32]:** The CCI was calculated by:  
 $SDC_{current\ year} = SDC_{last\ year} \times (CCI_{current\ year} / CCI_{last\ year})$   
For example:  
 $\$3467.38 = \$3195.00 \times (12140.48 / 11186.78)$

CCI Current year July 2020  
CCI Last year October 2018

### School Construction Excise Tax

This is a non-city fee that is assessed as part of a building permit. Please note this charge can not be waived by the City Manager or the City Council.

Tigard-Tualatin School District sets this charge. Rates herein are updated as their governing board adopts changes.

Item	Fee
Residential	\$ 1.39 per square foot
Non-Residential	\$ 0.69 per square foot
Non-Residential Maximum	\$34,600



## Transportation Development Tax (TDT)

This is a non-city fee that is assessed as part of a building permit. Please note this charge can not be waived by the City Manager or the City Council.

Washington County sets this charge. Rates herein are updated as their governing board adopts changes.

Item	Fee
Single-Family Detached	\$9,269 per Dwelling Unit
Apartments	\$6,064 per Dwelling Unit
Residential Condominium/Townhouse	\$5,544 per Dwelling Unit
Manufactured Housing (in Park)	\$4,638 per Dwelling Unit
Assisted Living	\$2,865 per Bed
Continuing Care Retirement	\$2,897 per Unit
Commercial/Services	See TDT Tax Rate Schedule
Motel &Hotel	\$2,631 per room

<sup>i</sup> Work will be invoiced by legal firm classification plus 20% City admin cost at the following hourly rates, which are valid from September 1, 2020 to June 30, 2021. After this period, the rates are subject to adjustment.

<sup>ii</sup> The Fee's through-out the Master Fee Schedule for Fiscal Year (FY) 2021-2022 have been increased from Consumer Price Index - All items in West urban, all urban consumers, not seasonally adjusted, Series Id: CUUR0400SA0, Area: WEST, Base Period: 1982-84=100 Years: 2017 Second half to – May 2020.



Building Program Methodology Used for Increases

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Exhibit C

Park and Recreation System Development Charge fee methodology

**7.2 Public Hearing – King City Community Development  
Code – Accessory Dwelling and Housekeeping  
Amendments Case No. LU 2020-01**



Keith Liden, AICP PLANNING CONSULTANT

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keith.liden@gmail.com

4021 SW 36th Place  
Portland, OR 97221

## MEMORANDUM

TO: King City Council  
FROM: Keith Liden, AICP  
RE: CDC Amendments - Accessory Dwelling Units (ADU)  
DATE: July 27, 2020

## INTRODUCTION

The state and Portland region have been working to address the problem of housing affordability and the need to provide adequate housing for different types of households and incomes. In response, the state passed legislation in 2017 requiring cities and counties of a certain population, including King City, to allow accessory dwelling units (ADUs) in zoning districts that permit detached single-family homes. As defined in the statutes, an ADU means an interior, attached, or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

As part of the decision to expand the Urban Growth Boundary (UGB) to include the area west of King City (along with three other areas), Metro had several conditions of approval pertaining to ADUs:

- A.3. *The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.*
- B.1. *Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units. In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling unit be owner occupied and shall not require off street parking when street parking is available.*
- B.2. *Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.*
- B.3. *Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.*
- B.5. *Cities shall engage with service providers to consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters.*
- E.7. *Prior to amending the King City comprehensive plan to include the expansion area, King City shall amend its code to remove barriers to the construction of accessory dwelling units, including:*
  - a. *Remove the requirement that accessory dwelling units can only be built on lots that are at least 7,500 square feet, which effectively prohibits construction of accessory dwelling units in the city.*

- b. *Remove or increase the requirement that accessory dwelling units be no bigger than 33 percent of the square footage of the primary home so that an accessory dwelling unit of at least 800 square feet would be allowable.*

## ADU REGULATIONS – STATE GUIDANCE

To help local governments with amendments to their ADU regulations, the state Department of Land Conservation and development (DLCD) provided a short summary of the key legislative requirements they must follow. This seven-page guide (attached) lists the key elements to be considered by local governments regarding the number of ADUs, siting and design standards, utilities, and system development charges (SDCs). It also includes model code language for local jurisdictions to consider.

## EXISTING CITY ADU REGULATIONS

King City adopted its current ADU regulations in 2003, which are found in the King City Community Development Code (CDC). ADUs are defined in CDC Section 16.24.030 C, and the ADU requirements are found in CDC Chapter 16.178. At that time, the allowance, regulation, and creation of ADUs was in its infancy, and King City's regulations were deemed acceptable by the state. It is now recognized that many local ADU requirements act to discourage ADUs. In King City's case, requirements of a City Manager review process (public notice and opportunity to appeal) and the minimum 7,500 square-foot lot size can act to discourage ADUs and/or make them more expensive.

## POTENTIAL ADU AND HOUSEKEEPING AMENDMENTS

In response to these requirements and guidelines, the staff has drafted ADU amendments to the CDC. The attached amendments have been prepared in track changes to address the immediate issues pertaining to ADUs. We anticipate subsequent amendments to the city's housing-related CDC requirements as we work to comply with HB 2001, which directs local governments to encourage a wider range of housing types including duplexes, triplexes, fourplexes, and cottage cluster housing. King City is required to have amended regulations in place by June 2022. The city received a state grant to help fund this work, which is currently proposed for completion by May 31, 2021. An element of this effort will be to address housing design to ensure compatibility between these different housing types without being overly burdensome. We intend to revisit ADU regulation in the context of this broader housing discussion to ensure a consistent and equitable approach for all housing types. Finally, we have included a few minor CDC housekeeping amendments that are unrelated to ADUs.

The attached CDC amendment draft includes the following elements:

- Amend the definitions (16.24) to clarify what an ADU is and how it is different from accessory structures and other residential building types.
- Recognize the new NMU Zone in the list of zoning districts (16.80.020).
- Delete the requirement for a garage with every dwelling. This applies to ADUs along with all other residential building types (16.80.080).
- Include a prohibition for all new homeowners' association governing documents that attempt to limit housing types that would otherwise be allowed by the CDC (16.80.080).
- Correct a reference of the "Uniform Building Code" to the "Oregon Building Code" throughout the sections being amended.

- Amend the residential, LC, and NMU zones to clarify the applicable requirements for ADUs. As explained above, ADU design requirements will be revisited as part of the HB 2001 work noted above.
- List ADUs as a permitted use in the NMU Zone (16.102.020).
- Add lot depth requirement for single-family detached residences of 60 feet because it was inadvertently excluded in the ordinance for adoption (16.102.040).
- Refer parking requirements for ADUs to 16.178.050 in the off-street parking table (16.132.030).
- Clarify that ADUs are excluded from the calculation of driveway access standards (16.136.030).
- Note that ADUs are not included in density calculations (16.146.020).
- Amend accessory structure (does not include ADU) standards to note the size threshold for requiring planning review to coincide with the building code (16.176.020).
- Delete the preapplication conference for an accessory building (16.176.040).
- Clarify that an ADU is subject to administrative review (16.178.030).
- Reduce the application requirements to be comparable to what's required of new residences (16.178.040).
- Amend the approval standards to not be unnecessarily restrictive and consistent with state and Metro directives. This includes no on-site parking requirement for an ADU (16.178.050).
- Amend the sign code to allow for administrative review of signs that meet the applicable standards and Planning Commission review of sign applications that require a variance.

## PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed amendments on July 22, 2020, considered public testimony, and forwarded the following recommendation to adopt the proposed ADU and housekeeping amendments with the following changes:

- Include bathroom facilities as part of the definition change for accessory dwelling units in CDC 16.24.020.
- Increase the allowable height for detached ADUs to 25 feet, except the Single Family Residential Zone (SF) where the maximum height for all buildings is 20 feet.
- Amend the findings for Goal 10 – Housing as supported by the Fair Housing Council of Oregon.

These changes are included in this packet.

## REQUESTED ACTION

The City Council should review the proposed amendments, consider any public testimony, and approve the proposed amendments to the King City Community Development Code. A draft ordinance is attached.



**7.3 ORDINANCE NO. 0-2020-01 AN ORDINANCE AMENDING  
THE KING CITY COMMUNITY DEVELOPMENT CODE TO  
ADOPT REVISED ACCESSORY DWELLING UNIT  
REGULATIONS AND OTHER MINOR AMENDMENTS**

## ***ORDINANCE NO. O-2020-01***

### **AN ORDINANCE AMENDING THE KING CITY COMMUNITY DEVELOPMENT CODE TO ADOPT REVISED ACCESSORY DWELLING UNIT REGULATIONS AND OTHER MINOR AMENDMENTS**

#### **RECITALS:**

**WHEREAS**, the City adopted regulations for Accessory Dwelling Units (ADUs) in the King City Community Development Code (CDC) in 2003; and

**WHEREAS**, the 2003 regulations have been found to include several obstacles to creating ADUs; and

**WHEREAS**, the increasing disparity between household incomes and housing cost has led to state and regional efforts to increase the availability of a wider range of more affordable housing options; and

**WHEREAS**, the City is proposing new text and amendments to be adopted as part of the CDC to remove potential barriers to ADU construction (Case # LU 2020-01); and

**WHEREAS**, the City is taking this opportunity to make several minor housekeeping amendments to the CDC regarding sign permit review, updated document references, and typographic errors; and

**WHEREAS**, the City provided notice of a hearing before the Planning Commission and City Council of the post-acknowledgement amendments as required by state law, including notice to the Department of Land Conservation and Development 35 days prior to the initial evidentiary hearing consistent with ORS 197.610 and publication in a newspaper of general circulation within the City; and

**WHEREAS**, on July 22, 2020, the King City Planning Commission held a public hearing and recommended approval of the CDC amendments with minor changes to the proposed ADU definition and maximum building height; and

**WHEREAS**, on August 19, 2020, the City Council of King City held a public hearing, to consider the Planning Commission's recommendation, hear public testimony, apply applicable decision-making criteria, and to consider appropriate findings and conclusions in support of adoption.

#### **NOW, THEREFORE, THE CITY OF KING CITY ORDAINS AS FOLLOWS:**

SECTION 1. The amendments to the King City CDC set forth in Exhibit 'A' are hereby adopted.

SECTION 2: The findings and conclusions contained in Exhibit 'B' are hereby adopted as the basis in support of this Ordinance.

SECTION 3: Under Section 1.08 of the King City Charter, an Emergency is declared in that it is necessary for the general welfare of the people of King City for this ordinance to take

effect at the time listed below to ensure the best consistency with the City Code, Plan and Map Amendments:

The Amendments in Ordinance O-2020-01 shall be effective immediately.

Read the first time on August 19, 2020 and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City of King City Council on August 19, 2020.

Signed by the Mayor on \_\_\_\_\_

KING CITY:

ATTEST:

\_\_\_\_\_  
Mayor Ken Gibson

\_\_\_\_\_  
Ronnie L. Smith, City Recorder

Approved as to form:

\_\_\_\_\_  
City Attorney



## Chapter 16.24

### DEFINITIONS

#### Sections:

- 16.24.010**     **Meaning of words generally.**
- 16.24.020**     **Definitions of specific terms.**
- 16.24.030**     **Definitions of land use types.**
- 16.24.040**     **Solar access figures.**

#### **16.24.010**     **Meaning of words generally.**

- A. All of the terms used in this title have their commonly accepted dictionary meaning unless they are specifically defined in this chapter or the context in which they are used clearly indicates to the contrary.
- B. All words used in the present tense include the future tense.
- C. The words “shall” and “must” are mandatory and the word “may” is permissive. (Ord. 96-4 § 1 (part), 1996)

#### **16.24.020**     **Definitions of specific terms.**

As used in this title the following words and phrases shall mean:

“Abut/abutting” means two or more properties or lots joined by a common boundary or point.

“Access” means the right to cross between public and private property allowing pedestrians, bicyclists, and vehicles to enter and leave property.

“Accessory building or structure” means a structure incidental and subordinate to the main use of a property, ~~and is~~ located on the same lot as the main use, and is not a dwelling unit.

#### **16.24.030**     **Definitions of land use types.**

A. The purpose of the section is to classify land uses and activities into use categories on the basis of common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. The types of uses allowed in the various zones are based on the goals and policies of the comprehensive plan.

B. Considerations.

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. Developments may have more than one primary use, and accessory activities may also be present. Primary and accessory uses are addressed in subsections (2) and (3) of this section.

2. The following factors are considered to determine what category the use is in, and whether the activity(ies) constitute primary or accessory uses:

- a. The description of the activity(ies) in relationship to the characteristics of each use category;
- b. The relative amount of site or floor space and equipment devoted to the activity;
- c. The relative amount of sales from each activity;
- d. The number and type of customers for each activity;
- e. The relative number of employees in each activity;
- f. Hours of operation;
- g. Building and site arrangement;
- h. The number and type of vehicles used with the activity;

- i. The relative number of vehicle trips generated by the activity(ies);
- j. Signs;
- k. How the use advertises itself; and
- l. Whether the activity(ies) would be likely to be found independent of the other activities on the site.
- 3. Multiple Primary Uses. When a development has a number of primary uses that fall within one use category, then the development is assigned to that use category. For example, if a development includes a grocery store and pharmacy, the development would be classified as a commercial retail sales and service use.

When the primary uses in a development are within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

4. Accessory Uses. These uses are allowed by right and are regulated in conjunction with the primary use unless otherwise stated in this title.

5. Examples and Exceptions. To help illustrate the types of uses allowed or not allowed under a specific uses category, examples and/or exceptions are given. They are based on the common meaning of the terms and not on what a specific use may call itself.

#### C. Residential Use Types.

“Dwelling, multi-family” means a structure that contains three or more dwelling units which share common walls, floors or ceilings with one or more than two dwelling units on one lot.

“Dwelling, single-family attached” means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. It does not share common floors or ceilings with other dwelling units.

“Dwelling, single-family detached” means a detached dwelling unit located on its own lot.

“Dwelling unit, accessory” means ~~an auxiliary~~ a second and ~~detached-independent~~ living unit created on a lot with a primary dwelling, which may be an attached or detached single-family dwelling or manufactured home. This second unit is created auxiliary to, and is always smaller than the primary dwelling. It has a ~~with~~ separate kitchen, living, bathroom, and sleeping facilities within a single-family structure ~~the primary dwelling~~ or in a separate accessory building on the same lot as a primarily ~~single-family residence~~ dwelling. Because it is considered as an accessory use, this type of residential unit is not included in density calculations.

“Duplex” means a structure that contains two primary dwelling units on one lot. The units ~~may~~ must share common walls, floors or ceilings.

“Family care” includes two types of child care services and one type for adults.

1. “Family day care” as defined by Oregon State Statute, refers to the provision of day care services for children, with or without compensation, in the home of the caregiver. Family day care may provide care for six or fewer children full-time, with an additional four or fewer full-time or part-time

## Article III. Land Use Districts

### Chapter 16.80

#### GENERAL PROVISIONS

##### Sections:

- 16.80.010** Districts generally.
- 16.80.020** Zoning classification districts.
- 16.80.030** Location of districts.

- 16.80.040 Zoning map.**
- 16.80.050 Zoning of annexed areas.**
- 16.80.060 Additional yard and setback requirements.**
- 16.80.070 Exceptions to building height requirements.**
- 16.80.080 Other requirements.**

**16.80.010 Districts generally.**

All lands, tracts and area within the corporate limits of the city area are included within one of the following described land use zoning districts. The purpose of use, classification and uses of each tract within the corporate limits of the city shall be limited to those applicable to the zoning classification district within which such tract or lands are situated. (Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

**16.80.020 Zoning classification districts.**

The city is divided into the following zoning classification districts, with applicable abbreviated designation, shall be as follows:

District	Abbreviated Designation
Small Lot and Attached Residential (9 du/ac)	R-9
Single-family Residential (10 du/ac)	SF
Apartments and Townhouses (Approx. 15 du/ac)	AT
Attached Residential (12 du/ac)	R-12
Multi-family Residential (15 du/ac)	R-15
Multi-family residential (24 du/ac)	R-24
<u>Neighborhood Mixed-Use</u>	<u>NMU</u>
Limited Commercial	LC
Community Facilities	CF
Recreation Open Space	ROS

(Ord. O-02-4 § 2 (part), 2002: Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

**16.80.030 Location of districts.**

A. The boundaries for the districts listed in this chapter are indicated on the city zoning map which is adopted by reference. The boundaries shall be modified in accordance with the provisions of this code.

B. The boundaries, legends, symbols, notations and references of each of the zoning classification districts as depicted on the city zoning map are adopted by reference.

C. Unless otherwise specified, district and subdistrict boundaries are section lines, subdivision lines, lot lines, center lines of street right-of-way, or such lines extended. (Ord. 96-4 § 1 (part), 1996)

**16.80.040 Zoning map.**

The city zoning map is attached to the ordinance codified in this title and by this reference made a part hereof, bearing the signatures of the mayor and city recorder of the city, and entitled “City of King City Zoning Map” dated with the effective date of the ordinance codified in this title. It shall be maintained without change on file at all times in the office of the city recorder. (Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

#### **16.80.050 Zoning of annexed areas.**

A. Zoning regulations applicable to an area prior to annexation to the city shall continue to apply and shall be enforced by the city until a zone change for the area has been adopted by the city council. The city may, in a resolution favoring annexation of property to the city may, conduct such proceedings as may be necessary to establish the zoning and land uses of the property to the requirements of this title and the comprehensive plan.

B. The city may also enter into zoning and land use agreements with owners of property prior to annexation, provided the proceedings follow all requirements of this title for zone changes. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.80.060 Additional yard and setback requirements.**

A. Substandard Street Right-of-Way.

1. Where a yard or setback abuts a street having insufficient right-of-way width, the minimum yard or setback requirement shall be increased by the amount of right-of-way, measured from the street centerline, necessary to meet applicable city, county, or state standards.

2. The applicable street right-of-way width standards, measured at right angles to the street centerline, are as follows:

a. Pacific is Highway (State Route 99W)—Applicable right-of-way requirement from centerline as determined by the Oregon Department of Transportation;

b. Beef Bend Road—Thirty-three feet;

c. 131st Avenue, between Beef Bend Road and Fischer Road—Thirty-three feet;

d. Fischer Road—Thirty-three feet;

e. 116th Avenue, between Queen Elizabeth and Pacific Highway—Thirty feet;

f. Royalty Parkway, between Pacific Highway and 116th Avenue—Thirty feet; and

g. All other city streets—Twenty-five feet.

B. Projections into Required Yards.

1. Cornices, eaves, belt courses, sills, canopies, fireplace chimneys or similar architectural features may extend or project a maximum of thirty-six inches into a required yard provided the width of such yard is not reduced to less than three feet.

2. Open porches, decks or balconies not more than thirty-six inches in height and not covered by a roof or canopy, may extend or project a maximum of thirty-six inches into a required yard area provided the yard area is not reduced to less than three feet. Such building additions located in a rear or side yard shall be screened from abutting properties.

3. Porches, decks, or balconies than exceed thirty-six inches in height or are covered by a roof or canopy shall comply with the setback standards of the applicable zone. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.80.070 Exceptions to building height requirements.**

Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flag poles, utility poles and other similar structures not used for human occupancy, are not subject to the building height limitations of this title. (See 16.176.050(A)(4).) (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)



#### **16.80.080 Other requirements.**

A. No temporary structure, trailer, recreational vehicle or other structure shall be placed on a lot for dwelling purposes, except during periods of construction when one such dwelling is allowed and approved by the city manager for a building project.

B. No signs or other advertising devices except real estate signs shall be placed on a lot without the express permission of the city manager.

~~C. A garage is required of each dwelling, which shall conform generally in architectural style and exterior materials and finish to the house. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)~~

C. No homeowners' association governing documents or deed restrictions shall be recorded to regulate housing types, including accessory dwelling units, or impose any standards, including owner occupancy, which would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under this code. Any such restriction recorded on or after January 1, 2020, and that restriction violated state housing laws, shall be deemed void and removed pursuant to this section and applicable state housing law.

### **Chapter 16.84**

#### **SMALL LOT AND ATTACHED RESIDENTIAL ZONE (R-9)\***

##### **Sections:**

- 16.84.010 Purpose.**
- 16.84.020 Permitted uses.**
- 16.84.030 Conditional uses.**
- 16.84.040 Dimensional and density requirements.**
- 16.84.050 Design requirements.**

\* **Prior ordinance history:** Ords. 96-4 and O-99-6.

##### **16.84.010 Purpose.**

The purpose of the R-9 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote single-family residential neighborhoods. This land use designation is intended to generally apply to annexed properties that were designated as R-9 in Washington County or in the West King City planning area. (Ord. O-02-4 § 2 (part), 2002)

##### **16.84.020 Permitted uses.**

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the R-9 zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, single-family attached;
- C. Duplex;
- D. Manufactured home on an individual lot;
- E. Residential home;
- F. Manufactured/Mobile home parks and subdivisions;

- G. Family day care (family care);
- H. Park and open space created as part of a subdivision or planned development; and
- I. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-02-4 § 2 (part), 2002)

**16.84.030 Conditional uses.**

A conditional use is a use, which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-9 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space not created as part of a subdivision or planned development;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home (family care); and
- H. Recreation vehicle and boat storage serving only the residents within the development. (Ord. O-02-4 § 2 (part), 2002)

**16.84.040 Dimensional and density requirements.**

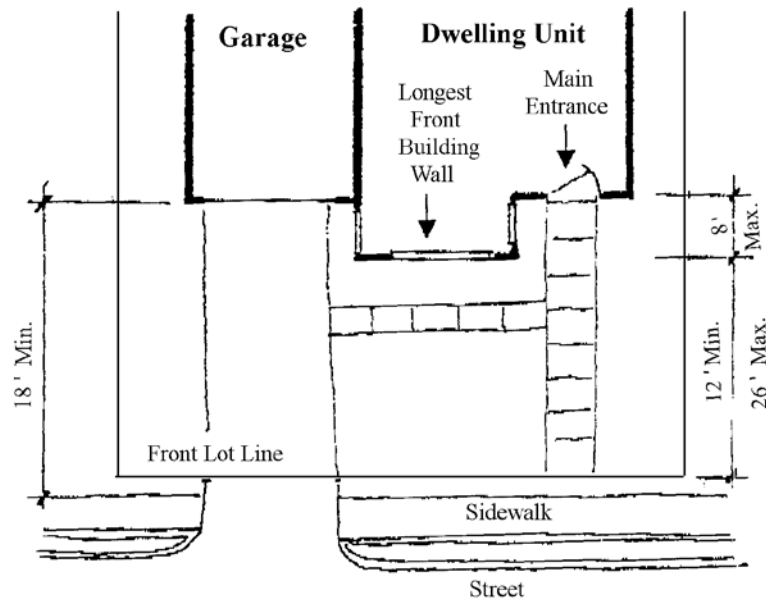
The dimensional and density requirements of the R-9 district are:

Dimensional Requirements Table	
<b>Minimum and average lot size/land area per unit</b>	
Single-family detached units	2,400 min./2,800 avg. square feet
Duplex	4,400 min./4,800 avg. square feet
Single-family attached and 0-foot setback units	2,000 min./2,400 avg. square feet
<b>Minimum average lot width (per lot)</b>	
Single-family detached units	30 feet
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
<b>Minimum average lot depth (per lot)</b>	
Single-family detached units	60 feet
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
<b>Setbacks (measured from property lines, except as noted for garage entrances)*</b>	
Front yard	12 feet minimum and 26 feet maximum to front building wall. 8 feet minimum and 20 feet maximum to front porch.

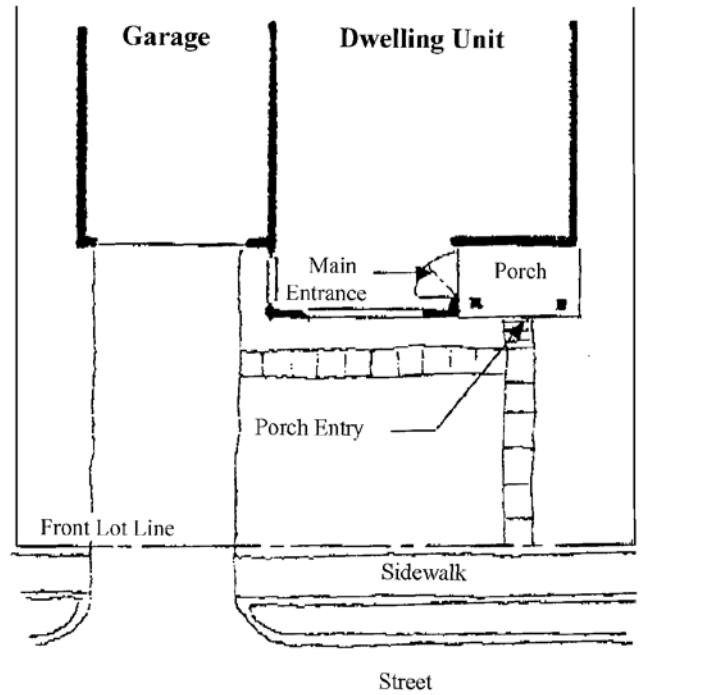
Design Requirements Table	
	Open onto a porch, which has: <ul style="list-style-type: none"> <li>• A minimum of 25 square feet with a minimum dimension of 4 feet;</li> <li>• At least one entrance facing the street; and</li> <li>• A roof that covers at least 30 percent of the porch area (see Figure 2).</li> </ul>
<b>Front windows</b> - First floor of all dwellings.	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage door setback is the same or less than the front building wall. Garage door setback shall be no more than 6 feet less than the front building wall setback. 60% when the garage setback is at least 4 feet behind the front building wall or front porch. 70% when the garage setback is at least 8 feet behind the front building wall or front porch.
Single-family attached and duplex units	30% when the garage setback is less than the front building wall. 60% when the garage setback is equal to or greater than the front building wall or front porch. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Attached units</b>	
Maximum number of attached single-family units	4 units.
<b>Required outdoor area</b>	

Design Requirements Table	
Single-family detached units	Minimum contiguous rear or side yard outdoor area of 400 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence <a href="#">or a detached accessory dwelling unit</a> is located in the rear yard.
Duplex, single-family attached, and detached single-family units with one 0-foot setback	Minimum contiguous rear or side yard outdoor area of 300 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence <a href="#">or a detached accessory dwelling unit</a> is located in the rear yard.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 500 square feet unit in the development with a minimum size of 5,000 square feet, of which no dimension shall be less than 40 feet.

**Figure 1**



**Figure 2**



(Ord. O-02-4 § 2 (part), 2002)

## **Chapter 16.88**

### **SINGLE-FAMILY RESIDENTIAL ZONE (SF)**

#### **Sections:**

- 16.88.010 Purpose.**
- 16.88.020 Permitted uses.**
- 16.88.030 Conditional uses.**
- 16.88.040 Dimensional and density requirements.**

#### **16.88.010 Purpose.**

The purpose of the SF zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote single-family residential neighborhoods. This land use designation is intended to generally apply to established single-family residential properties within the city prior to June 5, 1991. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.88.020 Permitted uses.**

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the SF zone are:

- A. Dwelling, single-family detached;
- B. Manufactured home on an individual lot;
- C. Residential home; and
- D. Dwelling, accessory. (Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.88.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the SF district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly; and
- F. Public safety facilities.

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.88.040 Dimensional and density requirements.**

- A. The dimensional requirements in the SF district are:
  - 1. A minimum lot area of four thousand square feet;
  - 2. A minimum average lot width of forty feet;
  - 3. A minimum average lot depth of eighty feet;
  - 4. Minimum building setback requirements of:
    - a. Front yard of ten feet for the building and garage vehicle entrance;
    - b. Side yard of four feet;
    - c. Rear yard of four feet;
  - 5. Eaves and decorative features are allowed within setback areas but in no case shall any portion of a building encroach upon another lot;
  - 6. No building shall exceed twenty feet in height;
  - 7. The maximum height and size and minimum setbacks for accessory structures [and detached accessory dwellings](#) shall comply with the provisions of Chapters [16.176](#) [and 16.178](#); and
  - 8. The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area.

B. Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

## **Chapter 16.92**

### **APARTMENTS AND TOWNHOUSES ZONE (AT)**

#### **Sections:**

- 16.92.010 Purpose.**
- 16.92.020 Permitted uses.**
- 16.92.030 Conditional uses.**
- 16.92.040 Dimensional and density requirements.**

#### **16.92.010 Purpose.**

The purpose of the AT zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote moderate density residential neighborhoods. This land use designation is intended to generally apply to established single-family residential properties within the city prior to June 5, 1991. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.92.020 Permitted uses.**

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, single-family attached;
- C. Dwelling, multi-family;
- D. Manufactured home on an individual lot;
- E. Residential home;
- F. Manufactured/mobile home parks and subdivisions;
- G. Duplex; and
- H. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.92.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the AT district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;
- F. Public safety facilities; and
- G. Residential facility.

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

**16.92.040 Dimensional and density requirements.**

- A. The dimensional requirements in the AT district are:
1. A minimum lot area of five thousand square feet. For more than one unit, the minimum lot area shall be two thousand five hundred square feet per unit;
  2. A minimum average lot width of forty feet;
  3. A minimum average lot depth of eighty feet;
  4. Minimum building setback requirements of:
    - a. Front yard of ten feet for the building;
    - b. Side yard of five feet for a one story structure, and ten feet for two-story structures;
    - c. Rear yard of twenty feet;
    - d. Garage vehicle entrance setback of fifteen feet;
  5. Eaves and decorative features are allowed within setback areas but in no case shall any portion of a building encroach upon another lot;
  6. In a group of buildings in one project, the minimum distance between buildings shall be not less than the sum of the required side yards computed separately;
  7. No building shall exceed thirty feet in height;
  8. The maximum height and size and minimum setbacks for accessory structures [and detached accessory dwellings](#) shall comply with the provisions of Chapters 16.176 [and 16.178](#); and
  9. The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area.
- B. Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

**Chapter 16.94**

**ATTACHED RESIDENTIAL ZONE (R-12)**

**Sections:**

- 16.94.010 Purpose.**  
**16.94.020 Permitted uses.**  
**16.94.030 Conditional uses.**  
**16.94.040 Dimensional and density requirements.**  
**16.94.050 Design requirements.**

**16.94.010 Purpose.**

The purpose of the R-12 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote moderate density residential neighborhoods. (Ord. O-02-4 § 2 (part), 2002)

**16.94.020 Permitted uses.**

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the R-12 zone are:

- A. Dwelling, single-family detached;



- B. Dwelling, single-family attached;
- C. Dwelling, multi-family;
- D. Manufactured home on an individual lot;
- E. Duplex residential units;
- F. Residential home;
- G. Manufactured/mobile home parks and subdivisions;
- H. Family day care (family care);
- I. Residential facility;
- J. Parks and open space created as part of a subdivision or planned development; and
- K. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-02-4 § 2 (part), 2002)

#### **16.94.030 Conditional uses.**

A conditional use is a use, which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-12 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space not created as part of a subdivision or planned development;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home (Family care); and
- H. Recreation vehicle and boat storage serving only the residents within the development. (Ord. O-02-4 § 2 (part), 2002)

#### **16.94.040 Dimensional and density requirements.**

The dimensional and density requirements of the R-12 district are:

<b>Dimensional Requirements Table</b>	
<b>Minimum and average lot size/land area per unit</b>	
Single-family detached units	2,000 min./2,400 avg. square feet
Duplex	3,600 min./4,000 avg. square feet
Single-family attached and 0-foot setback units	1,600 min./2,000 avg. square feet
Multi-family units	1,600 min./2,000 avg. square feet
<b>Minimum average lot width (per lot)</b>	
Single-family detached units	28 feet
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
Multi-family units	48 feet
<b>Minimum average lot depth (per lot)</b>	
Single-family detached units	60 feet

Dimensional Requirements Table	
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
<b>Setbacks (measured from property lines, except as noted for garage entrances)*</b>	
Front yard	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Front yard - corner	For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards: 8 feet minimum for a side yard facing a street. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Side yard - interior	0 feet, <del>except as required by the Uniform Building Code (UBC)</del> , or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.
Rear yard	10 feet minimum for residential building. 0 feet for a detached accessory <a href="#">dwelling unit</a> or building less than <a href="#">or equal to</a> 18 feet in height. 0-6 feet or $\geq$ 18 feet to a garage entrance to an alley.
<b>Building height</b>	
Single-family, duplex, <del>and</del> multi-family, <a href="#">and accessory dwellings that are within or attached to the primary dwelling</a>	35 feet
Accessory structures <a href="#">and detached accessory dwellings</a>	<del>25</del> 18 feet
<b>Density standards</b>	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum

\*In addition, setbacks for each type of structure must comply with the current Oregon Building Code.  
(Ord. O-02-4 § 2 (part), 2002)

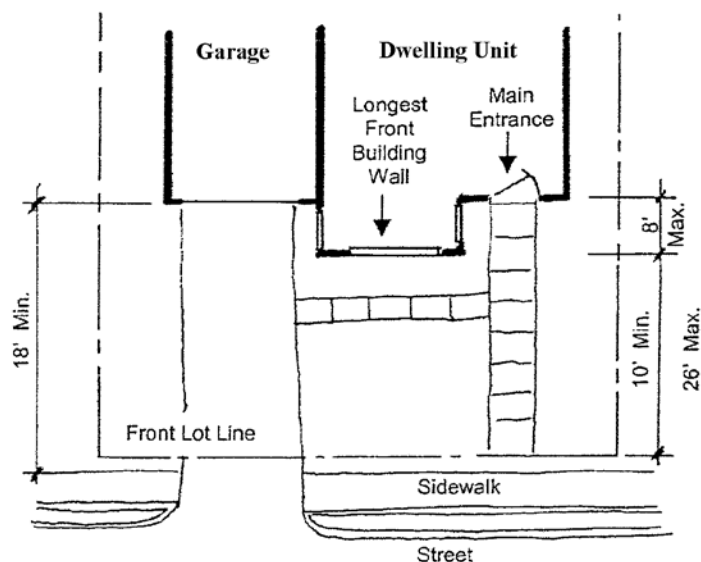
**16.94.050 Design requirements.**

In addition to the dimensional requirements in Section 16.94.040, the following design requirements shall apply:

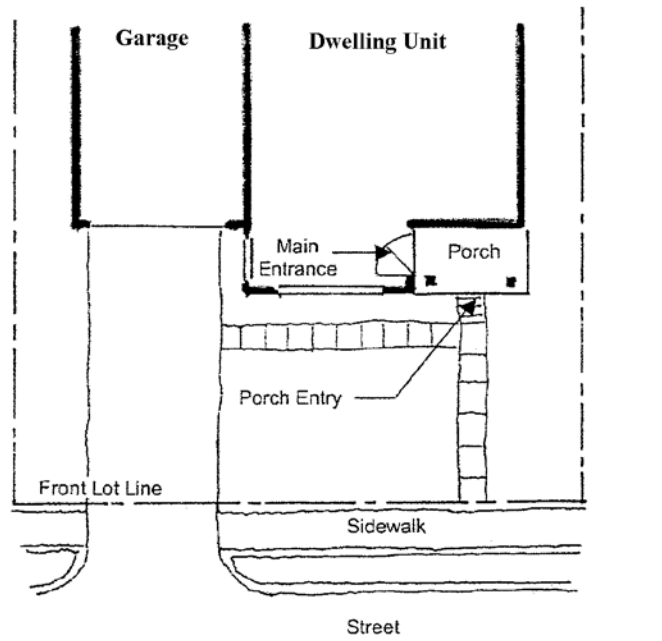
<b>Design Requirements Table</b>	
<b>Main entrance</b>	
Location	Within 8 feet of the longest front building wall (see Figure 1). The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> <li>• A minimum of 25 square feet with a minimum dimension of 4 feet;</li> <li>• At least one entrance facing the street; and</li> <li>• A roof that covers at least 30 percent of the porch area (see Figure 2).</li> </ul>
<b>Front windows</b> - First floor of all dwellings.	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
<b>Garage door frontage</b> - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback.
	60% when the garage setback is at least 2 feet behind the front building wall or front porch.
	70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex and multi-family units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
<b>Attached units</b>	
Maximum number of attached single or multi-family units	12 units.

Design Requirements Table	
Required outdoor area	
Single-family detached units	Minimum contiguous rear or side yard outdoor area of 300 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence <u>or a detached accessory dwelling unit</u> is located in the rear yard.
Duplex, single-family attached, <del>and</del> detached single-family units, <u>or detached accessory dwelling units</u> with one 0-foot setback	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence <u>or a detached accessory dwelling unit</u> is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

Figure 1



**Figure 2**



(Ord. O-02-4 § 2 (part), 2002)

## **Chapter 16.96**

### **MULTI-FAMILY RESIDENTIAL ZONE (R-15)**

#### **Sections:**

- 16.96.010 Purpose.**
- 16.96.020 Permitted uses.**
- 16.96.030 Conditional uses.**
- 16.96.040 Dimensional and density requirements.**

#### **16.96.010 Purpose.**

The purpose of the R-15 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote moderate density residential neighborhoods. This land use designation is intended to generally apply to annexed properties that were designated as R-15 in Washington County. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.96.020 Permitted uses.**

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, single-family attached;
- C. Dwelling, multi-family;
- D. Manufactured home on an individual lot;
- E. Duplex residential units;
- F. Residential home;
- G. Manufactured/mobile home parks and subdivisions;
- H. Family day care (family care); and
- I. Residential facility;
- J. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.96.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-15 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;
- F. Public safety facilities; and
- G. Day care group home (family care).

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.96.040 Dimensional and density requirements.**

The dimensional requirements in the R-15 district are:

- A. The minimum lot area shall be:
  - 1. Twenty thousand square feet for multi-family development;
  - 2. Five thousand square feet for single-family dwellings and manufactured homes on individual lots;
  - 3. Ten thousand square feet for a duplex;
  - 4. Five thousand square feet for a park.
- B. The minimum yards required shall be:
  - 1. Front yard:
    - a. Multi-family—Twenty feet;
    - b. Single-family, manufactured home, duplex—Fifteen feet;
  - 2. Side yard:
    - a. Multi-family—Twenty feet;
    - b. Single-family, manufactured home, duplex—Five feet.
  - 3. Rear yard for all buildings—Twenty feet;
  - 4. Garage vehicle entrance setback of fifteen feet;
  - 5. Where the side yard or rear yard of single-family attached or multiple-family dwellings abut a more restrictive zoning district, such setbacks shall not be less than thirty feet.

C. Residential structures shall not exceed thirty feet in height, and accessory ~~structures~~ dwelling units shall not exceed twenty five feet in height;

D. The maximum height and size and minimum setbacks for accessory structures shall comply with the provisions of Chapter 16.176;

E. The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area; and

F. Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

## **Chapter 16.100**

### **MULTI-FAMILY RESIDENTIAL ZONE (R-24)**

#### **Sections:**

**16.100.010 Purpose.**

**16.100.020 Permitted uses.**

**16.100.030 Conditional uses.**

**16.100.040 Dimensional and density requirements.**

#### **16.100.010 Purpose.**

The purpose of the R-24 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote high density residential neighborhoods. This land use designation is intended to generally apply to annexed properties that were designated as R-24 in Washington County. (Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.100.020 Permitted uses.**

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, single-family attached;
- C. Multi-family residential dwellings;
- D. Manufactured home on an individual lot;
- E. Duplex residential units;
- F. Residential home;
- G. Manufactured/mobile home parks and subdivisions;
- H. Family day care (family care);
- I. Residential facility; and
- J. Dwelling, accessory. (Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

#### **16.100.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-24 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home and adult day care (family care); and
- H. Recreational vehicle parks. (Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

**16.100.040 Dimensional and density requirements.**

The dimensional requirements in the R-24 district are:

- A. The minimum lot area shall be:
  - 1. Twenty thousand square feet for multi-family development;
  - 2. Five thousand square feet for single-family dwellings and manufactured homes on individual lots;
  - 3. Ten thousand square feet for a duplex;
  - 4. Five thousand square feet for a park.
- B. The minimum yards required shall be:
  - 1. Front yard:
    - a. Multi-family—Twenty feet;
    - b. Single-family, manufactured home, duplex—Fifteen feet;
  - 2. Side yard:
    - a. Multi-family—Twenty feet;
    - b. Single-family, manufactured home, duplex—Five feet;
  - 3. Rear yard for all buildings—Twenty feet;
  - 4. Garage vehicle entrance setback of fifteen feet;
  - 5. Where the side yard or rear yard of attached, multiple-family, single-family dwelling, or manufactured home on an individual lot abut a more restrictive zoning district, such setbacks shall not be less than thirty feet.
- C. The maximum building heights shall be:
  - 1. Thirty feet for single-family dwellings;
  - 2. Forty feet for multi-family dwellings.
- D. [The maximum height and size and minimum setbacks for a](#)Accessory structures [and detached accessory dwellings](#) shall comply with the provisions of Chapters [16.176](#) [and 16.178](#);
- E. The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area; and
- F. Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter. (Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)



## Chapter 16.102 NEIGHBORHOOD MIXED-USE ZONE (NMU)

### Sections:

- 16.102.010 Purpose.**
- 16.102.020 Permitted uses.**
- 16.102.030 Conditional uses.**
- 16.102.040 Dimensional and density requirements.**
- 16.102.050 Design requirements.**
- 16.102.060 Additional requirements.**

### **16.102.010 Purpose.**

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

### **16.102.020 Permitted uses.**

A permitted use is a use which is allowed outright but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
  - B. Dwelling, multi-family;
  - C. Duplex;
  - D. Dwelling, Accessory
  - ~~ED.~~ Office;
  - ~~FE.~~ Retail sales and service conducted entirely indoors except for outdoor display as provided in 16.102.060
- C. or is subject to liquor license review according to Chapter 5.05 of this title;
- 1. Sales-oriented;
  - 2. Personal service-oriented; and
  - 3. Entertainment-oriented.
- ~~GF.~~ Live-work unit approved as a Type I or II home occupation as provided in Chapter 16.172;
  - ~~HG.~~ Community services;
  - ~~IH.~~ Religious assembly;
  - ~~J.~~ Family care;
  - ~~KJ.~~ Residential facility; and
  - ~~LK.~~ Adult day care (family care).

### **16.102.030 Conditional uses.**

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- A. Live-work unit that does not qualify for Type I or II home occupation approval as provided in Chapter 16.172;
- B. Retail sales and service conducted partially or completely outside of a building or subject to liquor license review according to Chapter 5.05 of this title;

1. Sales-oriented,
  2. Personal service-oriented, and
  3. Entertainment-oriented;
- C. Utilities;
- D. Public safety facilities; and
- E. Parks and open space.

**16.102.040 Dimensional and density requirements.**

- A. The dimensional requirements in the NMU district are:

<b>Dimensional Requirements Table</b>	
<b>Minimum land area per unit</b>	
Duplex	3,000 min.
Single-family detached	1,600 min.
Single-family attached and 0-foot setback units	1,500 min.
Multi-family units	1,500 min.
Live-work units	1,500 min.
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Minimum average lot width (per lot)</b>	
Duplex	48 feet
Single-family detached	40 feet
Single-family attached and 0-foot setback detached units	20 feet
Multi-family units	48 feet
Live-work units	24 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Minimum average lot depth (per lot)</b>	
Duplex	60 feet
Single-family detached	<a href="#">60 feet</a>
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Live-work units	60 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
<b>Setbacks (measured from property lines, except as noted)<sup>1</sup></b>	
<u>Front yard</u> Residential and live-work	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch.

### Dimensional Requirements Table

<p>Non-residential and mixed-use (non-residential and multi-family) buildings measured from the nearest edge of the clear zone or supplemental zone.</p>	<p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied. 0-6 feet or <math>\geq</math> 18 feet to a garage entrance if driveway parking is allowed.</p>
<p><u>Front yard – corner</u> For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards: Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings measured from the nearest edge of the clear zone or supplemental zone.</p>	<p>6 feet minimum for a side yard facing a street. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied. 0-6 feet or <math>\geq</math> 18 feet to a garage entrance if driveway parking is allowed.</p>
<p><u>Side yard – interior</u> Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings</p>	<p>0 feet minimum, <del>except as required by the Uniform Building Code (UBC)</del>, or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.</p> <p>0 feet minimum, for side yard lot lines adjacent to other property zoned NMU or LC, <del>except as required by the Uniform Building Code (UBC)</del>, or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet. 10 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC.</p>

Dimensional Requirements Table	
<u>Rear yard</u> Residential and Live-Work        Non-residential and mixed-use (non-residential and multi-family) buildings	10 feet minimum for residential building. 0 feet for a detached accessory <a href="#">dwelling or</a> building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.  10 feet minimum adjacent to property zoned NMU or LC. 20 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC. 5 feet for a detached accessory building less than 18 feet in height. 0-6 feet or $\geq 18$ feet to a garage entrance to an alley.
<b>Minimum landscaped area</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, <a href="#">accessory dwellings</a> , and multi-family dwellings	20% of the total lot area <sup>21</sup>
Live-work units	20% of the total lot area <sup>21</sup>
Non-residential and mixed-use (non-residential and multi-family) buildings	15% of the total lot area <sup>21</sup>
<b>Building height</b>	
Single-family attached, single-family detached 0-foot side yard, duplex, <a href="#">accessory dwellings that are within or attached to the primary dwelling</a> , and multi-family dwellings	35 feet
Live-work units	35 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	35 feet <sup>22</sup>
Accessory structures <a href="#">and detached accessory dwellings</a>	<del>25</del> 48 feet
<b>Residential (only) density standards</b>	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum
<b>Commercial, mixed-use (non-residential &amp; multi-family) and live-work floor area standards</b>	
Commercial including: Office, Retail sales and service (sales-, personal service-, and entertainment-oriented)	Maximum 1.5 to 1 FAR <sup>43</sup>
Live-work units	Commercial floor area shall not exceed 50% of the total floor area of the live-work unit

<sup>1</sup> [In addition, setbacks for each type of structure must comply with the current Oregon Building Code.](#)

<sup>22</sup> The landscaped area per lot may be reduced when common open space is provided. In this case, the total landscaped area on lots and common areas must total a minimum of 20%.

<sup>23</sup> Building height may be increased to a maximum of 45 feet as provided in Figure 1.

34 Floor area ratios (FARs) apply to the total floor area in a mixed-use project regardless of the use.

- B. The maximum building height of thirty-five feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district, up to a maximum building height of forty-five feet as illustrated in Figure 1. In the case of a public street right-of-way lying between the NMU Zone and a residential zone, the setback shall be calculated using the right-of-way centerline in lieu of the property line.

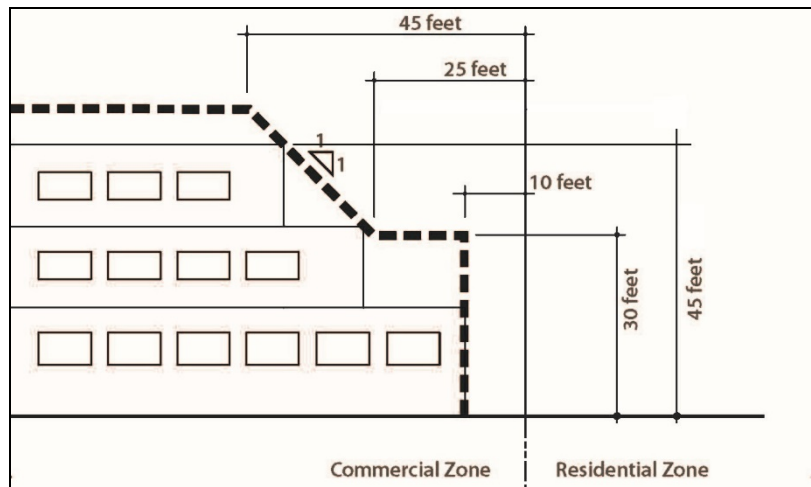


Figure 1. Building Height

## **Chapter 16.132**

### **PARKING AND LOADING**

#### **Sections:**

- 16.132.010 Purpose.**
- 16.132.020 General provisions.**
- 16.132.030 Minimum off-street parking requirements.**
- 16.132.040 Parking dimensional standards.**
- 16.132.050 Parking design standards.**
- 16.132.060 Minimum bicycle parking requirements.**
- 16.132.070 Bicycle parking design standards.**
- 16.132.080 Loading area standards.**

**16.132.030 Minimum off-street parking requirements.**

<b>Minimum Off-Street Parking Requirements</b>		
<b>Use Categories</b>	<b>Specific Uses</b>	<b>Minimum Required Parking</b>
<b>A. Residential Categories</b>		
1. Single-Family	<ul style="list-style-type: none"> <li>■ Single-Family Attached/Detached</li> <li>■ Manufactured Home</li> <li>■ Mobile Home</li> <li>■ Duplex</li> <li>■ Residential Care</li> </ul>	1 space per unit ( <a href="#">accessory dwellings shall comply with 16.178.050</a> )
2. Multi-Family/Group Living	■ Multi-Family Studio/1 Bedroom	1 space per unit
	<ul style="list-style-type: none"> <li>■ Multi-Family</li> <li>■ 2 or more Bedrooms</li> </ul>	1 space per unit
<b>B. Commercial Categories</b>		
1. Retail Sales and Service	<ul style="list-style-type: none"> <li>■ Retail, Personal Service, Repair</li> <li>■ Retail, Repair Large Merchandise such as Home Appliances, Furniture</li> <li>■ Restaurants, Health clubs, Meeting rooms</li> <li>■ Motel</li> <li>■ Theater</li> </ul>	1 space per 500 sq. ft. of floor area 1 space per 1,000 sq. ft. of floor area 1 space per 250 sq. ft. of floor area 1 space per room, plus 1 per 2 employees 1 space per 4 seats or 1 per 6 feet of bench
2. Office	■ Professional Government	1 space per 400 sq. ft. of floor area
	■ Medical, Dental	1 space per 250 sq. ft. of floor area
3. Automotive	■ Vehicle Repair	1 space per 750 sq. ft. of floor area
	■ Quick Vehicle Service, Car Wash	1 space per 500 sq. ft. of floor area
<b>C. Institutional Categories</b>		
1. Public Safety Facilities		1 space per 500 sq. ft. of floor area
2. Community	■ Parks and Open Space Meeting Recreation Halls, Recreation Buildings	Per site Plan or Conditional Use Review
3. Schools	■ Grades K-9	1 space per classroom
	■ Grades 9-12	7 spaces per classroom

Minimum Off-Street Parking Requirements		
Use Categories	Specific Uses	Minimum Required Parking
4. Religious Assembly		1 space per 100 sq. ft. of main assembly area
5. Utilities		Number determined as part of Conditional Use Review

**16.132.060 Minimum bicycle parking requirements.**

Minimum Bicycle Parking Requirements		
Use Categories	Specific Uses	Minimum Required Bicycle Parking
A. Residential Categories		
1. Single-Family Facilities	<ul style="list-style-type: none"> <li>■ Single-Family Attached/Detached/<u>Accessory Dwellings</u></li> <li>■ Manufactured Home</li> <li>■ Mobile Home</li> <li>■ Duplex</li> <li>■ Residential Care</li> </ul>	
2. Multi-Family Group Living	<ul style="list-style-type: none"> <li>■ Multi-Family Studio/1 Bedroom</li> <li>■ Multi-Family 2 or more Bedrooms</li> </ul>	1 space per unit  1 space per unit
B. Commercial Categories		
1. Retail Sales and Service	<ul style="list-style-type: none"> <li>■ Retail, Personal Service, Repair</li> <li>■ Retail, Repair Large merchandise such as home appliances, furniture</li> <li>■ Restaurants, Health Clubs, Meeting Rooms</li> <li>■ Motel</li> <li>■ Theater</li> </ul>	1 space per 4,000 sq. ft. or 2 minimum 1 space per 6,000 sq. ft. or 2 minimum 1 space per 5,000 sq. ft. or 6 minimum 1 space per 5 rooms, or 2 minimum 1 space per 5 rooms, or 2 minimum
2. Office	<ul style="list-style-type: none"> <li>■ Professional Government</li> <li>■ Medical, Dental</li> </ul>	1 space per 4,000 sq. ft. or 2 minimum 1 space per 5,000 sq. ft. or 2 minimum
3. Automotive	<ul style="list-style-type: none"> <li>■ Service Stations, Vehicle Repair</li> </ul>	1 space per 6,000 sq. ft. or 2 minimum



<b>Minimum Bicycle Parking Requirements</b>		
<b>Use Categories</b>	<b>Specific Uses</b>	<b>Minimum Required Bicycle Parking</b>
	■ Quick Vehicle Service, Car Wash	1 space per 6,000 sq. ft. or 2 minimum
<b>C. Institutional Categories</b>		
1. Utilities	■ Transit Station/ Park and Ride ■ Other use Types	10 spaces per acre, or 6 minimum* Number determined as part of conditional use
2. Public Safety Facilities		Number determined as part of conditional use
3. Community Recreation	■ Parks ■ Meeting Halls, Recreation Buildings	Per site plan or conditional use review
4. Schools	■ Grades K-9 ■ Grades 9-12 Studio/1 Bedroom	6 spaces per classroom 4 spaces per 40 seats in main assembly area, or 4 minimum
5. Religious Assembly		1 space per 40 seats in main assembly area, or 4 minimum

\* All spaces shall be covered and fifty percent of the spaces shall be lockable enclosures.

(Ord. 96-4 § 1 (part), 1996)

## **Chapter 16.136**

### **CIRCULATION AND ACCESS**

#### **Sections:**

- 16.136.010 Purpose.**
- 16.136.020 General provisions.**
- 16.136.030 Access standards—Residential.**
- 16.136.040 Access standards—Non-residential.**
- 16.136.050 Design standards.**
- 16.136.060 Reservoir areas required for drive-in use.**
- 16.136.070 Access restrictions.**
- 16.136.080 Surfacing requirements.**

**16.136.030 Access standards—Residential.**

A. Vehicular access and egress for single-family, duplex, or attached single-family dwelling units on individual lots shall not be less than the following:

<b>Number Dwelling Unit/Lots*</b>	<b>Minimum Number of Driveways</b>	<b>Minimum Property or Easement Width</b>	<b>Minimum Pavement Width</b>
1	1	15 ft.	10 ft.
2	2 or 1	15 ft. 25 ft.	10 ft. 20 ft.
3-6	1	30 ft.	24 ft. With curbs on both sides and walkway on one side.

[\\* Excludes accessory dwelling units](#)

B. Vehicular access and egress for multiple-family residential uses shall not be less than the following:

<b>Dwelling Units*</b>	<b>Minimum Number of Driveways</b>	<b>Minimum Property or Easement Width</b>	<b>Minimum Pavement, Sidewalks, etc.</b>
1-2	1	10 ft.	10 ft.
3-19	1 or one-way	30 ft. 20 ft.	24 ft. if two-way 15 ft. if one-way Curbs on both sides and 5' walkway on one side.
20-49	1 or 2	30 ft. 30 ft.	24 ft. if two-way 15 ft. if one-way Curbs on both sides and 5' walkway on one side.
50-100	2	30 ft.	24 ft. Curbs on both sides and 5' walkway on one side.
100+	for each 100 spaces	one additional access	24 ft. drive Curbs on both sides and 5' walkway on one side.

[\\* Excludes accessory dwelling units](#)

## Chapter 16.146

### RESIDENTIAL DENSITY CALCULATION

#### Sections:

- 16.146.010 Purpose.**
- 16.146.020 Applicability of provisions.**
- 16.146.030 Density calculation.**
- 16.146.040 Density transfers for unbuildable lands.**

#### **16.146.010 Purpose.**

The purpose of this chapter is to describe how density shall be calculated for residential development proposals. (Ord. O-02-4 § 2 (part), 2004)

#### **16.146.020 Applicability of provisions.**

The density calculations in this chapter shall apply to any development that has residential units as part of the proposed development with the exception of residential facilities and residential homes where the units for residents do not include individual kitchen and/or bathroom facilities [and accessory dwelling units](#). (Ord. O-02-4 § 2 (part), 2004)

#### **16.146.030 Density calculation.**

A. To determine the maximum or minimum number of units, which may be constructed on a site for residential uses, the site size (in acres) shall be multiplied by the maximum or minimum number of units per acre allowed on the site, as designated by the applicable zone district, except as specified otherwise in this chapter.

#### EXAMPLE

Acres x units per acre = number of units allowed

$$1.6 \times 5 = 8.0 \text{ or } 8 \text{ units}$$

- B. Site size shall include the area of the subject lot(s) or parcel(s), in acres or portions thereof, except for:
1. All areas dedicated for public right-of-way that exist at the time the development application is submitted for review;
  2. Proposed lots with a maximum size of twenty thousand square feet to include existing residences on the subject lot(s) or parcel(s) to be developed; and
  3. Proposed remnant parcels, which are of sufficient size to be developed or divided in the future.
- C. No portion of the allowable density shall be transferred from one land use designation to another land use designation, except as permitted in accordance with the planned development provisions of Chapter 16.150.
- D. Land outside of the urban growth boundary (UGB) shall be ineligible for density transfer and shall not be considered in any density calculations.
- E. The number of units, which may be constructed on the subject lot(s) or parcel(s) shall be subject to the limitations of the applicable provisions of this title.
- F. When the maximum or minimum number of units allowed on a site results in a fraction of one-half or more, the number of units allowed shall be the next highest whole number, provided all minimum zone district requirements other than density can be met.

G. Land that is dedicated to a park and recreation provider as public park land may be used to calculate the minimum or maximum density, provided the land is developed for recreational uses, and is not comprised of flood plain, drainage hazard, wetland or slopes over twenty percent.

H. Land used for a private park, that is available to the general public outside of the residential development the park is located in, may be excluded from the acreage used to calculate the minimum density, provided the park is developed for recreational uses and does not include flood plain, drainage hazard, wetland, or slopes over twenty percent.

I. For categories of land listed in Section 16.146.040, the applicant may either include it or exclude it from the acreage used to calculate the minimum or maximum density. (Ord. O-02-4 § 2 (part), 2004)

#### **16.146.040 Density transfers for unbuildable lands.**

A. Transfer of density from one area of land to another shall be permitted for any unbuildable portion of a lot or parcel when a portion of the subject lot or parcel is within the UGB and within one of the following areas:

1. Flood plain;
2. Drainage hazard;
3. Jurisdictional wetland;
4. Slopes over twenty percent;
5. Power line easement or right-of-way;
6. Future right-of-way for transitway, designated arterials, collectors and neighborhood collectors;
7. Water quality sensitive areas designated for permanent protection; or
8. Vegetated corridors designated for permanent protection.

B. Density may be transferred within the UGB only as follows:

1. Within a single lot or parcel within the same land use designation; or
2. To an adjoining lot or parcel that is a subject of the development application provided it is also within the same land use designation as the other lot or parcel.

C. Density Transfer Calculations. The number of units, which may be transferred, shall be calculated as follows:

1. Determine the total density for the subject lot(s) or parcel(s);
2. Determine the total number of units in the buildable portion and the unbuildable portion of the total site;
3. Transfer the density of the unbuildable portion of the site to the buildable portion of the site, provided that the transferred density does not more than double the density allowed on the buildable portion of the site.

D. For the purpose of this chapter, buildable shall mean all portions of the subject lot(s) or parcel(s) not included within a category listed in subsection A of this section, and unbuildable shall mean all portions of the lot(s) or parcel(s) included in one of these categories. (Ord. O-02-4 § 2 (part), 2004)

### **Chapter 16.176**

#### **ACCESSORY STRUCTURES**

##### **Sections:**

- 16.176.010 Purpose.**
- 16.176.020 Applicability of provisions.**
- 16.176.030 Administration.**
- 16.176.040 Submission requirements.**
- 16.176.050 Approval standards.**

#### **16.176.010 Purpose.**

The purpose of this chapter is to:

- A. Establish criteria for regulating the type, size and location of accessory structures in residential zoning districts;
- B. Allow the property to be more useful while not altering the residential character of the principal structures of the neighborhood; and
- C. Allow for accessory structures within non-residential zones including the limited commercial (LC), community facilities (CF), and recreational golf course (RGC) districts. (Ord. 96-4 § 1 (part), 1996)

#### **16.176.020 Applicability of provisions.**

- A. Review by the city manager of accessory structures is required except for the following situations.
  - 1. Non-habitable buildings or structures within residential zoning districts which are less than ~~two~~one hundred ~~twenty~~ square feet in gross floor area, meet applicable building setback requirements (see Section 16.176.050(A)), and ten feet or less in height, measured from ~~base to highest point of the structure~~the finished floor to the wall or top plate.
  - 2. Accessory buildings or structures attached to the principle building or structure. Attached means wall-to-wall or any permanent roof attachment such as breezeways. Said structures shall be considered as building additions and shall require building permits and compliance with the applicable setback standards for the principle building or structure;
  - 3. Accessory buildings are subject to the provisions of Chapter 16.152 in the limited commercial (LC), community facilities (CF) and recreational golf course (RGC) zoning districts. If a new or remodeled accessory structure represents a major modification, as provided in Section 16.152.020, it will be subject to the provisions of Chapter 16.152; and
  - 4. Fences and Walls.
- B. All of the provisions and regulations of the underlying zone apply unless modified by this chapter. (Ord. 96-4 § 1 (part), 1996)

#### **16.176.030 Administration.**

- A. Accessory structure applications shall be administered and reviewed as an administrative review in accordance with Article II of this title.
- B. In instances where an alteration, extension or reconstruction is requested, the applicant shall apply for an accessory structure permit in accordance with this chapter.
- C. A conflict of interpretation concerning whether a structure is an accessory structure shall be resolved in accordance with the provisions of Section 16.40.050. (Ord. 96-4 § 1 (part), 1996)

#### **16.176.040 Submission requirements.**

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit the following:
  - 1. A site plan(s) and necessary data or narrative ~~(number to be determined at the preapplication conference)~~, which explains-demonstrates how the accessory structure proposal conforms to the standards:
    - a. Sheet size for an accessory structure site plan(s) and required drawings shall be drawn on sheets preferably not exceeding eighteen inches by twenty-four inches;
    - b. The scale of the site plan shall be an engineering scale; and

- c. All drawings of structure elevations shall be at standard architectural scale, being one-fourth inch or one-eighth inch.
2. The proposed accessory structure site plan and narrative shall include:
  - a. The location of all existing and proposed structures on the site and directly abutting the site, and their orientation;
  - b. The location of existing and proposed utility lines and easements;
  - c. The location of any streets abutting the site;
  - d. The location of any accessway to the proposed structure;
  - e. The dimensions and square footage of the accessory structure; and
  - f. A copy of all existing and proposed restrictions or covenants.
3. The proposed architectural plans for the accessory structure shall include:
  - a. At least the front and side elevations of any proposed structure; and
  - b. If a building permit is required, all structural drawings and data required by the ~~current Oregon~~uniform ~~B~~building ~~C~~code shall be included.
- B. The city manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.
- C. The city manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application. (Ord. 96-4 § 1 (part), 1996)

#### **16.176.050 Approval standards.**

- A. The following dimensional standards shall apply to all accessory structures:
  1. Residential Zones.
    - a. Minimum front yard setback as required by the applicable zone;
    - b. Minimum side and rear yard setback as required by the applicable zone; and
    - c. Maximum height of eighteen feet, unless another standard is provided in the applicable zoning district.
  2. Non-residential Zones.
    - a. Minimum front, side and rear setbacks shall comply with the requirements of the applicable zone; and
    - b. Maximum height shall comply with the requirements of the applicable zone.
  3. All detached accessory structures and the setback between the accessory structure and the principle building shall comply with the ~~current Oregon~~uniform ~~B~~building ~~C~~code.
  4. All freestanding and detached towers, antennas, wind generating devices and TV receiving dishes shall have setbacks equal to or greater than the height of the proposed structure.
- B. The following non-dimensional approval criteria shall be satisfied:
  - ~~1. A garage is required for each single family dwelling which shall conform generally in architectural style, exterior materials and finish to the residence;~~
  12. Accessory structures or buildings shall comply with all requirements for the principal structure, except where specifically modified by this chapter;
  23. No accessory building or structure shall be allowed in any required front yard ~~or any yard area abutting the golf course;~~
  34. The applicant shall present documentation of the possession of any required license by any federal, state or local agency;
  45. Any accessory building or structure attached to the principal building or structure must comply with all setbacks of the zoning district (attached means wall-to-wall or any permanent roof attachment such as breeze-ways);

~~56.~~ No accessory building or structure shall encroach upon or interfere with the use of any adjoining property or public right-of-way including, but not limited to, streets, alleys and public or private easements;

~~67.~~ TV receiving dishes, greater than twenty-four inches in diameter, may be erected upon the roof of a structure only within a non-residential zone; and

~~78.~~ Accessory structures which are nonconforming shall satisfy the requirements of Chapter 16.160 where an alteration, extension or reconstruction is requested. (Ord. O-02-4 § 2 (part), 2002; Ord. 96-4 § 1 (part), 1996)

## Chapter 16.178

### ACCESSORY DWELLING UNITS

#### Sections:

**16.178.010 Purpose.**

**16.178.020 Applicability of provisions.**

**16.178.030 Administration.**

**16.178.040 Submission requirements.**

**16.178.050 Approval standards.**

#### **16.178.010 Purpose.**

Accessory dwelling units are allowed ~~in certain situations~~ to:

- A. Create new housing units while respecting the character of single-family residential neighborhoods;
- B. Utilize existing housing stock and infrastructure more efficiently;
- C. Provide a mix of housing types that respond to changing household needs;
- D. Provide a means for residents, particularly seniors, single parents and other established residents to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- E. Provide a broader range of affordable housing options. (Ord. O-03-2 § 1 (part), 2003)

#### **16.178.020 Applicability of provisions.**

The provisions of this chapter shall apply to all new accessory dwelling unit construction or floor area expansion of an existing accessory dwelling in the R-9, SF, AT, ~~R-12, R-15, and R-24, and NMU~~ districts. (Ord. O-03-2 § 1 (part), 2003)

#### **16.178.030 Administration.**

~~A.—Applications for a new accessory dwelling unit applications shall be administered and reviewed as a city manager review in accordance with Article II of this title.~~

~~—B.—In instances where or an alteration, extension or reconstruction of an existing accessory dwelling unit is requested, the applicant shall apply for an accessory dwelling unit permit in accordance with this chapter. (Ord. O-03-2 § 1 (part), 2003) shall be administered and reviewed as an administrative review in accordance with Article II of this title.~~

#### **16.178.040 Submission requirements.**

A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit the following:

1. A site plan(s) and necessary data or narrative (~~number to be determined at the preapplication conference~~), which explains how the accessory ~~structure proposal~~ dwelling unit conforms to the standards of this title:  
~~—a.— Sheet size for an accessory structure dwelling site plan(s) and required drawings shall be drawn on sheets preferably not exceeding eighteen inches by twenty four inches;~~  
~~—b.— The scale of the site plan shall be an engineering scale; and~~  
~~—c.— All drawings of structure elevations shall be at standard architectural scale, being one fourth inch or one eighth inch.~~

2. The application for a proposed accessory structure dwelling unit site plan and narrative shall include or the alteration, extension or reconstruction of an existing accessory dwelling unit shall include:

a. A site plan showing tThe location of all existing and proposed structures on the site and directly abutting the site, and their orientation;

ib. The location of existing and proposed utility lines and easements;

iie. The location of any streets abutting the site;

iiid. The location of any accessway to the proposed structure accessory dwelling unit;

ive. The dimensions and square footage of the accessory structure accessory dwelling unit; and

yf. A copy of all existing and proposed restrictions or covenants.

b3. The proposed architectural plans for the accessory structure accessory dwelling unit shall include:

ia. At least the front and side elevations of any proposed structure; and

iiib. If a building permit is required, all structural drawings and data required by the current Oregon uniform Bbuilding Ccode shall be included.

B. The city manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The city manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application. (Ord. O-03-2 § 1 (part), 2003)

#### **16.178.050 Approval standards.**

A. Creation.

An accessory dwelling unit may only be created through the following methods:

1. Converting existing living area, attic, basement, ~~or garage, or detached accessory structure~~;
2. Adding floor area to an existing residence or detached accessory structure;
3. Constructing a detached accessory dwelling unit on a site with an existing house, attached house or manufactured home; or

4. Constructing a new house, attached house, or manufactured home with an internal or detached accessory dwelling unit.

B. Maximum Number.

A maximum of one accessory dwelling unit is allowed per legal single-family dwelling.

CB. Other Developmentsign Requirements for New and Existing Accessory Dwellings.

~~1.— An attached accessory dwelling unit must be consistent with the design of the existing dwelling to which it is attached in the following ways:~~

~~—a.— The type size and placement of exterior finish material and trim;~~

~~—b.— The predominant roof pitch;~~

~~—c.— The proportion (relationship of width to height) and orientation (horizontal or vertical) of new windows;~~

~~—d.— Eaves must project from the same distance from building walls; and~~

~~—e.— Only one building entrance may be located on the front facade for the two dwellings. The entrance for one unit and all secondary entrances shall be located on the side or rear of the building.~~



~~2. A detached accessory dwelling unit must have the same roof pitch as the predominant roof pitch of the other dwelling unit on the lot.~~

~~B. Dimensional Standards.~~

1. A building containing an attached accessory dwelling unit shall provide front, side and rear setbacks and have a maximum building height which comply with the applicable zone district.

2. A detached accessory dwelling unit shall ~~provide side and rear setbacks which comply with the applicable zone district and a front yard setback which is ten feet greater than the existing dwelling~~ not be located within a front yard.

3. ~~The lot size must be a minimum of seven thousand five hundred square feet~~ Properties with a detached accessory dwelling unit are allowed to increase the maximum lot coverage standard of the applicable zone up to 10 percent.

4. No additional off-street parking is required for an accessory dwelling unit. The size of an attached or detached accessory dwelling unit may be no more than thirty three percent of the living area of the existing dwelling or eight hundred square feet, whichever is less.

5. A detached accessory dwelling unit shall not exceed 800 square feet of floor area, or 75 percent of the primary dwelling's floor area, whichever is less.

~~5. The maximum height allowed for an accessory dwelling unit shall:~~

~~a. Meet the standard of the applicable zone district for an attached unit; and~~

~~b. Be twenty five feet for a detached unit.~~

6. Conversion of an existing legal nonconforming structure to an accessory dwelling unit is allowed provided that the conversion does not increase the degree of nonconformity.

7. Accessory dwelling units are exempt from density calculations and requirements.

~~C. Parking.~~

1. ~~No additional parking space as required for an accessory dwelling unit if it is created on a site with an existing house, attached house, or manufactured home and one abutting street has a paved width of at least twenty eight feet.~~

~~2. One additional parking space is required for an accessory dwelling unit:~~

~~a. When the abutting street(s) do not have a minimum paved width of twenty eight feet; or~~

~~b. When the accessory dwelling unit is created at the same time as the house, attached house, or manufactured home. (Ord. O-03-2 § 1 (part), 2003)~~

## Chapter 16.148

### SIGNS

#### Sections:

- 16.148.010 Title and purpose.
- 16.148.020 General provisions.
- 16.148.030 Commercial, office and business signs.
- 16.148.040 Public and semi-public signs.
- 16.148.050 Residential use signs.
- 16.148.060 Signs not requiring permits.
- 16.148.070 Temporary signs.
- 16.148.080 Exempt signs.

- 16.148.090 Nonconforming signs and uses.
- 16.148.100 Nuisance signs.
- 16.148.110 Prohibited signs and advertising devices.
- 16.148.120 Sign maintenance.
- 16.148.130 Criteria for sign permits—All signs.
- 16.148.140 Planning commission review.
- 16.148.150 Permits—Approval and fees.
- 16.148.160 Variances.
- 16.148.170 Inspection.
- 16.148.180 Appeals process.
- 16.148.190 Enforcement.
- 16.148.200 Responsibility for violations.
- 16.148.210 Penalties.
- 16.148.220 Cumulative remedies.

**16.148.140—Planning commission review.**

~~—In addition to provisions of this chapter, all signs, except temporary signs and those which are exempt from provisions of this chapter, shall be subject to an objective review of all information submitted. This information should be submitted five working days prior to the planning commissions monthly meeting. The decision reached on all signs, shall be based on the requirements contained in Section 16.148.110 of this chapter. In addition, construction shall be compatible with surrounding architectural design to promote and give consideration to location of signs, design or building, landscaping, visibility, construction, quantity of existing signs, pedestrian activities and traffic patterns. (Ord. 96-4 § 1 (part), 1996)~~

**16.148.140 Administration.**

A. Sign applications shall be administered and reviewed as an administrative decision in accordance with Article II of this title.

B. Sign applications requiring a variance shall be administered and reviewed as a Planning Commission decision in accordance with Article II of this title.

**16.148.150 Permits—Approval and fees.**

A. Sign Permit Application. Application for a sign permit shall be submitted on forms prescribed by the city manager. The application shall address all criterion listed in Section 16.148.110. In addition, the application shall contain the names and addresses of the sign contractors, if any, the applicant, the owner of the property on which the sign will be erected and the property owner's consent. A separate application shall be submitted for each sign.

B. Sign Permit. The city manager shall issue a sign permit when all applicable provisions of this chapter have been met. Except as otherwise provided, a separate sign permit shall be obtained for each sign.

C. Sign Permit Fee. Each sign permit application shall be accompanied by a sign permit fee as required by the city's schedule of fees and penalties as approved through resolution of the city council.

D. Double Fees. When a sign is erected or placed prior to approval of a required sign permit, the sign permit application fee specified in the city's schedule of fees and penalties as approved through resolution of the city council shall be doubled. Payment of the double fee shall not relieve an applicant from fully complying with the requirements of this chapter or from penalties prescribed in this chapter. (Ord. 96-4 § 1 (part), 1996)

**EXHIBIT B**  
Findings and Conclusions

## FINDINGS AND CONCLUSIONS

The relevant criteria for the King City Comprehensive Plan amendment are found in:

- The King City Comprehensive Plan
- The Oregon Statewide Planning Goals

Because the policy direction in the King City Comprehensive Plan is based directly upon the Oregon Statewide Planning Goals, addressing this plan will simultaneously consider the state goals. The Planning Commission and City Council should consider the findings regarding the proposed CDC amendments.

The King City Comprehensive Plan is organized using the Statewide Planning Goals. The plan goals are satisfied as indicated below:

*Citizen Involvement - Goal 1: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

The original ADU requirements in the CDC were adopted following public notification. The city has sponsored a publicly noticed meeting with the Planning Commission to review the recent state legislation and requirements for ADUs and the need to amend the CDC to be compliant with current requirements. The hearings before the Planning Commission and City Council were properly noticed as provided in the CDC. This goal is satisfied.

*Land Use Planning - Goal 2: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The city has adopted the King City Comprehensive Plan and Community Development Code in accordance this goal, and as noted above, citizens have been afforded an opportunity to participate. This goal is satisfied.

*Agricultural Lands – Goal 3 and Forest Lands – Goal 4*

These goals are not relevant because the property is designated for urban rather than resource use.

*Open spaces, scenic and historic areas, and natural resources – Goal 5: To conserve open space and protect natural and scenic resources.*

While encouraging ADUs may have a minor beneficial effect on conserving these resources through greater urban density, it is not relevant to the conservation of these resources in any meaningful way.

*Air, water and land resource quality – Goal 6: To maintain and improve the quality of the air, water, and land resources of the state.*

While encouraging ADUs may have a minor beneficial effect for maintaining or improving these resources through greater urban density and parking standards that encourage reduced auto ownership, it is not relevant in any meaningful way.

### *Natural Disasters and Hazards – Goal 7*

ADUs will be required to avoid or mitigate natural hazard areas, such as floodplains, in the same manner as all other development. This goal is satisfied.

*Recreational Needs – Goal 8: To satisfy the recreation needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

This goal is not relevant.

*Economy – Goal 9: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.*

The proposed CDC amendments will help the economy by making ADUs a more feasible and affordable housing option. Because housing represents a significant expense for most households, providing less costly housing opportunities will be an economic benefit to individual households as well as the regional and state economy. This goal is satisfied.

*Housing – Goal 10: To provide for the housing needs of citizens of the state.*

Not only is it important to provide adequate housing, it is critical to provide forms of housing that are affordable for an entire range of household sizes and incomes. To better address the housing needs of its residents, the city engaged ECONorthwest to complete the City of King City Housing Needs Analysis (HNA) in March 2018. The HNA found that between 2018 and 2038 there would be a need for 469 single-family units (detached, attached, and townhome) and 471 multi-family units (apartments and condominiums) for a total of 940 units. The HNA found that there was 3.8 acres of buildable land in the city capable of accommodating only 4% of this forecast housing need. The HNA determined that approximately 40% of city households have affordability problems with 56% of renters and 36% of owners paying more than 30% of their income on housing.

ADUs are recognized as being an affordable housing option, and these amendments will enhance the potential feasibility of ADUs in King City. The city is developed with small lot single-family and an assortment of townhomes, apartments, and condos. The housing stock is relatively new with the oldest units being built in the mid-60s. There is relatively little potential for ADUs, either detached or building conversions, because of the small lot sizes and unit square footage. For the current city, it is anticipated that ADUs will have a minimal impact. However, the ADU potential for the UGB expansion area, for which city will soon begin master planning, is much greater. Obviously, ADUs alone will not solve the housing affordability crisis, but these CDC amendments represent an important step as King City works toward providing a wider range of more affordable housing options. This goal is satisfied.

*Public Facilities and Services – Goal 11: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

ADUs will be allowed in areas that currently have urban public facilities and services. They will take

advantage of existing facilities and services, and they are not anticipated to create any additional burden on them. This goal is satisfied.

*Transportation – Goal 12: To provide and encourage a safe, convenient and economic transportation system.*

Similar to public facilities and services, ADUs will take advantage of existing transportation facilities. Due to their generally small size and anticipated distribution throughout the city, their transportation impact will be negligible. ADUs could potentially cause parking problems if no on-site parking is provided and on-street parking (streets less than 28 feet wide) is not available. However, this would be a relatively rare occurrence, and mandating on-site parking under any circumstance is prohibited by state law. This goal is satisfied.

*Energy Conservation – Goal 13: To conserve energy.*

ADUs hold the potential to conserve energy by encouraging development within existing urban areas. This will allow more efficient utilization of existing infrastructure and accommodation of additional city residents. ADUs are smaller and potentially more energy-efficient compared to other types of conventional housing. Locating new residents within existing neighborhoods rather than expanding the extent of urban development will tend to keep destinations, such as schools and shopping, within shorter travel distances. This goal is satisfied.

*Urbanization – Goal 14: To provide for an orderly and efficient transition from rural to urban land use.*

While this goal is not directly relevant because ADUs will only be allowed in areas already designated for urban development. They will not drive the transition from rural to urban land use on their own. If ADUs have any impact at all, it would be to slightly reduce the need to expand urban development into areas that are currently rural. This goal is satisfied.