



# City of Rockaway Beach

## Planning Commission Meeting Agenda

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**Date:** Thursday, August 21, 2025  
**Time:** 5:00 P.M.  
**Location:** Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

**Watch live stream here:** <https://corb.us/live-stream>  
**View meeting later here:** <https://corb.us/planning-commission/>

**Join here to attend remotely on Zoom:**  
<https://us06web.zoom.us/j/81581356278?pwd=xEWrzqrPqMIL4Vbmpe11ECaukirHK6.1>  
Meeting ID: 815 8135 6278  
Passcode: 199269  
Dial by your location  
253 215 8782 US (Tacoma)

1. **CALL TO ORDER** – Bill Hassell, Planning Commission President
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
  - a. July 17, 2025 Meeting Minutes
5. **PRESENTATIONS, GUESTS & ANNOUNCEMENTS**
6. **STAFF REPORTS**
7. **PUBLIC HEARING** – None Scheduled
8. **CITIZEN INPUT ON NON-AGENDA ITEMS**
9. **OLD BUSINESS**
  - a. **Deliberation & Decision on CU-25-2: Consideration of an Application for Conditional Use for Expansion of a Non-Conforming Use in C1 Zone (127 South Miller Street)**
10. **NEW BUSINESS**
  - a. **Staff Presentation: SB406 (2023) Updates and Comprehensive Plan Amendments**
11. **PLANNING COMMISSION COMMENTS & CONCERNS**
12. **ADJOURNMENT**



# City of Rockaway Beach

## Planning Commission Meeting Minutes

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**Date:** Thursday, July 17, 2025

**Location:** Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

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### 1. CALL TO ORDER

Planning Commission President Hassell called the meeting to order at 5:00 p.m.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL

**Commissioners Present:** Bill Hassell, Penny Cole, Lydia Hess, Sandra Johnson, Nancy Lanyon, Jason Maxfield (remote), and Stephanie Winchester

**Council Members Present:** Charles McNeilly, Mayor; and Mary McGinnis, Planning Commission Liaison

**Staff Present:** Luke Shepard, City Manager; Abram Tapia, City Planner; and Melissa Thompson, City Recorder

### 4. APPROVAL OF MINUTES

Start time: 5:00 p.m.

#### a. June 26, 2025 Meeting Minutes

**Motion** by Hess, seconded Cole, to approve the June 26, 2025 Meeting Minutes as presented.

**Motion carried** by the following vote:

Yes: 6 (Cole, Hess, Lanyon, Maxfield, Winchester, Hassell)

Abstain: 1 (Johnson)

No: 0

### 5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS – None Scheduled

### 6. STAFF REPORTS

Start time: 5:02 p.m.

Hassell welcomed City Planner Tapia to his first Planning Commission meeting. Tapia introduced himself.

Tapia provided the following Planning Department updates:

- 8 zoning applications approved, including one for construction of a new dwelling unit.
- Sourcing funding sources for comprehensive plan updates and preparing a housing needs analysis.
- Oregon Land Use Board of Appeal (LUBA) case brought by the Oregon Shores Conservation Coalition was remanded to the City Council. LUBA sustained two assignments of error. As it is an active case, legal counsel has advised not to respond to comments at this time.

## **7. PUBLIC HEARING**

Start time: 5:05 p.m.

### **a. #CU-25-2: Consideration of an Approval for Conditional Use at 127 South Miller Street for Expansion of Non-Conforming Use in the C1 Zone**

Public Hearing opened at 5:06 p.m.

- Mayor McNeilly and Council Member McGinnis excused themselves from the hearing since the decision could be appealed to the City Council.
- Hassell provided an introduction and read opening statements, public hearing disclosure statements and procedures, and testifying instructions.

Declarations of Conflict of Interest or Bias:

- Maxfield declared potential conflict of interest and potential appearance of bias due to owning a retail store near the subject property, and past attempt to purchase the subject property. Maxfield stated he believed he could be fair and impartial, would participate in the hearing, and would abstain from voting only if further cause came up during the hearing.

Declarations of Ex-Parte Contacts:

- Maxfield declared that he frequently walked by the site.

Staff Report:

- Tapia shared slides, presenting the Staff Report, reviewing the criteria and staff findings, concluding that staff found that the criteria required to grant a conditional use had been met, and recommending approval of the applicant's request to expand the nonconforming use of 127 South Miller Street.
- Staff Response to Commission Questions:
  - Commercial Zone criteria is used for siting of building and it has no setback requirements.
  - Off-street Parking requirement is tied to type of unit, not the zone. A tri-plex requires two spaces and the site plan shows four.
  - Applicant would have to go on the waiting list for an additional short-term rental license.

- Commissioners noted need for both denser housing and need for commercial space. Applicant could address question whether they intended to create a triplex, or rental units.
- Parking requirements are from the new middle housing code and is tied to building size, not the number of units.
- Staff interpretation is that since application proposes an expansion of a non-conforming use, it was not considered new residential use.

Applicant Presentation - Josh Bennett, Scovel Design Group, representing applicant:

- Currently use residential. Uncertain of owner's intent, but believes they intend to keep as a single-family dwelling unit. Expansion would allow ground floor commercial use in the future. If application is denied, it will stay residential.
- Similar project on Beacon Street was approved.

Applicant Response to Questions:

- May need to clarify, but believes applicant's intent is single family use. Expansion will allow for possibility of commercial use. Commissioner desired clarification from applicant.
- Will building on existing foundation. Foundation and walls were tested by architect and engineer.
- Full design detailing ground floor is not yet available. Commissioner desired information on how it could be easily amendable to commercial uses in the future.

Public Testimony:

- None

Staff Response/Clarification:

- Additional short-term rental units would require a new license.
- Number of dwelling units will affect findings. Off-street parking requirement for single-family dwellings is 2 spaces.
- Height limitations are addressed with zoning approval.

Applicant Clarification:

- Property was previously approved by City and County for commercial and residential use with a previous owner. It is applicant's understanding that they have ability to do this, but they are seeking formal approval.
- Will comply with all height limitations.

Public Hearing closed at 5:43 p.m.

- Staff noted that the applicant had opportunity for final word.

Public Hearing reopened at 5:44 p.m.

Applicant and Commissioner inquired about process for decision. Staff clarified that the applicant would have the opportunity to assert the right to submit additional testimony.

Public Hearing closed at 5:45 p.m.

Requests to Present Additional Evidence:

- Applicant requested the right to submit final written argument.

**Motion** by Winchester, seconded by Hess, to set July 24, 2025 as the date for the applicant to submit its final argument, and the date upon which the record for this Conditional Use will close. Winchester further moved to set deliberations on this Conditional Use No. 25-02 to 5:00 p.m., August 21, 2025, at Rockaway Beach City Hall.

The **motion carried** by the following vote:

Yes: 7 (Cole, Hess, Johnson, Lanyon, Maxfield, Winchester, Hassell)

No: 0

**b. #VAR-25-1: Consideration of an Application for a Variance for a Reduction in Lot Width (Tillamook County Assessor's Map #2N1020BD Lot #6300)**

Start time: 5:48 p.m.

Public Hearing opened at 5:49 p.m.

- Hassell provided an introduction and read opening statements, public hearing disclosure statements and procedures, and testifying instructions.

Declarations of Conflict of Interest or Bias:

- None

Declarations of Ex-Parte Contacts:

- Johnson declared she made a site visit to view the lot and surrounding area.

Staff Report:

- Tapia shared slides presenting the Staff Report, reviewing criteria and summarizing findings. Tapia concluded that criteria had been met and staff recommended approval.

Staff Response to Commission Questions:

- Property is connected to water and electricity, and the sewer would be septic.
- Units on separate lots are not considered middle housing.
- A partitioned lot could be sold.
- There are no vegetation-related requirements for variance approval.

Applicant Presentation:

- Gloria Johnson, Applicant
- Scott Kehrli, General Contractor (consulting/representing Johnson's son on the application)
  - Johnson provided background on the lot, sharing why it had previously been combined into one lot, and her desire to develop to leave something for her grandchildren.

- Kehrli explained it was a financial hardship to develop the lot without a variance, requiring the construction of a detached duplex at the same time.
- Kehrli stated there was a nearby lot with 40 ft. width currently under development.
- Johnson stated she didn't want to cut vegetation and wanted to maintain the dunes.

#### Public Testimony in Opposition:

- Juan Paul Gover, Nedonna Ave. resident, expressed concerns about the required square footage for dwellings and the number and size of septic systems allowed in the neighborhood. Gover expressed further concerns about the potential for more short-term rentals.
- Rick Rausch, Geneva Ave. resident, expressed concerns about increased density, traffic, and short-term rentals. Rausch was concerned about setting a precedent by doubling lots and increasing the population in Nedonna, which has only one exit route. Rausch did not see a benefit to reducing financial hardship, and stated the increase in ocean-front housing would not benefit the average person.

#### Staff Response/Clarification:

- Lot in question is in the urban growth boundary.
- Short-term rental use would be regulated by the County.

#### Applicant Rebuttal:

- Kehrli stated there would be one septic on each lot, and the County had confirmed that there was adequate space. Kehrli argued that existing residents' concerns about septic were not a basis to prohibit the applicant from developing.
- Regarding comments about precedent, Kehrli stated there was probably only one other undeveloped ocean front lot in the area.

#### Additional Commissioner Questions:

- Commissioners asked the applicant about their intent for the lots. The applicant responded that they intended to develop one lot, and her grandchildren might want to develop the other lot in a year or two.

Public Hearing closed at 6:17 p.m.

#### Requests to Present Additional Evidence:

- Applicant waived the right to submit final written argument.

#### Discussion & Deliberation:

- Discussion that the lot could be developed as desired without being split, and that once the lot is split, each lot would be considered individually.
- Comment that there was nothing to deter approval.

**Motion** by Cole, seconded by Winchester, that based on the facts and evaluations presented in the city staff report and evidence presented, the Planning Commission approve Variance 25-1 to

reduce the required lot width for the property in question. Cole further moved to direct staff to prepare findings and conclusions, and authorize the Chair to sign an order to that effect.

- Discussion regarding septic system concerns. Staff confirmed that this application was only concerned with the lot, not zoning or building approval.

**Motion carried** by the following vote:

Yes: 7 (Cole, Hess, Johnson, Lanyon, Maxfield, Winchester, Hassell)

No: 0

## **8. CITIZEN INPUT ON NON-AGENDA ITEMS**

Start time: 6:24 p.m.

McGinnis rejoined the meeting at 6:24 p.m.

- Dick Martindale, resident, commented on wetlands and wetland mitigation, expressing concern that federal and state mitigation efforts aren't effective. Martindale advocated for enacting local ordinances to control wetlands, and noted that there was public support for wetland preservation.

## **9. OLD BUSINESS – None Scheduled**

## **10. NEW BUSINESS**

Start time: 6:29 p.m.

### **a. Election of Planning Commission President and Vice-President**

- Johnson confirmed that Maxfield and Hassell were willing to serve again.

**Motion** by Johnson, seconded by Cole, to elect President Hassell and Vice-President Maxfield to another term.

**Motion carried** by the following vote:

Yes: 7 (Cole, Hess, Johnson, Lanyon, Maxfield, Winchester, Hassell)

No: 0

### **b. Consideration to Cancel October Meeting Date**

- Shepard explained that the City was aware when City Planner Tapia was hired that he had an important previous engagement scheduled in October.

**Motion** by Hess, second by Johnson, to cancel the October meeting.

**Motion carried** by the following vote:

Aye: 7 (Cole, Hess, Johnson, Lanyon, Maxfield, Winchester, Hassell)

Nay: 0

## **11. PLANNING COMMISSION COMMENTS & CONCERNS**

Start time: 6:33 p.m.

- Johnson shared she was impressed with the Planning Commission's work on the Façade Grant. Johnson announced the Music and Movies in Park event was occurring that night.
- Lanyon commented that "muti-family" still appeared in ordinances, and encouraged future updates. Lanyon questioned whether the City could address parking issues on Highway 101.
- Winchester commended Public Works for their work on the 4<sup>th</sup> of July. Winchester reported on improvements to accessibility around the train tracks in Garibaldi and wondered if it could be implemented in Rockaway Beach.
- Maxfield welcomed City Planner Tapia and commended his work in the meeting. Maxfield expressed concerns about preserving and promoting commercial space within the City.
- Hess welcomed Tapia to the City and thanked Mertz for leading the way. Hess championed the citizen who spoke regarding the importance of wetlands in the community and stated it was very important to her.
- Cole echoed sentiments regarding wetlands. Cole advocated for defining dark skies in the community. Cole commented on two derelict buildings along Highway 101 and questioned whether any action could be taken.
- McGinnis welcomed Tapia and looked forward to working with him. McGinnis suggested concerns about commercial space and wetlands could be addressed in a Comprehensive Plan update.
- Hassell advocated for a new category for accessible short-term rentals. Hassell shared that David's Chair has been very successful and encouraged all to visit when guests are returning from visiting the beach. The current chair will be replaced through a grant. Hassell reported that David's Chair commented on the City's exemplary implementation of the volunteers for the program.

## **12. ADJOURNMENT**



**Motion** by Cole, seconded by Johnson, to adjourn the meeting at 6:46 p.m.

**Motion carried** by the following vote:

Aye: 7 (Cole, Hess, Johnson, Lanyon, Maxfield, Winchester, Hassell)

Nay: 0

MINUTES APPROVED THE  
21<sup>ST</sup> DAY OF AUGUST 2025

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William Hassell, President

ATTEST

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Melissa Thompson, City Recorder

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**From:** Josh Bennett <[REDACTED]>  
**Sent:** Thursday, July 24, 2025 1:57 PM  
**To:** Melissa Thompson  
**Cc:** City Planner; Jennifer Lay Khim pek; Kyin Lok; Jack Scovel  
**Subject:** 127 S Miller st conditional use additional testimony

To Whom it may concern:

The purpose of this email is to submit additional testimony for the conditional use application for 127 S Miller st

-The proposed use will be 3 separate living units 2 of which are intended for long term rentals

-the current permitted legal use of this lot is a legally permitted and approved STR The proposed use expands that into 2 additional units to be used for long term rentals

-the applicant has expressed a desire to retain the ability to have an adjustable floor plan for future commercial use on the first floor (the current construction plan allows for movable walls without structural or weight bearing concerns in most areas, allowing it to be customized for a commercial layout in conjunction with following the proper commercial permitting process.

-This property is located next to a recently installed ADA beach access ramp -This property has ADA access to accommodate those with accessibility conditions.

-The additional floors will have ADA access as well which will again fill a much needed space for ADA accessible housing with the views and proximity of the beauty we have all come to know and enjoy here on the coast

-this proposal meets all criteria required by the city to be granted a conditional use

In conclusion, the current legal use is a residential STR and will continue in this manner unless the conditional use is granted, in which case, it will allow for the expansion of additional long term housing for Those with ADA and accessibility needs which the city comprehensive plan outlines.

Thankyou for your time and consideration and we look forward to helping Rockaway move forward in meeting the needs of the community!



**CITY OF ROCKAWAY BEACH  
PLANNING COMMISSION ACTION**

**STAFF REPORT**

Case File #CU-25-02  
Hearing Date: July 17, 2025

**APPLICANT:** Scovel Design Group

**REQUEST:** The Applicant is seeking conditional use approval to expand a non-conforming use on the property, 127 South Miller St. The Applicant seeks to expand the existing single-family dwelling structure to add two additional stories above for a total of three stories. The Applicant seeks to develop the lot which is zoned C1 – Commercial, which allows multi-unit dwellings as a conditional use. The proposed building would have a similar footprint to the existing building on site.

**A. REPORT OF FACTS**

1. Property Location: The property is 127 South Miller Street, Rockaway Beach and is further identified on Tillamook County Assessor's Map # 2N1032CC Lot #9900.
2. Lot Size: approximately 4981 square feet.
3. Zoning Designation: C1 (Commercial Zoning).
4. Surrounding Land Use: The subject property is surrounded by commercial use to the North, South Miller Street, the train track, and the Oregon Coast Highway to the East, a Single Family residence to the South, and Rowhomes to the West.
5. Existing Structures: There is a 1,074 square-foot, 1 story, residential building on this property, which was constructed in 1926.
6. Utilities: The following utilities serve the subject property:
  - a. Sewer: City of Rockaway Beach
  - b. Water: City of Rockaway Beach
  - c. Electricity: Tillamook P.U.D.
7. Development Constraints: None.

**B. EVALUATION OF THE REQUEST**

1. General Description of the Proposal: The Applicant is requesting approval to expand the non-conforming use of 127 S Miller Street, which is zoned C1 – Commercial. The Applicant seeks to add an addition two stories to the current residence.
2. Background: This property is currently developed with a single-family dwelling, which the Applicant is seeking to add an addition onto. To expand the non-conforming use (residential use in the commercial zone), the Applicant must seek conditional use approval.
3. Agency Comments: None.
4. Ordinance Standards: The following ordinance standards apply to this request:



## **Rockaway Beach Zoning Ordinance**

### **Article 3. Use Zones.**

#### **Section 3.050. Commercial Zone (C-1).**

1. **Uses Permitted Outright:** In a C-1 zone, the following uses and their accessory uses are permitted outright:
  - a. Retail activities.
  - b. Services such as banks, barber and beauty shops, small repair shops, printing shops, laundries.
  - c. Eating and drinking establishments.
  - d. Amusement activities.
  - e. Business and professional offices.
  - f. Motels, hotels, and bed and breakfast.
  - g. Churches or community meeting halls.
  - h. Hospital, sanitarium, nursing home or rest home.
  - i. Arts or craft studios.
  - j. Public utility structure such as a substation.
  - k. Parks and publicly owned recreation areas.
  - l. Government or municipal structure.
  - m. Home occupation (See Section 4.090).
  - n. Private recreation uses such as tennis courts, and swimming pools or racquetball facility, when not in conjunction with another permitted use.
  - o. Family day care center and day care center.
  - p. Residential home.
  - q. Residential facility.
  - r. Signs in accordance with Section 4.050.
  - s. Mobile Food Unit.
  - t. A manufactured dwelling or recreational vehicle used during the construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.
  - u. Structural shoreline stabilization.
  - v. Residential Use, limited to the second story or above, and no more than 50% of the ground floor, on the condition that a commercial use be located on at least 50% of the area of the ground floor
2. **Conditional Uses Permitted.** In a C-1 zone, the following conditional uses and accessory uses are permitted:
  - a. Service stations, car lots, lumber yards, mobile home dealerships, public or private parking facilities, boat dealers, farm equipment dealers, or similar uses which require large land areas. These uses are intended to be outside of the immediate downtown area (between N. 4th to S. 3rd, the oceanfront and Beacon Street) and located on U.S. Highway 101. The Planning Commission or City Council shall consider this when issuing conditional use permits.
  - b. Cabinet or wood working shops, plumbing, heating, electrical, paint or other contractor storage, retail or sale shops.



- c. Secondhand sales with all merchandise enclosed within a structure.
  - d. Wholesale warehouse or storage establishments.
  - e. Tire retreading, welding or machine shops.
  - f. Single family dwellings including modular housing and manufactured homes, duplexes and multiple family dwellings. Manufactured homes shall be subject to the standards of Section 4.091.
3. **Standards.** In a C-1 zone, the following standards shall apply:
- a. Building setbacks shall be governed by fire protection standards administered by the Building Official.
  - b. Maximum building height shall be 45 feet, except that on the oceanfront from North Third Avenue to North Sixth Avenue the maximum building height shall be 20 feet.
  - c. Where a 45 foot building height is permitted, the first story shall be a minimum of 12 feet in height as measured from grade and shall be designed to accommodate future potential commercial use.
  - d. Multiple story buildings shall use architectural design features to differentiate the first story and the first story shall be designed to accommodate future potential commercial use.
  - e. The height above grade of an overhang or awning shall be a minimum of 10 feet above the sidewalk grade and 12 feet above the street grade where no sidewalk exists.
  - f. For commercial uses, permanent landscaping consisting of native vegetation is encouraged. Hardscape features such as benches, walkways, and outdoor seating areas shall be compliant with the American with Disabilities Act Accessibility Guidelines.
  - g. Where a commercial use abuts a residential zone, the commercial use shall provide a sight-obscuring fence or hedge of at least 5 feet in height. Floodlights shall be shielded so as not to cast glare on an adjacent residential use.
  - h. Storage of merchandise, waste disposal equipment, or similar material shall be screened from view.
  - i. Automobile service stations shall have a minimum lot size of 10,000 square feet, with a minimum width of 100 feet.
  - j. Commercial uses shall have permanent facilities, such as an office, which are connected to City services including water and sewer.

## **Article 6. Conditional Uses.**

### Section 6.010. Authorization to Grant or Deny Conditional Uses

Conditional uses listed in this ordinance may be permitted, enlarged, or otherwise altered upon authorization by the Planning Commission in accordance with the standards and procedures set forth in Section 6.010 through Section 6.030. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in use or lot area or an alteration of structure shall conform with the requirements dealing with conditional uses.

### Section 6.020. Conditional Use Review Criteria

Before a conditional use is approved, findings will be made that the use will comply with the following:

1. The proposed use is consistent with the policies of the Comprehensive Plan;



2. The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties. This standard is not applicable to multi-unit dwellings, manufactured dwelling subdivisions and manufactured dwelling parks;
3. The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated;
4. Public facilities and services are adequate to accommodate the proposed use;
5. The site's physical characteristics in terms of topography and soils is appropriate for the intended use; and
6. The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking areas, loading areas, storage facilities, setbacks, buffers, utilities, or other facilities which are required by City ordinances or desired by the applicant.

### C. STAFF SUMMARY

As outlined below, the Applicant has met the criteria for granting the variance request to construct a multi-unit residence in the commercial zone.

1. The proposed use is consistent with the policies of the Comprehensive Plan;

**SUMMARY:** This criterion has been met. The Comprehensive Plan outlines a need for additional residential housing and supports the location of housing in this commercial area, if already developed residentially.

**FINDING:** The Comprehensive plan supports the location of housing in this commercial area. Ground floor retail uses should be required in the commercial area if the residential uses are new. Since the residential use of the lot in question is not new, there are no requirements for ground floor retail uses.

**FINDING:** Due to limited development areas within the City of Rockaway Beach, areas where development can occur should be more intensively used than sensitive lands. The proposed development follows this principle.

**FINDING:** The City's housing strategy encourages permitting the development of multi-unit dwellings throughout most of the City and encourages higher densities for multi- unit development, which the proposed development includes.

2. The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties. This standard is not applicable to multi-unit dwellings, manufactured dwelling subdivisions and manufactured dwelling parks;

**FINDING:** These criteria are not applicable to multi-unit dwellings.

3. The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated;

**SUMMARY:** These criteria have been met. The proposed addition will not generate additional traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated by three residential units.



**FINDING:** The proposed addition is planned for residential uses, which would limit the amount of traffic and parking demands of the property when compared to commercial uses. The proposed use would increase the predictability of traffic and parking demands.

**FINDING:** The proposed development abuts South Pacific Street and South Miller Street. Both streets have the capacity to accommodate the traffic generated by the proposed residential units.

4. Public facilities and services are adequate to accommodate the proposed use;

**FINDING:** This criteria has been met. This property is already serviced with City sewer and water services, which are adequate to meet the demand of the Applicant's proposed project.

5. The site's physical characteristics in terms of topography and soils is appropriate for the intended use; and

**FINDING:** This criteria has been met. The property's topography and soils are adequate for the proposed addition.

6. The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking areas, loading areas, storage facilities, setbacks, buffers, utilities, or other facilities which are required by City ordinances or desired by the applicant.

**SUMMARY:** This criterion has been met. The site has adequate area to accommodate the proposed addition.

**FINDING:** The proposed development includes four parking spaces, which exceeds residential parking requirements. For Triplexes on lots greater than or equal to 3,000 and less than 5,000 square feet, which the proposed lot falls under, the zoning ordinance requires two parking spaces

**FINDING:** The proposed development has adequate access points and setbacks consistent with the requirements of the C1 zone and other developments in the area.

## **D. CONCLUSION**

If, after hearing the evidence at the hearing, the Planning Commission agrees that sufficient facts exist to grant the conditional use, they should direct staff to write findings based on the evidence to permit the conditional use. If they do not find that sufficient evidence exists to allow the conditional use, they should direct staff to write findings for denial of the conditional use.

## **E. STAFF RECOMMENDATION**

Approval of the Applicant's request to expand the non-conforming use of 127 South Miller Street.

In the event of an approval, Staff offer the following suggested motion for the Planning Commissioner's consideration:





*I move that based on the facts and evaluations presented in the City Staff Report, and evidence presented, the Planning Commission approve Conditional Use Application 25-02 to allow for an addition to be constructed for residential use in the C-1 zone, subject to the Standards outlined in the City's Zoning Ordinance, and direct staff to prepare findings and conclusions, and authorize the Chair to sign an order to that effect.*





**APPLICATION LOCATION:**

