

CITY OF ROCKAWAY BEACH

City Planning Commission Meeting



Agenda

Date: July 21st, 2022

Time: 6:00 PM

Location: Rockaway Beach City Hall

JOIN ZOOM MEETING

[HTTPS://US06WEB.ZOOM.US/J/5137179369?PWD=S01QBZLIWTH6QNLHBMO2RXPYNTZ1DZ09](https://us06web.zoom.us/j/5137179369?pwd=S01QBZLIWTH6QNLHBMO2RXPYNTZ1DZ09)

MEETING ID: 513 717 9369

PASSCODE: 013664 +12532158782 US (TACOMA)

CALL TO ORDER AND APPROVAL OF AGENDA FOR CITY PLANNING COMMISSION MEETING

A) Roll Call Commission Members: Pat Olson, Bill Hassell, Zandra Umholtz, Georgeanne Zedrick, Sandra Johnson and Kristina Woida, Stephanie Winchester (New – Position 2).

B) Approval of Minutes
Approval of Minutes – 6/16/22

C) Citizen Concerns, Correspondence and Comments

D) Public Hearings
a. Falcon Subdivision (S 22-01)
b. Variance (V 22-02) – O'Day – setback variance

E) Old Business

F) New Business
a. Chair nomination

G) Workshops

H) Planning Commission Comments & Concerns

I) Staff Comments & Concerns

J) Adjournment

CITY OF ROCKAWAY BEACH

City Planning Commission Meeting



Agenda

Date: June 16th, 2022
Time: 6:00 PM
Location: Rockaway Beach City Hall

JOIN ZOOM MEETING

[HTTPS://US06WEB.ZOOM.US/J/5137179369?pwd=S01QBZLIWTh6QNLHBMO2RXpYNTZ1dZ09](https://us06web.zoom.us/j/5137179369?pwd=S01QBZLIWTh6QNLHBMO2RXpYNTZ1dZ09)

MEETING ID: 513 717 9369

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CALL TO ORDER AND APPROVAL OF AGENDA FOR PLANNING COMMISSION MEETING

A) Roll Call Commission Members: Pat Olson, Janet McIntire, Bill Hassell, Zandra Umholtz, Georgeanne Zedrick, Sandra Johnson and Kristina Woida.

[Position #2 - Janet McIntire: Present](#)

[Position #3 - Pat Olson: Present](#)

[Position #7 - Georgeanne Zedrick: Present](#)

[Position #5 - Bill Hassell: Present](#)

[Position #1 - Zandra Umholtz: Present](#)

[Position #4 - Sandra Johnson: Present](#)

[Position #6 - Kristina Woida: Present](#)

B) Approval of Minutes

Approval of Minutes – 5/19/22 - Janet asked for a motion for any corrections or additions to the minutes. Zandra made a motion to approve the minutes, Pat 2nd. All in favor.

[Position #1 - Zandra Umholtz: Motion](#)

[Position #3 - Pat Olson: 2nd](#)

[Position #2 - Janet McIntire: Approve](#)

[Position #3 - Pat Olson: Abstain](#)

[Position #7 - Georgeanne Zedrick: Approve](#)

[Position #5 - Bill Hassell: Approve](#)

[Position #1 - Zandra Umholtz: Approve](#)

[Position #4 - Sandra Johnson: Approve](#)

[Position #6 - Kristina Woida: Approve](#)

C) Citizen Concerns, Correspondence and Comments - none

D) Public Hearings - none

E) Old Business

a. Rules and Procedures of the Rockaway Beach Planning Commission - Scott explained the documents and explained the drafts and proposals documents to agree on a final draft. Janet opened up discussion or a motion. No motion was made, so the discussion continued on drafts. Sandra noted she had some specific changes to the staff draft.

- Article 3 OFFICERS (d) - City ord. listed as 31.01(b) and should be 31.0(f).
- Article 4 OFFICERS'S DUTIES - add a section for secretary duties.
- Article 5 MEETINGS -
 - Section 1 add 'shall also' after 'third Thursday'
 - Discussion on including more definition on cancellation requirements in the ordinance. No one else wanted to provide more restrictions on that section.
 - Section 2 - "in accordance with public meeting law (input the ORS number). ORS 192.630
- Article 6 PUBLIC HEARINGS –
 - Section 2 – Sandra noted the ORS statute was renumbered in 2021. *(the code listed is correct (197.763)).*
 - Section 3 – corrected 'identity' to 'identify' & remove semicolon after 'CRITERIA'
- Article 8 CONDUCT OF BUSINESS – after G. add 'Workshops'.
- Article 10 SPECIAL RECORDS - Section 1 – put in a '.' after Interpretation.
- Article 7 COMMISSION IMPARTIALITY –
 - section 11.060 – updated to COMMISSION PUBLIC HEARING IMPARTIALITY.
 - No period after bias and space after 4.

Janet asked for a motion Sandra made a motion to approve the staff draft with the revisions discussed and add hyper links to statutes and ordinances referenced within the document. G. 2nd – all in favor All in favor. Janet noted to approve on this day with changes on 6/19/22.

[Position #4 - Sandra Johnson: Motion](#)

[Position #7 - Georgeanne Zedrick: 2nd](#)

[Position #2 - Janet McIntire: Approve](#)

[Position #3 - Pat Olson: Approve](#)

[Position #7 - Georgeanne Zedrick: Approve](#)

[Position #5 - Bill Hassell: Approve](#)

[Position #1 - Zandra Umholtz: Approve](#)

[Position #4 - Sandra Johnson: Approve](#)

[Position #6 - Kristina Woida: Approve](#)

b. STR Discussion – Janet updated the City Council did not adopt and are still working on it and hope to have at the next city council meeting. Scott explained that the proposal drafted was sent to legal and then presented and is in the hands of City Council to address in their upcoming meetings.

F) New Business - none

G) Planning Commission Comments & Concerns

- Bill - Big Cedar is getting a water fountain.
- Sandra – Mentioned Bills podcast on the cedar grove and how Mary and Penny are working with the city on options for the city park.
- Kristina – asked about a Community Garden and other PC's members let her know we have one.
- Pat – happy the STR is moving forward.
- Zandra – don't have anything to add.
- Georgeanne – thank you to Scott for input on STR rental and wants to go to more city council meetings.
- Janet – Tonight is her last meeting; her Planning Commission term is up, and she has asked to not be reappointed and is taking a break and do some travelling and spend time with her family.

H) Staff Comments & Concerns –

Scott thanked Janet and expressed how appreciative he has felt working with Janet and what a tremendous asset she has been to the city. He gave an update on beach dune vegetation removal off Washington St.. He reminded that any complaints sent directly to Planning Commissioners need to be addressed to City Staff for follow up.

- I) Adjournment** - Janet asked for a motion, Pat made a motion to adjourn the meeting, Zandra 2nd – all in favor. At 7:27 pm.

[Position #3 - Pat Olson: Motion](#)

[Position #1 - Zandra Umholtz: 2nd](#)

[Position #2 - Janet McIntire: Approve](#)

[Position #3 - Pat Olson: Approve](#)

[Position #7 - Georgeanne Zedrick: Approve](#)

[Position #5 - Bill Hassell: Approve](#)

[Position #1 - Zandra Umholtz: Approve](#)

[Position #4 - Sandra Johnson: Approve](#)

[Position #6 - Kristina Woida: Approve](#)



STAFF REPORT

CASE FILE: #SD-22-01

DATE FILED: 6/06/22

HEARING DATE: 7/21/22

**CITY OF ROCKAWAY BEACH
PLANNING COMMISSION ACTION**

APPLICANT: Fred E. & Eileen A George

REQUEST: The applicants are requesting tentative subdivision plan approval for Application SD 22-01. The lot is located at 346 Falcon St. designed as 2N1032 CA 600. It is located in the R-3 Zone and is approx. 1 acre at (43,748 sq. ft.) The applicant is requesting to subdivide this lot into 5 individual lots, with one lot at 0.28 acres (12,196 sq. ft.) with the remaining lots at 0.18 acres (7,840 sq. ft.).

A. REPORT OF FACTS

- 1.) **PROPERTY LOCATION:** The vacant property is located at 346 Falcon St and is at the end of Falcon St. off north of 3rd Ave in Rockaway Beach and is further identified on Tillamook County Assessor's Map #2N1032 CA tax lot 600.
- 2.) **LOT SIZE:** approximately 43,748 square feet and 1.00 acre.
- 3.) **ZONING DESIGNATION:** R-3 (Lower Density Residential Zone). The minimum lot size requirement for that zoning is 5,000 sq. ft.
- 4.) **SURROUNDING LAND USE:** The subject property is adjacent to Rockaway City Park on the west side. Directly to the north and west are large lots both of which are located in Rockaway Beach's Local Wetland Inventory. (Source Department of State Lands Approved Local Wetlands Inventory 1993). The lots to the south are vacant and were recently portioned to 3 lots in 2021.
- 5.) **EXISTING STRUCTURES:** The lot is currently vacant.
- 6.) **UTILITIES:** The following utilities will be required to serve the 5 individual lots.
 - a. Sewer: City of Rockaway Beach
 - b. Water: City of Rockaway Beach
 - c. Electricity: Tillamook County P.U.D.
- 7.) **DEVELOPMENT CONSTRAINTS:** The north portion of the lot is located in our State LWI. The applicants have worked with the Department of State Lands and identified buildable area for the entire lot. (see map).

B. EVALUATION OF THE REQUEST

- 1.) **GENERAL DESCRIPTION OF THE PROPOSAL:** The applicants are requesting to subdivide their 1-acre lot into a 5 individual lots.
- 2.) **BACKGROUND:** Vacant Land
- 3.) **AGENCY COMMENTS:**
 - a. One letter in opposition to the proposal from Richard D. Teerman at 365 N. Juniper Ct.
- 4.) **ORDINANCE STANDARDS:** The following ordinance standards apply to this request.



Rockaway Beach Subdivision and Land Partition, Article 13

Section 2 Purpose

The purpose of this ordinance is to enact subdivision and land partitioning regulations for the City which will provide for better living conditions within new land divisions; assure necessary streets, open space, utilities and public areas and provide for their installation or improvement; enhance and secure property values in land divisions and adjacent land; simplify and make land descriptions more certain and in general to promote the health, safety, convenience and general welfare of the people of Rockaway Beach. Although the purpose section of the variance provisions is not intended to be used as a criterion or standard to evaluate the request, it should be considered as a guide in the evaluation of the criteria as outlined below.

C. CONDITIONS

- a. Stormwater Drainage – require a stormwater drainage system approved by City Engineer.
- b. City Water – Current water line is complete for the possible development.
- c. City Sewer – Sewer will require extension of sewer line to furthest property line as required.
- d. Street Improvements – to be determined by City Engineer (TBD)
- e. Fire – may require turnaround – as determined by Fire Code (TBD).
- f. Any additional requirements as outlined by City Engineer. (TBD).

D. STAFF SUMMARY

The request for the tentative subdivision plan meets all planning and zoning requirements in terms of lot size and configuration. If the applicant can meet all the requirements of the city engineer pertaining to infrastructure upgrades staff supports, the approval of the tentative subdivision plan.

E. CONCLUSION

If, after hearing the evidence at the hearing, the planning commission agrees that the applicant meets the requirements of the tentative subdivision plan, the preliminary subdivision plat will be approved with list of conditions to submit all required plans for the final subdivision plat. Within one (1) year after approval of the preliminary plat, or such extension as may have been granted by the City, the subdivider shall cause the proposed subdivision, or any part thereof to be surveyed and a plat thereof prepared in conformance with the preliminary plat as approved or conditionally approved.



Image below identifies the Oregon Department of State Lands Local Wetland Inventory (LWI)





Image below identifies the state-stamped wetland delineation map issued 4/9/2020



Rockaway Beach Zoning Ord.

July 5, 2022

Article 13 Subdivision and land partition section 5 Review criteria.

Public Hearing Subdivision #22-01 July 21, 2022

Rockaway Beach Planning Department,

I believe that the one acre lot on Falcon Street in Rockaway Beach, Oregon identified as 2N1032 CA 600 should not be divided into more than three lots.

These lot sizes will allow each property to have sufficient vehicle parking, limiting encroachment onto Falcon Street affecting Phyllis Baker City Park.

I further believe that special effort should be put forward to create and maintain a vegetation buffer the entire length of the Eastern property line to preserve and protect the habitat of the adjacent wet land.

I also believe that effort should be put forward to preserve and protect as many Cedar and Fir trees on this property as possible.

Also, no vegetation, of any kind, in the wet land East and within this property should be removed.

To blend in with the local neighborhood, houses on these lots should not exceed two stories in height.

Sincerely, Richard D. Teerman

365 N. Juniper Ct.

Rockaway Beach, Oregon 97136

503-355-2181

S-22-01

City of Rockaway Beach, Oregon

276 S. Highway 101, PO Box 5
Rockaway Beach, OR 97136
(503) 374-1752 FAX (503) 355-8221
www.corb.us * cityhall@corb.us



APPLICATION FOR SUBDIVISION

Applicant Name: Eileen A. George (and) Fred E. George

Mailing Address: P.O. Box 535, Rockaway Beach, OR 97136

Email: eiaabama@yahoo.com (OR) Fredgeorge658@gmail.com

Phone Number: (503) 457-5908

Owner(s) Name (If other than applicant): Eileen A. George

Mailing Address: Same

Email: "

Phone Number: (503) 457-3708

Property Location:

Map: 2N10W Tax Lot: 2N1032CA Block: 3077 Lot(s): 600
32CA

Situs Address: 346 N. Falcon

Name of Proposed Subdivision: Falcon Park

Consisting of 1 acre/s divided into 5 lots, proposed in 1 phases.

Township 02N Range 10W Section 32SW Land Use Zone RC-R3

See attached subdivision criteria.

Attach a scale drawing showing the dimensions of the property, adjacent street(s), dimensions of any existing structures and dimensions of proposed development. Applicant must include with this application twelve (12) copies of proposed plans.

Applicant Signature: Fred E. George Date: 04/07/2022

Property Owner Signature: Eileen A. George Date: 04/07/2022

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act on his/her behalf.

The City of Rockaway Beach is an Equal Opportunity Employer and TTY accessible at <http://www.oregonrelay.com>

2nd

Please attach the name, address, email address, phone number and signature of any additional property owners.

FOR OFFICE USE ONLY:

Subdivision Fee is \$ 1,000.00 + \$ 20.00 per lot

Appeal Portion is \$ 1,100.00

Date Received: 6/6/22 Received By: JK

Fee Paid: 1,825.00 Receipt No.: 1.000065

Date of Notice: _____

Notice Published: _____

Public Hearing (s): _____

Applicant meets criteria and standards as described in the Subdivision Ordinance, General Provisions, Sections 1- 10. ☐ Yes ☐ No

Applicant meets criteria and standards as described in the Subdivision Ordinance, Subdivision, Final Plat, Sections 11- 17. ☐ Yes ☐ No

City Planner Signature: _____ Date: _____

Granted: _____

Denied: _____

Date of Order: _____

Final Date to Appeal: _____

Eileen George

PO Box 535
Rockaway Beach, OR 97136
(503) 457-5908
fredgeorge658@gmail.com

Jun 6, 2022

Jenny Kettner

Planning Tech, City of Rockaway Beach
276 US-101
Rockaway Beach, OR 97136
(503) 374-1752

To the city of Rockaway Beach - Attention to city planner,

Information Statement

1. We are splitting a 1 acre lot into 5 lots. We have moved the water line in the street to the front of the properties. The sewer line is already in the street and electric power is available to all the Lots.
2. There is no deviation from the subdivision ordinance.
3. There are no public areas proposed.
4. There are no restrictive covenants proposed for this subdivision.

Sincerely,

A handwritten signature in black ink that reads "Eileen George". The signature is fluid and cursive, with the first name "Eileen" and last name "George" clearly distinguishable.

Eileen George



STAFF REPORT

CASE FILE: #VAR-22-02

DATE FILED: 6/22/22

HEARING DATE: 7/21/22

**CITY OF ROCKAWAY BEACH
PLANNING COMMISSION ACTION**

APPLICANT: Robert B. & Laura J. O'Day

REQUEST: The applicants are requesting a variance for a reduction to the required back and front yard setback for the addition of decks to their home located at 490 S. Lagoon St. The lot is located at the corner of 3rd and Lagoon St., it is located in the R-2 Zone and is approx. 7,011 sq ft. The R-2 setbacks for lots over 5,000 sq ft for the front yard is 15 ft from the property lot line and 5 feet from the back property line for a corner lot. The applicant is requesting to reduce the front yard setback from 15 feet to 11 feet and the back yard setback from 5 feet to 1.5 feet.

A. REPORT OF FACTS

- 1.) **PROPERTY LOCATION:** The property is located at 490 S. Lagoon St. in Rockaway Beach and is further identified on Tillamook County Assessor's Map #01N-10W-05AB as tax lot 1302. The house is in construction and not complete to date. The permit was approved by the City 6/25/2020.
- 2.) **LOT SIZE:** approximately 7,011 square feet
- 3.) **ZONING DESIGNATION:** R-2 (Residential Zone)
- 4.) **SURROUNDING LAND USE:** The subject property is adjacent to existing single-family dwellings on the east side also currently owned by the applicants. The property to the south is vacant. There is a single-family dwelling across Lagoon St. Directly to the south and east are vacant lots. All of which are located in Rockaway Beach's Local Wetland Inventory. (Source Department of State Lands Approved Local Wetlands Inventory 1993).
- 5.) **EXISTING STRUCTURES:** The home is a SFD single level home with an attached garage and is in the final stages of construction.
- 6.) **UTILITIES:** The following utilities serve the subject property:
 - a. Sewer: City of Rockaway Beach
 - b. Water: City of Rockaway Beach
 - c. Electricity: Tillamook County P.U.D.
- 7.) **DEVELOPMENT CONSTRAINTS:** The property is not in a flood zone, does not have wetlands and has a slope of less than 20%.

B. EVALUATION OF THE REQUEST

- 1.) **GENERAL DESCRIPTION OF THE PROPOSAL:** The applicants are requesting to place two decks at the front (west) and back (east) side of their home.
- 2.) **BACKGROUND:** A new single-family home was recently permitted, and construction is nearing completion.
- 3.) **AGENCY COMMENTS:**
 - a. None received to date.
- 4.) **ORDINANCE STANDARDS:** The following ordinance standards apply to this request.



Rockaway Beach Zoning Ordinance, Article 8. Variances.

Section 8.010. Purpose

- 1.) The purpose of a variance is to provide relief when a strict application of the zoning requirements would impose unusual practical difficulties or unnecessary physical hardships on the applicant. Practical difficulties and unnecessary hardships may result from the size, shape, or dimensions of a site, or the location of existing structures thereon; from geographic, topographic or other physical conditions on the site or in the immediate vicinity or from population densities, street location, or traffic conditions in the immediate vicinity.

Although the purpose section of the variance provisions is not intended to be used as a criterion or standard to evaluate the request, it should be considered as a guide in the evaluation of the criteria as outlined below.

Section 8.020. Criteria

- (1) Variances to a requirement of this chapter with respect to lot area and dimensions, setbacks, yard area, lot coverage, height of structures, vision clearance, fences and walls, and other quantitative requirements may be granted only if, on the basis of the application, investigation, and evidence submitted by the applicant, that all four expressly written findings are made:
 - (a) That a strict or literal interpretation and enforcement of the specified requirement would result in practical difficulty or unnecessary hardship and would be inconsistent with the objectives of the Comprehensive Plan; and
 - (b) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same zone; and
 - (c) That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and
 - (d) That the granting of the variance would support policies contained within the Comprehensive Plan.

C. STAFF SUMMARY

The applicant has addressed the criteria for a variance (see application and findings).

D. CONCLUSION

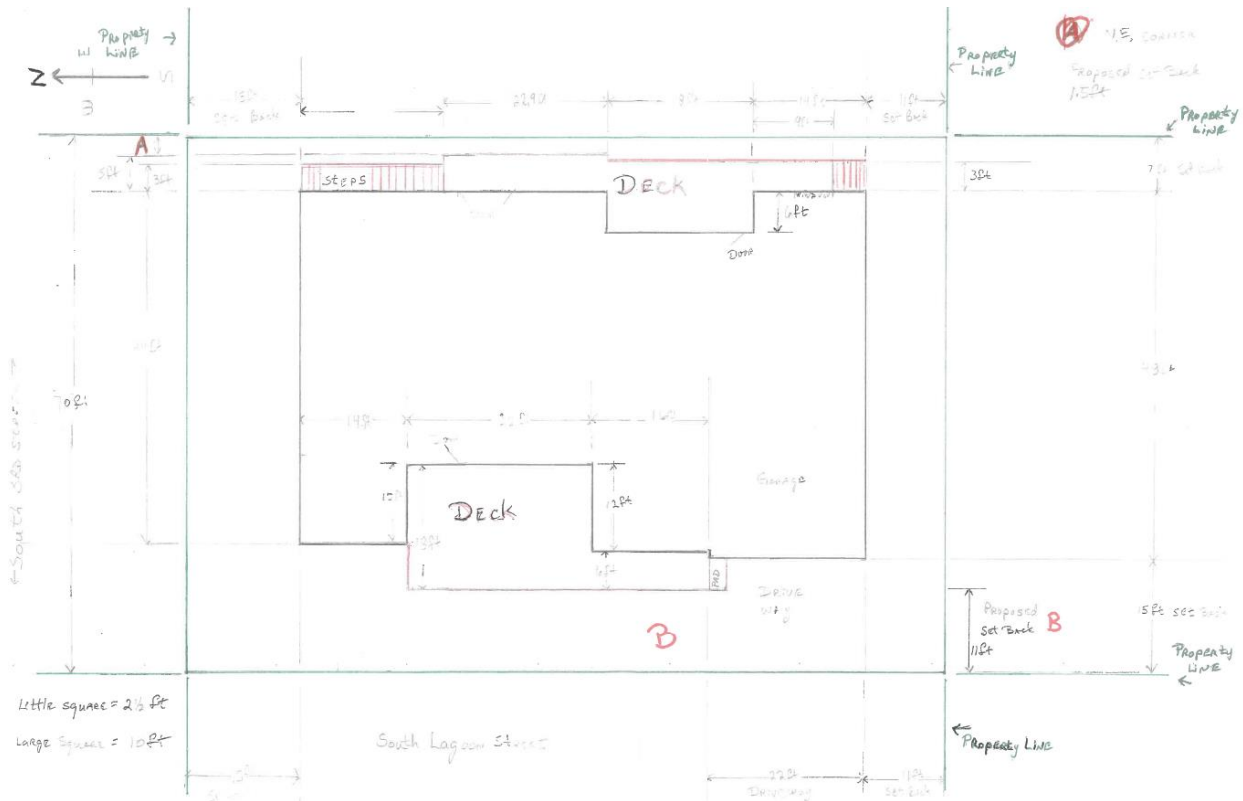
If, after hearing the evidence at the hearing, the planning commission agrees that sufficient facts exist to grant the variance, they should direct staff to write findings based on the evidence to permit the variance. If they do not find that sufficient evidence exists to allow the variance, they should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

ROCKAWAY BEACH

OREGON



Site Plan



Property Line
W LINE
3

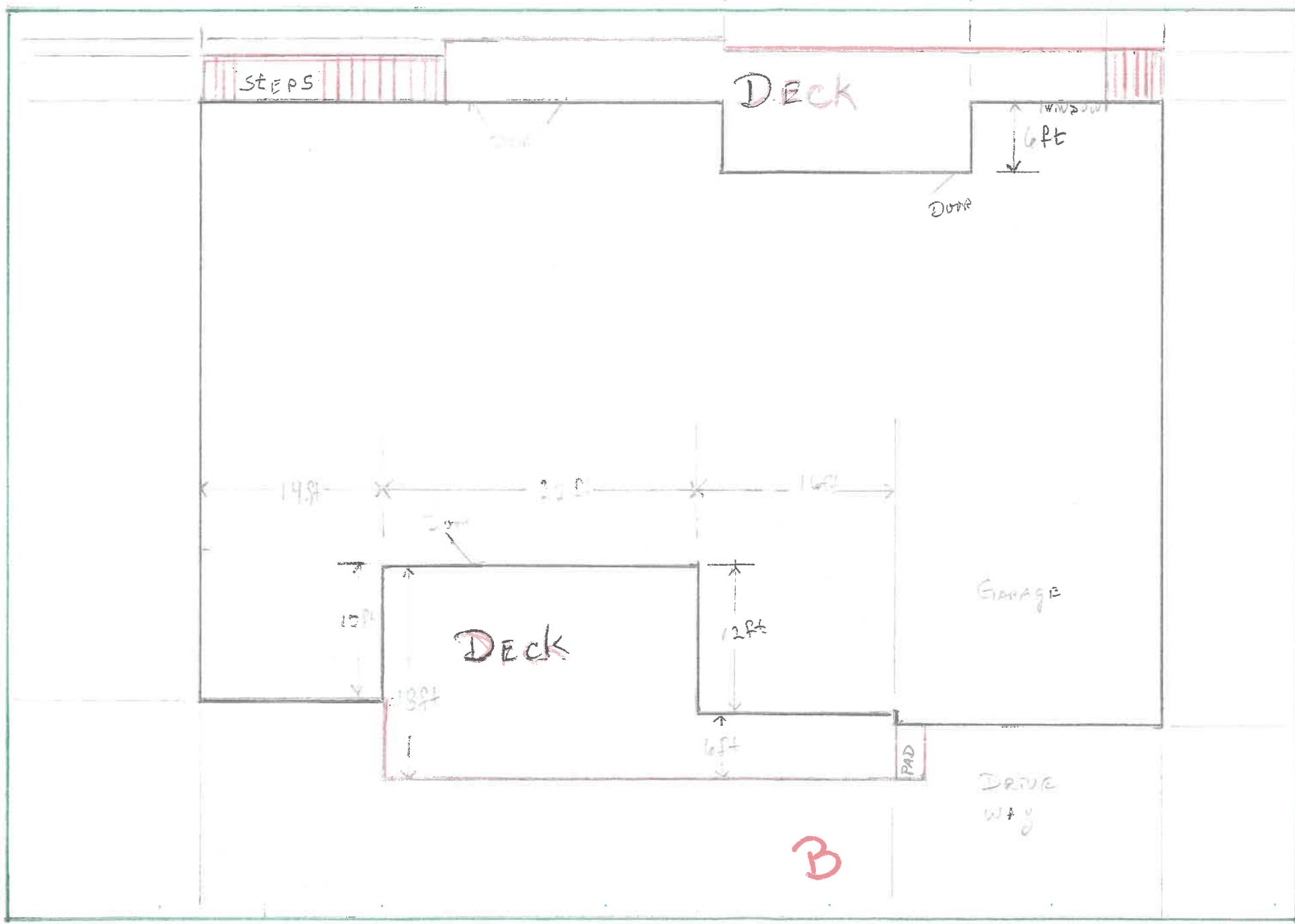
Property Line
N.E. CORNER
Proposed Set Back
1.5ft
Property Line

13ft Set Back
22.9ft
8ft
14ft
9ft
11ft Set Back

5ft
3ft
A

3ft
7ft Set Back

South Lagoon Street



Little square = 2 1/2 ft
Large square = 10ft

South Lagoon Street

Proposed Set Back B
11ft
15ft Set Back
Property Line

22ft Driveway
11ft Set Back



VARIANCE APPLICATION

(#22-02)

Non-Refundable Fee \$880.00

Property Owner(s) Name: Robert B. & Laura J. O'Day

Full Mailing Address: 2726 SE 89th Ave Portland, Oregon 97266

Email: oday7333@MSN.com Phone Number: 503-774-7333/971-404-6233

Location Information:

Situs Address: 490 S. Lagoon St. AND/OR Map/Tax Lot: 1N1005A B0 1302

Zoning: _____

Description of Request: ^{REAR} A) To create an exit for the French Doors AND the Back Door. Also to allow them to connect. To do this would require a REAR porch along with access stairs built within approximate of 18 inches of the property line. ^{FRONT} B) To create an exit for the front door AND to connect that exit to the driveway.

Justification of variance request. Explain how the request meets each of the following criteria for granting a variance per Rockaway Beach Zoning Ordinance# 143, as amended, Article 8, Variances, Section 8.020, Criteria

1. That a strict or literal interpretation and enforcement of the specified requirement would result in

^{REAR} practical difficulty or unnecessary hardship and would be consistent with the objectives of the Comprehensive Plan.
A) without this, we would not have a exit through the French or REAR Doors. This also allows a safety egress through the Master Bedroom window. ^{FRONT} B) without... we would not have use of this front door or access from the front door to the driveway. Also gives a safety egress through the Family Room window

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same zone.

^{REAR} A) the REAR walkway area is shared by the property line at 301 S. MARINE, which we own. AND this walkway that is shared by our neighbor Brad Hayes, is less than 30 inches off grade.
^{FRONT} B) THE FRONT WALK IS TO give access to this front door & set back far enough not to interfere with anything or anyone. A/B gives safe egress to both windows

3. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the near vicinity.

^{REAR} A) we have talked with Mr. Hayes. We are going to be working on a joint effort to combine into the landscape. ^{FRONT} B) still leaves over 10 ft of set back to South Lagoon st.

4. That the granting of the variance would support policies contained within the Comprehensive Plan.

By allowing both porches it would help make our property more cohesive and appealing.

Note: Use extra sheets or documents, if necessary, for answering the above questions.

Attach a scale drawing showing the dimensions of the property, adjacent street(s), dimensions of existing structure and dimensions of proposed development.

I hereby certify that the above information is correct and understand that issuance of a permit based on this application will not excuse me from complying with effective Ordinances and Resolutions of the City of Rockaway Beach and Statutes of Oregon, despite any errors on the part of the issuing authority in this application.

Property Owner Signature:

Rh+Blg

Laura O'Key

Date: *6/22/2022*

OFFICE USE ONLY

Fee \$ 880.00

Date Received:

6/22/22

Receipt #

By:

JK
[Signature]

Notes:

Notice Published:

Public Hearing Date:

Variance ☐ Granted

☐ Denied

Date of Order:

Final Date to Appeal:

t

Planning approved by:

Date of Order: