

February 14, 2024

Rockaway Beach  
City Council  
Meeting



Tillamook County Sheriff's Office  
Incident Types  
2022 - 2023

# 2023 Incident Types

- 19 out of 80 Incident Types account for 80% of activity
  - 1,935 Incidents in 2023
- Top Five
  - Traffic Stop - 295
  - Follow Up - 223
  - Assist - 141
  - Business Check - 138
  - Incoming 911 - 98

# Comparison 2022 and 2023

- 18% increase in Incidents from 2022 to 2023
  - 2022 – 1,662
  - 2023 – 1,935
- Top Five Increasing over 2022
  - Incoming 911
  - Follow Up
  - Assist
  - Traffic Stop
  - Civil
- Noise complaints increased 325% over 2022

# Comparison 2022 and 2023

- Top Five Decreasing over 2022
  - Civil Service
  - Suspicious Behavior
  - Business Check
  - Ordinance Violation
  - Alarm

Thank you!

February 14, 2024

Rockaway Beach  
City Council  
Meeting





# Public Hearing #1

- Second Hearing on Proposed Ordinance 2024-01
- Amends Code of Ordinances Chapter 113 related to short-term rentals:
  - Establishes the authority of the City Council to set a cap on the number of STR licenses within the city of Rockaway Beach
  - Authorizes the establishment of a “New License” waiting list
  - Authorizes the establishment of an “Under Construction” waiting list





## Public Hearing #2

- Proposed Ordinance 2024-02
- Prescribes the manner for a person to be nominated to run for Mayor or a City Council Position
  - City Charter states that the council must adopt such an ordinance
  - State law (ORS 249.020) allows candidates to file for candidacy through declaration (filing fee) or by nominating petition (obtaining voter signatures)
  - City's past practice was nomination by petition (obtaining voter signatures)
  - Ordinance codifies nomination by petition
  - Has no other impact on city elections



City of Rockaway Beach, Oregon  
276 S. Highway 101, PO Box 5  
Rockaway Beach, OR 97136  
503.374.1752

#### STAFF REPORT

Date: February 6, 2024  
To: City Council  
From: Luke Shepard, City Manager  
Subject: Proposed Amendments to Ordinance 2024-01 An Ordinance Amending City of Rockaway Beach Code of Ordinances Chapter 113 Related to Short-Term Rentals

Below for discussion and consideration are proposed amendments to Ordinance 2024-01 proposed by some members of the Council. Proposed changes are shown in red text. If the Council wishes to amend the proposed Ordinance, a motion or motions may be made prior to the second reading of the ordinance. Should the governing body choose to amend the ordinance, they may do so by including one or both amendments proposed below. The City's legal counsel has reviewed the proposed amendments.

1) PROPOSED AMENDMENT TO SUBSECTION (C):

As written, this amended subsection (C) would allow short-term rental license transfers at change of ownership so long as the city is notified within 30 days.

Proposed amendment (redline):

(C) Separate licenses; ~~non-transferability~~. Each dwelling unit shall have a separate short-term rental license. More than one license may be issued for dwelling units on a single property. The short-term rental license is issued to the owner and ~~may be does~~ ~~not~~ transfer ~~red~~ with the sale or conveyance of the property. All short-term rental license holders must report to the city any change of ownership of their short-term rental, in whatever form, before the transfer of ownership. New owners must notify the City of change of ownership within 30 days of closing to effect a short-term license transfer.

Example motion: I move to amend Ordinance 2024-01, subsection (C), as presented in the Staff Report.

2) PROPOSED AMENDMENT TO ADD SUBSECTION (F):

As written, this new subsection F would provide a new exception for those that are buying a house in Rockaway Beach during this update process.

Proposed amendment (redline):

# Consideration of Ordinance Amendments

- Staff Report: Two City Councilor proposed amendments to ORD. 2024-01 for consideration
  - Amendment to subsection (C): Would allow short-term license transfers at change of ownership
  - Amendment to add Subsection (F): Would provide a new exemption for those that are buying a home in Rockaway Beach
- City Council may amend ORD. 2024-01 through motion to include one, both or none of the above proposals



(C) Separate licenses; ~~non-transferability~~. Each dwelling unit shall have a separate short-term rental license. More than one license may be issued for dwelling units on a single property. The short-term rental license is issued to the owner and may be ~~does not~~ transferred with the sale or conveyance of the property. All short-term rental license holders must report to the city any change of ownership of their short-term rental, in whatever form, before the transfer of ownership. New owners must notify the City of change of ownership within 30 days of closing to effect a short-term license transfer.

# Proposed Amendment #1

- Amendment to subsection (C):  
Would allow short-term license transfers at change of ownership, including sale of property
  - Removes language about *non-transferability* of STR Licenses
  - Would require new owners to notify City of change in ownership within 30 days of change of ownership



~~(F)~~(F) License availability exception. Notwithstanding the number of licenses established under §113.02(E), an owner of a dwelling unit may obtain a short-term rental license under the following conditions: (1) the applicant was under contract to purchase the dwelling unit before the effective date of the 2024 amendments to §113.02; (2) the applicant took ownership of the dwelling unit within 180 days after the effective date of the 2024 amendments to §113.02; and (3) the applicant applies for a short-term rental license for the dwelling unit within 270 days after the effective date of the 2024 amendments to §113.02. In addition to a standard application packet for a short-term rental license, an application submitted under this subsection shall also include copies of the following materials related to the dwelling unit: (1) the property purchase contract executed prior to the effective date of the 2024 amendments to §113.02; and (2) the recorded deed or land sale contract conveying the dwelling unit to the applicant executed within six months after the effective date of the 2024 amendments to §113.02. An eligible owner that submits a complete application meeting the requirements of §113.02(B) and §113.02(F) may obtain a short-term rental license without regard to the number of licenses available under §113.02(E). Licenses issued under §113.02(F) shall not count against the number of licenses established by §113.02(E) and the owner issued a license under §113.02(F) may renew the license in subsequent consecutive years. Failing to timely renew a license in any one year will forfeit the ongoing renewal preference.

# Proposed Amendment #2

- Amendment to add Subsection (F): Would provide a new exemption for those that are buying a home in Rockaway Beach
  - New Owner must be under contract by the effective date of the ordinance (likely March 15, 2024)
  - New owner must take ownership within 180 days of effective date (September 11, 2024)
  - New owner must apply for a short-term rental license within 270 days of effective date (December 10, 2024)





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Proposed amendment (redline):

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Example motion: I move to amend Ordinance 2024-01, subsection (C), as presented in the Staff Report.

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Proposed amendment (redline):

# Consideration of Ordinance Amendments

- Staff Report: Two proposed amendments to ORD. 2024-01 for consideration
  - Amendment to subsection (C): Would allow short-term license transfers at change of ownership
  - Amendment to add Subsection (F): Would provide a new exception for those that are buying a home on Rockaway Beach
- City Council may amend ORD. 2024-01 through motion to include one, both or none of the above proposals

# Ordinance 2024-01

## Timeline to Enact ORD. 2024-01

- *Tentative* Adoption Schedule

- Public Hearing #2
- Consideration to Amend Ordinance
- Second Reading and Approval
- Adoption
- Resolution Setting Cap Number- 3/13/24
- Effective Date – 3/15/24

CITY OF ROCKAWAY BEACH, OREGON  
ORDINANCE NO. 2024-01

AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH CODE OF  
ORDINANCES CHAPTER 113 RELATED TO SHORT-TERM RENTALS

RECITALS:

1. The City Council is concerned for the health and welfare of the residents of Rockaway Beach and find that short-term vacation rentals can impact residents' enjoyment of the City and their property.
2. The City Council is also concerned with the health and welfare of visitors to the City that may stay in a private home acting as a short-term vacation rental.
3. In 2022, the City Council adopted Rockaway Beach Code Chapter 113 to balance the interests of neighbors, vacationers, and vacation rental owners. After working under the new regulations for the past year, the City Council finds that updates are needed to continue to strike the correct balance amongst the various interests.
4. Short-term rentals and the impacts of short-term rentals are major concerns for jurisdictions all over Oregon, and particularly along the Oregon coast. Tillamook County recently enacted license caps for short-term rentals in unincorporated areas of the County. Relatedly, Oregon is also suffering through a documented and significant housing shortage that the City Council finds is exacerbated in coastal communities with significant inventories of short-term rentals.
5. To address the interests of the community, including vacationers, property owners, and neighbors, and to address the need for workforce housing in our community, the City Council wishes to implement a cap on the total number of short-term licenses within the City to better ensure the long-term livability for both residents and vacationers.

Now, therefore, the City of Rockaway Beach ordains as follows:

Section 1. The City of Rockaway Beach Code of Ordinances Section 113.02 is hereby amended, in total, as follows:

§ 113.02 Short-Term Rental License Application and Application Procedures.

(A) Eligibility to apply for license. A property owner who holds title or a recorded land sale contract to a property with a dwelling unit may apply for a short-term rental license. A license application shall not be accepted or processed until fines related to any violation of the city code related to the subject property are paid in full. A license application shall not be accepted or processed until all corrective actions related to any violation of the city code related to the subject property are completed to the city's satisfaction. No person shall occupy, use, operate or manage, or offer or negotiate to use, lease or rent, a dwelling unit for short-term rental unless issued a short-term rental license by the city.

# First Reading Ord. 2024-02

## CITY OF ROCKAWAY BEACH, OREGON ORDINANCE NO. 2024-02

### AN ORDINANCE PRESCRIBING THE MANNER FOR A PERSON TO BE NOMINATED TO RUN FOR MAYOR OR A CITY COUNCILOR POSITION

#### RECITALS:

1. The Charter of the City of Rockaway Beach, Chapter VII, Section 25, states that "City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan;" and
2. The Charter of the City of Rockaway Beach, Chapter VII, Section 27, states "The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position"; and
3. State law (ORS 249.020) provides that candidates may file for candidacy by filing a declaration of candidacy (filing by fee) or by nominating petition (filing by obtaining voter signatures); and
4. The City Council wishes to establish filing by nominating petition as the manner for a person to be nominated to run for Mayor or a City Councilor position.

Now, therefore, the City of Rockaway Beach ordains as follows:

**Section 1.** A new Chapter 36 titled Elections is added to the City of Rockaway Beach Code of Ordinances as follows:

§36.01 NOMINATING PETITION. Prospective candidates shall file a nominating (prospective) petition to be nominated to run for Mayor or a City Councilor position.

§36.02 NOMINATING PETITION FORM. Nominating petitions shall be submitted to the City Elections Officer on the official candidate filing forms provided by the State in the manner prescribed by State law. The filing form must specify the office and position for which the candidate is filing. The number of signatures required on the nominating petition is set by State law.

§36.03 NOMINATING PETITION DEADLINE. The nominating petition deadline is established by State law. Candidates are advised to submit materials to the City Elections Officer for verification allowing sufficient time for the verification process to be completed prior to the filing deadline.

**Section 2.** Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

- Prescribes the manner for a person to be nominated to run for Mayor or a City Council Position
  - City Charter states that the council must adopt such an ordinance
  - State law (ORS 249.020) allows candidates to file for candidacy through declaration (filing fee) or by nominating petition (obtaining voter signatures)
  - City's past practice was nomination by petition (obtaining voter signatures)
  - Ordinance codifies nomination by petition
  - Has no other impact on city elections



# Ordinance 2024-02

## Timeline to Enact ORD. 2024-02

- *Tentative* Adoption Schedule

- Public Hearing
- First Reading and Approval
- Second Reading and Approval
- Adoption

- Effective Date – 3/15/24

**CITY OF ROCKAWAY BEACH, OREGON  
ORDINANCE NO. 2024-02**

**AN ORDINANCE PRESCRIBING THE MANNER FOR A PERSON TO BE  
NOMINATED TO RUN FOR MAYOR OR A CITY COUNCILOR POSITION**

**RECITALS:**

1. The Charter of the City of Rockaway Beach, Chapter VII, Section 25, states that “City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan;” and
2. The Charter of the City of Rockaway Beach, Chapter VII, Section 27, states “The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position”; and
3. State law (ORS 249.020) provides that candidates may file for candidacy by filing a declaration of candidacy (filing by fee) or by nominating petition (filing by obtaining voter signatures); and
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**Section 2.** Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.



RESOLUTION NO. 2024-10

**A RESOLUTION APPROVING WAYSIDE USE APPLICATIONS FOR THE ARTS & CRAFTS FAIR, INDEPENDENCE DAY, KITE FESTIVAL, ARTISAN'S/THURSDAY MARKET AND WEENIE WAGON**

**WHEREAS**, the City has received applications from the Rockaway Beach Chamber of Commerce and the Rockaway Lion's Club for use of the Wayside; and

**WHEREAS**, staff has reviewed the application and deemed them complete; and

**WHEREAS**, the Council has considered and reviewed the application before them.

**NOW, THEREFORE, BE IT RESOLVED THAT**

**Section 1.** The City of Rockaway Beach City Council hereby approves the following applications for Wayside Use, attached as Exhibits A-E, and as specified below:

Applicant	Event
Rockaway Beach Chamber of Commerce	Arts & Crafts Fair
Rockaway Beach Chamber of Commerce	Independence Day
Rockaway Beach Chamber of Commerce	Kite Festival
Rockaway Beach Chamber of Commerce	Artisan's/Thursday Market
Rockaway Lions Club	Weenie Wagon

**Section 2.** This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED BY THE CITY COUNCIL THE 14TH DAY OF FEBRUARY 2024.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 2024-10

- Approves Wayside Use applications for various Rockaway Beach Chamber of Commerce Events and the Lions Club

RESOLUTION NO. 2024-12

A RESOLUTION APPROVING AWARDS FOR THE 2023-2024 FAÇADE IMPROVEMENT GRANT PROGRAM

**WHEREAS**, the City of Rockaway Beach designed the Façade Improvement Grant to market Rockaway Beach as a vibrant, family-friendly destination to stay and play; to improve visitor-facing exteriors of commercial buildings within the City of Rockaway Beach; to promote tourism, economic development, and a positive business environment in Rockaway; to achieve visible results that enhance image, marketability and economic vitality of Rockaway Beach; to encourage more private investment in businesses; to improve the business climate and encourage business development opportunities; and

**WHEREAS**, the Rockaway Beach City Council believes that the look of a town is its "visual advertising" – first impressions count; first impressions create a "sense of place" and pride in a town; the better the impression, the more visitors stay, spend and support businesses; people have moved and invested here, and are opening or buying businesses; the more a city does to help make a town better, the more economic vitality will occur; and

**WHEREAS**, this grant program is funded with lodging tax collected by the City of Rockaway Beach and administered through the Tillamook Coast Visitors Association (TCVA); and

**WHEREAS**, funds are available up to \$200,000 for this grant program, with a maximum request of \$20,000; and

**WHEREAS**, TCVA has reviewed grant applications for eligibility and completeness; and

**WHEREAS**, authority to award funds lies with the Rockaway Beach City Council who has reviewed the grant applications and now wishes to approve awards.

**NOW, THEREFORE, BE IT RESOLVED THAT**

**Section 1.** The City of Rockaway Beach City Council hereby awards a 2023-2024 Façade Improvement Grant to the following recipients in the amounts specified below:

Recipient:	Grant Amount:
Beach Bakeshop	\$20,000
Rockaway Snack Shack	\$14,950

# Resolution 2024-12

- Approves funding awards for the 2024 Façade Improvement grant program
- Program provides funding to Rockaway businesses for repairs or improvements their exteriors
- City received \$102,951 in eligible grant requests from 7 Rockaway businesses
- Program is funded with Rockaway Beach lodging tax and administered by Tillamook Coast Visitors Association

RESOLUTION NO. 2024-13

**A RESOLUTION AUTHORIZING THE CITY OF ROCKAWAY BEACH TO APPLY FOR LAND AND WATER CONSERVATION FUND ASSISTANCE FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR DEVELOPMENT OF ACCESSIBLE RESTROOM FACILITIES AT LAKE LYTLE AND AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION**

**WHEREAS**, the Oregon Parks and Recreation Department is accepting applications for the federal Land and Water Conservation Fund Grant Program; and

**WHEREAS**, the City of Rockaway Beach desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation improvements and enhancements; and

**WHEREAS**, the City Council have identified restroom improvements at Lake Lytle as a high priority need in the City of Rockaway Beach and for the benefit of Tillamook County; and

**WHEREAS**, the project shall consist of demolishing the existing single, vault restroom facility and upgrading the facility to include two, family-style, Americans with Disabilities Act (ADA) restrooms, improved ADA access to the new facilities, and necessary infrastructure improvements; and

**WHEREAS**, the project has an estimated cost of \$912,843.00 and the City is requesting \$444,578.50 in grant funding from the grant program; and

**WHEREAS**, the City of Rockaway Beach has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

**WHEREAS**, the City of Rockaway Beach has estimated the annual maintenance costs will be as much as \$20,000 and will dedicate adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded.

**NOW, THEREFORE, BE IT RESOLVED THAT**

**Section 1.** The City of Rockaway Beach City Council demonstrates its support for the submittal of a grant application to the Oregon Park and Recreation Department for development of accessible restroom facilities at Lake Lytle, and authorizes the City Manager to sign the application.

**Section 2.** This Resolution shall be effective immediately upon adoption.

# Resolution 2024-13

- Authorizes City to apply for a \$444,578.50 Oregon Parks and Recreation Department grant
- Lake Lytle Park
- Installation of new ADA accessible restrooms facilities and associated utilities

RESOLUTION NO. 2024-14

**A RESOLUTION AUTHORIZING A LETTER OF SUPPORT FOR THE SALMONBERRY TRAIL INTERGOVERNMENTAL AGENCY (STIA) REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT PROGRAM APPLICATION**

**WHEREAS**, the US Department of Transportation is accepting applications for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program; and

**WHEREAS**, the Salmonberry Trail Intergovernmental Agency (STIA) wishes to complete the RAISE grant application for final submission by Tillamook County for funds to develop the Salmonberry Trail section through the City of Rockaway Beach; and

**WHEREAS**, the City of Rockaway Beach desires to express its support for STIA's application to the grant program.

**NOW, THEREFORE, BE IT RESOLVED THAT**

**Section 1.** The City of Rockaway Beach City Council hereby demonstrates its support for Tillamook County's submittal to the US Department of Transportation for a RAISE grant for the development of the Salmonberry Trail in the City of Rockaway Beach, and authorizes the Mayor to sign a letter of support on behalf of the City Council, attached as Exhibit A.

**Section 2.** This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED BY THE CITY COUNCIL THE 14TH DAY OF FEBRUARY 2024.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 2024-14

- Authorizes Letter of Support for RAISE grant (Rebuilding American Infrastructure with Sustainability and Equity)
- Michael Neunzert Presented for Salmonberry Trail Intergovernmental Agency (STIA)
- STIA seeks City support in efforts to obtain Funding to construct the trail section through Rockaway Beach
- Requesting letter of support for grant application

RESOLUTION NO. 2024-15

**A RESOLUTION APPROVING AWARDS FOR THE 2023-2024 OFF-SEASON  
TOURISM MARKETING GRANT PROGRAM**

**WHEREAS**, The City of Rockaway Beach is allocating \$35,000 for the 2023-2024 fiscal year toward off-season marketing and promotions grants; and

**WHEREAS**, this grant is funded with lodging tax collected by the city and is compliance with use of the tax as a way for tourism-related businesses and nonprofits to implement a new or revised marketing effort, conduct a marketing campaign, work collaboratively with other tourism-related businesses, or launch a new event; and

**WHEREAS**, applicants may request a maximum of \$3,000 with no match required; and

**WHEREAS**, in partnership with the City of Rockaway Beach, Tillamook Coast Visitors Association (TCVA) was tasked with managing the grant application process and contract management for the program. TCVA serves as the main point of contact for applicants and grant recipients.

**WHEREAS**, TCVA has reviewed grant applications for eligibility and completeness; and

**WHEREAS**, the City Council has reviewed grant applications and now wishes to approve awards.

**NOW, THEREFORE, BE IT RESOLVED THAT**

**Section 1.** The City of Rockaway Beach City Council hereby awards a 2023-2024 Off-Season Tourism Marketing Grant to the following recipient(s) in the amounts specified below:

Recipient:	Grant Amount:

**Section 2.** TCVA shall execute contracts with awardees, issue grant reimbursements, and manage project contracts.

**Section 3.** This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED BY THE CITY COUNCIL THE 14TH DAY OF**

# Resolution 2024-15

- Approves award for the an off-season tourism marketing grant
- Rockaway Beach Community Education
- Request of \$2,932 for Brochures and Social Media Videos



RESOLUTION NO. 2024-16

**A RESOLUTION APPROVING A PROPOSAL FROM SSW CONSULTING FOR STRATEGIC PLANNING SERVICES & AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT**

**WHEREAS**, the City seeks to engage with SSW Consulting for assistance in its efforts to develop a five-year Strategic Plan; and

**WHEREAS**, the Rockaway Beach Code Chapter 30 provides that the City Council delegates contracting power to the City Manager for items up to \$75,000.

**NOW, THEREFORE, BE IT RESOLVED THAT**

**Section 1.** The City of Rockaway Beach City Council hereby approves the proposal from SSW Consulting for strategic planning attached as Exhibit A, and authorizes the City Manager to execute a Professional Services Agreement for the project.

**Section 2.** This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED BY THE CITY COUNCIL THE 14TH DAY OF FEBRUARY 2024.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 2024-16

- Approves a proposal from SSW Consulting for strategic planning services and authorizes city manager to execute a professional services agreement
- City to develop a five-year strategic plan with actionable goals Process timeline: March-October
- Big step forward for Rockaway Beach



# Anchor St. /Wayside Restroom





February 14, 2024

Rockaway Beach  
City Council  
Meeting





# City of Rockaway Beach Coffee w/ Manager and Mayor

Fourth Thursday of Month

9:00 am to 10:00 am

City Hall 2<sup>nd</sup> Floor Conference Room

Thursday, February 22, 2024

Bring your questions, comments and suggestions

We look forward to our interaction!

February 14, 2024

Rockaway Beach  
City Council  
Meeting

