



## City of Rockaway Beach, Oregon

276 S. Highway 101, PO Box 5

Rockaway Beach, OR 97136

(503) 374-1752

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### NOTICE OF PUBLIC HEARING

PUBLIC NOTICE is hereby given that the City of Rockaway Beach City Council will hold a public hearing on Wednesday, May 8, 2024, at 6:00 p.m. in the Council Chambers of City Hall at 276 S. Hwy 101, Rockaway Beach, Oregon.

The purpose of this public hearing is to consider public testimony on proposed Ordinance No. 2024-05 entitled:

**Ordinance 2024-05 An Ordinance Amending City of Rockaway Beach Code of Ordinances Chapter 113, Section 113.02, Related to Short-Term Rentals Under-Construction Waiting List**

This proposed ordinance amends the Code of Ordinances Chapter 113, Section 113.02 related to the Short-Term Rentals Under-Construction Waiting List. A copy of the ordinance is attached to this notice, may be obtained at City Hall 276 S. Hwy 101, Rockaway Beach, Oregon, or online at <https://corb.us/city-council/> in the May 8, 2024 City Council Meeting Agenda Packet. All interested parties are invited to provide testimony at the hearing, by letter addressed to City Hall, P.O. Box 5, Rockaway Beach, Oregon 97136, or email to [cityhall@corb.us](mailto:cityhall@corb.us). Specific suggestions or questions concerning the proposed item may be directed to Luke Shepard, City Manager by calling (503) 374-1752 or by emailing [cityhall@corb.us](mailto:cityhall@corb.us).

**CITY OF ROCKAWAY BEACH, OREGON  
ORDINANCE NO. 2024-05**

**AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH CODE OF  
ORDINANCES CHAPTER 113, SECTION 113.02, RELATED TO SHORT-TERM  
RENTALS UNDER-CONSTRUCTION WAITING LIST**

**RECITALS:**

1. The Rockaway Beach City Council on February 14, 2024 adopted Ordinance 2024-01 Amending City of Rockaway Beach Code of Ordinances Chapter 113 Related to Short-Term Rentals.
2. The City Council finds that updates to Section 113.02 are needed to amend the provisions regarding the (H) Under-construction waiting list.

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

**Section 1.** The City of Rockaway Beach Code of Ordinances, **Section 113.02 (H)** is hereby amended to read as follows, as presented in Attached Exhibit A (underline/strikeout version) and attached Exhibit B (clean version):

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

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(H) Under-construction waiting list. Notwithstanding the new license waiting list, the City will also maintain a waiting list for residential properties under-construction. If, pursuant to a valid City zoning permit issued on or before March 29, 2024, an owner is actively constructing a residential structure that the owner intends to use as a short-term rental, the owner may submit a provisional application with the City and be placed on a waiting list created by the City for such provision applications. The City will time stamp each complete provisional application submitted to mark the date and time a complete provisional application was received by the City. It is each owner's responsibility to maintain correct information on file with the City while on the waiting list. The City Council may establish a fee by resolution for submitting a provisional application. The City Manager may develop policies for maintaining the under-construction waiting list. Positions on the under-construction waiting list are personal to an owner and non-transferrable.

Once issued a certificate of occupancy, an owner on the under-construction waiting list may contact the City in writing and submit a complete short-term rental license application. Failing to contact the City within thirty (30) days after obtaining a certificate of occupancy will void the provisional application and the owner will be removed from the under-construction waiting list. Once a short-term rental license application is submitted and deemed complete, notwithstanding the license cap established by §113.02(E), the City will issue the owner a license. Licenses issued to owners on the under-construction wait list may be renewed in subsequent consecutive

years notwithstanding the license cap established by §113.02(E). Failing to timely renew a license in any one year will forfeit the ongoing renewal preference.

An owner on the under-construction waiting list must obtain a certificate of occupancy for the applicable property and must submit a complete short-term rental license application and pay the application fee by March 29, 2026. After March 29, 2026, the under-construction waiting list will lapse and any remaining owners on the list will be transferred to the new license waiting list according to the time their provisional application was received by the City.

**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.

**Section 3.** Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council \_\_\_\_\_.

2<sup>nd</sup> reading by the Rockaway Beach City Council \_\_\_\_\_.

Adopted and Approved by the Rockaway Beach City Council \_\_\_\_\_.

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

City Council	Aye/Nay
Mary McGinnis	/
Tom Martine	/
Kristine Hayes	/
Alesia Franken	/
Penny Cheek	/

Attest:

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

§ 113.02 SHORT-TERM RENTAL LICENSE APPLICATION AND APPLICATION PROCEDURES.

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(2) Once issued a certificate of occupancy, an owner on the under-construction waiting list may contact the city in writing and submit a complete short-term rental license application. Failing to contact the city within 30 days after obtaining a certificate of occupancy will void the provisional application and the owner will be removed from the under-construction waiting list. Once a short-term rental license application is submitted and deemed complete, notwithstanding the license cap established by division (E) above, the city will issue the owner a license. Licenses issued to owners on the under-construction wait list may be renewed in subsequent consecutive years notwithstanding the license cap established by division (E) above. Failing to timely renew a license in any one year will forfeit the ongoing renewal preference.

(3) An owner on the under-construction waiting list must obtain a certificate of occupancy for the applicable property and must ~~and~~ submit a complete short-term rental license application and pay the application fee by March 29, 2026. After March 29, 2026, the under-construction waiting list will lapse and any remaining owners on the list will be transferred to the new license waiting list according to the time their provisional application was received by the city.

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