



City of Rockaway Beach

Planning Commission Meeting Agenda

Date: Thursday, October 17, 2024
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:

<https://us06web.zoom.us/j/81274328779?pwd=1D4sLdma1wdFHbCjE8dDlFO3raMi7j.1>

Meeting ID: 812 7432 8779

Passcode: 517162

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**
President: Bill Hassell
Commissioners: Pat Olson, Zandra Umholtz, Sandra Johnson, Georgeanne Zedrick, Stephanie Winchester, and Nancy Lanyon
City Councilors: Charles McNeilly, Mayor; and Mary McGinnis, Planning Commission Liaison
4. **APPROVAL OF MINUTES**
 - a. September 19, 2024 Meeting Minutes
5. **PRESENTATIONS, GUESTS & ANNOUNCEMENTS**
6. **STAFF REPORTS** – None scheduled
7. **PUBLIC HEARING**
 - a. Consideration to Approve the Proposed Amendments to the Rockaway Beach Zoning Ordinance 143, Section 4.050 Sign Requirements, and Recommend its Adoption to the City Council
8. **CITIZEN INPUT ON NON-AGENDA ITEMS**

9. OLD BUSINESS

- a. Request from City Council for Further Review of Small Community Grant to Clarify “Community Entities”

10. NEW BUSINESS

- a. Consideration to Approve Request for One-Year Extension for Lake Lytle Estates Phases IV-VII - Preliminary Subdivision Case File #23-01

11. PLANNING COMMISSION COMMENTS & CONCERNS

12. ADJOURNMENT

City of Rockaway Beach

Planning Commission Meeting Minutes



Date: Thursday, September 19, 2024
Location: Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

1. CALL TO ORDER

Planning Commission Vice-President Zandra Umholtz called the meeting to order at 5:01 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Start time: [05:02:27 PM \(00:00:59\)](#)

President: Bill Hassell (arrived at 5:19 p.m.)

Commissioners: Sandra Johnson, Nancy Lanyon, Pat Olson, Zandra Umholtz, Stephanie Winchester, and Georgeanne Zedrick

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

Staff Present: Mary Johnson, City Planner; and Melissa Thompson, City Recorder

4. APPROVAL OF MINUTES

Start time: [05:03:00 PM \(00:01:32\)](#)

a. August 15, 2024 Meeting Minutes

Johnson made a **motion**, seconded by Zedrick to approve the August 15, 2024 Meeting Minutes as presented.

The **motion carried** unanimously.

5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS

- a. Presentation – Zoning Code & Comprehensive Plan Updates Needed to be Made in Response to Senate Bill 406 (SB406) – Rachel Cotton & Jamin Kimmell, Cascadia Partners

Cotton gave a presentation providing background and overview of Senate Bill 406 (SB406) and its requirements that jurisdictions comply with state rules to allow middle housing types (duplex, triplex, quadplex, townhouse, cottage cluster) by June 30, 2025.

Hassell joined the meeting at 5:19 p.m.

Cotton explained the different pathways to compliance, including model code, minimum compliance, performance metrics, and alternative standards. Cotton requested Commission

input on various code concepts that would allow less flexibility or more flexibility. Kimmell and Cotton answered clarifying questions.

Commission feedback and comments included:

- Considerations for design standards for building in the coastal climate, such as garages.
- Desire to retain the existing character and small beach town feel, including scale of buildings.
- Concerns about over-regulation.
- Suggestion to address boat houses and RV garages.
- Encouragement to consider minimum design standards promoting stormwater management, and pedestrian-friendly design.
- Suggestion to include design standards for driveways and garages.
- Concern about open spaces being filled with gravel.
- Suggestion to consider minimum lot size for detached plexes and cottage clusters.
- Desire for further discussion regarding attached vs. detached plexes.

Staff and consultants noted that there would be an online community survey, as well as a community engagement meeting in January. Consultants will provide draft code for review in February.

Kristin Koptiuch gave public comment, expressing the appeal of detached plexes due to the developer's ability to sell them separately.

6. STAFF REPORTS

Start time: [06:31:36 PM \(01:30:08\)](#)

City Planner Johnson shared updates on the following:

- New signs installed at Anchor Street Park and Lake Lytle.
- Wayside beach access project has begun.
- Lake Lytle restroom project funded, but must revise scope of work. Project expected to break ground in 2025. Oregon Marine Board has provided a preliminary design for the in-water work.
- Seeking funding for milfoil treatment through the Oregon Department of Fish & Wildlife's (ODFW) Restoration & Enhancement program.
- Salmonberry Trail Oregon Community Paths grant pre-application was submitted. Alta Planning + Design consultants will present the 10% design at the November City Council meeting.

7. PUBLIC HEARING – None Scheduled

8. CITIZEN INPUT ON NON-AGENDA ITEMS

Start time: [06:40:06 PM \(01:38:38\)](#)

No audience members wished to comment.

9. OLD BUSINESS

Start time: [06:40:21 PM \(01:38:53\)](#)

a. Consideration of Updates to the Community Grant Program

City Planner Johnson referred the Commission to the updated redline draft versions of the Small and Large Community Grant program materials for review.

Commission Johnson declared potential bias because she serves on the board for Meals for Seniors.

The Commission reviewed the program materials. After discussion, updates included the following:

- Add stipulation that funds can't be used for political activities or fundraising to support political activities.
- Revise Funding Priorities #2 to add "that may not be met without grant funding" to cover ongoing projects.
- Attempt to soften "project" to include ongoing activities.
- Separate submission of close out to Council from determination of grant completion in timeline.
- Include language in grant contract to allow for repayment of funds to reclaim eligibility.
- Include provision in contract to return unused funds.
- Add timeline deadline for submission of expense worksheet and receipts.
- In application, page 2, note that design drawings and plans may be attached.
- In application, page 4, replace "connecting" with "promoting inclusivity".

Winchester excused herself from the meeting at 7:27 p.m. and returned at 7:28 p.m.

Winchester made a **motion**, seconded by Johnson, to send the small and large community grant information and applications as updated to the City Council with a recommendation for adoption.

The **motion carried** unanimously.

10. NEW BUSINESS – None Scheduled

11. PLANNING COMMISSION COMMENTS & CONCERNS

Start time: [07:45:53 PM \(02:44:25\)](#)

Lanyon commended City Planner Johnson for great work on the grant programs.

Hassell advocated for seeking grant funds to install benches as a resting place on the Old Cedar trail. Commissioner Johnson suggested selling plaques to sponsor purchase of the benches.

McGinnis complimented Hassell for work on mitigating milfoil, and for advocating for benches on the Old Cedar trail.

McNeilly thanked all for a great meeting.

Umholtz shared updates on activities of the Houseless Action Network.

12. ADJOURNMENT

Olson made a **motion**, seconded by Hassell, to adjourn the meeting at 7:51 p.m.

The **motion carried** unanimously.

MINUTES APPROVED THE
17TH DAY OF OCTOBER 2024

William Hassell, President

ATTEST

Melissa Thompson, City Recorder



CITY OF ROCKAWAY BEACH, OREGON

PUBLIC HEARING NOTICE

This is to notify you that the City of Rockaway Beach has proposed a land use regulation that may affect the permissible uses of your property and other properties. The City of Rockaway Beach Planning Commission will conduct a public hearing on October 17, 2024, at 5:00 pm in the Council Chambers at 276 Highway 101 S., Rockaway Beach, Oregon 97136, for the purpose of forwarding its recommendation to City Council an ordinance to amend the City of Rockaway Beach Zoning Ordinance. The City of Rockaway Beach City Council will conduct a public hearing on November 13, 2024, at 6:00 pm in the Council Chambers at 276 Highway 101 S., Rockaway Beach, Oregon 97136, for the purpose of adopting an ordinance to amend the City of Rockaway Beach Zoning Ordinance. The City of Rockaway Beach has determined that adoption of these amendments may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property. City of Rockaway Beach Draft Ordinance #2024-06 includes amendments to the Rockaway Beach Zoning Ordinance as follows: Amend Section 4.050, Sign Regulations. Applicable criteria for amendments are specified in Rockaway Beach Zoning Ordinance Sections 9.010 – 9.030, and Rockaway Beach Comprehensive Plan sections titled Citizen Involvement, Coordination, and The Planning Process. A copy of the proposed amendments is available for inspection at no cost during regular business hours at Rockaway Beach City Hall located at 276 Highway 101 S, Rockaway Beach, Oregon 97136. Copies of the proposed amendments are also available for purchase at a reasonable cost. A staff report will be available for inspection at least seven (7) days before the hearing and may be obtained at a reasonable cost. All interested parties are invited to attend the public hearing and to provide testimony on the matter. Written testimony may also be addressed to the Rockaway Beach Planning Commission, Rockaway Beach City Hall, at 276 Highway 101 S., Rockaway Beach, Oregon 97136. In raising an issue, the relevant Rockaway Beach Zoning Ordinance Section, Comprehensive Plan Section, or other relevant criteria to which the issue is directed must be specified. Failure to raise an issue in person or by letter precludes appeal to the Oregon Land Use Board of Appeals on that issue. The Rockaway Beach Planning Commission reserves the right to modify the amendments, or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided. For additional information concerning City of Rockaway Beach Draft Ordinance #2024-06 you may contact City Hall staff at (503)347-1752.

Responsible Official: Mary Johnson
City Planner
(503) 374-1752
cityplanner@corb.us



**CITY OF ROCKAWAY BEACH
PLANNING COMMISSION ACTION**

STAFF REPORT

Case File: Ordinance #2024-06
Hearing Date: October 17, 2024

REQUEST: City staff requests that Planning Commission recommend adoption of Ordinance #2024-06, amending the City of Rockaway Beach Zoning Ordinance, Section 4.050, Sign Requirements.

A. REPORT OF FACTS

The following is a summary of the facts found to be relevant to this decision:

1. The City of Rockaway Beach Zoning Ordinance, Section 4.050, Sign Requirements does speak to the placement of signs on municipal property or open spaces. The current ordinance does not address pre-existing, non-conforming, or exempt signs.
2. City staff worked with the Planning Commission to create the code language to address the deficiencies in the current ordinance.
3. This meeting has been properly noticed in accordance with the Rockaway Beach City Ordinance, as well as State of Oregon requirements.

B. CONCLUSION

Recommendation of adoption of Ordinance #2024-06, amending the City of Rockaway Beach Zoning Ordinance, Section 4.050, Sign Requirements allowing for the permitted placement of signs on municipal property and open spaces, address pre-existing, non-conforming signs and exempt signs. Staff recommend that the Planning Commission endorse the adoption of Ordinance #2024-06 to make necessary updates to the City's sign requirements.

Section 4.050. Sign Requirements.

1. Placement. No sign shall be placed in or extend over a required street right-of-way except sidewalks. Signs over sidewalks shall not be less than 8 feet from the sidewalk grade. Where no sidewalk exists, the 6 feet of right-of-way on either side of the street shall be considered the sidewalk.
2. Measurements. The following shall be used in measuring a permanent sign to determine compliance with this Chapter:
 - a. Signs shall be limited to the following:
 - i. Commercial uses, other than motel, hotel, or timeshare condominium; one square foot of sign area for each lineal foot of street frontage, but not to exceed 75 square feet in area.
 - ii. Motel, hotel, or timeshare condominiums; 75 feet in area.
 - iii. Light industrial; 24 square feet in area.
 - iv. Nonresidential uses such as churches or schools; 12 square feet in area.
 - v. Multifamily and condominiums; 12 square feet in area.
 - vi. Home occupation; 1 square foot in area.
 - b. Sign area shall be calculated such that one side of an opposing-sided or non-parallel sign may be used for the purposes of measuring square footage. The larger side must be used for the determining factor.
 - c. Off premise signs shall be no larger than 24 square feet in area.
3. Sandwich board signs. For the purposes of this section, "sandwich board sign" means a sign which consists of two panels hinged or attached at the top or side, designed to be movable and stand on the ground.
 - a. One nonilluminated sandwich board sign, with each face not exceeding eight square feet in area, shall be allowed per business.
 - b. Sandwich board signs must be placed directly in front of the associated establishment.
 - c. The sandwich board sign shall not be located within a street or street right-of-way, except that where sidewalks exist, such a sign may be located on a public sidewalk. The sign shall not obstruct pedestrian traffic. If located on a public or private sidewalk, it shall be placed either adjacent to the curb or adjacent to the building so as to allow a 36- inch minimum walkway.
 - d. Sandwich board sign area shall not be deducted from the aggregate sign area allowed in Section 4.050(3).
4. Prohibitions. The following are expressly prohibited, unless specifically stated otherwise in this Chapter:
 - a. There shall be no moving or flashing signs.
 - b. Light from a sign shall be directed away from a residential use or zone and shall not be located so as to detract from a motorist's view.
 - c. External light sources for a sign shall be directed downward and shielded to limit direct illumination of any object other than the sign.
5. Nonconforming Signs. Nonconforming permanent signs existing at the time this 2025 Ordinance becomes effective, may continue, subject to the restrictions in this section:
 - a. A nonconforming sign shall not be:
 - i. Expanded in size or height that increases nonconformity; or
 - ii. Relocated.
 - b. A nonconforming permanent sign may be maintained or altered, including changing the face or repair, provided no changes are made that would increase nonconformity.
 - i. If a nonconforming sign is destroyed by wind, fire, rain or by any other natural disaster, the sign shall not be replaced and shall lose its nonconformity and any

remaining portions shall be removed; any new signage erected in its place shall comply with the provisions of this Chapter.

6. Exempt Signs. The following signs are exempt from regulations under this Chapter:
 - a. Signs erected or maintained by or on behalf of a federal, state, or local governmental body.

Section 4.050. Sign Requirements.

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 - ii. Motel, hotel, or timeshare condominiums; 75 feet in area.
 - iii. Light industrial; 24 square feet in area.
 - iv. Nonresidential uses such as churches or schools; 12 square feet in area.
 - v. Multifamily and condominiums; 12 square feet in area.
 - vi. Home occupation; 1 square foot 4 square feet in area.
 - b. Sign area shall be calculated such that one side of an opposing-sided or non-parallel sign may be used for the purposes of measuring square footage. The larger side must be used for the determining factor.
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 - i. If a nonconforming sign is destroyed by wind, fire, rain or by any other natural disaster, the sign shall not be replaced and shall lose its nonconformity and any

Commented [CP1]: Added from Lincoln City's Code

Commented [CP2]: Added from Lincoln City's Code

Commented [CP3]: §4.090. Home Occupations conflicts with the current Sign Requirements. §4.090(a) states: *No sign is used other than a nameplate not over one square foot in area.*

Commented [CP4]: Added from Lincoln City's Code

Commented [CP5]: Added from Lincoln City's Code in response to public comment received.

Proposed Amended Sign Regulations
Comments/Redlined version

remaining portions shall be removed; any new signage erected in its place shall comply with the provisions of this Chapter.

6. Exempt Signs. The following signs are exempt from regulations under this Chapter:

- a. Signs erected or maintained by or on behalf of a federal, state, or local governmental body.

Commented [CP6]: Added from Lincoln City's Code

Commented [CP7]: Added from Newport's Code

Existing Sign Requirements
Rockaway Beach Zoning Ordinance: Section 4.050

Section 4.050. Sign Requirements.

- (1) No sign shall be placed in or extend over a required street right-of-way except sidewalks. Signs over sidewalks shall not be less than 8 feet from the sidewalk grade. Where no sidewalk exists, the 6 feet of right-of-way on either side of the street shall be considered the sidewalk.
- (2) There shall be no moving or flashing signs, and light from a sign shall be directed away from a residential use or zone, and shall not be located so as to detract from a motorist's view.
- (3) Signs shall be limited to the following:
 - (a) Commercial uses, other than motel, hotel, or timeshare condominium; one square foot of sign area for each lineal foot of street frontage, but not to exceed 75 square feet in area.
 - (b) Motel, hotel, or timeshare condominiums; 75 feet in area.
 - (c) Light industrial; 24 square feet in area.
 - (d) Nonresidential uses such as churches or schools; 12 square feet in area.
 - (e) Multifamily and condominiums; 12 square feet in area.
 - (f) Home occupation; 4 square feet in area.
- (4) Sign area shall be calculated such that one side of an opposing-sided or non-parallel sign may be used for the purposes of measuring square footage. The larger side must be used for the determining factor.
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 - (d) Sandwich board sign area shall not be deducted from the aggregate sign area allowed in Section 4.050(3).

CITY OF ROCKAWAY BEACH

2024/2025

SMALL COMMUNITY GRANT



GRANT FUNDS AVAILABLE: \$->
MAXIMUM GRANT REQUESTS: \$4,999.99

Applications open <>, 2024
Deadline to apply:
<>day, <>, 2024 at 12:00 pm

Questions? Need assistance?
Grant Manager , <>
<>@corb.us
(503) 374-1752 ext. <>



OVERVIEW

The Small Community Grant program provides support to non-profit, not-for-profit organizations, and community entities that serve the Rockaway Beach community. This grant program accepts applications twice per fiscal year. Organizations and entities may only submit one application for consideration per funding cycle.

Grant funds are available to support organizations and entities which provide:

- Assistance for essential utilities, food, medical or mental health needs, clothing, or shelter.
- Educational, cultural, social, physical, or recreational opportunities for residents.
- Positive volunteerism that enhances city aesthetics, benefits the environment, promotes positive community engagement, or support city initiatives or projects.

ELIGIBILITY

Eligible Applicants:

- Non-profit and not-for-profit organizations
- Community entities

Eligible Applicants may not have any in-progress grants and must have satisfactorily closed out all previous grants issued by the City of Rockaway Beach.

Examples of Eligible Projects:

- Healthy meals program
- Active living program
- Health services
- Early literacy program
- Youth development programs
- Small facility improvements or operational items with a lifespan of 3+ years.



GRANT TIMELINE

Applications open and publication of notice	<>, 2024
Applications due, 12:00 pm	<>, 2024
Planning Commission review and recommendations	<>, 2024
City Council award of decision	<>, 2024
Notification to Grantees; Contracts sent to grant recipients	<>, 2024
Project deadline - 12 months from City Council decision	<>, 2024
Project Expense Worksheet and Grant Close Out Form due	<>, 2024



KEY PRINCIPLES

In the application, eligible Applicants are asked to describe how the proposed project contributes to a healthy, inclusive, charitable, and equitable community. The City of Rockaway Beach believes that supporting its organizations and entities that encourage this type of community building will make a better future for everyone.

Projects funded through the Small Community Grant must predominately support or be attended by the Rockaway Beach community.

FUNDING PRIORITIES

1.

Projects that make the largest impact for Rockaway Beach residents.

2.

Projects that fill an existing need that would not be met without grant funding.

3.

Projects that bring the community together and create positive community engagement.

INELIGIBLE PROJECTS

- Tourism based/supported projects
- Day-to-day operational expenses and payroll
- Marketing and promotional projects
- Political activities and fundraising for political activities
- Projects that drive/support commerce

For profit businesses are encouraged to apply for building improvement funds and/or marketing needs through the City's Business Facade Grant and/or Marketing Grant programs.

SELECTION CRITERIA

All applications for eligible projects will be rated and ranked based on the following criteria. While the following criteria has been deemed most important, additional relevant factors beyond the score may be worthy of consideration.

Healthy Community Score (25 points)

A healthy community is one where access to fresh, healthy foods are available, educational resources are provided, physical fitness is promoted, recreational opportunities are encouraged, medical and mental health needs are met, and the environment is cared for.

- Does the project offer opportunities to improve physical or mental health?
- Does the project provide healthy opportunities to those who may not otherwise have access?
- Does the project promote healthy lifestyle changes?

Inclusive Community Score (25 points)

This score measures how well the project strengthens the local sense of community. In an inclusive community diversity is valued, social opportunities are plentiful, community involvement thrives, and residents work together to support city initiatives or projects.

- Does the project create new social opportunities for residents?
- Does the project strengthen the local sense of community or serve an underrepresented population?
- Does the project bring the community together to work towards a common goal?

Charitable Community Score (25 points)

This score measures how well the project supports local charitable efforts. Charitable communities value giving back to others, promote volunteer opportunities, and strive to meet the needs of the local community.

- Does the project offer new opportunities for residents to volunteer to better the community?
- Does the project provide services or opportunities currently lacking in the community?

Equitable Community Score (25 points)

This score measures how well the project encourages equity throughout the local community. Equitable communities provide a helping hand to residents in need and meet the needs of underserved community members.

- Does the project assist residents who need additional support?
- Does the project provide new services or assistance to underserved community members?

SCORING OVERVIEW

Baseline Scoring

Up to

Healthy Community Score	25 points
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Inclusive Community Score	25 points
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Charitable Community Score	25 points
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Equitable Community Score	25 points
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GRANT REVIEW PROCESS

The City of Rockaway Beach staff will provide guidance on applications if presented a minimum of 14 calendar days prior to the grant application deadline, <>, 2024.

Each application received will first be reviewed by the Grant Manager for completeness. If the application is incomplete or not received by the deadline, it will not be submitted to the Planning Commission for consideration.

The Planning Commission will review, score, and rank all of the applications received, then make initial scoring recommendations for funding. The Planning Commission's recommendations will be presented to the City Council at their workshop on <>, 2024.

The City Council will review the applications, the Planning Commission's recommendations, and make the award decision at their regular meeting on <>, 2024.



FUNDING PROCESS

Once the grant is awarded and contract is signed, Grantees can start on projects.

Grant funds will be issued within two weeks of contract execution via check.

Upon completion of the project, the Grantee shall complete the Project Expense Worksheet and Grant Close Out form. The Grantee shall be scheduled to make a five-minute presentation to the City Council to publicly share how the grant funds were spent. The presenter shall not be a member of the governing body.

The City Council shall determine the grant complete through a motion at a public meeting.



**CITY OF ROCKAWAY BEACH
PLANNING COMMISSION ACTION**

STAFF REPORT

Case File: Preliminary Subdivision #23-01
Meeting Date: October 17, 2024

REQUEST: Applicant, Troy Johns, request a 1-year extension for filing a Final Subdivision Plat.

A. REPORT OF FACTS

The following is a summary of the facts found to be relevant to this decision:

1. The City of Rockaway Beach Planning Commission approved the tentative plat approval for the Lake Lytle Estates Phases IV-VII subdivision on October 26, 2023, effective November 13, 2023. The deadline for filing a Final Subdivision Plat is November 13, 2024. The Applicant is seeking a 1-year extension of this deadline, until November 13, 2025.
2. The Rockaway Beach Subdivision Ordinance, Section 5 (11): *The tentative subdivision plan shall be valid for one year from the date of its approval. The Planning Commission, upon written request by the applicant, may grant an extension of the tentative subdivision plan approval for a period of one year. In granting an extension, the Planning Commission shall make a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan.*
3. In the request for an extension of time, the Applicant has stated that adjustments have been made to some of the lots to comply with the Conditions of Approval, but the number of lots, dimensional standards and basic street patterns have not changed.

B. CONCLUSION

As noted in the Applicant's request, the facts upon which the approval was based have not changed, therefore the refiling of the tentative plan is not warranted. The Applicant is working towards meeting the development of the site and preparing engineering plans. The topographic survey has been performed and the engineer is currently working on the grading plans and the issues with providing water and sewer utilities.

Staff recommend that the Planning Commission approve a 1-year extension of time, until November 13, 2025, to allow the Applicant to file a Final Subdivision Plat with the City of Rockaway Beach.

REQUEST FOR EXTENSION

FOR

**Lake Lytle Estates Phases IV-VII
Preliminary Subdivision
Case File #23-01**

**SUBMITTED TO
City of Rockaway Beach, Oregon**

October 7, 2024

The Lake Lytle Estates Phases IV-VII project was approved by the City of Rockaway Beach Planning Commission on October 26, 2023, effective November 13, 2023. The deadline for filing a Final Plat with the City is November 13, 2024. The Applicant is seeking a 1-year extension of this deadline until November 13, 2025, as he continues to work through the many issues surrounding the development of this site.

The Subdivision Ordinance, Section 5 (11) states: *The tentative subdivision plan shall be valid for one year from the date of its approval. The Planning Commission, upon written request by the applicant, may grant an extension of the tentative subdivision plan approval for a period of one year. In granting an extension, the Planning Commission shall make a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan.*

The facts upon which the approval was based have not changed. Adjustments to some of the lots have been made to meet the Conditions of Approval, but the number of lots, dimensional standards, and basic street patterns have not changed. Utilities and amenities are being designed per the Approval and the Conditions therein. All Critical Areas are to be preserved and enhanced per the Approval. Work continues toward the development of this site and preparation of engineering plans. The topographic survey has been performed and the engineer is currently working on the grading plans and the issues with providing water and sewer utilities.

The Applicant respectfully asks for a 1-year extension for the time he needs to continue work on the engineering plans and to resolve the difficult issues involved with the development of this property.