



CITY OF ROCKAWAY BEACH

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the City of Rockaway Beach City Council will hold a public hearing on **Wednesday, November 20, 2024 at 6:00 p.m.** in City Hall located at 276 S. Highway 101, Rockaway Beach, Oregon. The purpose of the public hearing is to consider the following request:

The Appellant, Oregon Shores Conservation Coalition, has requested for review the the Rockaway Beach Planning Commission's August 1, 2024 decision on Planned Unit Development Application #24-1, requested under Rockaway Beach Zoning Ordinance, Section 11.070(2). The Case File for this matter is #Appeal-24-1.

The Appellant has filed #Appeal-24-1 to oppose the Planning Commission's decision, dated August 1, 2024, approving the Applicant's request to modify the approved final plan for Planned Unit Development Application #SPUD-07-19, allowing the Applicant to create two lots instead of one lot at the North end of Jackson Street, identified as lots 21 and 22 on the plans submitted with the application; and to create four lots instead of three lots at the Northeast corner of Kittiwake Drive and Riley Street, identified as lots 13, 14, 15, and 16 on the plans submitted with the application. The Appellant has filed the appeal based on the following issues: The original 2008 approval of the plan for this development has expired; ORS 92.040 requires the Applicant to resubmit its initial application for this development; Rockaway Beach Zoning Ordinance, Section 3.080, prohibits residential development in a Special Area Wetlands Zone; Rockaway Beach Zoning Ordinance, Section 3.142, requires the Applicant develop evacuation measures and improvements; and Rockaway Beach Zoning Ordinance, Section 4.150, requires the City to enforce its riparian setback for McMillan Creek pre-approval.

The criteria against which review is being requested were addressed at the Planning Commission hearing.

Oregon Shores is a non-profit organization, with members in Rockaway Beach, that works to protect Oregon's coastal environment. Oregon Shores was a party in the initial proceedings, submitting two comments to the Planning Commission for their consideration of #PUD-24-1. The Appellant did not request de novo review or review by additional testimony.

Oral public testimony will be heard and written public comments will be accepted at or prior to the hearing. If submitting comments prior to the hearing, deliver to the City Hall at the address given above, or mail to Planning Department at P.O. Box 5, Rockaway Beach, OR 97136. Please use file number #Appeal-24-1 on written comments, and include your name, mailing address, and phone number.

The staff report will be prepared no less than seven days prior to the hearing for review at City Hall. Hard copies will be available upon request to the City free of cost. All other documents and evidence related to this land use action shall be incorporated into an Official Record and made available for review at City Hall upon request.

Failure to raise an issue in person, in writing at or prior to the close of the hearing, or failure to provide statements or evidence sufficient to afford the City Council and other interested parties an opportunity to respond to the issue constitutes forfeiture of the right to appeal the decision of the City Council. Failure to specify as to which criteria the comments are directed precludes an appeal based on that criterion.

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