



# City of Rockaway Beach

## Planning Commission Meeting Agenda

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**Date:** Thursday, July 17, 2025  
**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 on Zoom:**  
<https://us06web.zoom.us/j/81662173626?pwd=rfN4xwtdCl3jUrR4Nd8l0oJyBxkpT.1>

Meeting ID: 816 6217 3626

Passcode: 960143

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**
4. **APPROVAL OF MINUTES**
  - a. June 26, 2025 Meeting Minutes
5. **PRESENTATIONS, GUESTS & ANNOUNCEMENTS** – None Scheduled
6. **STAFF REPORTS**
7. **PUBLIC HEARING**
  - a. CU-25-2: Consideration of an Application for Conditional Use for Expansion of a Non-Conforming Use in C1 Zone (127 South Miller Street)
  - b. VAR-25-1: Consideration of an Application for a Variance for a Reduction in Lot Width (Tillamook County Assessor's Map #2N1020BD Lot #6300)
8. **CITIZEN INPUT ON NON-AGENDA ITEMS**
9. **OLD BUSINESS** – None Scheduled
10. **NEW BUSINESS**
  - a. Election of Planning Commission President and Vice-President
  - b. Consideration to Cancel October Meeting Date
11. **PLANNING COMMISSION COMMENTS & CONCERNS**
12. **ADJOURNMENT**



# City of Rockaway Beach

## Planning Commission Meeting Minutes

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**Date:** Thursday, June 26, 2025

**Location:** Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

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### 1. CALL TO ORDER

Planning Commission President Hassell called the meeting to order at 5:00 p.m.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL

**Commissioners Present:** Bill Hassell, Penny Cole, Lydia Hess, Nancy Lanyon, Jason Maxfield, and Stephanie Winchester

**Commissioners Excused:** Sandra Johnson

**Council Members Present:** Charles McNeilly, Mayor (via Zoom); and Mary McGinnis, Planning Commission Liaison

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

### 4. APPROVAL OF MINUTES

Start time: 5:01 p.m.

#### a. May 15, 2025 Meeting Minutes

Winchester made a **motion**, seconded by Cole, to approve the May 15, 2025 Meeting Minutes as presented.

The **motion carried** by the following vote:

Aye: 7-6 (Cole, Hess, ~~Johnson~~, Lanyon, Maxfield, Winchester, Hassell)

Nay: 0

### 5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS – None Scheduled

### 6. STAFF REPORTS

Start time: 5:02 p.m.

City Planner Mertz provided the following updates:

- Announced it was her last meeting as City Planner and Abram Tapia would begin as City Planner next month. Mertz shared it was a pleasure serving as City Planner.
- Two public hearings will be held at the July meeting.

- Planning Department is getting very busy; people are building. Two developers are looking to develop multi-unit housing under the newly adopted middle housing code.

**7. PUBLIC HEARING – None Scheduled**

**8. CITIZEN INPUT ON NON-AGENDA ITEMS**

Hassell invited public comment. No audience members were present.

**9. OLD BUSINESS – None Scheduled**

**10. NEW BUSINESS**

Start time: 5:04 p.m.

**a. Discussion Regarding Business Façade Grant Criteria/Process**

Mertz acknowledged the effectiveness of the Commission's work on the Community Grant program in guiding staff and the City Council on grant criteria, ranking, and funding recommendations. Mertz invited the Commission to do the same review of the Business Façade Improvement Grant program.

Discussion and suggestions included:

- City Council recently awarded 9 grants, and 4 were returned to applicants for revision and reapplication. Many applications didn't include bids. Detailed bids are desirable.
- Applicant budget section is not necessary if a bid is included.
- Remove detailed work plan requirement from application.
- Narrative description of project is desirable.
- Change grant program name to "Façade and ADA Improvement Grant."
- Consider changing "Façade" to "Street-Facing Improvement" or "Beautification."
- Include specific requirements for bids.
- Goal of grant is to increase tourism and ADA accessibility contributes to that.
- Providing details of additional funding sources is not necessary.
- Application may be too complex.
- Training workshops or documents to assist applicants is desirable. Possibly provide examples of successful applications.
- Include point ranking rubric in the application criteria. Mertz will provide criteria ranking that the Council used to the Commission.
- Provide points for applications that include drawings/renderings.
- Encourage businesses to install bike racks in front of the business.
- Question about eligibility of real estate-related businesses.
- Desire to make business district more comfortably walkable. Suggestion that the City proactively develop design standards. Suggestion to hold town hall to solicit

community feedback on standards. Noted that the Strategic Plan is guiding current goals.

- Questions for scoring rubric: Does it improve the visible character of the town? Does it improve the tourist experience more directly?
- Shift cycle a few months earlier, during winter months that are slower for businesses, with funds available in March or April.
- Increase application window to allow time for workshops.
- Include application question: How will this improvement increase tourism for the business?
- Goals are to bring more tourism to town and increase tourism for individual businesses.
- Prioritize off-season comfort, such as 3-season outdoor areas, including windbreaks and exterior heating.
- Comments regarding challenges of applications that support a business rather than a building, which some considered streetscape. Encourage durable, lasting improvements, which persist past the business itself.
- Brief discussion about business that was awarded a grant, and is now for sale.
- Consider criteria whether bid is reasonable. Noted that future grant closeouts could include review of receipts for reimbursement.
- Consider differentiating between locally owned and nationally owned businesses.

Winchester excused herself from the meeting at 6:04 p.m., and returned at 6:06 p.m.

Mertz appreciated the feedback, and explained that the Commission would discuss it further at a future meeting.

## **11. PLANNING COMMISSION COMMENTS & CONCERNS**

Start time: 6:07 p.m.

Lanyon suggested changing text in the Subdivision Ordinance, Section 14, subsection 2, from “servants” to “staff”. Lanyon shared a flyer regarding a *Salmonberry Trail Ground Building Event* in Wheeler and encouraged all to attend. Lanyon commended Mertz for her work as City Planner and wished her well in her next step as Public Works Director. Lanyon expressed concerns about pedestrian safety while crossing the railroad tracks. Hassell and Maxfield noted that the railroad tracks were not under jurisdiction of the City.

Hess advocated for bikes, stating that Rockaway is at a turning point as a growing tourist destination, and by encouraging healthy lifestyle and family-friendly transportation and recreation, everyone wins. Hess encouraged all to join the 4<sup>th</sup> of July Bicycle Brigade.

Maxfield thanked volunteers and staff in advance for their work on the 4<sup>th</sup> of July events. Maxfield shared that Blue Water Gallery was opening June 27<sup>th</sup>, and encouraged all to support the new business.

Cole commented it was great to see all the efforts to enhance the City's appearance and attract more tourists during the busy summer weeks. Cole looked forward to seeing the future results from the Façade Improvement grants.

McGinnis expressed desire to update the Bicycle Ordinance to incorporate e-bicycles. McGinnis shared about a visit to Classic Street Cottages neighborhood in Manzanita, and encouraged Commissioners to take a tour of it.

McNeilly shared an email received from a community member thanking the City Council, Commissioners and staff, and appreciating the thoughtful way the city and surrounds were being developed.

Hassell commented on the City's rapid movement toward accessibility, noting that two benches were just installed on the old cedar boardwalk. Hassell shared that David's Chair was very successful and fully booked for upcoming weekends.

All present wished Cole a happy birthday.

## 12. ADJOURNMENT

Hess made a **motion**, seconded by Maxfield, to adjourn the meeting at 6:19 p.m.

The **motion carried** by the following vote:

Aye: ~~7~~6 (Cole, Hess, ~~Johnson~~, Lanyon, Maxfield, Winchester, Hassell)

Nay: 0

MINUTES APPROVED THE  
17<sup>TH</sup> DAY OF JULY 2025

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William Hassell, President

ATTEST

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Melissa Thompson, City Recorder



**CITY OF ROCKAWAY BEACH  
PLANNING COMMISSION ACTION**

**STAFF REPORT**

Case File #CU-25-02  
Hearing Date: July 17, 2025

**APPLICANT:** Scovel Design Group

**REQUEST:** The Applicant is seeking conditional use approval to expand a non-conforming use on the property, 127 South Miller St. The Applicant seeks to expand the existing single-family dwelling structure to add two additional stories above for a total of three stories. The Applicant seeks to develop the lot which is zoned C1 – Commercial, which allows multi-unit dwellings as a conditional use. The proposed building would have a similar footprint to the existing building on site.

**A. REPORT OF FACTS**

1. Property Location: The property is 127 South Miller Street, Rockaway Beach and is further identified on Tillamook County Assessor's Map # 2N1032CC Lot #9900.
2. Lot Size: approximately 4981 square feet.
3. Zoning Designation: C1 (Commercial Zoning).
4. Surrounding Land Use: The subject property is surrounded by commercial use to the North, South Miller Street, the train track, and the Oregon Coast Highway to the East, a Single Family residence to the South, and Rowhomes to the West.
5. Existing Structures: There is a 1,074 square-foot, 1 story, residential building on this property, which was constructed in 1926.
6. Utilities: The following utilities serve the subject property:
  - a. Sewer: City of Rockaway Beach
  - b. Water: City of Rockaway Beach
  - c. Electricity: Tillamook P.U.D.
7. Development Constraints: None.

**B. EVALUATION OF THE REQUEST**

1. General Description of the Proposal: The Applicant is requesting approval to expand the non-conforming use of 127 S Miller Street, which is zoned C1 – Commercial. The Applicant seeks to add an addition two stories to the current residence.
2. Background: This property is currently developed with a single-family dwelling, which the Applicant is seeking to add an addition onto. To expand the non-conforming use (residential use in the commercial zone), the Applicant must seek conditional use approval.
3. Agency Comments: None.
4. Ordinance Standards: The following ordinance standards apply to this request:



## **Rockaway Beach Zoning Ordinance**

### **Article 3. Use Zones.**

#### **Section 3.050. Commercial Zone (C-1).**

1. **Uses Permitted Outright:** In a C-1 zone, the following uses and their accessory uses are permitted outright:
  - a. Retail activities.
  - b. Services such as banks, barber and beauty shops, small repair shops, printing shops, laundries.
  - c. Eating and drinking establishments.
  - d. Amusement activities.
  - e. Business and professional offices.
  - f. Motels, hotels, and bed and breakfast.
  - g. Churches or community meeting halls.
  - h. Hospital, sanitarium, nursing home or rest home.
  - i. Arts or craft studios.
  - j. Public utility structure such as a substation.
  - k. Parks and publicly owned recreation areas.
  - l. Government or municipal structure.
  - m. Home occupation (See Section 4.090).
  - n. Private recreation uses such as tennis courts, and swimming pools or racquetball facility, when not in conjunction with another permitted use.
  - o. Family day care center and day care center.
  - p. Residential home.
  - q. Residential facility.
  - r. Signs in accordance with Section 4.050.
  - s. Mobile Food Unit.
  - t. A manufactured dwelling or recreational vehicle used during the construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.
  - u. Structural shoreline stabilization.
  - v. Residential Use, limited to the second story or above, and no more than 50% of the ground floor, on the condition that a commercial use be located on at least 50% of the area of the ground floor
2. **Conditional Uses Permitted.** In a C-1 zone, the following conditional uses and accessory uses are permitted:
  - a. Service stations, car lots, lumber yards, mobile home dealerships, public or private parking facilities, boat dealers, farm equipment dealers, or similar uses which require large land areas. These uses are intended to be outside of the immediate downtown area (between N. 4th to S. 3rd, the oceanfront and Beacon Street) and located on U.S. Highway 101. The Planning Commission or City Council shall consider this when issuing conditional use permits.
  - b. Cabinet or wood working shops, plumbing, heating, electrical, paint or other contractor storage, retail or sale shops.



- c. Secondhand sales with all merchandise enclosed within a structure.
  - d. Wholesale warehouse or storage establishments.
  - e. Tire retreading, welding or machine shops.
  - f. Single family dwellings including modular housing and manufactured homes, duplexes and multiple family dwellings. Manufactured homes shall be subject to the standards of Section 4.091.
3. **Standards.** In a C-1 zone, the following standards shall apply:
- a. Building setbacks shall be governed by fire protection standards administered by the Building Official.
  - b. Maximum building height shall be 45 feet, except that on the oceanfront from North Third Avenue to North Sixth Avenue the maximum building height shall be 20 feet.
  - c. Where a 45 foot building height is permitted, the first story shall be a minimum of 12 feet in height as measured from grade and shall be designed to accommodate future potential commercial use.
  - d. Multiple story buildings shall use architectural design features to differentiate the first story and the first story shall be designed to accommodate future potential commercial use.
  - e. The height above grade of an overhang or awning shall be a minimum of 10 feet above the sidewalk grade and 12 feet above the street grade where no sidewalk exists.
  - f. For commercial uses, permanent landscaping consisting of native vegetation is encouraged. Hardscape features such as benches, walkways, and outdoor seating areas shall be compliant with the American with Disabilities Act Accessibility Guidelines.
  - g. Where a commercial use abuts a residential zone, the commercial use shall provide a sight-obscuring fence or hedge of at least 5 feet in height. Floodlights shall be shielded so as not to cast glare on an adjacent residential use.
  - h. Storage of merchandise, waste disposal equipment, or similar material shall be screened from view.
  - i. Automobile service stations shall have a minimum lot size of 10,000 square feet, with a minimum width of 100 feet.
  - j. Commercial uses shall have permanent facilities, such as an office, which are connected to City services including water and sewer.

## **Article 6. Conditional Uses.**

### Section 6.010. Authorization to Grant or Deny Conditional Uses

Conditional uses listed in this ordinance may be permitted, enlarged, or otherwise altered upon authorization by the Planning Commission in accordance with the standards and procedures set forth in Section 6.010 through Section 6.030. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in use or lot area or an alteration of structure shall conform with the requirements dealing with conditional uses.

### Section 6.020. Conditional Use Review Criteria

Before a conditional use is approved, findings will be made that the use will comply with the following:

1. The proposed use is consistent with the policies of the Comprehensive Plan;





2. The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties. This standard is not applicable to multi-unit dwellings, manufactured dwelling subdivisions and manufactured dwelling parks;
3. The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated;
4. Public facilities and services are adequate to accommodate the proposed use;
5. The site's physical characteristics in terms of topography and soils is appropriate for the intended use; and
6. The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking areas, loading areas, storage facilities, setbacks, buffers, utilities, or other facilities which are required by City ordinances or desired by the applicant.

### C. STAFF SUMMARY

As outlined below, the Applicant has met the criteria for granting the variance request to construct a multi-unit residence in the commercial zone.

1. The proposed use is consistent with the policies of the Comprehensive Plan;

**SUMMARY:** This criterion has been met. The Comprehensive Plan outlines a need for additional residential housing and supports the location of housing in this commercial area, if already developed residentially.

**FINDING:** The Comprehensive plan supports the location of housing in this commercial area. Ground floor retail uses should be required in the commercial area if the residential uses are new. Since the residential use of the lot in question is not new, there are no requirements for ground floor retail uses.

**FINDING:** Due to limited development areas within the City of Rockaway Beach, areas where development can occur should be more intensively used than sensitive lands. The proposed development follows this principle.

**FINDING:** The City's housing strategy encourages permitting the development of multi-unit dwellings throughout most of the City and encourages higher densities for multi- unit development, which the proposed development includes.

2. The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties. This standard is not applicable to multi-unit dwellings, manufactured dwelling subdivisions and manufactured dwelling parks;

**FINDING:** These criteria are not applicable to multi-unit dwellings.

3. The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated;

**SUMMARY:** These criteria have been met. The proposed addition will not generate additional traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated by three residential units.



**FINDING:** The proposed addition is planned for residential uses, which would limit the amount of traffic and parking demands of the property when compared to commercial uses. The proposed use would increase the predictability of traffic and parking demands.

**FINDING:** The proposed development abuts South Pacific Street and South Miller Street. Both streets have the capacity to accommodate the traffic generated by the proposed residential units.

4. Public facilities and services are adequate to accommodate the proposed use;

**FINDING:** This criteria has been met. This property is already serviced with City sewer and water services, which are adequate to meet the demand of the Applicant's proposed project.

5. The site's physical characteristics in terms of topography and soils is appropriate for the intended use; and

**FINDING:** This criteria has been met. The property's topography and soils are adequate for the proposed addition.

6. The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking areas, loading areas, storage facilities, setbacks, buffers, utilities, or other facilities which are required by City ordinances or desired by the applicant.

**SUMMARY:** This criterion has been met. The site has adequate area to accommodate the proposed addition.

**FINDING:** The proposed development includes four parking spaces, which exceeds residential parking requirements. For Triplexes on lots greater than or equal to 3,000 and less than 5,000 square feet, which the proposed lot falls under, the zoning ordinance requires two parking spaces

**FINDING:** The proposed development has adequate access points and setbacks consistent with the requirements of the C1 zone and other developments in the area.

## **D. CONCLUSION**

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

## **E. STAFF RECOMMENDATION**

Approval of the Applicant's request to expand the non-conforming use of 127 South Miller Street.

In the event of an approval, Staff offer the following suggested motion for the Planning Commissioner's consideration:



*I move that based on the facts and evaluations presented in the City Staff Report, and evidence presented, the Planning Commission approve Conditional Use Application 25-02 to allow for an addition to be constructed for residential use in the C-1 zone, subject to the Standards outlined in the City's Zoning Ordinance, and direct staff to prepare findings and conclusions, and authorize the Chair to sign an order to that effect.*



**APPLICATION LOCATION:**



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](http://www.corb.us) \* [cityhall@corb.us](mailto:cityhall@corb.us)

25-2



CONDITIONAL USE APPLICATION

Applicant Name: Scovel Design Group

Mailing Address: PO Box 306 Netarts OR 97143

Email Address: scovel\_dg@yahoo.com

Phone Number: 541.994.4000

Owner (If different than applicant): Kyin Lok, Lay Khim(Jennifer) Pek

Mailing Address: 1622 Leslie Lane Lake Oswego 97034

Email: jennifer.pek@miraclethreeproperties.com

Phone Number: 971.227.0626

Property Location:

Map: 2N1032CC Tax Lot: 09900 Block: \_\_\_\_\_ Lots: \_\_\_\_\_

Street Address: 127 S Miller ST Rockaway Beach, OR 97136

Description of Proposal:

This is a commercially zoned property. We are proposing to utilize the property as 100% residential. We would plan to build over the existing building footprint two additional stories for a total of three.

Justification of the conditional use request. Explain how the request meets each of the following criteria for granting a conditional use per Rockaway Beach Zoning Ordinance #143, as amended, Article 6, Conditional Uses, Section 6.020, Conditional Use Review Criteria.

1. The proposed use is consistent with the policies of the Comprehensive Plan.

We believe the proposed use to be in line with the Comprehensive Plan. The property is currently being utilized residentially, so our proposal would be expanding the concentration of people able to use the property and utilities creating more efficient use of what is already being used residentially.



2. The location, size, design and operating characteristics of the proposed use are such that the development will have a minimum impact on surrounding properties. This standard is not applicable to multi-family dwellings. Manufactured dwelling subdivisions and manufactured dwelling parks.
- For multiple reasons, we believe the proposed development will have minimal impact on the surrounding properties. Firstly, the three-level design will be cohesive with neighboring commercial properties in size. Secondly, the coming and going of residential traffic would not be abnormal to the flow of human traffic potentially visiting the businesses of a commercial building. Finally, the proposed use will maintain the negative space on the ground level to allow for the same level of pedestrian and vehicle traffic that it currently has.
3. The use will not generate excessive traffic when compared to the traffic generated by uses permitted outright and adjacent streets have the capacity to accommodate the traffic generated.
- Making a 100% residential building should actually limit the amount of traffic and parking demands of the property when compared to a commercial element where there's less predicatability as to how busy that element would be and the traffic/parking demands to accommodate it.

4. Public facilities and services are adequate to accommodate the proposed use.
- Yes. City of Rockaway water and sewer would be able to accommodate the residential space.

5. The sites physical characteristics in terms of topography and soils is appropriate for the intended use.
- There is already an existing single level building on the site. The topography and physical characteristics of the site are well suited for our intended application, which is to build two additional levels over the existing footprint.

6. The site has adequate area to accommodate the proposed use. The site layout has been designed to provide appropriate access points, on site drives, parking areas, loading areas, storage facilities, setbacks, buffers, utilities or other facilities that are required by City ordinances or desired by the applicant.
- The negative space around the current building will remain intact with our proposal. Vehicle and pedestrian access will remain as it is currently.

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

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

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: 14/11/25 \_\_\_\_\_ Date: 5/28/25

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

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

Non-refundable fee (Any additional expenses will be billed accordingly.)

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

FOR OFFICE USE ONLY

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Date of Notice: \_\_\_\_\_

Notice Published: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Granted: \_\_\_\_\_ Denied: \_\_\_\_\_

Date of Order: \_\_\_\_\_

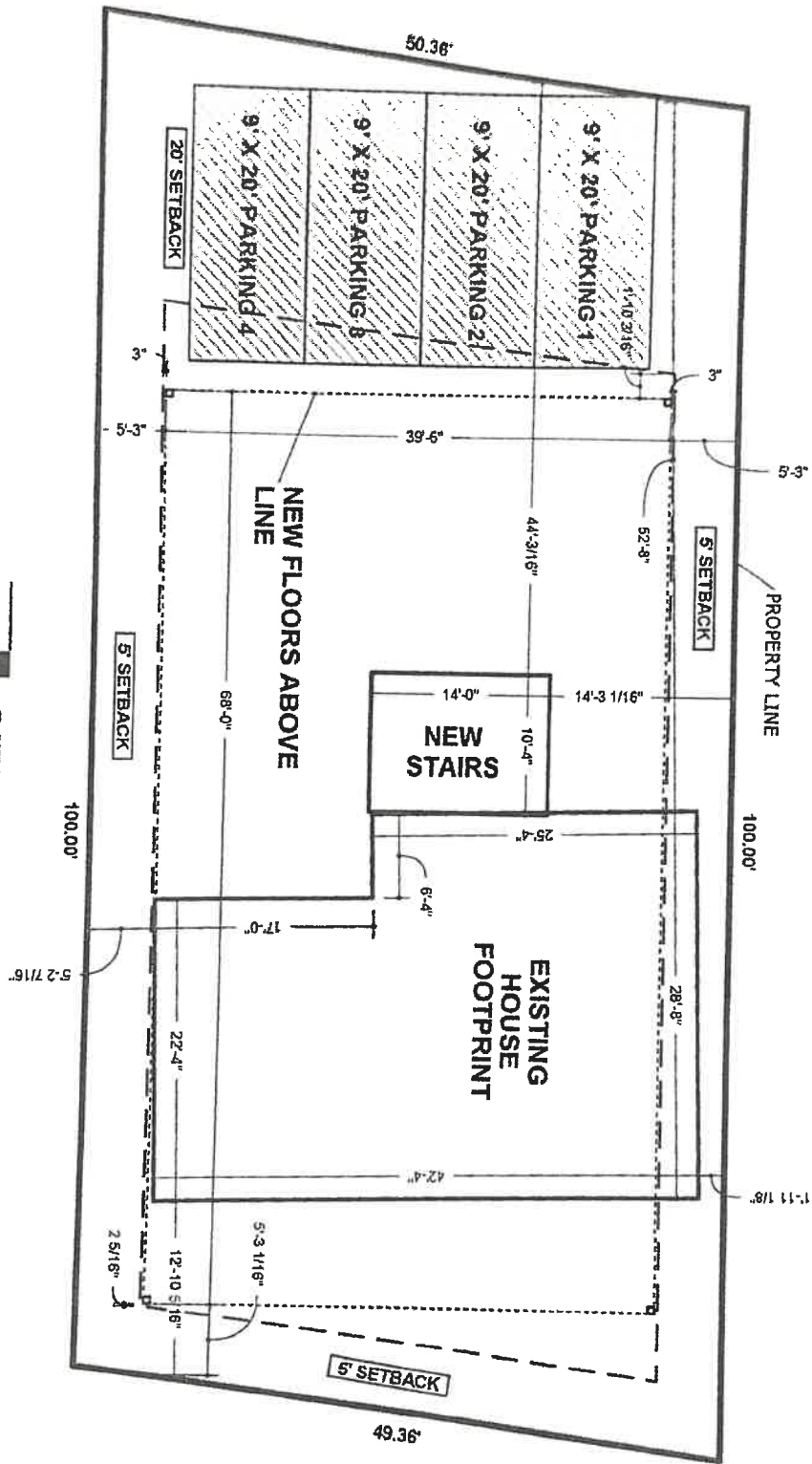
Final Date to Appeal: \_\_\_\_\_

City Planner Signature: \_\_\_\_\_ Date: \_\_\_\_\_



SOUTH PACIFIC STREET

127 S MILLER ST ROCKAWAY BEACH, OR 97136  
TAX LOT 9900, SW-SW SECTION 32, T.2N., R.10W., W.M.  
LOTS 16 & 17, BLOCK 56, ROCKAWAY BEACH  
TILLAMOOK COUNTY, OREGON



SOUTH MILLER STREET

1 SITE PLAN

SCALE :: 1/8" = 1'-0"

SCHOOL DISTRICT GROUP	BUILDER CDS CONSTRUCTION	OWNER/PROJECT KYIN LOK, LAY KHIM (JENNIFER) PEK	REVISION DATE May 6, 2025	A 01
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11 x 17"





**CITY OF ROCKAWAY BEACH  
PLANNING COMMISSION ACTION**

**STAFF REPORT**

Case File #VAR-25-1  
Hearing Date: July 17, 2025

**APPLICANT:** Gloria Mayer Johnson

**REQUEST:** The Applicant is seeking approval for a variance for a lot on Beach Drive in Rockaway Beach (Tillamook County Assessor's Map #2N1020BD Lot #6300). The Applicant is seeking a variance to decrease the required lot width for lots over 5,000 square feet from 50 feet to 37.5 feet. The Applicant plans to construct two new residential buildings on each of the lots.

**A. REPORT OF FACTS:**

1. Property Location: The property does not have a Rockaway Beach address; however, it can be identified by Tillamook County Assessor's Map #2N1020BD Lot #6300.
2. Lot Size: approximately 1,3910 square feet.
3. Zoning Designation: R1 (Single Family/Duplex Zone).
4. Surrounding Land Use: The subject property is surrounded by Single-Family Dwellings to the North, East, and South, to the Pacific Ocean to the West.
5. Existing Structures: None.
6. Utilities: The following utilities serve the subject property:
  - a. Water: City of Rockaway Beach
  - b. Electricity: Tillamook P.U.D.
7. Development Constraints: A geological hazard report will be required when a development application is submitted.

**B. EVALUATION OF THE REQUEST**

1. General Description of the Proposal: The Applicant is seeking a variance to decrease the required lot width for lots over 5,000 square feet. The current lot width requirement for the R1 Zone for lots over 5,000 square feet is 50 feet. The Applicant plans to split the lot, which is currently 75 feet wide, 186 feet long, and approximately 1,3910 square feet to create two lots that are 37.5 feet wide, 186 feet long, and 6,975 square feet each.
2. Background: Lot widths of 50 feet or more are allowed outright in the R1 zone for all lots, and for lots with a square footage between 3,500 and 4,999, the minimum lot width allowed outright is 35 feet.
3. Agency Comments: Tillamook County Public Works Department has confirmed that lots with a width of 37.5 feet would meet their road approach standards to allow driveway access.
4. Ordinance Standards: The following ordinance standards apply to this request:

**Rockaway Beach Zoning Ordinance:**

**Section 3.010. Residential (R-1) Zone.**

**3) Standards:** In an R-1 zone the following standards shall apply:



- a) For single unit dwellings and duplexes, the minimum lot size shall be 3,500 square feet for lots existing at the time of the adoption of Ordinance 235. Lots platted after the adoption of Ordinance 235 shall have a minimum lot size of 5,000 square feet.
- b) The average lot size for townhouses in a townhouse project shall be a minimum of 1,500 square feet.
- c) The minimum lot size for triplexes, quadplexes, and cottage clusters shall be 5,000 square feet
- d) Minimum lot width is 50 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot width shall be 35 feet. For townhouses, the minimum lot width shall be 20 feet.
- e) Minimum lot depth is 70 feet, except for lots between 3,500 and 4,999 square feet, the minimum lot depth shall be 60 feet.
- f) The minimum front yard shall be 15 feet, unless subsection 3.010(3)(h) applies
- g) The minimum side yard shall be 5 feet, except that on the street side of a corner lot it shall be 15 feet. For townhouses, the minimum side yard along a common wall lot line where units are attached shall be 0 feet.
- h) The minimum rear yard shall be 20 feet, except that on a corner lot it may be a minimum of 5 feet unless subsection 3.010(3)(h) applies. Oceanfront structures shall conform to Section 5.060(1)(b).
- i) For lots of less than 5,000 square feet in size, but more than 3,500 square feet, the minimum front yard shall be 15 feet and the minimum rear yard shall be 10 feet, except that on a corner lot the rear yard may be a minimum of 5 feet. For lots of 3,500 square feet in size or less, the minimum front yard and rear yard shall be ten feet, except that on a corner lot the rear yard may be a minimum of 5 feet. Notwithstanding the above, oceanfront structures shall conform to Section 5.060(1)(b).
- j) For single unit dwellings, the maximum building height shall be 20 feet on the oceanfront and 24 feet elsewhere except east of Highway 101 it shall be 29 feet.
- k) For middle housing, the maximum building height shall be 25 feet, except east of Highway 101 it shall be 29 feet.
- l) A minimum of 30% of the lot will be maintained in natural vegetation or landscaping.

## **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.
- 2. The power to grant variances does not extend to use regulations. In other words, no variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located.

### **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.

Variances in accordance with this subsection should not ordinarily be granted if the special circumstances upon which the applicant relies are a result of the actions of the applicant or owner.

**Section 8.030. Conditions.** Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood and otherwise secure the purpose and requirements of this section. Guarantees and evidence may be required that such conditions will be and are being complied with.

#### **C. STAFF SUMMARY:**

As outlined below, the Applicant has met the criteria for granting the variance request to allow for a 37.5 feet lot width.

1. 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

**SUMMARY:** These criteria have been met. Strict enforcement of specified lot width requirement would impose a financial hardship for the development of the lot.

**FINDING:** In the application, the applicant noted the desire to phase development of two single-single family dwellings to reduce the financial burden of development. Subdividing the lot prior to development would permit greater flexibility for development.

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

**SUMMARY:** This criterion has been met. The property in question is an oceanfront property with larger dimensions than other oceanfront properties.



**FINDING:** Based on square footage, the property in question is the third largest oceanfront lot out of the 63 lots on Beach Drive. However, there are other lots in the zone with larger square footage and lot width which are not oceanfront lots.

**FINDING:** Oceanfront lots on Beach Drive are generally over 5,000 square feet and many have lot widths under 50 feet. The property in question has approximately 13,910 square feet and a lot width of 75 feet.

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

**FINDING:** These criteria have been met. Granting the variance will not be detrimental to public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity

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

**SUMMARY:** This criterion has been met. The Comprehensive Plan outlines a need for additional residential housing and encourages development on smaller lots.

**FINDING:** Due to limited development areas within the City of Rockaway Beach, areas where development can occur should be more intensively used than sensitive lands. The proposed development follows this principle.

**FINDING:** The City's housing strategy is to permit development on smaller lots, 5,000 square feet. While the proposed subdivided lots are larger than 5,000 square feet, allowing for the proposed variance would allow for the creation of lots that are smaller than the current lot and subsequent development of those lots.

## **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 request. If they do not find that sufficient evidence exists to grant the variance, they should direct staff to write findings for denial of the variance request.

## **E. STAFF RECOMMENDATION**

Approval of the Applicant's variance request for a reduction in lot width for Tillamook County Assessor's Map #2N1020BD Lot #6300.

In the event of an approval, Staff offer the following suggested motion for the Planning Commissioner's consideration:

*I move that based on the facts and evaluations presented in the City Staff Report, and evidence presented, the Planning Commission approve Variance #25-1 to reduce the required lot width variance for the property*



*in question. I further move to direct staff to prepare findings and conclusions, and authorize the Chair to sign an order to that effect.*



**APPLICATION LOCATION:**





City of Rockaway Beach, Oregon  
276 S. Highway 101, PO Box 5  
Rockaway Beach, OR 97136  
(503) 374-1752 FAX (503) 374-0601  
[www.corb.us](http://www.corb.us) • [cityplanner@corb.us](mailto:cityplanner@corb.us)



## VARIANCE APPLICATION (#25 - 1)

Non-Refundable Fee \$880.00

Property Owner(s) Name: Gloria Mayer Johnson

Full Mailing Address: 260 Elm Street B 402, Cathlamet, WA 98612

Email: leitzsteven@gmail.com

Phone Number: 201-725-9049

### Location Information:

Situs Address: \_\_\_\_\_ AND/OR Map/Tax Lot: 2N1020BD06300

Zoning: R1

Description of Request: I am requesting a variance for lot width. I would like to split my large ocean front lot which is currently 75 feet wide into two lots each having a width of 37.5 feet. Currently the Rockaway zoning ordinance for R1 allows for a 35 ft wide lot for lots between 3,500 and 4,999 square feet. The lots after splitting would be 37.5 wide x 186 feet long for a total 6,975 square feet each.

**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 practical difficulty or unnecessary hardship and would be consistent with the objectives of the Comprehensive Plan.

An objective of the comprehensive plan is to make room for more middle housing. Under the updated zoning ordinance to be adopted by the city this summer the lot in question could currently be developed under the parent and child lot guidelines for splitting a developed detached duplex. This would require building two units at the same time and then applying for a middle housing land division, which would be a considerable economic hardship. We would like to develop two small homes on this lot but would like to spread it out over a few years to make it financially possible.

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.

The property is of an unusually large size in the zone. It is the 3<sup>rd</sup> largest ocean front lot in the zone at 13,910 square feet. There are several ocean lots a block to the south which are half the square footage and are 40 feet wide. A land division into two lots each being 37.5 feet wide would be consistent with other lots in the zone and supports the comprehensive plan goal of increasing middle housing availability.

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.

The size of the proposed lots at 37.5 feet wide and 6,950 square feet each is consistent with several other ocean lots in the zone. The square footage of the proposed lots is 50% greater than approximately 20% of the non-ocean lots in the zone. Two blocks south is a similar ocean lot to the size I would like to divide to. The address is 25830 Beach Drive and its 40 feet wide, 2.5 feet wider than my requested variance and 6550 sq ft, which is 400 sq ft smaller. This property is currently under development and would be comparable to the proposed lots concerning the nature of public health, safety or welfare or materially injurious to properties or improvements in the near vicinity. It's a direct like for like comparison.

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

The granting of the variance would support the goal of the comprehensive plan to add middle housing by utilizing a larger lot to make two smaller lots and build two smaller homes. Granting of the variance is also consistent with the current residential lots already developed in the zone.

**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:

Shirley I. Meyer Johnson

Date: 5-29-2025

### OFFICE USE ONLY

Fee \$ 880.00 Date Received: \_\_\_\_\_ Receipt # \_\_\_\_\_ By: \_\_\_\_\_ Notes:

\_\_\_\_\_ Notice

Published: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

Variance ☐ Granted ☐ Denied Date of Order: \_\_\_\_\_ Final Date to Appeal: \_\_\_\_\_ t \_\_\_\_\_ Planning

approved by: \_\_\_\_\_ Date of Order: \_\_\_\_\_



MAP & L: 18500000 2N102BD06300  
 Owner Name: Gloria Mayer Johnson  
 260 Elm Street B 402  
 Calhoun, WA 98612  
 503-812-2897

Scale 1/2" = 1'  
 0" 2" 4" 6" 8" 10" 12"

