



# Oregon

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

December 13, 2006



TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Cannon Beach Plan Amendment  
DLCD File Number 003-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: December 27, 2006**

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Laren Woolley, DLCD Regional Representative  
Rainmar Bartl, City Of Cannon Beach

<paa> ya/

FORM 2

# DLCD

## Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Cannon Beach Local file number: \_\_\_\_\_

Date of Adoption: 12/5/2006 Date Mailed: 12/6/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 8/23/2006

- |   |   |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment        | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment             |
| <input type="checkbox"/> New Land Use Regulation                  | <input type="checkbox"/> Other: _____                     |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

**Amend Municipal Code, Section 17.77.030C - Vacation Home Rental Occupancy Requirement for clarification regarding the definition of vacation home rental occupancy and regulatory requirements as noted in Section 17.77.030.**

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

**See Attached Final Adopted Zoning Code Amendment**

Plan Map Changed from: N/A to: \_\_\_\_\_

Zone Map Changed from: N/A to: \_\_\_\_\_

Location: N/A Acres Involved: \_\_\_\_\_

Specify Density: Previous: N/A New: \_\_\_\_\_

Applicable Statewide Planning Goals: N/A

Was an Exception Adopted?  YES  NO

DLCD File No.: 003-06 (15503)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (45) days prior to first evidentiary hearing?  Yes  No  
If no, do the statewide planning goals apply?  Yes  No  
If no, did Emergency Circumstances require immediate adoption?  Yes  No

Affected State or Federal Agencies, Local Governments or Special Districts:

N/A

Local Contact: Rainmar Bartl Phone: (503) 436-1581 Extension: 133  
Address: PO Box 368 City: Cannon Beach  
Zip Code + 4: 97110-368 Email Address: bartl@ci.cannon-beach.or.

### ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

**ADOPTED**  
ZONING CODE AMENDMENT  
VACATION HOME RENTAL OCCUPANCY STANDARDS

1. Amend Section 17.77.030 Vacation home rental occupancy requirements, Vacation Home Rental Tenancy to read as follows:

C. Vacation Home Rental Occupancy.

1. For the purposes of this section, an individual tenancy means a specific person or group of persons who together occupy or are entitled to occupy a vacation home rental.

2. The use of a dwelling for vacation rental occupancy shall not exceed one individual tenancy within fourteen consecutive calendar days

3. An individual tenancy described in Section 17.77.030.C.2, shall commence on the first day that the person(s) that constitute the individual tenancy occupy or are entitled to occupy the dwelling unit.

4. Occupancy of the vacation home rental, by the individual tenancy, for the minimum fourteen day period is not required. However, no additional occupancy, with the exception of the property owner, shall occur within the minimum fourteen day occupancy period that begins on the first day of an individual tenancy.

5. The day the individual tenancy checks out of the dwelling is not considered a day in the specified period of occupancy.

BEFORE THE COMMON COUNCIL OF THE CITY OF CANNON BEACH

FOR THE PURPOSE OF AMENDING THE )      ORDINANCE NO. 06-14  
MUNICIPAL CODE, SECTION 17.77.030.C )  
VACATION HOME RENTAL OCCUPANCY )  
REQUIREMENTS )

The City of Cannon Beach does ordain as follows:

Section 1. Amend the Cannon Beach Municipal Code, Section 17.77.030.C, to read as follows:

C. Vacation Home Rental Occupancy.

1. For the purposes of this section, an individual tenancy means a specific person or group of persons who together occupy or are entitled to occupy a vacation home rental.
2. The use of a dwelling for vacation rental occupancy shall not exceed one individual tenancy within fourteen consecutive calendar days
3. An individual tenancy described in Section 17.77.030.C.2, shall commence on the first day that the person(s) that constitute the individual tenancy occupy or are entitled to occupy the dwelling unit.
4. Occupancy of the vacation home rental, by the individual tenancy, for the minimum fourteen day period is not required. However, no additional occupancy, with the exception of the property owner, shall occur within the minimum fourteen day occupancy period that begins on the first day of an individual tenancy.

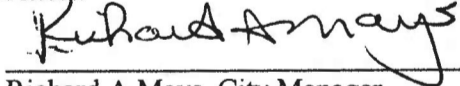
ADOPTED by the Common Council of the City of Cannon Beach this 5th day of December 2006, by the following roll call vote:

YEAS:  
NAYS:  
EXCUSED:



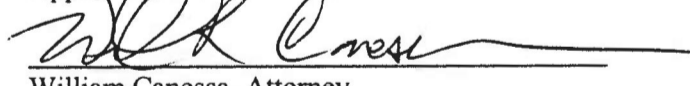
David S. Rouse, Mayor

Attest:



Richard A Mays, City Manager

Approved as to Form:



William Canessa, Attorney