



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

May 9, 2007



**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 002-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 23, 2007**

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 ABOVE DATE SPECIFIED.**

**Cc:** Doug White, DLCD Community Services Specialist  
Laren Woolley, DLCD Regional Representative  
Paul Klarin, DLCD Coastal Policy Analyst  
Rainmar Bartl, City of Cannon Beach Planning Director

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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

<input type="checkbox"/> Hand delivered	<input type="checkbox"/> email	<input type="checkbox"/> mailed
DATE STAMP		
DEPT OF		
MAY 03 2007		
LAND CONSERVATION AND DEVELOPMENT		
For DLCD Use Only		

Jurisdiction: City of Cannon Beach Local file number: CP 07-01

Date of Adoption: 5/1/2007 Date Mailed: 5/2/2007

Date original Notice of Proposed Amendment was mailed to DLCD: 1/25/2007

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input 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 the Comprehensive Plan Background Report, Cannon Beach. An Integrated approach to Sand Management, Part IV, Sand Management Strategies for the Cannon Beach Area .**

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".

**Same**

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Zone Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: **Goal 18 - State of Oregon Beach Bill**

Was and Exception Adopted?  YES  NO

DLCD File No.: 002-07(15824)

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:

**Oregon State Parks**

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Local Contact: Rainmar Bartl Phone: (503) 436-1581 Extension: 133

Address: PO Box 368 City: Cannon Beach, OR

Zip Code + 4: 97110- Email Address: bartl@ci.cannon-beach.or.us

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## 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](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

BEFORE THE COMMON COUNCIL OF THE CITY OF CANNON BEACH

FOR THE PURPOSE OF AMENDING THE ) ORDINANCE NO. 07-02  
COMPREHENSIVE PLAN BACKGROUND )  
REPORT, AMENDING THE SECTION )  
TITLED, CANNON BEACH: AN )  
INTEGRATED APPROACH TO SAND )  
MANAGEMENT )

The City of Cannon Beach does ordain as follows:

Section 1. Amend the Comprehensive Plan Background Report, Cannon Beach: An Integrated Approach to Sand Management, Part IV, Sand Management Strategies for the Cannon Beach Area by adding the following paragraph after the last paragraph in this section:

A design criterion for the implementation of the foredune grading plans is dune shaping and regrading in a manner that retains some of the natural appearance of the dune forms. Grading with this objective in mind results in the retention or creation of dune hummocks and reshaped dune crests with variable topography. The experience with four phases of dune grading at Breaker Point indicates that this design criterion does result in graded dunes that, at least in part, mimic the shape of "naturally" accreting dunes. However, the resultant variability in the topography of the graded area means that some areas accrete new sand deposition at accelerated rates. These areas of accelerated sand accumulation in turn can impact views at a time when the majority of the graded area continues to provide for the ocean views that were the objective of the initial dune grading. To address this issue of variable dune accretion rates, within the context of a foredune grading plan for a specific area, an additional sand management strategy is provided for, maintenance foredune grading. Maintenance foredune grading permits the grading of limited areas within an overall management area, or phase within a management area, without the need to obtain either a conditional use permit or comprehensive plan amendment to modify the dune grading regimen in a specific area. Maintenance foredune grading is subject to specific criteria to ensure that the grading occurs in a manner that is consistent with the overall foredune grading plan for the management area.


ADOPTED by the Common Council of the City of Cannon Beach this 1st day of May 2007, by the following roll call vote:

YEAS: Councilors: Raskin, Giasson, Steidel, Arnold; Mayor Williams  
NAYS: None  
EXCUSED: None

  
John Williams, Mayor

Attest:

  
Richard A Mays, City Manager

Approved as to Form:  
  
William Canessa, Attorney