



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



NOTICE OF ADOPTED AMENDMENT

12/23/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Rockaway Beach Plan Amendment
DLCD File Number 002-10

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: Thursday, January 06, 2011

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Jay Sennewald, City of Rockaway Beach
Gloria Gardiner, DLCD Urban Planning Specialist
Bill Holmstrom, DLCD Transportation Planner
Matt Spangler, DLCD Regional Representative
Matt Spangler, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

DEC 17 2010

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: City of Rockaway Beach

Local file number: Ord. No. 10-412

Date of Adoption: December 15, 2010

Date Mailed: December 16, 2010

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: May 2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

This the adoption of Ordinance No. 10-412, the ordinance adopting the City of Rockaway Beach's Comprehensive Transportation Plan.

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

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

DLCD file No. 002-10 (18262) [16459]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Jay Sennewald/Terri Michel

Phone: (503) 355-2291 Extension: 2

Address: P.O. Box 5

Fax Number: 503-355-8221

City: Rockaway Beach

Zip: 97136

E-mail Address: terri@rockawaybeachor.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS [197.615](#) and [OAR Chapter 660, Division 18](#)

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light **green paper if available**.
3. **Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:**
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see [ORS 197.615](#)).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see [ORS 197.830 to 197.845](#)).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see [ORS 197.615](#)).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 10-412

AN ORDINANCE ADOPTING THE CITY OF ROCKAWAY BEACH TRANSPORTATION PLAN.

WHEREAS, the purpose of a local TSP, according to the Transportation Planning Rule, is to “establish a system of transportation facilities adequate to meet identified local transportation needs consistent with regional TSP’s and adopted elements of the State TSP”; and,

WHEREAS, recent growth, coupled with growth anticipated over the 20-year planning horizon, places demands on the City’s transportation system that necessitate a reevaluation of the City’s transportation needs, services and facilities; and,

WHEREAS, the transportation element of the City’s Comprehensive Plan, adopted in 2007, acknowledges the need for improvements to the City’s transportation system with regard to vehicular circulation, parking, bicycle and pedestrian facilities, public transit, and other special transportation needs; and

WHEREAS, in May of 2009 ODOT contracted with the firm CH2M HILL to develop the Rockaway Beach Transportation Plan; and,

WHEREAS, City-appointed staff, elected officials, and CH2M HILL worked closely with the Oregon Department of Transportation (ODOT) and project consultant team in planning for future improvements to the Rockaway Beach transportation system through participation on the Project Management Team (PMT) for the Rockaway Beach Transportation Plan project and the development of the Rockaway Beach Transportation Plan; and

WHEREAS, with the establishment of a PMT in July 2009, and a Project Advisory Committee (PAC) composed of local residents, business owners, and public officials in October 2009, the City and CH2M HILL initiated a process of extensive policy, planning, and engineering analysis to, among other activities, inventory current transportation conditions, and facilities, determine the needs and desires for roadway improvements and non-motorized facilities, develop and evaluate transportation system alternatives, determine short and long-range recommended improvements, and develop a draft Transportation Plan; and,

WHEREAS, beginning May 2010, the Rockaway Beach Planning Commission began a public review of a draft Transportation Plan involving citizens, affected government agencies, and other interested parties; and,

WHEREAS, the City held public open houses on February 2, 2010, and April 20, 2010, to present draft Transportation Plan findings, address and compile public comments and suggestions received at each open house; and

WHEREAS, the Planning Commission conducted a public hearing regarding the draft Transportation Plan on August 10, 2010, developing in the process a comprehensive system to address comments and suggestions received in public testimony for the purposes of recommending revision to the draft Transportation Plan as appropriate; and,

WHEREAS, the Planning Commission recommended adoption of the Rockaway Beach Transportation Plan with modifications on August 10, 2010; and,

WHEREAS, the City Council conducted a work session on the draft Rockaway Beach Transportation Plan on August 25, 2010; and

WHEREAS, The City Council conducted a public hearing on September 22, 2010, and continued the public hearing to October 13, 2010, to consider all public testimony on the matter; and

WHEREAS, it is acknowledged that recommended amendments to the City's Subdivision and Zoning Ordinances contained in the technical memorandum entitled "Rockaway Beach Transportation Plan: Subdivision & Zoning Ordinances Assessment", contained in Appendix "E" of the Rockaway Beach Transportation Plan, will be considered at such a point in the future wherein proper vetting of said referenced amendments has been undertaken by City staff in coordination with all applicable City officials and outside agencies;

NOW, THEREFORE, THE CITY OF ROCKAWAY BEACH ORDAINS AS FOLLOWS:

SECTION 1. Findings. The City Council of the City of Rockaway Beach hereby adopts as findings of fact the above recitals, that document entitled "Rockaway Beach Transportation Plan", attached hereto as Exhibit "A" and incorporated herein as if fully set forth, **with exception to the entitled "Rockaway Beach Transportation Plan: Subdivision & Zoning Ordinances Assessment" contained in Appendix "E"**.

SECTION 2. Order. The City Council of the City of Rockaway Beach hereby adopts the proposed Rockaway Beach Transportation Plan Volumes I and II, including appendices, attached as Exhibit "A", and incorporated herein as fully set forth, **with exception to the entitled "Rockaway Beach Transportation Plan: Subdivision & Zoning Ordinances Assessment" contained in Appendix "E"**.

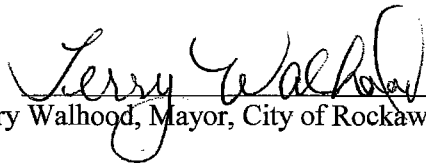
SECTION 3. Staff Directive. Subsequent to adoption of the Rockaway Beach Transportation Plan, staff is directed to return to City Council with conforming amendments to the city's Zoning Ordinance and Subdivision Ordinance, currently proposed in the entitled "Rockaway Beach Transportation Plan: Subdivision & Zoning Ordinances Assessment" contained in Appendix E of the Rockaway Beach Transportation Plan.

SUBMITTED to the Rockaway Beach City Council and read for the first time at a regular meeting thereof on the 8th day of December, 2010, at the hour of 6:00 p.m. at the regular City Council meeting at 276 S. Hwy. 101, Rockaway Beach, and scheduled for a second reading on the 15th day of December, 2010, commencing at the hour of 5:00 p.m. at the special City Council meeting at 276 S. Hwy. 101, Rockaway Beach, Oregon.

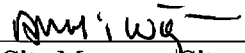
ENACTED by the Rockaway Beach City Council this 15th day of December 2010, by the following vote:

First Reading	Ayes: _____	Nays: _____
Second Reading	Ayes: _____	Nays: _____

APPROVED BY THE MAYOR, this 15th day of December, 2010.


Terry Walhood, Mayor, City of Rockaway Beach

ATTESTED BY:


David Wiegman, City Manager, City of Rockaway Beach

Filed in the office of Rockaway Beach City Hall this 15TH day of DEC., 2010.

Attachments:

- Exhibit A: Rockaway Beach Transportation Plan
- Exhibit B: Staff Report to City Council
- Exhibit C: Meeting minutes from City Council public hearing of September 22nd, 2010 and October 13th, 2010.

CITY OF ROCKAWAY BEACH

Post Office Box 5
ROCKAWAY BEACH, OREGON 97136



DEPT OF

DEC 17 2010

LAND CONSERVATION
AND DEVELOPMENT

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540



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