

# Municipal Memo

## MEETING HIGHLIGHTS

### CITY COUNCIL JANUARY 2, 1996

Continued a public hearing on proposed amendments to the Municipal Code requiring that, to obtain a building permit, a property owner must submit a land survey performed or validated by a licensed surveyor since 1-1-86. Council tentatively adopted the amendments which will be considered in ordinance form at the February meeting.

Appointed Hugh Milloy and Les Wierson to three year terms on the Public Works Committee.

Held public hearings on Cannon Beach Sanitary Service requests for rate increases. Council approved a rate restructuring intended to encourage recycling and approved a rate increase to reflect an increase in the fees charged by Gearhart Transfer Station but will hold a work session on January 23 to further discuss an 8% overall rate increase requested by CBSS.

Heard public comment on the services provided by Falcon Cable Company. Joel Billings, Falcon district manager for the Cannon Beach area, was present to respond to some questions and comments at the meeting and will provide additional information in writing regarding those questions he was unprepared to answer at the meeting.

Council received the report prepared by Keech and Associates recommending alternatives to address the safety hazards of the north entrance into Cannon Beach. City Council has scheduled a public hearing on the issue on Tuesday, January 23 at 8:00 p.m. at City Hall (A).

Councilors adopted (by a 4:1 vote) a motion to present an offer to Cannon Beach Resorts Inc., on behalf of the city, to purchase the Cannon Beach RV Park for \$2,100,000. The terms of the purchase include a \$940,000 down payment with a 7 year note on the balance at an interest rate of 9%. The property being considered for purchase is about 20 acres in size and does not include the mini-storage buildings. The RV Park is one of the sites that was considered by the Blue Ribbon Committee on Future Space Needs for potential school, sports park and arts center locations (B).

Council directed its Cavenham subcommittee, comprised of Mayor Anderson, Councilor Little, Paul Visher and Ron Logan, to

investigate the potential sale of Cavenham timber holdings east of Cannon Beach.

Council provided staff with direction in the development of a policy addressing structures that encroach into public rights-of-way. The proposed policy language will be revised and will be on the February Council agenda for further discussion.

Councilors determined to permit partial paving of Spruce Street, from the driveway of the new fire station to Sunset Boulevard rather than paving the entire block through to Dawes Street (C).

Councilors adopted a resolution declaring the city's intent to extend sidewalks on the north side of Sunset Boulevard along a 50 foot section between the Hallmark overflow motel building and the new fire station (D).

Adopted an ordinance to bring the Cannon Beach Zoning Ordinance into conformance with the requirements of recently adopted state legislation regarding public hearing procedures.

Held a public hearing on the proposed 1996 Parking and Traffic Management Plan updates. Councilors asked staff to study potential changes in the route of the Shuttle to free up loading zones on Hemlock Street for use by delivery trucks. The issue will be further discussed at Council's February 6 meeting.

Reappointed Frank Little and Bud Kramer as the city's representatives to the Clatsop Economic Development Council.

Approved the community grant recommendations made to Council by the Parks and Community Services Committee. Included in the awards of second round grant funds for the year are:

- Cannon Beach Historical Society (display case) \$ 250
- Clatsop Co. Women's Resource Center (services) \$1000
- Pioneer House (homeless shelter) \$1200
- Cannon Beach Arts Assoc. (artist grants) \$1500
- Cannon Beach Arts Assoc. (concerts in park) \$2200
- KMUN (teen radio mentor program) \$1000
- School District (drug & alcohol prevention) \$ 600

Accepted a recommendation by the Parks and Community Services Committee to proceed with funding a permanent bandstand structure in City Park, up to a maximum expenditure of \$30,000 (E).

### PLANNING COMMISSION DECEMBER 21

Held a public hearing and recommended denial to City Council of a request for a zone change by Terry and Carmen Swigart. The applicants request a zone change from MP, Manufactured Dwelling and Recreational Vehicle Park, to RM, Residential Motel, for a 9 acre parcel of property at the north end of Cannon Beach, currently part of the SeaRanch RV Park and Horse Rides. The request will be considered by the City Council at the February 6 Council meeting (F).

Held a public hearing on a minor partition request by David Holland to partition an existing 3.84 acre lot into three parcels. The property is located east of Hemlock Street and south of Arbor Lane. The Planning Commission denied the partition request. Holland has appealed the decision to the city Council; the appeal will be heard at Council's February 6 meeting (G).

Held a public hearing and approved a sign variance request by the Tolovana Inn Homeowners Association to permit the replacement of an existing, non-conforming sign in conjunction with the Tolovana Inn

which is located at 3400 S. Hemlock Street (H). Continued a public hearing on a proposal to require surveys more than five years old to be revalidated by the surveyor who performed the original survey. The Planning Commission directed staff to modify the proposal to permit any licensed surveyor to provide the validation service and to require validation only on surveys conducted prior to 1985. The proposal will be considered by City Council.

Heard public comment on the proposed 1996 Parking and Traffic Management Plan updates. The Planning Commission modified the proposal before referring it on to the City Council.

Approved the final plat for phase 1 of the Chapman Point Subdivision. Phase 1 of the Chapman Subdivision includes the seven lots located north of 7th Street (I).

### DESIGN REVIEW JANUARY 18

Held a public hearing on Lorry Polevoi application for exterior alterations including changes to an approved landscape plan for existing commercial building located at 1188 South Hemlock.

Held a public hearing on City of Cannon Beach application for construction of a permanent bandstand at City Park located at 247 North Spruce.

Continued a hearing on Temple/Ayres application for a major modification to a previously approved duplex located at 272/274 6th Street.

Received a request to amend the agenda from Stephen Tuckman/McBee Motel, for review of a free-standing sign.

### ELIZABETH FURSE COMMUNITY OFFICE HOURS

The staff of Congresswoman Elizabeth Furse will be holding community office hours throughout the First Congressional District. If you have a concern about a federal issue, a problem or a suggestion, you are invited to stop by one of the following locations in Clatsop County:

- Cannon Beach**  
Every 2nd & 4th Tuesday, 3-4 PM  
Cannon Beach City Hall, 163 East Gower
- Seaside**  
Every 1st & 3rd Tuesday, 3-4 PM  
Seaside Public Library, 60 North Roosevelt

- Astoria**  
Every Tuesday, 10-11 AM  
Port of Astoria

### HAYSTACK ROCK AWARENESS PROGRAM NEEDS VOLUNTEERS

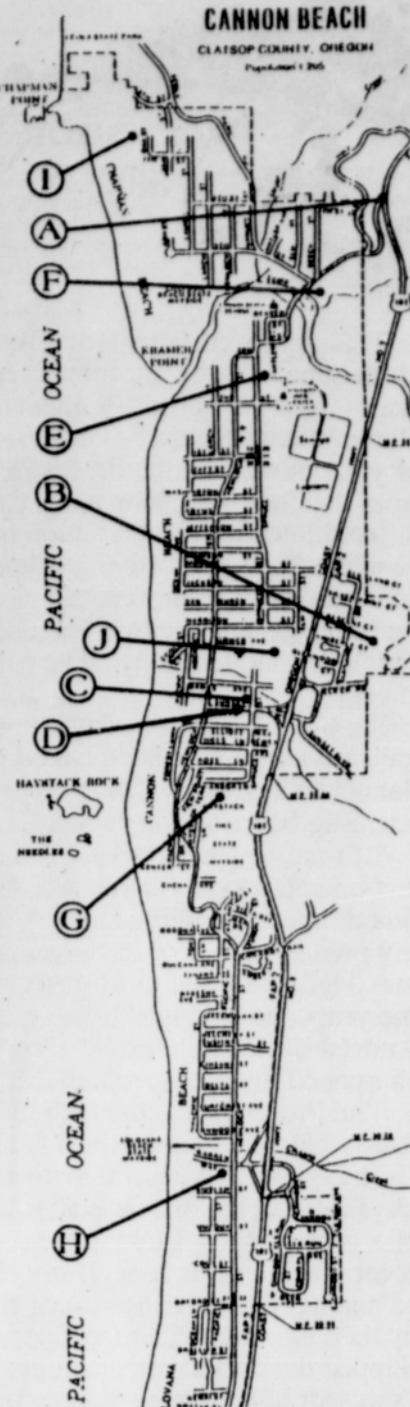
The Haystack Rock Awareness Program, whose principal sponsor is the City of Cannon Beach through its Parks & Community Services Committee, is operated by a corps of volunteers known as the Puffin club. The Club is beginning to plan for its twelfth year of on-the-beach interpretive activities for visitors to

the Rock during 1996. Volunteers are urgently needed for folding brochures, stuffing envelopes, setting up meeting rooms, setting up and taking down equipment on the beach, talking with beach visitors about the fragile tidelocks and fascinating birds and how best to enjoy them without doing harm. No scientific background or special information of any kind is necessary. It's a lot of fun, and the food at the tidelocks is great! If you think you might be interested in becoming a volunteer, please phone Marjann Webber at 436-1580 or leave your name, mailing address and phone number with Michelle McConnell at City Hall (436-1581) and you will be contacted. If you represent a church, club, business or service organization, a free slide show and talk can be arranged for your group.

### CITY COUNCIL SPECIAL MEETING JANUARY 16, 1996

After holding an Executive Session, City Council held a special meeting and determined to not pursue further a Clatsop County Circuit Court order compelling the city to issue approval for the Shorewood Subdivision application. The City Council denied the Shorewood application for tentative subdivision plat approval in August 1995; the applicant, Shelter Resources, Inc., subsequently filed a petition for a writ of mandamus with the circuit court because the city's final decision on the application was not rendered within the 120 day period prescribed by Oregon statutes. The Shorewood subdivision application will now be subject to Design Review Board hearing and consideration. The Shorewood Subdivision application is for a 19 lot subdivision located on a 3.53 acre parcel of land east of City Hall (J).

The City Council also determined to file a petition for review by the Oregon Supreme Court in the matter of the Holland Subdivision request. The City Council denied the Holland Tentative Plat Subdivision request in March 1995; Mr. Holland appealed the matter to LUBA (the Land Use Board of Appeals) where the city's denial was upheld. Holland then appealed the decision to the Oregon Court of Appeals which has issued a remand of the decision to LUBA to determine a specific point of law related to the use of Comprehensive Plan policies as approval criteria. Council decided, on the advice of the city's legal counsel on the matter, Ed Sullivan, to request a hearing by the Oregon Supreme Court rather than reconsideration at LUBA (G).



### RECYCLE SCHEDULE

FEBRUARY 1996	
<b>CURBSIDE</b>	
MON. Collection	12th & 26th
TUES. Collection	13th & 27th
WED. Collection	14th & 28th
FRI. Collection	9th & 23rd
<b>RECYCLE SATURDAY</b>	
9 a.m. - Noon EVERY SATURDAY	

**Kirk Anderson, Mayor**  
City Councilors:  
Laurel Hood  
Cleve Rooper  
Frank Little  
Karolyn Adamson  
**John Williams, City Manager**  
Published monthly by the  
City of Cannon Beach,  
P.O. Box 368 Cannon Beach,  
OR 97110 (503) 436-1581

We have been receiving letters about the City's plan to buy the RV park. Everyone seems to be totally amazed.

January 11  
Members of the City Council

Members,  
I am sitting here reading the Gazette article on the RV Park in total amazement. Assuming the Gazette information is accurate it would seem that this action violates the City Charter (Chapter X, section 38) which prohibits incurring debt without a vote of the people. I would also guess that it violates several state statutes. Also, it would seem reasonable that prior to a purchase of this size, public hearings would be held, a better plan for future use would be formulated and a source of funds to develop it would be identified.

I support the idea proposed by Billy Hultz (sic) in the latest issue of the Upper Left Edge, of establishing a Land Trust and purchase those unique pieces of property that are better left undeveloped (I'm not sure the RV Park would be one I would pick). Unless the city council members are experienced in negotiating purchases of commercial property I would think that the taxpayers would be better served by establishing a board of experienced people to select and negotiate such purchase. Billy's concern about the source of funds has been at least partly answered by the council's actions. Apparently, the city has more money than it knows what to do with. Also, I think an argument could be made that a substantial portion of the motel tax is derived from people who come here for the natural beauty, thus nature should be preserved with a portion of those funds.

I would suggest that the council slow down, double check the applicable city and state statutes, consult the taxpayers and then address the bigger issue of how to preserve all the unique properties we are blessed with.

Sincerely,  
Ken Quarles, CFA  
(read on. -ed.)

January 20

Dear Mr. Quarles,  
Since your letter to the members of the Cannon Beach City Council will appear both in the Gazette and the Upper Left Edge, I felt this response should serve the same purpose and inform the citizens of Cannon Beach.

I read your letter about the potential RV Park purchase in total amazement. Where were you when the citizens of Cannon Beach voted to approve General Obligation bond for the construction, purchase or acquisition of public facilities and services? Where were you when the Blue Ribbon Committee, composed of 12 experienced members of our community, spent many, many hours studying the space needs of Cannon Beach, and made their number one recommendation the acquisition of the RV Park property? Where were you during the public hearings held on this matter? I have not seen you at many council meetings, perhaps one or two meetings in the past two years. If you had attended Council and Budget Committee meetings on a regular basis, you would know that Kirk Anderson has been advocating for the land trust concept for several years, and this last year succeeded in establishing a budget line item for that purpose. You would know that the purchase of the RV property could go toward achieving the preservation of our valuable urban forest land on Spruce Street, a goal that I personally favor.

Basing your information and opinion upon one article you read on one day in January, 1996, is fine as far as it goes. To offer uninformed advice to the members of this community who have worked hard, taken the time and made the effort to steer a course based on long study, citizen involvement, profession and legal advice, and consultation with the taxpayers is reprehensible.

It is not to be expected that everyone will find the potential RV Park purchase agreeable, but the hours of responsible citizen involvement on this issue have certainly provided some consensus and have served properly as a guide to the City Council in moving forward with negotiations. Whatever the outcome, the process has been all that you suggest it should be.

Sincerely,  
Karolyn Adamson  
(City Councilor)

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JIM WEATHERS  
**CARPENTRY**

436-1885  
LICENSED CONTRACTOR

(Yet another subject. -ed.)  
January 21

The Honorable City Council of Cannon Beach;

We appreciate all the effort City Hall has expended to protect the community from the Shorewood development.

We applaud the Council's actions to believe in and fight for the Comprehensive Plan, and even over the objection of the City's own lawyer.

We understand there were two legal technicalities that caused the Council to give up the fight.

First, due to confusion over a one-week extension for additional comment granted by the Planning Commission, our City Planner missed a mandatory 120 day deadline.

Perhaps in desperation, the Council then abandoned pursuit of the Comprehensive Plan to follow the questionable recommendation of the outside lawyer. Following this lawyer's advice, the City accused Shorewood of having only one exit. That the Court sided with Shorewood is no surprise. After all the Planning Commission had already requested Shorewood eliminate their second access.

We are saddened that one of the last stands of forest in our town will fall, and that the quaint and quiet character of our neighborhood will be forever lost.

We are deeply disappointed that our City, notable for its spirit and independence, has let its final action be dictated by mistakes and bad advice.

We urge you to reconsider and fight for the principles, the Comprehensive Plan, that we know you believe in.

Sincerely,  
Cheth Rowe  
Andrea Rowe

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