



BEFORE THE CITY OF CANNON BEACH

IN THE MATTER OF A DEVELOPMENT)	
PERMIT FOR THE PLACEMENT OF A)	
BEACH ACCESS STAIRCASE AT 281 W.)	
UMPQUA ST. APPROVING THE REQUEST)	FINDINGS OF FACT,
AND ADOPTING FINDINGS)	CONCLUSIONS, AND
		ORDER DP #23-45


ZONE: Residential Moderate Density (R1)

APPLICANT: Jason Kraushaar Contracting LLC
89652 W. Lake Acres Dr.
Warrenton, OR 97146

The above-named applicant applied to the City for review and approval of a permit for the placement of a private beach access stairway at 281 W. Umpqua St., Taxlot# 51031DD02401. The City of Cannon Beach orders that this request for approval of a development permit is granted subject to conditions, and adopts the findings of fact, conclusions and conditions contained in Exhibit A.

This decision may be appealed to the Planning Commission by an affected party by filing an appeal with the City within fourteen days of this date.

DATED: January 18, 2024



Robert St. Clair
Planner



EXHIBIT "A"

FINDINGS OF FACT

CONSTRUCTION OF A NEW PRIVATE BEACH ACCESS – DP#23-45

PROPERTY DESCRIPTION:	Taxlot# 51031DD02401
PROPERTY LOCATION:	281 W. Umpqua St.
APPLICANT:	Jason Kraushaar Contracting LLC
PROPERTY OWNER:	OUR LLC
ACTION:	Approved With Conditions

BACKGROUND

The project is the construction of a private beach access stairway across a non-vegetated shoreline stabilization structure. The shoreline stabilization structure has been evaluated by Mead Engineering and an evaluation letter is included with the design materials which indicates that the staircase can be built in a manner that does not compromise the integrity of the shoreline stabilization.

APPLICABLE CRITERIA

The following sections of the Cannon Beach Municipal Code are applicable to this application:

- 17.42.030 – Uses and Activities Permitted, Oceanfront Management Overlay Zone
- 17.42.060 – Specific Standards, Oceanfront Management Overlay Zone

FINDINGS

(1) Section 17.42.030(A)(4) states that private beach access improvements are permitted in the Oceanfront Management Overlay Zone subject to development permitting requirements.

A. For lots or right-of-way that consist of the beach, active dunes, or other foredunes which are conditionally stable and that are subject to wave overtopping or ocean undercutting, or interdune areas that are subject to ocean flooding the following uses and activities are permitted subject to provisions of Section 17.92.010, Development permits:

1. Private beach access improvements, including stairs, subject to the provisions of Section 17.42.060(A)(7);

(2) Section 17.42.060(A)(6) states that the City may require the planting of stabilizing vegetation in order to minimize the potential for erosion that may be caused by the use of beach access. Stabilizing vegetation is not required with this project as the access stairs are being placed an established stabilization structure.



A. *The uses and activities permitted in all areas contained in the OM zone are subject to the following specific standards:*

1. *Beach Access. The city may require the planting of stabilizing vegetation, fencing or signage in order to minimize the potential for wind erosion that may be caused by the use of the beach access on adjacent areas.*

(3) Section 17.42.060(A)(9)(a) states that beach access stairs are permitted in an ocean yard.

A. *The uses and activities permitted in all areas contained in the OM zone are subject to the following specific standards:*

9. *Structures in the Ocean Yard. The following structures are permitted in an ocean yard:*

- a. *Beach access stairs subject to Section 17.42.030(A)(5) and (D)(1).*

CONCLUSIONS

The Community Development Department has reviewed the application and determined that it meets the applicable criteria, upon the following conditions:

CONDITIONS

1. All necessary permits from Oregon Parks and Recreation Department be obtained.



SITE MAP

