

BEFORE THE COMMON COUNCIL OF THE CITY OF CANNON BEACH

FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 20-02
COMPREHENSIVE PLAN OF CANNON BEACH)
AND ADOPTING BEACH AND SHORELINE)
DYNAMICS IN THE CANNON BEACH LITTORAL)
CELL: IMPLICATIONS FOR DUNE MANAGEMENT)
SPECIAL PAPER 49, ALLAN ET AL AS AN)
APPENDIX (EXHIBIT A))

WHEREAS, the Cannon Beach Comprehensive Plan directs the City to regulate the grading of foredunes in the littoral cell; and

WHEREAS, the Cannon Beach Comprehensive Plan is based on four objectives: first, to ensure the dunes sustain an adequate sand volume in order to withstand the erosional effects of (an) extreme storm(s) and to minimize any potential for wave overtopping and inundation (flooding) of backshore; second, to strengthen weak points in the dune system (e.g. adjacent to trails), by repairing areas subject to localized blowouts from wind or waves in order to maintain the dune buffer from erosion and potentially being breached during a storm; third, to maintain valuable habitat for a wide range of plants and animals, such as shellfish, including razor clams, and in some cases rare species; fourth, to maintain the integrity and natural beauty of the dunes; and

WHEREAS, the City of Cannon Beach contracted with the State of Oregon's Oregon Department of Geology and Mineral Industries and Dr. Jonathan C. Allan to produce a report on the Beach and Shoreline Dynamics in the Cannon Beach Littoral Cell: Implications for Dune Management, Special Paper 49, 2018; and

WHEREAS, the City of Cannon Beach, under direction of the Planning Commission developed an updated Foredune Management Plan based on the new science report from Dr. Allan; and

WHEREAS, the Planning Commission conducted work sessions on 5/22/17, 10/26/17, 7/26/18, 8/23/18, and 9/27/18. The Commission opened a public hearing on 1/25/18, and continued it to 2/22, 3/22, 4/ 26, and 5/24/18. The Commission closed the public testimony part of the hearing on 5/24 and recommended changes, with the caveat:

The Cannon Beach Planning Commission submits to the City Council the accompanying Foredune Management Plan amendments to the City's Comprehensive Plan and Municipal Code, but does so with reservations. As the Council is aware, the City's current Comprehensive Plan allows for foredune management in order to maintain views but does not require the City to allow such dune

grading. During an extensive public process focused on these matters, it became clear to the Planning Commission that there is no consensus, either among Cannon Beach residents or on the Commission, to allow such dune grading. Many Cannon Beach residents opposed dune grading for views. In fact, some residents favored placing the issue on a ballot. Accordingly, the Planning Commission recommends that the City Council carefully consider whether to allow dune grading for views at all, and that you adopt the accompanying Foredune Management Plan only to the extent that the Council decides to allow such grading activities; and

WHEREAS, the Cannon Beach City Council, held duly noticed public hearings on September 12, 14, 17 & October 7, 2019, as well as, February 4, 2020;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF CANNON BEACH AMENDS THE SAND DUNE CONSTRUCTION POLICIES AND FOREDUNE MANAGEMENT POLICIES OF THE CANNON BEACH COMPREHENSIVE PLAN BY DELETING THE CURRENT TEXT AND REPLACING IT WITH THE FOLLOWING WHILE ADOPTING SPECIAL PAPER 49, BEACH AND SHORELINE DYNAMICS IN THE CANNON BEACH LITTORAL CELL: IMPLICATIONS FOR DUNE MANAGEMENT EXHBIT A:

SECTION 1.

SAND DUNE CONSTRUCTION POLICIES

6. Foredunes shall be breached only on a temporary basis in an emergency, e.g. fire control, cleaning up oil spills, and alleviating flood hazard. Restoration after breaching shall reestablish, to the maximum extent feasible, the contours and vegetative cover existing on the site prior to the breaching.

Grading or sand movement may be allowed for structures in foredune areas only if the area is committed to development or is within an acknowledged urban growth boundary and only as part of an overall plan for managing foredune grading. A foredune grading plan shall include the following elements based on consideration of factors affecting the stability of the shoreline to be managed including sources of sand, ocean flooding, and patterns of accretion and erosion (including wind erosion), and effects of beachfront protective structures and jetties. The plan shall:

- a. Cover an entire beach and foredune area subject to an accretion problem, including adjacent areas potentially affected by changes in flooding, erosion, or accretion as a result of dune grading;
- b. Specify minimum dune height and width requirements to be maintained for protection from flooding and erosion. The minimum height for flood protection is 4 feet above the 100 year flood elevation, plus an additional one vertical foot safety buffer for predicted sea level rise.;
- c. Identify and set priorities for low and narrow dune areas which need to be built up;

- d. Prescribe standards for redistribution of sand and temporary and permanent stabilization measures including the timing of these activities, and
- e. Prohibit removal of sand from the beach-foredune system.

SECTION 2.

FOREDUNE MANAGEMENT POLICIES

1. Foredune Breaching: Foredunes shall be breached only on a temporary basis in an emergency, e.g. fire control, cleaning up oil spills, and alleviating flood hazard. Restoration after breaching shall reestablish, to the maximum extent feasible, the contours and vegetative cover existing on the site prior to the breaching.

2. Foredune Grading for Structures: Grading or sand movement may be allowed for structures in foredune areas only if the area is committed to development or is within an acknowledged urban growth boundary; and only as part of an overall plan approved for managing foredune grading. The City's foredune management plan covers all foredunes, from the south city limits to the north city limits. The plan allows grading to maintain the health, safety of the community and integrity of the natural resources in the Cannon Beach littoral cell.

3. Foredune Grading Plan: A foredune grading plan shall include the following elements based on consideration of factors affecting the stability of the shoreline to be managed including; sources of sand, ocean flooding, patterns of accretion and erosion (including wind erosion), and effects of beachfront protective structures and jetties.

4. Foredune Vegetation: Revegetation of graded areas is mandatory. Maintaining a stable, vegetated dune system is essential in those areas where coastal properties have been built either on or immediately landward of the dune.

5. Foredune Management Policy: Due to our uncertainty in the processes that enable and contribute toward dune formation, including their periodic destruction, managing a dynamic dune system at a range of spatial and temporal scales requires an adaptive management approach that is based on sound scientific knowledge of coastal dune processes and grounded by systematic, accurate monitoring. Because of uncertainty in the forces that both sustain and erode beaches and dunes on the Oregon coast, especially over longer time scales (10 to 30 years), an adaptive management approach based on a sound knowledge of beach and dune processes, guided by systematic monitoring and evaluation of the system as a whole, is essential. The Planning Commission shall evaluate its dune management program after adoption and make changes to the management regime in response to the results of monitoring and other available information.

6. Foredune Management Objectives: Foredune management is founded on four important objectives. First, to ensure the dunes sustain an adequate sand volume in order to withstand the erosional effects of (an) extreme storm(s) and to minimize any potential for wave overtopping and inundation (flooding) of backshore. Second, to strengthen weak points in the dune system (e.g. adjacent to trails), by repairing areas subject to localized blowouts from wind or waves in order to maintain the dune buffer from erosion and potentially being breached during a storm. Third, to maintain valuable habitat for a wide range of plants and animals, such as shellfish,

including razor clams, and in some cases rare species. Fourth, to maintain the integrity and natural beauty of the dunes, while providing for the necessary functions of public access, facilities and utilities.

7. Foredune Management Standards: To ensure that an adequate sand volume remains to withstand erosional effects of extreme storms and to minimize any potential for wave overtopping and inundation of the backshore, the City of Cannon Beach requires standards above and beyond the accepted federal base flood elevations.

8. Foredune Management: Graded sand must be retained within the littoral system.

9. Monitoring: Monitoring of a Conditional Use Foredune Grading permit is mandatory. Monitoring shall be the responsibility of the permit holder through the contracting of third-party professionals.

10. Foredune Grading Permits: Grading activities are permitted under an active Preservation Grading Conditional Use Permit, or Remedial Grading Permit in the Cannon Beach in the Oceanfront Management zone and may include:

- additional plantings or if necessary, certified organic fertilizer applications, in areas where plantings performed poorly,
- grading or sand removal to maintain established public access routes, as identified on Exhibit A, Cannon Beach Public Access Points, where accretion has occurred, and
- foreslope shaping.

11. Foredune Management Plan: The City shall complete a Plan Monitoring Report after the fifth year following adoption and approval of the Management Plan. The completed report shall be submitted to the Planning Commission and City Council.

12. Preservation Grading: “Preservation grading” is grading or sand movement necessary to repair blow-outs, erosion or maintain public access or facilities.

13. Remedial Dune Grading: “Remedial grading” is the clearing of sand necessary to maintain the function of a structure and is permitted in the Cannon Beach littoral cell without regards to an active Foredune Grading Conditional Use Permit.

SECTION 3.

CANNON BEACH COMPREHENSIVE PLAN APPENDIX

EXHIBIT A


SPECIAL PAPER 49, BEACH AND SHORELINE DYNAMICS IN THE CANNON BEACH LITTORAL CELL: IMPLICATIONS FOR DUNE MANAGEMENT

ADOPTED by the Common Council of the City of Cannon Beach this 6th day of April, 2020,
by the following roll call vote:

YEAS: Councilors Benefield, McCarthy, Ogilvie, and Risley

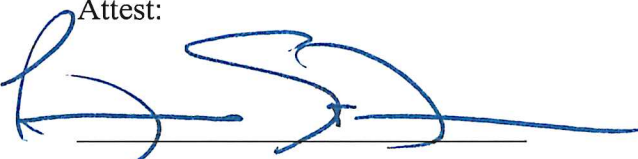
NAYS: Mayor Steidel

EXCUSED: None




Sam, Steidel, Mayor

Attest:



Bruce St. Denis, City Manager

Approved as to Form



Ashley Driscoll, City Attorney