

## Oregon Parks and Recreation Commission

February 23, 2023

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Agenda Item: 9b

Action

Public Comment Allowed: **Yes**

Topic: Request to open rulemaking –Lincoln County ocean shore vehicle restrictions (736-024-0025)

Presented by: Katie Gauthier and Preson Phillips

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**Background:** Under OAR 736-024-0025 vehicles are allowed on the ocean shore within 150 feet of North 35<sup>th</sup> Court and North 15<sup>th</sup> Street in Lincoln City. Lincoln City has requested a permanent closure of vehicle access at 35<sup>th</sup> Court, with the exception of emergency vehicles. The city has also requested a review of parking on the ocean shore at 15<sup>th</sup> Street.

### North 35<sup>th</sup> Court

For the 35<sup>th</sup> Court\* location the city of Lincoln City owns the parking lot and access point where vehicles enter the ocean shore. Due to safety concerns, the city has closed access to the ocean shore through December 31, 2023. The City Council requested OPRD consider a permanent closure that would remove the current 300 feet of parking on the ocean shore at this location.



NW 34<sup>th</sup> Street

\*This location is also referred to as NW34th Street.

In 2017, OPRD received a petition from local residents requesting a closure of this section of the ocean shore. After holding a public hearing and taking comments, the Commission determined not to move forward with changes based on a preponderance of comments in support of maintaining access, particularly for people with disabilities and elderly individuals. At that time, staff planned to work with the city to evaluate parking and access options and noted the decision would be reevaluated at a later date.

### 15<sup>th</sup> Street

The City of Lincoln City has also requested review of parking at 15<sup>th</sup> Street. Lincoln City owns the entry for this access point, as well. The city has made improvements to this access point; however, still have concerns over safety. Currently, this access point is closed to vehicle traffic during King Tide events, for special events and other times when beach conditions are deemed dangerous. This vehicle access is also a total of 300 feet of ocean shore used for parking.

Lincoln City law enforcement noted a number of vehicles that get stuck at this location or difficulty with vehicles going up and down at the same time.



Staff request permission to open rulemaking to take public comment on potential closure of both 34<sup>th</sup> Street and 15<sup>th</sup> Street in Lincoln City to vehicle access.

If approved, staff will convene a Rule Advisory Committee (RAC) to review proposals to eliminate parking at both locations. The committee will evaluate safety, accessibility and historic uses.

After the RAC process concludes, the agency will accept public comment and hold a hearing to solicit feedback on the proposal. Any final recommendation for a rule change will also go back to the Lincoln City Council for approval, per ORS 390.678.

**Prior Action by Commission:** In February 2017, the Commission decided not to close vehicle access at NW 34<sup>th</sup> Court based on a petition submitted by nearby property owners.

**Action Requested:**

Staff requests approval to open rulemaking to amend OAR 736-024-0025 to prohibit vehicles on the ocean shore in Lincoln County. A copy of the proposed rules is included in Attachment A.

**Attachments:**

Attachment A – proposed rule amendments- marked copy

Attachment B- Lincoln City resolution

Attachment C-maps of proposed rule change

**Prepared by:** Katie Gauthier