

ORDINANCE NO. 57

BEFORE THE BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, OREGON

IN THE MATTER OF A ZONE CHANGE
ON PROPERTY OWNED BY WADE AND
LONGFORD-HAMILTON FROM "R-4"
TO "R-1 PD"

FILED

AUG 18 1977

ALBERTA M. BRYANT
County Clerk


Deputy

THE FOLLOWING FINDINGS ARE HEREBY MADE:

1. Horace M. Wade and the Longford-Hamilton Corporation have applied for a zone change on certain property.
2. The property is located west of U.S. Highway 101 in Lincoln Beach, about one mile north of Fogarty Creek State Park.
3. The property is more specifically identified as tax lot 1000 of Section 28BA, T8S, R11W, W.M.
4. The existing zoning on the subject property is R-4, Multi-Family Residential, and the existing Land Use Plan designation is Single-Family Residential.
5. The requested zone is R-1 PD, Single-Family Residential Planned Development.
6. There are no structures on the subject property at this time.
7. To the north of the subject property is Evergreen Ridge Subdivision; to the east, across U.S. 101 are a warehouse, bulk oil plant, cultural center, and several undeveloped parcels and single-family dwellings; and to the west is the Pacific Ocean.
8. Water is available from the Kernville - Lincoln Beach - Gleneden Beach Water District. Public sewer is available from the Gleneden Sanitation District. Electricity and telephone are available. The property is included in the Depoe Bay Fire Protection District.

9. The eastern two thirds of the property is flat, and the western third slopes down to the beach.

10. The proposed dwelling units would be placed on the western third of the property. Because of soil saturation, a site specific soils report is required prior to construction of the units.

11. Vegetation on the subject property included Shore Pine, Sitka Spruce, berries, and Salal.

12. Applicable Statewide Planning Goals include: Goal #7, Areas Subject to Natural Hazards, because of soil conditions; Goal #16, Coastal Shorelands, since the property is within the Interim shorelands boundary; and Goal #17, Beaches and Dunes, as there is a conditionally stable foredune fronting the property. The proposed development will be well behind this foredune, and does not conflict with the goal.

13. The findings of fact made by the Planning Commission on this matter and the recommendation and facts as provided in the written report of the Lincoln County Planning Department is hereby approved and entered as additional findings by this Board, to the extent that they are not in conflict with the findings specifically made herein.

14. The Siletz Area Citizen Advisory Committee provided a letter stating they had no opposition to the project.

15. Several neighboring property owners spoke in opposition to the zone change:

BASED on the foregoing findings of fact the Board does conclude as follows:

1. The change would be in accord with the Land Use Plan for the area, since the Single-Family Designation conforms to R-1, Single-Family Residential zoning, and the overall density of development would be less than what is allowed in the R-1 Zone;

2. There has been a substantial change in the character of the area in the last few years because of the sewer program being in operation in that area;

3. The change conforms to the applicable Statewide Planning Goals, as described in the foregoing findings of fact, item 12;

4. There is a public need for the change of zone being sought, to help satisfy the demand for housing in Lincoln County;

5. Other available property is inadequate to satisfy the demonstrated public need.

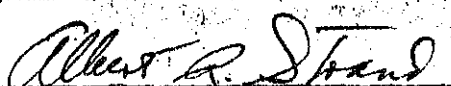
NOW, THEREFORE, IT IS HEREBY ORDAINED that the zoning of tax lot 1000 of Section 28BA, T8S, R11W, W.M. in Lincoln County, Oregon be and is hereby changed from R-4, Multi-Family Residential to R-1 PD, Single Family Planned Development.

Since this zone change has been allowed to bring the zoning into compliance with the Land Use Plan designation for the area, and because the need for this type of property is presently existing and very substantial at the present time, to protect the health and welfare of the citizens of this county, an emergency is declared to exist, and this ordinance shall become effective immediately upon the date of its adoption.

PASSED AND ADOPTED this 18th day of August, 1977.


Chairman


Commissioner


Commissioner