

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR THE COUNTY OF LINCOLN

3 ORDINANCE # 162

RECEIVED
OCT 1 1981

Lincoln County Legal Counsel

4
5 AN ORDINANCE AMENDING LINCOLN COUNTY ORDINANCE #139 AND DECLARING AN
6 EMERGENCY.

7 The Lincoln County Board of Commissioners ORDAINS as
8 follows:

9 1. That Section 1.030. Definitions. be amended to include
10 the following:

11 "14-1. 'Disposal Site' (as defined in the Lincoln County
12 Code, Section 2.110(6).

13 "37-1. 'Landfill' (as defined in the Lincoln County Code,
14 Section 2.110(12).

15 "64-1. 'Sanitary Landfill' (as defined in the Lincoln County
16 Code, Section 2.110(14).

17 "67-1. 'Solid Waste' (as defined in the Lincoln County Code,
18 Section 2.110(17))."

19 2. That Section 3.445. Public Facilities PF. be amended
20 as follows:

21 Delete paragraph, "(1)(e). Solid Waste disposal facility."

22 Include new paragraph, "(1)(e). Landfill and sanitary
23 landfill."

24 Delete paragraph, "(2)(e). Expansion of solid waste disposal
25 facility."

1 Include new paragraph, "(2)(e), Expansion of landfill or
2 sanitary landfill."

3 3. That new Section 3.615, Solid Waste Disposal Facility
4 Overlay Zone, be added as follows:

5 "Section 3.615. Solid Waste Disposal Facility Overlay Zone,

6 "1. A solid waste disposal facility, other than a landfill
7 of sanitary landfill, may be located in any zone in Lincoln County
8 following a public hearing held in accordance with the provisions of
9 Section 10.050 of this Ordinance. Any approval given shall be subject
10 to the provisions of the underlying zone, to the additional provisions
11 of Section 6.050(10) and Section 13.030, to the provisions of Chapter
12 2 of the Lincoln County Code, to all other local, state and federal
13 requirements and to the additional provisions of this section.

14 A. Hours of operation shall be established by the Commission
15 and adhered to by the operator.

16 B. The Commission may attach other conditions it feels
17 are necessary to minimize identified adverse environmental impacts.

18 2. For purposes of this section, Solid Waste does not
19 include material used for fertilizer or other productive purposes on
20 lands currently employed in agricultural uses or on forest lands
21 currently being managed in accordance with the Forest Practices Act
22 of the State of Oregon."

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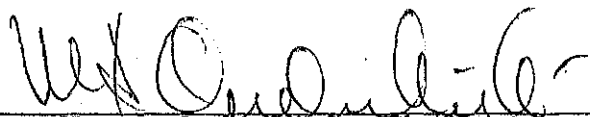
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1 4. That this Ordinance being necessary for the immediate
2 preservation of the public peace, health, and safety, an emergency is
3 declared to exist and this Ordinance takes effect on its adoption.

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DATED this 30th day of September, 1981.

LINCOLN COUNTY BOARD OF COMMISSIONERS



W. S. Ouder Kirk, Chairman



Albert R. Strand, Commissioner



G. E. Stuart, Commissioner

M I N U T E S

LINCOLN COUNTY PLANNING COMMISSION
Monday September 14, 1981, 7:30 p.m.
Conference Room, Lincoln County Courthouse

1. CALL TO ORDER - Roll Call.

The meeting was called to order by Chairman Adler. Planning Commission members present were:

Jim Adler
Dawn Grady
David Gray
Neil Imes
George Miller
Dale Nichols

Jack Owens
Izetta Over
Susan Parker
Phil Spulnik

Staff members present were: Clyde Stricklin, Peter Idema, Jan Mariano; County Legal Counsel, Nancy Cravens.

2. APPROVAL OF MINUTES -

Motion by Parker to approve minutes of August 3, 1981 and August 10, 1981. Second by Gray. Motion approved unanimously.

MOTION TO APPROVE MINUTES OF
8/3/81 and 8/10/81
#81-148

3. PAST ACTION REVIEW

3.1 Have sent letters to the News-Guard and News-Times regarding publishing the agenda in those papers. No response had been received to date.

3.2 Gavel has been ordered for Chairman; not yet received.

4. UNFINISHED BUSINESS - None.

5. ACTION ITEMS - None.

6. PUBLIC HEARING

6.1 Amendment to Section 3.445, Ordinance No. 34, Public Facilities, to remove specific reference to solid waste disposal facilities in Public Facilities Zone and to establish specific standards.

Stricklin presented proposed ordinance amendment. Provides for transfer station in most any zone. Overlay zone can only offer transfer stations or allow for individual to process garbage and transfer non-usable garbage to landfill site. Not covered in the

County's Ordinance at present. Over questioned whether this applied to dispersement of treated waste on farmlands. Stricklin replied that the ordinance specifically does not apply to that use. Parker asked if Planning Commission would be reviewing each application. Stricklin replied that Department staff would do this.

NO PUBLIC TESTIMONY

Motion by Miller to recommend to the Lincoln County Board of County Commissioners that they approve of the amendment to Section 3.445, Ordinance #34, for Public Facilities as submitted by staff. Second by Parker. Motion approved unanimously.

MOTION TO APPROVE AMENDMENT TO
ORDINANCE #34, SECTION 3.445
PUBLIC FACILITIES; CASE 2-TA-81
#81-149

6.2 Amendment to Ordinance No. 34, Establishing Solid Waste Disposal Facilities Overlay Zone, Case File 3-TA-81

Motion by Parker to recommend to the Lincoln County Board of County Commissioners that they approve the amendment to Ordinance #34 Establishing a Solid Waste Disposal Facilities Overlay Zone. Second by Over. Motion approved unanimously.

MOTION TO APPROVE AMENDMENT TO
ORDINANCE #34, ESTABLISHING A
SOLID WASTE DISPOSAL FACILITIES
OVERLAY ZONE; CASE 3-TA-81
#81-150

6.3 Amendment to Planned Development, Seagrove, to erect a permanent sign for property located three miles south of Salishan, six miles north of Depoe Bay on the east side of Highway 101 at the entrance to Seagrove Development, and identified on Lincoln County Assessor's Map 8-11-21AA, tax lot 200. Case File 3-PD-81.

Miller stepped down due to a conflict of interest. Idema presented staff's photographs of existing sign. Request is to amend PD to allow placement of on-site sign advertising development's location in excess of allowed size. Allowed size in R-1 zone is sign of 32 sq.ft. or 8x4 feet (or similar dimensions). Proposed sign is 16 x 16 feet. Idema presented staff report. P/C asked to consider whether request is compatible with express purpose of planned development zone, does it distract from the visual attractiveness of the designated scenic road, would approval set any undesirable precedents, and has applicant demonstrated need for sign greater than the zone allows for. Should sign be in a clear vision area if approved.

Gray asked about proposed size of sign. Idema replied Salishan had a large sign, but in commercial zoning; in subdivisions locally the sign would be larger than others presently placed. Over asked about color