

COPY

1 **BEFORE THE BOARD OF COMMISSIONERS**

2 **FOR LINCOLN COUNTY, OREGON**

3 ORDINANCE # 426

4
5
6 **Relating to amending the Lincoln County Zoning Map on property identified as Tax**
7 **Lots 3000 and 3100, Lincoln County Assessor's Map 14-12-23-CB, from R-1 (Single-**
8 **Family Residential) to C-T (Tourist Commercial), and declaring an emergency.**
9

10 WHEREAS on January 27, 2003, the Lincoln County Planning Commission voted
11 unanimously to recommend approval of a request by applicants Robin Matthews and Steven
12 Dennis for a zone change on property identified as Tax Lots 3000 and 3100, Lincoln County
13 Assessor's Map 14-12-23-CB, from R-1 (Single-Family Residential) to C-T (Tourist
14 Commercial), File No. 2-ZC-PC-02, authorized under a Resolution of Intent to Rezone; and

15 WHEREAS the decision and recommendation of the Planning Commission was not
16 appealed and, therefore, no further public hearing is required;

17 NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

18 **SECTION 1.**

19 1. The Planning Commission's recommendation is adopted, and the zoning on
20 property identified as Tax Lots 3000 and 3100, Lincoln County Assessor's Map 14-12-23-CB,
21 is changed from R-1 (Single-Family Residential) to C-T (Tourist Commercial). The subject
22 property is more particularly identified on the map in Exhibit A, which is attached hereto and
23 incorporated herein.

24 2. That the following conditions in Resolution # 03-23-4D, Resolution of Intent to
25 Rezone, shall remain binding upon the property and use of the property:

26 A. Storage of merchandise and supplies shall be contained entirely within a
27 building.

28 B. The proposed use continuously meets State D.E.Q. standards for air and
29 water quality and noise emissions.

1 C. Vehicle parking and maneuvering areas be hard surfaced and maintained
2 dust free.

3 D. On-site drainage be designated to protect adjoining properties and public
4 rights-of-way from increased storm runoff.

5 E. Future commercial redevelopment of the subject property shall be located
6 in a building or buildings not exceeding 4,000 square feet of floor space.

7 F. Where necessary, the applicants shall obtain a road approach permit or
8 other applicable permits for work within the highway right-of-way from the Oregon
9 Department of Transportation.

10 Any change to these conditions shall be processed in accordance with Lincoln County
11 Code Chapter One.

12 2. The findings and conclusions supporting these actions are adopted as set forth in
13 Exhibit "B" attached hereto and incorporated herein.

14 3. Copies of this ordinance shall be forwarded to applicants' agent Dawn Pavitt and
15 Litchfield & Carstens, LLP, PO Box 1730, Newport OR 97365; Steven G. Dennis, 222
16 Highway 101 N, Yachats, OR 97498; Robin E. Matthews, 2118 Highway 101 N., Yachats, OR
17 97498; Dale Jordan, DLCD, 635 Capitol Street NE S-200, Salem OR 97301-2540; County
18 Surveyor; County Assessor; County Counsel; and Lincoln County Department of Planning and
19 Development.

20 4. The Department of Planning and Development shall amend the official maps and
21 shall forward a copy of this ordinance to the Department of Land Conservation and
22 Development.

23 **SECTION 2.**

24 This Ordinance being necessary for the immediate preservation of the public peace,
25

- 1 health and safety, an emergency is declared to exist and this Ordinance shall take effect upon
- 2 its passage.

DATED this 23rd day of April, 2003.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jean Cowan

JEAN COWAN, Chair

Don Lindly

DON LINDLY, Commissioner

Terry N. Thompson

TERRY N. THOMPSON, Commissioner

ATTESTED TO:

Zola Sherwood

Zola Sherwood, Recorder

APPROVED AS TO FORM:

Wayne Belmont

Wayne Belmont, County Counsel

BEFORE THE PLANNING COMMISSION

OF

LINCOLN COUNTY, OREGON

Zone Map Amendment) Case File #2-ZC-PC-02
Applicants: Robin Matthews/)
Steven Dennis) Findings, Conclusions, and Final Order

Nature of the Application

The applicant is requesting a zone map amendment from R-1) to C-T (Tourist Commercial) (authorized under a Resolution of Intent to Rezone.

Relevant Facts

The following is a summary of the facts and testimony found to be relevant to this decision.

1. Combined, the subject property is approximately 3.20 acres in size.
2. The subject property is located north of Yachats, east of Highway 101 at 2222 Highway 101 N. (property containing the Earthworks Gallery) and 2118 Highway 101 N. (containing the Touchstone Gallery and The Greenhouse). The property is further identified on Lincoln County Assessor's Map #14-12 23CB as tax lots 3000 and 3100.
3. The subject property is currently zoned R-1(Single-Family Residential).
4. The subject property carries a plan designation of RC (Rural Community).
5. The subject property is located on the east side of Highway 101 in the rural community of Starr Creek. Starr Creek is comprised of mixed uses including, but not limited to retail commercial, art galleries and residential properties. The subject property is located just north of the City of Yachats. Following Highway 101 in this area is mixed use development consisting of residential and commercial uses, tourist related facilities and public parks.

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6. The subject property ascends gently from the highway east, and is landscaped with native trees and vegetation.
7. The following utilities serve the subject property:
 - a. Water: SW Lincoln Water District.
 - b. Sewer: On-site septic systems.
 - c. Electricity: Central Lincoln P.U.D.
8. No development constraints are associated with the subject property.
9. Tax lot 3000 has one commercial building known as the Earthworks Gallery, one single-family dwelling, one workshop and storage building, and two detached garages. Tax lot 3100 contains a commercial building known as the Touchstone Gallery, a commercial building known as the Greenhouse, six greenhouses, one storage shed. In addition, Tax Lot 3100 contains a single-family dwelling and residential accessory buildings.
10. The subject property has historically been used for commercial and residential purposes. The commercial uses pre-date zoning enacted in 1974 and thus, qualify as non-conforming uses. Earthworks Gallery (Tax Lot 3000) has in the past been authorized for alteration of a non-conforming use pursuant to LCC 1.1701. Remodeling of the gallery and changes of use ensued. Recently, approval was granted for Tax Lot 3100 to be divided, thus creating two parcels and separating the existing single-family dwelling located in the rear of the property from the commercial uses located along Highway 101. The proposed zone map amendment excludes that portion of Tax Lot 3100 shown as parcel #2 in the referenced land use action and consists of approximately .75 of an acre.
11. A public hearing was held on January 27, 2003 before the Lincoln County Planning Commission. All interested parties were given an opportunity to testify.
12. The applicant's agents, Kurt Carstens and Dawn Pavitt, presented testimony on behalf of the request. Mr. Carstens summarized the commercial history of the property's use and the applicants desire to rezone the property to C-T due to the error in R-1 zoning.
13. A letter of support from Grand Pacific LLC, owners of the neighboring Overleaf Lodge, was submitted by Mr. Carstens.

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14. No opposition testimony was entered into the record.
15. All application materials and staff's report are by reference incorporated into the record herein.

Relevant Criteria

a. Lincoln County Code, Section 1.1235, Quasi-Judicial Amendments:

A quasi-judicial amendment to the Comprehensive Plan and Zoning Maps may be authorized provided that the proposal satisfies all applicable requirements of this Chapter and also provided that the applicant, in a quasi-judicial hearing, demonstrates that:

- 1) The change is in accord with the Comprehensive Plan goals and policies or the Statewide Planning Goals; and
- 2) There has been a substantial change in the character of the area since zoning was adopted and which warrants changing the zone; or
- 3) The zoning previously adopted for the area was is error; or
- 4) There is a public need for the change being sought.

b. Lincoln County Code, Section 1.1245 Intent to Rezone; Purpose and Procedure:

It is the purpose and intent of this Section to provide additional procedures for small tract zone map amendments to insure the public interest is considered as certain developments occur. These provisions may be invoked at any time during zone change hearings and appeal process.

(1) Resolution of Intent to Rezone:

If, after consideration of the findings and recommendations of the Planning Commission, the Board determines that the public interest will be best served by this rezoning or any portion thereof, the Board may indicate its approval in concept of the rezoning by the adoption of a "resolution of intent to rezone" said property. This resolution may include any conditions, stipulations or limitations which the Board feels necessary to insure the public interest.

(2) Resolution of Intent Binding:

The adoption of this resolution of Intent to Rezone by the governing body shall make this a binding commitment on the County.

(3) Site Development and Operation:

Other than for residential development, property proposed to be developed under a resolution of intent to rezone shall be managed to insure compliance with the following conditions:

- (a) That storage of merchandise and supplies shall be contained entirely within a building;

- (b) That the proposed use continuously meet State D.E.Q. standards for air and water quality and noise emissions;
- (c) That vehicle parking and maneuvering areas be hard surfaced and maintained dust free;
- (d) That on-site drainage be designated to protect adjoining properties and public rights-of-way from increased storm runoff; and
- (e) Any other conditions that the Board feels necessary to protect the public interest.

(4) Site Plan:

The Board may require under a resolution of intent to rezone a site plan which shall be binding upon the property. Upon approval of the Board, property having an approved site plan under these provisions shall be plainly marked as "subject to approved site plan" on the official zoning map of Lincoln County. Any approved site plan may be amended or a variance therefrom obtained, or the property may be released from the restrictions of such site plan by resolution of the Board on recommendation from the Planning Commission after a public hearing as set forth in LCC 1.1250. No other changes shall be made constituting a departure from the approved site plan except by amendment or variance as herein provided unless the property has been released from the site plan.

(5) Site Plan Composition:

Where a site plan is required pursuant to this Section, it shall include:

- (a) Location of existing property boundaries, existing and proposed buildings, structures, accesses, off-street parking and loading spaces and landscaping;
- (b) Topography, existing and proposed;
- (c) Mechanical roof facilities if subject property is so oriented as to become part of the view from adjacent properties; and
- (d) Architectural perspective, layout and all elevations drawn without exaggeration, except where noted including locations, area and design of signs and all landscaping.

(6) Change of Zone:

The fulfillment of all conditions, stipulations and limitations contained in the resolution of intent to rezone on the part of the applicant, shall be required prior to the governing body effecting the ordinance change. Upon completion of compliance action by the applicant, the Board shall enact the ordinance changing the zone.

(7) Resolution of Intent Void upon Failure to Comply:

The failure of the applicant to substantially meet any or all conditions, stipulations or limitations contained in a resolution of intent to rezone, including the time limit placed in the resolution, shall render said resolution null and void, unless an extension is granted by the Board upon recommendation of the Planning Commission.

c. Lincoln County Code, Section 1.0190 (4) Rural Community Centers:

Rural community centers are existing service communities where small lots have been platted, commercial services have developed and community facilities are located. These are areas where utility systems may be present or would be appropriate in the future to solve identified problems. These factors indicate a need for a certain level of residential growth to accomplish and pay for needed improvements. Uses such as residential, existing public recreation facilities, commercial and industrial activities limited to those which are existing or compatible to the surrounding activities are primary. Multifamily areas may be permitted where access is directly onto a collector road, and where community sewerage is available. Commercial areas may be permitted where arterial access is available and a frontage road or potential for access to residential areas is available without crossing a highway. Secondary uses such as new public recreation facilities, public utilities, government uses, and similar uses may be included by County review.

a. Oregon Administrative Rule 660-022-0030 (4,c),(10); Planning and Zoning of Unincorporated Communities:

- i. Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.
- ii. For purposes of this section, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 8000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4000 square feet of floor space.

e. Lincoln County Code Section 1.1360 Tourist Commercial Zone (C-T)

In a C-T zone the following regulations shall apply:

(1) Uses Permitted Outright:

The following uses and their accessory uses are permitted subject to the applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, and 1.1901 to 1.1999: (a) A use permitted outright in the R-4 zone.(b) Automobile service station, including minor repair provided it is conducted entirely within an enclosed building.(c) Barber or beauty shop.(d) Boat launching or moorage facility, marine boat charter service.(e) Car Wash.(f) Clinic.(g) Club, lodge, or fraternal organization.(h) Food store. (i) Gift shop.(j) Hotel, motel, or resort.(k) Indoor commercial amusement or ~~recreation~~

establishment such as bowling alley, theater, or pool hall.(l) Laundromat.(m) Office.(n) Private museum, art gallery, or similar use.(o) Restaurant, bar, or tavern.(p) Retail sale of sporting goods, or bait.

(2) Conditional Uses Permitted:

The following uses and their accessory uses may be permitted subject to the applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to 1.1999:

- (a) A use permitted as a conditional use in the R-4 zone.
- (b) Recreational vehicle park.
- (c) Outdoor recreation development.
- (d) Outdoor commercial amusement or recreation establishment such as miniature golf course or drive-in theater, but not including uses such as race track or automobile speedway.
- (e) Automobile repair garage provided all repair shall be conducted entirely within an enclosed building.
- (f) Signs, advertising.
- (g) Heliport.
- (h) Pilings, piers, docks, and similar in water structures.
- (i) Mini-storage.

(3) Standards:

Except as provided in this subsection and in LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to 1.1999 the standards shall apply.

- (a) Residential uses shall be subject to lot size, dimension, coverage, yard, and building height and special setback standards of the R-4 zone.
- (b) All yards abutting a lot in a residential zone shall be a minimum of ten (10) feet.
- (c) No structure shall be located closer than 30 feet from the right-of-way of any state highway, nor 30 feet from the right-of-way of any collector or arterial street.
- (d) No building shall exceed a height of 35 feet.
- (e) Outdoor storage shall be screened with a sight-obscuring fence.

f. Lincoln County Code (Section 1.1310); R-1 (Single-family residential) : In an R-1 zone, the following regulations shall apply:

(1) Uses Permitted Outright:

The following uses and their accessory uses are permitted subject to the applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599 and 1.1901 to 1.1999:

- (a) A one-family dwelling unit excluding single wide mobile homes;
- (b) Duplex on a corner lot each unit fronting on a separate street;
- (c) A recreational vehicle or other approved temporary housing to be used for dwelling purposes during the construction of a single-family residential dwelling unit for which a building permit has been issued. The use shall not exceed a period of one year;
- (d) Farm and forest use: Livestock and

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primary processing or forest products are prohibited; (e) Beach front protective structures.

(2) Conditional Use Permitted:

The following uses and their accessory uses may be permitted subject to the applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699 and 1.1901 to 1.1999:

(a) Cemetery;(b) Church, non-profit religious or philanthropic use;(c) Community center;(d) Day nursery, nursery school-kindergarten, day care center, or similar facility; (e) Governmental structure or use of land;(f) Home occupation;(g) Hospital, nursing home, retirement home or similar facility;(h) Golf course and ancillary uses, but excluding golf driving range, miniature golf course or similar facility;(i) Mobile home park;(j) Private, non-commercial recreation club, such as archery, swimming or tennis;(k) Private school;(L) Public park, playground, swimming pool or similar recreation facility; (m) Public or private utility facility;(n) Radio or television transmitter or tower;(o) Temporary real estate office;(p) Excavating, filling, dredging or wetland drainage; (q) Single-wide mobile home; (r) Recreational vehicle park; (s) Keeping of livestock; (t) Pilings, piers, docks, and similar in-water structures; (u) Heliports;(v) Transfer stations;(w) Bed and breakfast inns.

(3) Standards:

Except as provided in LCC 1.1400 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to 1.1999 the following standards shall apply:

(a) Lot Size and Dimensions:

The minimum lot size and dimensions shall be as follows:

(A) The minimum lot area shall be 6,000 square feet for a single family dwelling unit and 10,000 square feet for a duplex when a lot is served by both a public or community water supply system and public or community sewage disposal system and is within a Rural Community Boundary or Urban Growth Boundary.

(B) The minimum lot area shall be 15,000 square feet per dwelling unit when a lot is served by either a public or community water source, or public or community sewage disposal system and is within a Rural Community Boundary.

(C) The minimum lot area per dwelling unit shall be 2 acres when a lot is not served by either a public or community sewage disposal or water supply system or is outside of Rural Community Boundary.

(D) The depth to width ratio shall not exceed 2 1/2 to 1 on lots less than 25,000 square feet and 3 1/2 to 1 on lots 25,000 square feet or larger.

(E) Within urban growth boundaries where a division will not be to planned urban densities, the minimum lot size shall be 5 acres. A finding that the lot configuration and location of dwellings will not preclude extension of sewer, water or roads for future urbanization will be required

prior to approval. Comments from the affected city will be required as part of all applications.

(F) Within urban growth boundaries, a division to planned urban densities may be allowed when an agreement for future services is signed by affected city and developer and recorded with the deed.

(b) Yards:

The minimum yard requirements shall be as follows:

(A) The front yard shall be a minimum of 20 feet.

(B) Each side yard shall be a minimum of either five feet or one foot for each three feet of building height, whichever requirement is greater.

(C) The street side yard shall be a minimum of 20 feet and may be decreased at the rate of one foot per additional two feet of setback from the front lot line, except that such setback shall not be less than 10 feet.

(D) The rear yard shall be a minimum of 10 feet, except that on a corner lot it shall be a minimum of either five feet or one for each three feet of building height, whichever requirement is the greater.

(c) Special Setbacks:

(A) No structure shall be located closer than 30 feet from the right-of-way of any State Highway. No structure shall be located closer than 30 feet from the right-of-way of any collector or arterial street which has a right-of-way width of less than 60 feet.

(d) Building Height:

No building shall exceed a height of 30 feet.

(e) Lot Coverage:

Buildings shall not occupy more than 30 percent of the total lot area. [1986 o.231 §1; 2000 o.396 §1]

Findings

The Commission finds:

1. The Comprehensive Plan designation for the subject property is R-C, Rural Community Center. The C-T zone is included under the R-C plan designation, therefore the proposed change is in accord with the comprehensive plan.
2. Combined, the subject property is a 3.2-acre parcel of land zoned R-1. This zone allows a single-family dwelling as an outright use. Both galleries are considered to be legal non-conforming uses in the R-1 zone.
3. The subject property has held commercial uses since the 1940s. The applicants are interested in using the property for uses consistent with the C-T zone, but because future use of the property has been restricted to that

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which was approved under the R-1 zone, the planning commission finds the property is zoned in error.

4. OAR 660-022-0030(4,c) provides that county plans and land use regulations may authorize only the following new commercial uses in unincorporated communities..."uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area". Uses listed in the C-T zone are intended to serve this purpose. Thus, the applicants existing and proposed uses as described in the application and in testimony would comply.

5. Oregon Administrative Rule (OAR) 660-022-0030 (10), defines a small-scale, low impact commercial use as one which takes place in a rural community in a building or buildings not exceeding 4000 square feet of floor space. As noted in the application materials, existing commercial floor space currently exceeds this standard on each tax lot. At this time no changes are anticipated for the site containing Earthworks Gallery. This tax lot (TL 3000) would have the existing commercial size "grand-fathered" in and be allowed to continue in its present configuration and size. A reduction in the existing commercially used floor space would not be required.

6. Plans are underway to make changes to the site containing Touchstone Gallery (TL 3100). In this instance, the purpose of a zone map amendment under a Resolution of Intent to Rezone, is that it enables the county to impose a condition limiting square footage consistent with the rule, and thus be in accord with state law as required under a quasi-judicial amendment. The property could be re-developed in accordance with standards of the C-T zone, and other applicable requirements of the Lincoln County Code, and be subject to a 4000 square foot limitation.

Conclusions:

- 1) Substantial evidence in the record demonstrates that the proposed zone map amendment is in accordance with the Comprehensive Goals and Policies and Statewide Planning Goals.
- 2) Substantial evidence in the record demonstrates that the subject property was zoned in error and therefore meets the requirements for a zone change from R-1 to C-T (under Resolution of Intent).

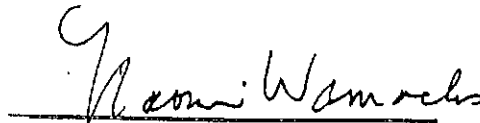
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Order

It is ORDERED by the Lincoln County Planning Commission that Case File #2-ZC-PC-02 be APPROVED. This approval will serve as a recommendation to the Lincoln County Board of Commissioners. Approval is granted subject to the following conditions:

1. Storage of merchandise and supplies shall be contained entirely within a building;
2. The proposed use continuously meet State D.E.Q. standards for air and water quality and noise emissions;
3. Vehicle parking and maneuvering areas be hard surfaced and maintained dust free;
4. On-site drainage be designated to protect adjoining properties and public rights-of-way from increased storm runoff; and
5. Future commercial redevelopment of the subject property shall be located in a building or buildings not exceeding 4000 square feet of floor space.
6. Where necessary, the applicant shall obtain a road approach permit or other applicable permits for work within the highway right-of-way from the Oregon Department of Transportation.

This ORDER was presented to and approved by the Lincoln County Planning Commission on February 24, 2003.



Naomi Wamacks, Chair

Lincoln County Planning Commission

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BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY, OREGON

3 In the Matter of:)
 4) RESOLUTION #03-23-4D
 5 REZONING OF PROPERTY IDENTIFIED)
 6 AS TAX LOTS 3000 and 3100, ASSESSOR'S MAP) INTENT TO REZONE
 7 14-12-23-CB, ROBIN MATTHEWS AND) FILE #2-ZC-PC-02
 8 STEVEN DENNIS, APPLICANTS, UNDER)
 9 LINCOLN COUNTY CODE § 1.1245)
 10

11 WHEREAS on January 27, 2003, after published notice, the Lincoln County Planning
 12 Commission held a public hearing in consideration of a request by applicants Robin Matthews
 13 and Steven Dennis for a Zone Change (Resolution of Intent to Rezone) from R-1 Single-
 14 Family Residential) to C-T (Tourist Commercial) on property identified as Tax Lots 3000 and
 15 3100, Lincoln County Assessor's Map 14-12-23-CB, located north of Yachats and east of
 16 Highway 101 at 2222 Highway 101 N (property containing the Earthworks Gallery) and 2118
 17 Highway 101 N (property containing the Touchstone Gallery and The Greenhouse); and

18 WHEREAS on January 27, 2003, the Lincoln County Planning Commission voted 7-0
 19 to recommend approval of the zone change request (Resolution of Intent to Rezone); and

20 WHEREAS on February 24, 2003, the Lincoln County Planning Commission adopted
 21 Findings, Conclusions & Order recommending approval of the zone change request
 22 (Resolution of Intent to Rezone); and

23 WHEREAS the decision and recommendation of the Planning Commission was not
 24 appealed and, therefore, another public hearing is not required under law; and

25 WHEREAS the Board finds that the recommendation of the Planning Commission is
 26 appropriate and should be implemented;

27 NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED AS
 28 FOLLOWS:

29 1. The Board approves in concept the rezoning (Resolution of Intent to Rezone from
 30 R-1 (Single-Family Residential) to C-T (Tourist Commercial) on property identified as Tax
 31 Lots 3000 and 3100, Lincoln County Assessor's Map 14-12-23-CB, located north of Yachats

1 and east of Highway 101 at 2222 Highway 101 North (property containing the Earthworks
2 Gallery) and 2118 Highway 101 North (property containing the Touchstone Gallery and The
3 Greenhouse) as requested by applicants Robin Matthews and Steven Dennis.

4 2. That the following conditions shall be met by the applicants and shall be binding
5 conditions continuing through the zone change:

6 A. Storage of merchandise and supplies shall be contained entirely within a
7 building.

8 B. The proposed use continuously meets State D.E.Q. standards for air and
9 water quality and noise emissions.

10 C. Vehicle parking and maneuvering areas be hard surfaced and maintained
11 dust free.

12 D. On-site drainage be designated to protect adjoining properties and public
13 rights-of-way from increased storm runoff.

14 E. Future commercial redevelopment of the subject property shall be located
15 in a building or buildings not exceeding 4,000 square feet of floor space.

16 F. Where necessary, the applicants shall obtain a road approach permit or
17 other applicable permits for work within the highway right-of-way from the Oregon
18 Department of Transportation.

19 3. That a zone change ordinance may be immediately enacted upon adoption of this
20 resolution of intent to rezone.

21 4. That copies of this resolution be forwarded to the applicants' agent, Dawn Pavitt
22 and Litchfield & Carstens, LLP, PO Box 1730, Newport OR 97365; Steven G. Dennis, 2222
23 Highway 101 N, Yachats, OR 97498; Robin E. Matthews, 2118 Highway 101 N, Yachats, OR
24 97498; Dale Jordan, DLCD, 635 Capitol Street NE S-200, Salem OR 97301-2540; the
25 Lincoln County Department of Planning and Development; and to County Counsel.

DATED this 23rd day of April, 2003.

LINCOLN COUNTY BOARD OF COMMISSIONERS



JEAN COWAN, Chair



DON LINDLY, Commissioner



TERRY T. THOMPSON, Commissioner

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