AGENDA

Lincoln City Planning Commission
Tuesday, March 1, 2022, 6:00 PM
Zoom, Streamed LIVE on Zoom
801 SW Highway 101 - 3rd Floor, Streamed LIVE on Zoom, Lincoln City, OR 97367

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL

2. AGENDA CHANGES OR REVISIONS

3. MINUTES

3.1. Planning Commission - Regular Meeting - Feb 15, 2022 6:00 PM

4. FINAL ORDERS, RESOLUTION, & WRITTEN COMMUNICATIONS

4.1. Final Recommendation FR 2022-06 for ZOA 2022-04 Duplex fix

5. PUBLIC HEARINGS/DELIBERATIONS

5.1. VAR 2022-01 6604 NE Logan Rd Street Side Setback Variance

5.2. CPA ZC 2022-01 Purvine - zone change from Multiple-Unit Residential (R-M) to Single-Family Residential (R-1-7.5)

6. OLD BUSINESS

7. NEW BUSINESS

8. PLANNING COMMISSION TRAINING

9. REPORTS AND COMMENTS

10. FUTURE AGENDA ITEMS & NEXT MEETINGS

11. ADJOURN

*All information for this meeting is available on the City of Lincoln City website at **www.lincolncity.org**, and this meeting will be televised live on Charter Channel 4 Lincoln City and rebroadcast at various times. Planning Commission meetings are streamed live on the Internet through a link on the City of Lincoln City website, and can also be viewed following the meeting. The meeting location*

is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder, at 541-996-1203.

LINCOLN CITY PLANNING COMMISSION
MINUTES
February 15, 2022

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL

Attendee Name	Title	Status	Arrived
Glenn Johnson	Commissioner	Excused	
Mellissa Sumner	Commissioner	Present	
Marci Baker	Commissioner	Present	
Robert Vincent	Commissioner	Present	
Kim Blackerby	Chair	Present	
Lenny Nelson	Commissioner	Present	
Miles Schlesinger	Commissioner	Present	

2. AGENDA CHANGES OR REVISIONS

None.

3. MINUTES

3.1. Planning Commission - Regular Meeting - Feb 1, 2022 6:00 PM

MOTION:	**Approve as written**
MOVER:	**Robert Vincent**
SECONDER:	**Mellissa Sumner**
AYES:	Sumner, Baker, Vincent, Blackerby, Nelson, Schlesinger
EXCUSED:	Glenn Johnson
RESULT:	**Passed**

4. FINAL ORDERS, RESOLUTION, & WRITTEN COMMUNICATIONS

4.1. Final Recommendation for ZOA 2022-03 Bluff

None.

MOTION:	**Approve Final Recommendation for ZOA 2022-03 Bluff as written**
MOVER:	**Robert Vincent**
SECONDER:	**Miles Schlesinger**
AYES:	Sumner, Baker, Vincent, Blackerby, Schlesinger
ABSTAIN:	Lenny Nelson
EXCUSED:	Glenn Johnson
RESULT:	**Approved**

5. PUBLIC HEARINGS/DELIBERATIONS

5.1. ZOA 2022-04 Duplexes - compliance with 2019 HB 2001

Commissioner Blackerby opened the Public Hearing for ZOA 2022-04 at 6:04 pm. No abstentions were noted. Director Skinner provided the staff report. This zoning ordinance amendment is required to revise applicable Title 17 sections referring to duplexes. Oregon State Law (HB 2001) was passed in 2019 requiring that codes for municipalities larger than 10,000 population not differentiate between single family and duplex dwellings. Recent demographic data certified by Portland State University gives Lincoln City's population at 10,067. ZOA 2022-04 revises requirements addressing minimum lot requirements and parking specifically. Responding to a question from Commissioner Vincent, Director Skinner clarified that the amendment would allow property owners to construct a second dwelling on any residential lot. Commissioner Baker asked if HB 2001 also included requirements relating to Accessory Units. Director Skinner said that it did, but that Lincoln City code already complied with these requirements.

No members of the public were in Council Chambers and none had requested to participate in the Zoom meeting. Director Skinner stated that she had not received any correspondence in response to ZOA 2022-04. Commissioner Vincent moved to close the public hearing, seconded by Commissioner Nelson. Chair Blackerby solicited additional comments or questions. Commissioner Baker stated that the Planning Commission should consider moving beyond the minimum requirements to address HB 2001, and to consider a range of housing options due to the low inventory of available and affordable housing. Director Skinner reminded the Commission that Housing would be the first topic addressed as part of the Comprehensive Plan Update next month, and that an Affordable Housing Ordinance was currently being drafted.

Commissioner Nelson moved that the Planning Commission send a recommendation to the Lincoln City City Council in favor of ZOA 2022-04, seconded by Commissioner Baker. The recommendation was approved unanimously. Director Skinner stated that the Council will consider ZOA 2022-04 at their March 14 meeting.

MOTION:	**Approve ZOA 2022-04 Duplexes - compliance with 2019 HB 2001**
MOVER:	**Lenny Nelson**
SECONDER:	**Marci Baker**
AYES:	Sumner, Baker, Vincent, Blackerby, Nelson, Schlesinger
EXCUSED:	Glenn Johnson
RESULT:	**Approved**

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. PLANNING COMMISSION TRAINING

None.

9. REPORTS AND COMMENTS

Commissioner Nelson requested that staff provide additional information to further describe contents of Final Recommendations.

10. FUTURE AGENDA ITEMS & NEXT MEETINGS

Director Skinner provided an overview of upcoming meetings. On March 1st, the Planning Commission will host public hearings for a zone change (CPA ZC-2022-01) and for a property setback variance (VAR 2022-01) on Logan Road. At their March 15th meeting the Commission will also host two public hearings. One will address a housekeeping item to clean up portions of the code that refer to repealed sections. The second public hearing will be the first of a series for the Comprehensive Plan Update. Housing (Comprehensive Plan Goal 10) will be the focus of the public hearing and the Planning Commission discussion. Notices have been posted and shared on the City website and through social media, and Director Skinner will be on local radio March 2nd to encourage the community to provide input.

Director Skinner noted that the Mayor requested that City Council discuss a possible return to in-person meetings in the near future. Commissioner Schlesinger asked if the members of the Planning Commission could be polled to assess their level of comfort with a return to in-person meetings. Commissioners Schlesinger and Blackerby both expressed support, and requested information about the possibility of hybrid meetings. Bill Wyman responded that IT staff were looking into the system upgrades that would be needed for hybrid meetings to be effective.

11. ADJOURN

Commissioner Blackerby adjourned the meeting at 6:37 pm.

Respectfully submitted,

Anne Marie Skinner	Kim Blackerby
Planning Director	Chair

Planning Commission Communication

Final Recommendation for ZOA 2022-04

Meeting Date:	March 1, 2022	Primary Staff Contact:	AnneMarie Skinner
Department:	Planning Commission	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

Attachments:
Final Recommendation for ZOA 2022-04 (DOC)

LINCOLN CITY
PLANNING COMMISSION

IN THE MATTER OF

Amendments to Title 17, Zoning, concerning	)	Final Recommendation
Amendments for Duplexes	)	2022-06
	)	

NATURE OF THE APPLICATION

ZOA 2022-04 amends Title 17 (Zoning) by amending Chapter 17.16 (Single-Family Residential (R-1) Zone), Chapter 17.17 Single-Family Residential Roads End (R-1-RE) Zone, and Chapter 17.40 Recreation Residential (R-R) Zone, to add duplex uses consistent with HB 2001, and Chapter 17.55 (Off-street Parking and Loading) to make duplex off-street parking requirements consisting with HB 2001 requirements.

FINAL RECOMMENDATION

Based on the evidence presented at the public hearing on February 15, 2022, including the staff report, the Planning Commission recommends on a 6-0 vote that the City Council approve the draft ordinance (draft ordinance with Exhibit A Findings follow). No public comments were received, or testimony given, in support, neutral, or opposition of the amendment.

APPROVED THIS 1st day of March, 2022.

_____
Kim Blackerby
Planning Commission Chair

ATTEST:

_____
Anne Marie Skinner
Planning & Community Development Director

ORDINANCE NO. 2022-10

AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.16 (SINGLE FAMILY RESIDENTIAL (R-1) ZONE), CHAPTER 17.17 (SINGLE FAMILY RESIDENTIAL ROADS END (R-1-RE) ZONE), AND CHAPTER 17.40 (RECREATION RESIDENTIAL (R-R) ZONE, TO ADD DUPLEX USES CONSISTENT WITH HB 2001, AND CHAPTER 17.55 (OFF-STREET PARKING AND LOADING) TO MAKE DUPLEX OFF-STREET PARKING REQUIREMENTS CONSISTENT WITH HB 2001 REQUIREMENTS

Annotated to show deletions and additions to the code sections being modified. Deletions are ***bold ~~lined through~~*** *and additions are* ***bold underlined****.*

The City Council finds:

A. The amendments to the Lincoln City Municipal Code are in conformance with the Statewide Planning Goals and Lincoln City Comprehensive Plan goals as addressed in attached Exhibit "A"; and

B. The amendments are in conformance with the Zoning Ordinance, including, but not limited to, required initiation, processing and noticing requirements; and

C. The City duly notified the Oregon Department of Land Conservation and Development pursuant to ORS 197.610, of its consideration of the proposed amendment(s) on January 6, 2022; City staff determined the the amendment does not remove uses from any zone and accordingly did not require a city-wide mailing under ORS 227.186(4); and

D. The Planning Commission, on February 15, 2022, held a public hearing and considered the amendments contained within this ordinance. On February 15, 2022, the Planning Commission voted to transmit the amendments to the City Council with a recommendation that the ordinance be adopted, subject to certain changes; and

E. The City Council conducted the public hearing on March 14, 2022, closed the hearing, closed the record, and deliberated on the proposed amendments on March 14, 2022 and provided direction to staff to return with an Ordinance for adoption; and

F. All persons were given an opportunity to provide written and/or oral testimony on the proposed ordinance amendments.

THE CITY OF LINCOLN CITY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 17.16 *(Single Family Residential (R-1) Zone), Section 17.16.020 (Permitted Uses), Paragraph A.3., is* hereby amended to read as follows:

3. **~~Two-family and d~~D**uplex; **~~dwellings when developed on a minimum 8,000-square-foot lot;~~**

SECTION 2. Chapter 17.16 *(Single Family Residential (R-1) Zone), Section 17.16.070 (Lot Requirements), is* hereby amended to read as follows:

17.16.070 Lot requirements.

REQUIRED MINIMUMS								
Zone	Lot Area	Lot Width	Lot Depth	Front Yard(3)	Side Yard	Street Side Yard(3)	Rear Yard	Maximum Lot Coverage(5)
R-1-5	5,000 sq. ft.; **~~8,000 for duplex or two-family~~**	50' detached; 35' attached	70'	5'(1) 7-1/2'(2)	5'(1) 7-1/2'(2) or 0' for common wall of attached dwellings	5'(1) 7-1/2'(2)	5'(1) 7-1/2'(2)	35%(4)
R-1-7.5	7,500 sq. ft.; **~~8,000 for duplex or two-family~~**	70' detached; 35' attached	80'	same as above				35%(4)

SECTION 3. Chapter 17.17 *(Single Family Residential (R-1-RE) Zone), Section 17.17.020 (Permitted uses), Paragraph A.3., is* hereby amended to read as follows:

3. Duplexes. **~~on corner lots when each unit fronts on a separate street; duplex lots must be a minimum 8,000 square feet~~ ~~and~~** VRDs are prohibited **<u>in duplexes</u>**;

SECTION 4. Chapter 17.17 *(Single Family Residential (R-1-RE) Zone), Section 17.17.070 (Lot requirements), Paragraph A., is* hereby amended to read as follows:

A. The minimum lot area shall be 5,000 square feet. **~~and 8,000 square feet for a duplex~~**

SECTION 5. Chapter 17.40 *(Recreation-Residential (R-R) Zone), Section 17.40.020 (Permitted uses), is* hereby amended to read as follows:

17.40.020 Permitted uses.

In an R-R zone, the following uses are permitted:

A. Single-family dwelling;
B. Manufactured home;
<u>C. Duplex;</u>
<u>D.</u>~~C~~. Cottage housing developments, subject to the provisions of LCMC 17.80.120;
<u>E.</u>~~D.~~ Recreational vehicle;
<u>F.</u>E. Essential emergency communications, early warning and associated emergency facilities;
<u>G.</u>~~F.~~ Community gardens and market gardens not larger than 12,500 square feet, in accordance with the standards of LCMC 17.80.080;
<u>H.</u>~~G.~~ Transportation uses, defined in Chapter 17.08 LCMC.

SECTION 6. Chapter 17.56 (*Off-street parking and loading), Section 17.56.030 (Number of off-street parking spaces required), is* hereby amended to read as follows:

17.56.030 Number of off-street parking spaces required.

Table 17.56.030-1 – Number of Spaces Required

Use	Requirement
A. Residential:	
1. Detached single-unit, attached single-unit, and duplex a. 1,000 square feet or less per unit b. Over 1,000 square feet per unit **c.Duplex**	**1 space per detached or attached single-unit dwelling ~~1 space per dwelling unit~~** **2 spaces per detached or attached single-unit dwelling ~~2 spaces per dwelling unit~~** **2 spaces per duplex**

EXHIBIT A – FINDINGS (ZOA 2022-04)
ORDINANCE 2022-10

The Ordinance Title is as follows:

ORDINANCE NO. 2022-10

AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.16 (SINGLE FAMILY RESIDENTIAL (R-1) ZONE), CHAPTER 17.17 (SINGLE FAMILY RESIDENTIAL ROADS END (R-1-RE) ZONE), AND CHAPTER 17.40 (RECREATION RESIDENTIAL (R-R) ZONE, TO ADD DUPLEX USES CONSISTENT WITH HB 2001, AND CHAPTER 17.55 (OFF-STREET PARKING AND LOADING) TO MAKE DUPLEX OFF-STREET PARKING REQUIREMENTS CONSISTENT WITH HB 2001 REQUIREMENTS

In substance, the Ordinance provides:

SECTION 1. Chapter 17.16 *(Single Family Residential (R-1) Zone), Section 17.16.020 (Permitted Uses), Paragraph A.3., is* hereby amended to read as follows:

3. ~~**Two-family and d**~~ **D**uplex; ~~**dwellings when developed on a minimum 8,000-square-foot lot;**~~

SECTION 2. Chapter 17.16 *(Single Family Residential (R-1) Zone), Section 17.16.070 (Lot Requirements), is* hereby amended to read as follows:

17.16.070 Lot requirements.

REQUIRED MINIMUMS								
Zone	Lot Area	Lot Width	Lot Depth	Front Yard(3)	Side Yard	Street Side Yard(3)	Rear Yard	Maximum Lot Coverage(5)
R-1-5	5,000 sq. ft.; ~~**8,000 for duplex**~~	50' detached; 35' attached	70'	5'(1) 7-1/2'(2)	5'(1) 7-1/2'(2) or 0' for common wall of	5'(1) 7-1/2'(2)	5'(1) 7-1/2'(2)	35%(4)

REQUIRED MINIMUMS								
	~~**or two-family**~~				attached dwellings			
R-1-7.5	7,500 sq. ft.; ~~**8,000 for duplex or two-family**~~	70' detached; 35' attached	80'	same as above				35%[(4)]

SECTION 3. Chapter 17.17 *(Single Family Residential (R-1-RE) Zone), Section 17.17.020 (Permitted uses), Paragraph A.3., is* hereby amended to read as follows:

3. Duplexes. ~~**on corner lots when each unit fronts on a separate street; duplex lots must be a minimum 8,000 square feet and**~~ VRDs are prohibited **<u>in duplexes</u>**;

SECTION 4. Chapter 17.17 *(Single Family Residential (R-1-RE) Zone), Section 17.17.070 (Lot requirements), Paragraph A., is* hereby amended to read as follows:

A. The minimum lot area shall be 5,000 square feet. ~~**and 8,000 square feet for a duplex**~~

SECTION 5. Chapter 17.40 *(Recreation-Residential (R-R) Zone), Section 17.40.020 (Permitted uses), is* hereby amended to read as follows:

17.40.020 Permitted uses.

In an R-R zone, the following uses are permitted:

A. Single-family dwelling;
B. Manufactured home;
<u>C. Duplex;</u>

D.~~C~~. Cottage housing developments, subject to the provisions of LCMC 17.80.120;
E.~~D.~~ Recreational vehicle;
F.E. Essential emergency communications, early warning and associated emergency facilities;
G.~~F.~~ Community gardens and market gardens not larger than 12,500 square feet, in accordance with the standards of LCMC 17.80.080;
H.~~G.~~ Transportation uses, defined in Chapter 17.08 LCMC.

SECTION 6. Chapter 17.56 (*Off-street parking and loading), Section 17.56.030 (Number of off-street parking spaces required), is* hereby amended to read as follows:

17.56.030 Number of off-street parking spaces required.

Table 17.56.030-1 – Number of Spaces Required

Use	Requirement
B. Residential:	
2. Detached single-unit, attached single-unit, and duplex	
c. 1,000 square feet or less per unit	**1 space per detached or attached single-unit dwelling ~~1 space per dwelling unit~~**
d. Over 1,000 square feet per unit	**2 spaces per detached or attached single-unit dwelling ~~2 spaces per dwelling unit~~**
e. Duplex	**2 spaces per duplex**

The above-referenced proposed ordinance was properly noticed pursuant to ORS 197.610. The ordinance is primarily housekeeping to make the city compliant with Oregon's 2019 HB 2001, so a city-wide notice was not required. Notice to DLCD was made on January 6, 2022.

Ordinance 2022-10 allows the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-

family dwellings, as required by state law HB2001 from the 2019 legislative session.

No public comments or questions were submitted regarding the proposed ordinance.

Required analysis:

A. Statewide Planning Goals
   (1) Goal 1: Citizen Involvement

   "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

   All documents relating to the proposal (amendment) were made available for public review and/or purchase, and were posted on the city's website. Staff was available to interpret and explain the technical information. The local newspaper published hearing notices in accordance with notice requirements. The planning commission and city council each held a public hearing at which citizens were invited to participate. Therefore, the amendment is consistent with Goal 1.

   (2) Goal 2: Land Use Planning

   "To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

   The City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revisions of the plan and implementing ordinances. The City Council considered the proposed amendments to the Lincoln City Zoning Ordinance in accordance with the process and based on the criteria provided in the Municipal Code. Therefore, the amendment is consistent with Goal 2.

(3) Goal 3: Agricultural Lands

"To preserve and maintain agricultural lands."

The area affected by the proposed zoning ordinance amendment is located within the city's urban growth boundary. The city is currently designated and zoned for urban development. There is no agricultural land in Lincoln City. The amendment does not affect agricultural lands. Goal 3 is not applicable.

(4) Goal 4: Forest Lands

"To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture."

The area affected by the proposed zoning ordinance amendment is within the city's urban growth boundary. The affected area does not include any designated forest lands; therefore, Goal 4 is not applicable.

(5) Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

"To protect natural resources and conserve scenic and historic areas and open spaces."

The amendment only affects areas intended for urban development. The amendment by itself does not permit development in any areas of protected natural resources, scenic or historic areas, or open spaces. The amendment is consistent with Goal 5.

(6) Goal 6: Air, Water and Land Resources Quality

"*To maintain and improve the quality of the air, water and land resources of the state."*

The amendment will not adversely affect the quality of the air or water. The amendment by itself does not permit development that might affect water or air quality. The existing ordinances and plan requirements relating to water and air quality will continue to apply to all properties that might be affected. Therefore, the amendment is consistent with Goal 6.

(7) Goal 7: Areas Subject to Natural Disasters and Hazards

"To protect people and property from natural hazards."

The amendment by itself does not allow development within any natural hazard area. The existing ordinances and plan requirements relating to natural hazards will continue to apply to all properties that might be affected by natural hazards. Therefore, the amendment is consistent with Goal 7.

(8) Goal 8: Recreational Needs

"To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts."

The proposed ordinance amendment does not relate to recreation as that term is used in this goal and does not adversely affect the provision of or ability to site recreational areas in the city. The amendment is consistent with Goal 8.

(9) Goal 9: Economic Development

"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

The amendment is intended to bring the city into compliance with the state's 2019 legislation HB 2001 to allow duplexes on any lot or parcel in a residential zone that allows detached single-family dwellings. With this added provision, the city hopes the amendment will encourage development. The proposed amendment is consistent with Goal 9.

(10) Goal 10: Housing

"To provide for the housing needs of citizens of the state."

The amendment is intended to bring the city into compliance with the state's 2019 legislation HB 2001 to allow duplexes on any lot or parcel in a residential zone that allows detached single-family dwellings. With this added provision, the city hopes the amendment will encourage the construction of more duplexes. The proposed amendment is consistent with Goal 10.

(11) Goal 11: Public Facilities and Services

"To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

The amendment does not relate directly to public facilities and services. Goal 11 is not applicable.

(12) Goal 12: Transportation

"To provide and encourage a safe, convenient and economic transportation system."

The amendment does not relate directly to the development of the city's transportation system. Goal 12 is not applicable.

(13) Goal 13: Energy Conservation

"To conserve energy."

The amendment does not relate directly to energy conservation. Goal 13 is not applicable.

(14) Goal 14: Urbanization

"To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment

inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities."

The amendment does not directly relate or pertain to the urbanization of Lincoln City, except that the additional use of duplexes on lots or parcels in a residential zone may encourage new duplex construction. Accordingly, Goal 14 is met or is not applicable.

(15) Goal 15: Willamette River Greenway

"To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway."

The affected area is not located within the Willamette River Greenway; therefore, Goal 15 is not applicable.

(16) Goal 16: Estuarine Resources

"To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries."

The amendment on its own does not allow development in areas adjacent to the city's designated estuarine resource (i.e., Siletz Bay). All development in such areas is already controlled by existing ordinances and comprehensive plan standards. The amendment, therefore, is consistent with Goal 16.

(17) Goal 17: Coastal Shorelands

"To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal

waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands."

The city's coastal shorelands include all land west of Highway 101, land within 500 feet of the ordinary high-water elevation of Devils Lake and Spring Lake, and land within 1,000 feet of the shoreline mean higher-high-water elevation of Schooner Creek, Drift Creek, and Siletz Bay estuaries. All development in such areas is controlled by existing ordinances and comprehensive plan standards. The amendment, therefore, is consistent with Goal 17.

(18) Goal 18: Beaches and Dunes

"To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas."

Lincoln City has a large amount of coastal beach. Inventory maps show active dunes and deflation plains on the Salishan spit, but not within Lincoln City, with the possible exception of a few isolated spots in Cutler City. For Roads End, inventory maps show older, stabilized dunes. The amendment does not, by itself, allow any development in or near beach and dune areas. All development in such areas is controlled by existing ordinances and comprehensive plan standards. The amendment is consistent with Goal 18.

(19) Goal 19: Ocean Resources

"To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations."

The amendment does not, on its own, affect an ocean resources. Therefore, the amendment is consistent with Goal 19.

B. Comprehensive Plan Goals

(1) Planning Goal

"To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

The City Council of Lincoln City adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearing and has reviewed it on a periodic cycle to take into account changing public policies and circumstances. The city provided opportunities for review and comment by citizens and affected governmental units during preparation, review, and revision. Review of the proposed amendment was in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions. Accordingly, the amendment is in conformance with this goal.

(2) Citizen Involvement Goal

"Develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process."

The City has developed a citizen involvement program. In addition, the public hearing process, with notice to the public through publication in the local newspaper and review of the amendment by the Planning Commission (a citizen board) and the City Council (elected citizen representatives) establishes conformance with this goal.

(3) Public Services and Utilities Goal

"To Plan and develop a timely, orderly, and efficient arrangement of public facilities and services, which complement the area and serve as a framework for urban and rural development."

The proposed amendment does not directly relate to public services and utilities. Accordingly, this goal is not applicable.

(4) Urbanization Goal

"To promote an orderly and efficient transition of land uses from rural to urban."

The amendment does not relate directly to urbanization, so this goal is not applicable.

(5) Natural Hazard Goal

"The City shall control development in hazardous areas to protect life and property from natural disasters and hazards."

The amendment on its own does not allow development in hazardous areas. Development in such areas is controlled by existing comprehensive plan and zoning ordinance standards, as well as building code requirements. The amendment is consistent with this goal.

(6) Housing Goal

"To provide for the housing needs of all citizens."

The amendment is intended to bring the city into compliance with the state's 2019 legislation HB 2001 to allow duplexes on any lot or parcel in a residential zone that allows detached single-family dwellings. With this added provision, the city hopes the amendment will encourage the construction of more duplexes. The proposed amendment is consistent with this goal.

(7) Economy Goal

"To support the tourist industry and achieve a degree of diversity in the community, which will allow a balanced economy that will, in turn, support an adequate level of services for all members of the area."

The amendment is intended to bring the city into compliance with the state's 2019 legislation HB 2001 to allow duplexes on any lot or parcel in a residential zone that allows detached single-family dwellings. With this added provision, the city hopes the amendment will encourage the construction of more duplex development. The proposed amendment is consistent with this goal.

(8) Aesthetic Goal

"To develop a livable and pleasing city which enhances man's activities while protecting the exceptional aesthetic quality of the area."

The amendment does not relate to aesthetics. This goal is not applicable.

(9) Transportation Goal

"*To provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people."*
The amendment does not directly relate to transportation. This goal is not applicable.

(10) Energy Goal

"To conserve energy."

The amendment does not pertain to energy conservation, so this goal is not applicable.

(11) Overall Environmental Goal

"To achieve a balance between the need to provide housing and services and the need to protect and enhance the natural environment of the city."

By itself, the amendment does not allow development in sensitive natural resource areas. The existing ordinances and plan requirements relating to protection the natural environment will continue to apply to all properties with natural resource areas. This amendment will contribute to this goal.

(12) Shoreland, Beaches, Dunes, Estuary and Ocean Resources Goal

"To conserve, to protect, to enhance the coastal resources of the city."

The amendment on its own does not allow development in areas adjacent to the city's designated estuarine resource (i.e. Siletz Bay), in the city's coastal shorelands, beach and dune areas, or in ocean

resource areas. The existing ordinances and comprehensive plan standards apply to any areas impacted by this amendment, thereby protecting these resources. The amendment is consistent with this goal.

Planning Commission Communication

VAR 2022-01

Meeting Date:	March 1, 2022	Primary Staff Contact:	AnneMarie Skinner
Department:	Planning Commission	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

Question:

Should the Planning Commission approve or deny the requested variance?

Staff Recommendation:

Staff recommends the Planning Commission hold the public hearing, close the public hearing and the record, deliberate, and approve or deny the requested variance.

Authority:

Lincoln City Municipal Code (LCMC) 17.76.050.G states that Table 17.76.020-1 identifies the decision authority for each Type III application. Table 17.76.020-1 of LCMC Chapter 17.76 identifies a variance as a Type III application with the decision authority given to the Planning Commission.

Background:

See attached Staff Report

Planning Commission Options:

1. Hold the public hearing, close the public hearing and the record, deliberate, and move to approve or deny the requested variance.
2. Hold the public hearing, keep the hearing and record open, and continue it to a future meeting, date and time certain.
3. Hold the public hearing, close the public hearing but keep the record open to allow additional submittals, and continue deliberation to a future meeting, date and time certain.

Financial Impact

None

Potential Motions:

1. Move to approve VAR 2022-01 to vary the minimum street side setback to .

2. Move to deny VAR 2022-01 to vary the minimum street side setback because the request doesn't meet all the criteria for approval, specifically (then state which of the criterion are not met and why).

Attachments:
VAR 2022-01 Application (PDF)
VAR 2022-01 Narrative (PDF)
VAR 2022-01 Site Plan (PDF)
Comments Fire 02_08_2022 (PDF)
Comments Hibler 02_14_2022 (PDF)
Comments Urban Renewal 02_08_2022 (PDF)
VAR 2022-1 Notice of Public Hearing (PDF)
VAR 2022-01 STAFF REPORT (PDF)
VAR 2022-01 Approximate setbacks (PDF)

Variance Application

PROPERTY OWNER/CONTRACT PURCHASER (as listed on deed OR purchase contract):

Copy of purchase contract must be included with submittal for application to be accepted.

NAME: 3G'S CONSTRUCTION INC

ADDRESS: PO BOX 85

SALEM, OR 97308

PHONE: 503-871-8434

E-MAIL: ROGER@3GSCONSTRUCTION.COM

PROPERTY OWNER/CONTRACT PURCHASER (as listed on deed OR purchase contract):

Copy of purchase must be included with submittal for application to be accepted.

NAME:

ADDRESS:

PHONE:

E-MAIL:

SITE INFORMATION:

ZONING DISTRICT: Single Family Residential, Roads End (R-1-RE)

TAX MAP AND LOT: 06-11-34-AA-03200

SITE ADDRESS: 6604 NE Logan Road

REQUESTED VARIANCE:

Cite the code section of the code requirement to be varied: **LCMC 17.** 17.070.F.

THE PLANNING COMMISSION MUST BE PROVIDED ENOUGH EVIDENCE AND PROOF IN THIS APPLICATION THAT FINDINGS OF FACT CAN BE MADE THAT ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

LCMC 17.77.140.C.1 – *Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape legally existing prior to the date of the ordinance codified in this chapter, topography, or other circumstances over which the property owner has no control;*

LCMC 17.77.140.C.2 – *The variance is necessary for the preservation of a property right of the property owner which is substantially the same as owners of other property in the same zone or vicinity possess;*

LCMC 17.77.140.C.3 – *The variance should not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city planning policy;* **and**

LCMC 17.77.140.C.4 – *The variance requested is the minimum variance which would alleviate the hardship.*

A detailed narrative must be prepared and submitted, along with this completed application form, that provides detailed evidence and proof that each of the four circumstances listed above exist. Each circumstance must be discussed and thoroughly addressed.

I (We) hereby declare under penalty of perjury under the laws of the State of Oregon that the foregoing information, as well as the information provided in the attached narrative, is true, complete, and accurate. I (We) acknowledge that providing false information in the application shall be a violation and grounds to deny the application and void any approvals.

SIGNATURES:

	2/6/22
Property Owner/Contract Purchaser (signature required)	Date
Property Owner/Contract Purchaser (signature required)	Date

- *All property owners listed on the deed of each parcel/lot must sign the application.*
- *All contract purchasers listed on the purchase contract must sign the application.*
- *If contract purchasers are individuals other than the property owners shown on the deed, all property owners listed on the deed as well as all contract purchasers listed on the purchase contract must sign the application.*

Narrative in Support of Roger Griswold's
Request for a Variance from the Street Side setback Requirement

This narrative provides evidence and argument in support of a variance from the street side setback requirement for the completed house located at 6604 NE Logan Road in the Roads End neighborhood. Each of the criteria for a variance as found in LCMC 17.77.140 are set out in **bold** below**,** followed by a discussion of each.

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape legally existing prior to the date of the ordinance codified in this chapter, topography, or other circumstances over which the property owner has no control.

The extraordinary circumstance here is the fact that with a street side setback of 10 feet, the newly-constructed house on the property does not meet the street side setback requirement. LCMC 17.17.070.F. says:

> The minimum street side yard shall be 20 feet, except that it may be one foot less for each two feet of front yard setback over the minimum, but not to less than 10 feet.

The situation came about as a result of a cascade of mistakes on the part of the city. Before purchasing the property, on November 17th, I called and talked to James White in the planning department in a 13 minute phone call. Among the matters I spoke with him about, we specifically talked about setbacks. At that time he told me that the street side setback was 10 feet. I spoke with him again when I was developing the house plans for this lot and the adjacent one on Dec 1st during a 4 minute and 50 second call, and at that time he reaffirmed the 10-foot setback. I had a third conversation with him as I was finalizing the plans. In these calls I asked specifically about setbacks, lot coverage, deck heights, and if there was anything I needed to know in regard to building in Lincoln City and by the ocean and on these lots. I have not built anything here before and was unfamiliar with local codes and anything that may be specific to where I'm planning to build. I was given information about high wind areas, using stainless steel and aluminum because of the salt air. Except for the misinformation about the street side setback he was very helpful and informative. I had no reason to believe he was not providing accurate information.

When I completed the building plans I applied for a building permit. Among the reviews that the city performed on the building plans was a review by the planning department. As a part of the planning department review the reviewer, David Mattison, checked the setbacks, including the street side setback. The plans showed clearly that the proposed setback was 10 feet. The reviewer approved the plans as I submitted them with the 10-foot setback.

After all the reviews were completed, the city issued a building permit and I began construction. One of the first steps in building a house is to put in the forms into which the

concrete for the foundations and footings will be poured. When the forms were in place, as required I called the city for an inspection. One of the primary purposes of this inspection is to ensure that the house is being placed properly on the lot in accordance with the approved plans and that the required setbacks are met. The planning department's inspector, David Mattison, approved everything and the forms passed inspection. I then went ahead and poured the footings and built the house. At the point where there was only touch up painting and the like left to complete I was ready for a final inspection. At this point, Anne Marie Skinner called me and told me I had a problem because the house was built too close to the street side property line. This was a shock to me as I had asked specifically about setbacks, had passed the building plans review (including setbacks), and had passed the field inspection (also including setbacks). As a consequence I have a completed house that is not allowed to be occupied, and I am asking for a variance.

The completed house, view looking northeast from Logan Road. NE 66th Street to the right.

At this point it is important to understand how much of variance I am seeking. As shown above, LCMC 17.17.070.F. allows the street side yard to be reduced by as much as 10 feet if the actual front setback is greater than what is required. Another code provision makes the required front setback for properties fronting on Logan Road equal to the average setback of buildings on all lots within 100 feet of the lot on which the proposed building is to be located and that abut Logan Road. According to the Planning & Community Development Director, this average is 12.77 feet. So the required front setback is 12.77 feet.

The front face of my house is set back 34 feet from the front property line. But the front deck sets back at about 25 feet, and the stairs to the front door entrance are set back 20 feet. Using the stairs' setback of 20 feet, the house is set back 7.23 feet more than is required. Because LCMC 17.17.070.F. allows the street side setback to be reduced by one foot for each two feet of front yard setback over the minimum, the actual required street side setback is 16.38 feet (20 – [7.23/2]). So the actual variance I am seeking is 6.38 feet.

As a side note, it is important to understand that this is not a case of claiming that because of the city's repeated mistakes, the city is estopped from applying the ordinance's setback requirement. Instead, this is a case where, yes, the setback requirement applies, but because of the extraordinary circumstance resulting from the city's mistakes – the completed house that does not fully meet the setback requirements – the ordinance's variance provisions allow me the necessary relief.

2. The variance is necessary for the preservation of a property right of the property owner which is substantially the same as owners of other property in the same zone or vicinity possess.

The property right involved here is the right to build and occupy a detached dwelling on the property. The property is zoned R-1-RE and in this zone a detached dwelling is an outright permitted use. This right to build and occupy a house is shared in common with all other properties in the R-1-RE zone. In this case, the house has been built but cannot be occupied because the final inspection revealed that it does not meet the setback requirement. The variance is needed so that the house may be occupied.

3. The variance should not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city planning policy.

LCMC 17.04.020 sets out the purposes of Title 17. In relevant part, the purposes include promoting sound development, protecting and enhancing real property values, avoiding development that is detrimental to the stability and livability of the city, and safeguarding and enhancing the appearance of the city through effective land use, architectural design, and site planning. This variance is not detrimental to any of these purposes. The house, as built and as shown in the photo, is attractively designed and is a positive addition to the appearance of the city.

Reducing the street side setback by 6.38 feet, to 10 feet, does not materially affect any of the property in the zone or vicinity. In terms of views, it still leaves, next to NE 66th Street's 50-foot right-of-way, a 10-foot setback for views to the west from houses up hill to the east. This setback of 10 feet is greater than what is required in any other zone in Lincoln City. In every other single-family residential zone in Lincoln City the required street side setback is five feet for a one-story dwelling and 7.5 feet for more than one story. This includes the R-1-5 zone, R-1-7.5 zone, the R-1-10 zone, the RR zone, the VR zone, the NCR zone, and, for single-unit dwellings, the NBMU zone. In the RM zone, to the extent

single-unit residences are allowed, the required street side setback is the same: five feet and 7.5 feet. In the OPD zone, there is no street side setback requirement, except for oceanfront dwellings, where the required setback is 10 feet – exactly what is sought here. In the TVC zone, there is no setback requirement at all, except that there is a 10-foot maximum setback.

The 20-foot street side setback requirement in the R-1-RE zone did not originate in Lincoln City. It is a hold-over from the old Lincoln County R-1A zone that was in effect in Roads End at the time of its annexation into the city. There is nothing unique about the street side situation in Roads End, other than this legacy standard, compared to the rest of the city, and the rest of the city has seen fit to apply the 5/7.5-foot standard without ill effect. And even in Roads End, the street side setback, under certain circumstances as described above, is allowed to be reduced to 10 feet, which is exactly what is being sought here.

4. The variance requested is the minimum variance which would alleviate the hardship.

The hardship in this case is the inability to provide the required 16.38-foot -minimum setback from the side (south) property line to the side of the existing house. The house was built with a ten-foot setback in accordance with the approved plans and inspections. The alternative is to remove over six feet of the completed house, which would be extremely costly and which would destroy the habitability of the remaining structure. The minimum necessary to alleviate this hardship is varying the street-side setback from 16.38 feet to 10 feet. The house has been built and completed and is ready for an occupancy permit. The variance requested is exactly what is required – no more and no less – to allow the house to be occupied in accordance with the approved plans.

SITE PLAN

CONTRACTOR/OWNER

3 G'S CONSTRUCTION
(503)-871-8434
PO BOX 85 SALEM OR 97308
map 06-11-34-AA-03200
LOT SF 4,500
HOUSE AND STRUCTURE SF 1540
IMERVIOUS STRUCTURES SF 1880
FRONT YARD 1020 SF

N

1"=20'

LCPW NOTES:

CALL 541-996-1013 OR 541-996-1238 FOR INSPECTIONS, QUESTIONS OR REMARKS.

ROW IMPROVEMENTS: FULL ENGINEER PLANS SHALL BE SUBMITTED FOR APPROVAL IN ACCORDANCE WITH THE REQUIREMENTS OF 17.52.230. IMPROVEMENTS SHALL BE COMPLETED, INSPECTED, AND APPROVED BY LCPW PRIOR TO FINAL APPROVAL AND ISSUANCE OF BUILDING COA. DEFERRED SUBMITTAL AT OWNER'S REQUEST AND FULL LIABILITY

E&SC- NO SEDIMENT DUE TO CONSTRUCTION TO LEAVE SITE. CITY WILL DELIVER STRAW WATTLES UPON REQUEST, AFTER FEES HAVE BEEN PAID.
-INSTALL EROSION & SEDIMENT CONTROL (E&SC) AS SHOWN OR NECESSARY BEFORE ANY CONSTRUCTION ACTIVITY BEGINS.

WATER- WATER METER WILL BE INSTALLED WITHIN 30 DAYS OF APPROVED EROSION CONTROL INSPECTION. CALL FOR COORDINATION IF REQUESTING ALTERNATIVE.

SEWER- INSTALL TO FOLLOW ALL LCPW DETAILS. CALL FOR INSPECTION BEFORE COVERING. USE FITTING SUITABLE FOR TRAFFIC IF PLACED IN DRIVEWAY.

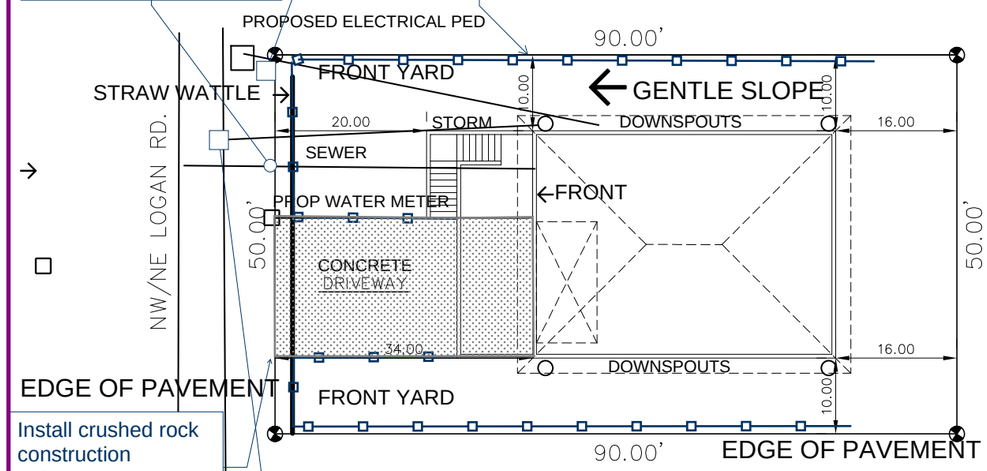
STREETS- ANY STREET CUTS TO BE PATCHED WITH HOT OR WARM MIX ASPHALT CEMENTS. SEE STANDARD DETAIL FOR PATCH SPECIFICATIONS.

GRADING - NO GRADING PLAN SHOWN FOR APPROVAL. ALL GRADING TO BE COMPLETED ACCORDING TO LCPW STANDARDS AND LCMC. INQUIRE FOR QUESTIONS REGARDING GRADING APPROVAL PRIOR TO COMPLETION OF WORK.

Water meter will be placed at NW property corner. Other utility installations shall accommodate.

Tap & lateral installation in right of way per LCPW detail. Install CO at PL

Perimeter control required along ALL downslopes to excavation



Install crushed rock construction entrance. ensure no sediment leaves site.

Storm tap via inserta-tee or corrugated saddle connection. Call for inspection from LCPW

SITE PLAN
APPROVED
SUBJECT TO NOTATIONS
03/25/2021
David Mattison
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

ANY DECKS, PORCHES, BAYS, CANTILEVERS OR OTHER FEATURES NOT SHOWN ON THE SITE PLAN ARE NOT APPROVED. EVEN IF SHOWN ON THE BUILDING PLANS.

- ☒ Residential Landscape Plan Required
- ☒ Driveway must be asphalt/concrete/pavers
- ☒ ALL utilities must underground (Includes cable, phone, & electric)

WARNING

You must follow these plans exactly as you submitted them and as approved. If you want to make ANY changes they must be approved by Both the building inspector AND the Planning Department. Approval by the building inspector alone is not enough. You might end up violating the setback or height requirements of the zoning ordinance. If that happens you will have to FIX THE PROBLEM AT YOUR OWN COST before we will issue a Certificate of Occupancy. It is possible the only way to fix the problem will be to DEMOLISH some or all of the structure.

THERE WILL BE NO EXCEPTIONS!

* CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD*

* ALL UTILITY LOCATIONS ARE TO BE DETERMINED BY CONTRACTOR.*

* ALL PROPERTY ELEVATIONS ARE TO BE DETERMINED BY CONTRACTOR.*

SITE PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON
SCALE: 1" = 20.00'

Setbacks to property lines shall be marked at the footing inspection. The contractor of record is responsible for establishing the correct property markers and setbacks.

JOB SITE MUST BE POSTED WITH ADDRESS & PERMIT NUMBER VISIBLE FROM THE STREET THE APPROVED PLANS MUST BE KEPT ON THE JOB SITE IN SUCH A WAY THAT THEY ARE EASILY LOCATED & PROTECTED FROM WATER AND OTHER DAMAGE.

SUBDIVISION: _____ LOT: ____ BLK: ____
NAME: 3 G'S CONSTRUCTION PH. # 503-871-8434
ADDRESS: _____ CDA: _____
ASBUILT # _____ MAP # _____
STORM DRAINAGE: _____
WATER SERVICE LEVEL: _____ CODE: ____ PS: ____
SIDEWALK: _____

APPROVAL STAMPS

APPROVED BY THE PUBLIC WORKS DEPARTMENT
SUBJECT TO FULL COMPLIANCE WITH ATTACHED CORRECTIONS
Lincoln City
Apr, 15 2021

Additional engineering plans required for public improvements - deferred submittal required for review prior to final

NORTHWEST CODE PROFESSIONALS
Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #: 541-21-000119-STR
Date: 04/15/2021
Reviewed for Lincoln City

See attached Building Department Checklist. Numbered items on plans reference code requirements and corresponding code sections.

1 2 3 4

See Engineering "S" Pages

541-21-000119-STR

541-21-000119-STR
Approved plans shall be on site and accessible at inspection.

RECEIVED
03/25/2021
PLANNING

PRESCRIPTIVE ENERGY CODE

NOTICE

ALL FEDERAL, STATE, AND LOCAL CODES, ORDINANCES, REGULATIONS ECT. SHALL BE CONSIDERED AS PART OF SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED, OR IMPLIED IN THESE BUILDING PLANS. COORDINATE ALL APPLICABLE MODIFICATIONS TO THESE DRAWINGS AS REQUIRED.

NOTE:

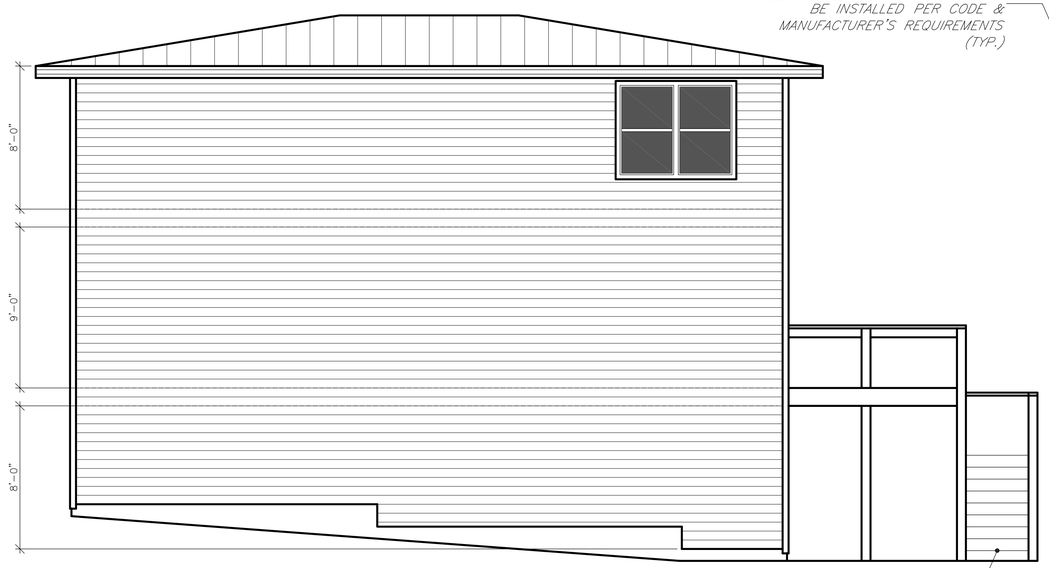
DESIGNER IS NOT AN ARCHITECT OR ENGINEER AND ASSUMES NO LIABILITY FOR THE PLANS IN PART OR WHOLE AND/OR THE CONSTRUCTION OF THE WORK CONTAINED HERE IN. A QUALIFIED PROFESSIONAL SHOULD REVIEW PLANS FOR ERRORS AND OMISSIONS. THESE PLANS SHOULD NOT BE UNDERTAKEN WITHOUT THE ASSISTANCE OF A QUALIFIED CONSTRUCTION PROFESSIONAL. THESE PLANS ARE INTENDED TO BE GUIDELINES FOR CONSTRUCTION THE CONTRACTOR RESERVES THE RIGHT TO MAKE SUCH MINOR DEVIATIONS AS DEEMED NECESSARY AS LONG AS SUCH DEVIATIONS PROMOTE THE OVERALL EFFICACY AND AESTHETICS OF THE PLAN CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. DESIGNER MUST BE NOTIFIED OF ANY DISCREPANCIES OR VARIATIONS OF AND FROM THESE DRAWINGS PRIOR TO WORK ON THE JOB.

See energy form and floor plan notes for required energy code requirements.

ENVELOPE ENHANCEMENT MEASURE: OPTION#2: UPGRADED FEATURES
CONSERVATION MEASURE: OPTION A: HIGH EFFICIENCY HVAC SYSTEM
HOUSE WRAP: WEATHERSMART

INSTALLATION OF SIDING, HOUSE WRAP, AND WINDOWS TO BE PER CODE REQUIREMENTS AND MANUFACTURER'S INSTALLATION INSTRUCTIONS.

THE CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR THE CORRECT INSTALLATION OF ALL EXTERIOR FINISHES AND WEATHERPROOFING.



LEFT ELEVATION SCALE: 1/4" = 1'-0"

STAIRS TO BE DETERMINED IN FIELD BY CONTRACTOR

GUARDRAIL TO BE ALUMINUM RAILING W/ TEMP. GLASS PANELS. DESIGN PER CONTRACTOR AND TO BE INSTALLED PER CODE & MANUFACTURER'S REQUIREMENTS (TYP.)

FRONT ELEVATION SCALE: 1/4" = 1'-0"

NORTHWEST CODE PROFESSIONALS

Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #: 541-21-000119-STR
Date: 04/15/2021
Reviewed for Lincoln City

VENT ATTIC PER CODE (TYP.)

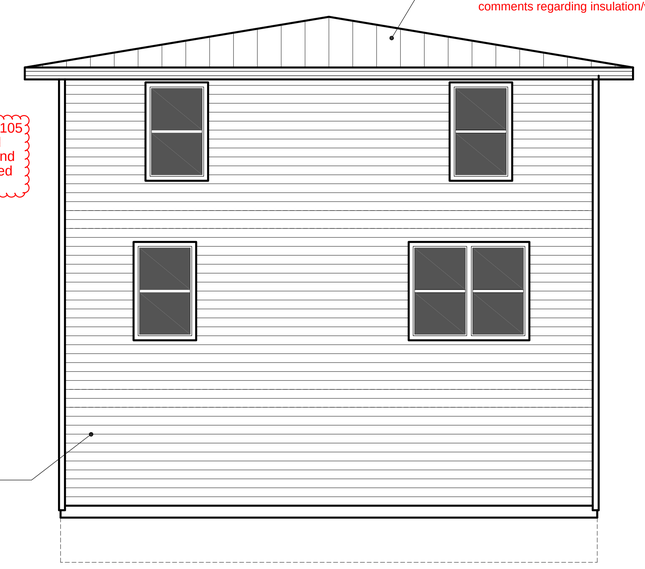
RIGHT ELEVATION SCALE: 1/4" = 1'-0"

All roofing and siding materials must be rated for 105 MPH wind. Corrosion resistant fasteners required (Highly recommend stainless steel). Eave, rake and kick out flashings required. Head flashings required above all projecting horizontal trim.

ELEVATIONS ARE ARTISTIC RENDERINGS ONLY

METAL ROOFING PER CONTRACTOR. INSTALL PER CODE AND OR MANUFACTURER'S INSTALLATION INSTRUCTIONS

Or approved low slope roofing product per MII's. See comments regarding insulation/ventilation materials.



HARDI PLANK SIDING OVER APPROVED HOUSE WRAP. INSTALL SIDING/HOUSE WRAP AND WINDOWS PER CODE & MANUFACTURER'S INSTALLATION INSTRUCTIONS

REAR ELEVATION SCALE: 1/4" = 1'-0"

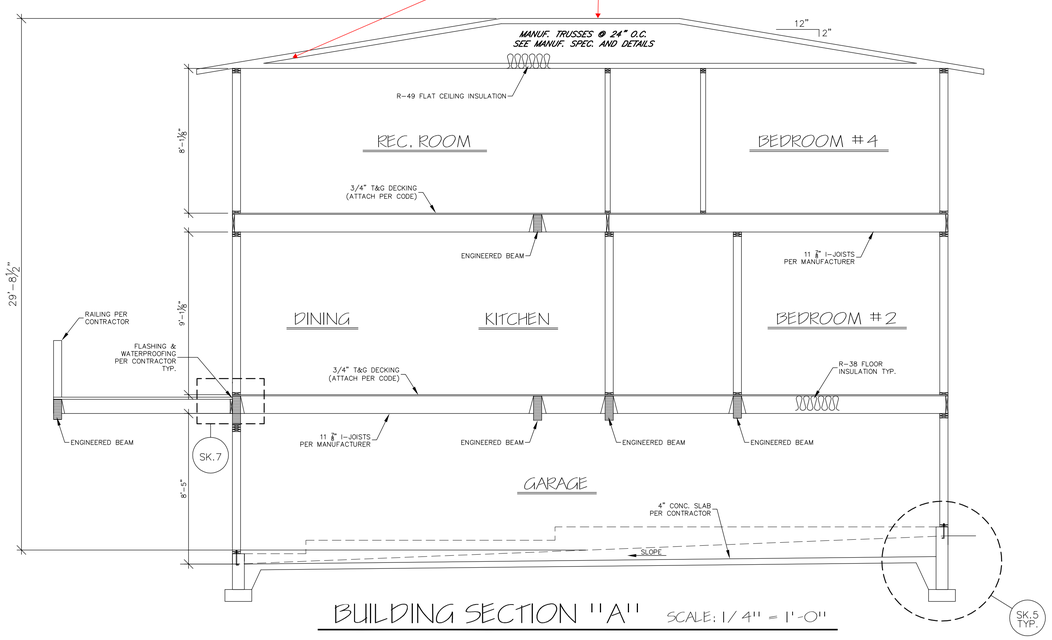
ELISE HOME DESIGN
BRAD EISELE
P.O. BOX 318
INDEPENDENCE, OR 97351
PHONE: (503)840-3000

2400 PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON

CONTRACTOR: 3 G'S CONST.
(503) 871-8434

DATE:	03-07-21
SCALE:	1/4" = 1'-0"
DRAWN:	BRAD EISELE
JOB:	
SHEET:	1
OF	6 SHEETS

***Due to very low profile truss system, required insulation and ventilation is not possible to achieve. Consult inspector, closed cell spray foam may be needed to achieve required R-Value and remove the need for ventilation.

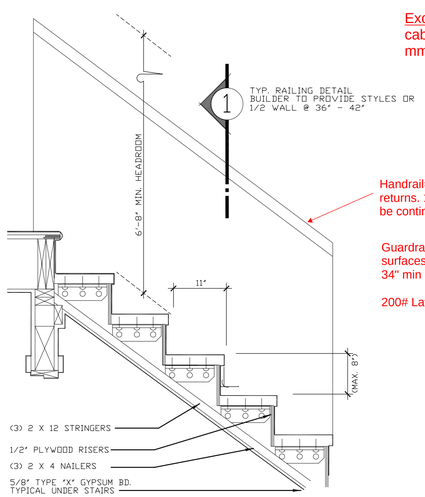


BUILDING SECTION "A" SCALE: 1/4" = 1'-0"

N1107.4 Solar interconnection pathway. A square metal junction box not less than 4 inches by 4 inches (102 mm by 102 mm) with a metal box cover shall be provided within 24 inches (610 mm) horizontally or vertically of the main electrical panel. A minimum ¾-inch rigid metal raceway shall extend from the junction box to a capped roof termination or to an accessible location in the attic with a vertical clearance of not less than 36 inches (914 mm).

Where the raceway terminates in the attic, the termination shall be located not less than 6 inches (152 mm) above the insulation. The end of the raceway shall be marked as "RESERVED FOR SOLAR."

Exception: In lieu of ¾ inch rigid metal raceway, a minimum #10 copper 3-wire MC cable installed from the junction box to the termination point including 6 inches (152 mm) additional wire is permitted.



Handrail= 30-38" & must have returns. 1.5" clear from wall. Must be continuous for entire flight.

Guardrails= 36" min at flat surfaces.
34" min in stair flights.

200# Lateral load design.

TYP. STAIR DETAIL SCALE: NTS

NORTHWEST CODE PROFESSIONALS

Reviewed for Code Compliance
Approved by: Brandon Zipser
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Date:04/15/2021
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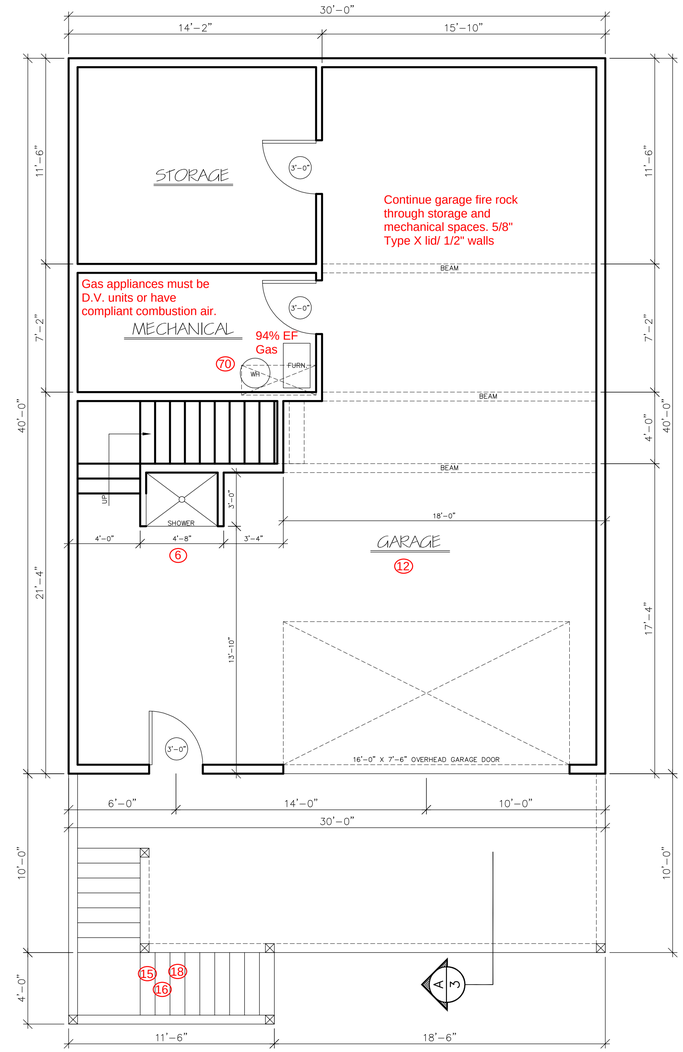

BASEMENT FLOOR PLAN SCALE: 1/4" = 1'-0"

See attached Building Department Checklist. Numbered items on plans reference code requirements and corresponding code sections.

NOTICE

ALL FEDERAL, STATE, AND LOCAL CODES, ORDIANCES, REGULATIONS ECT. SHALL BE CONSIDERED AS PART OF SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED, OR IMPLIED IN THESE BUILDING PLANS. COORDINATE ALL APPLICABLE MODIFICATIONS TO THESE DRAWINGS AS REQUIRED.

ENVELOPE ENHANCEMENT MEASURE:
OPTION#2: UPGRADED FEATURES
EXTERIOR WALLS–U–0.057/R–23 INTERMEDIATE R–21 ADVANCED
FRAMED FLOORS–U–0.026/R–38
WINDOWS–U–0.28 (AVERAGE UA)

See Engineering "S" Pages

Engineer notes and requirements have been transfered to the plans.

THIS DESIGNER IS NOT AN ARCHITECT OR ENGINEER AND ASSUMES NO LIABILITY FOR THE PLANS IN PART OR WHOLE AND/OR THE CONSTRUCTION OF THE WORK CONTAINED HERE IN. A QUALIFIED PROFESSIONAL SHOULD REVIEW PLANS FOR ERRORS AND OMISSIONS.

ELITE HOME DESIGN
BRAD EISELE
P.O. BOX 118
INDEPENDENCE, OR 97351
PHONE: (503)840-3000

2400 PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON

CONTRACTOR: 3 G'S CONST.
(503) 871-8434

DATE:	03–07–21
SCALE:	1/4" = 1'–0"
DRAWN:	BRAD EISELE
JOB:	
SHEET:	3
OF	6 SHEETS

NORTHWEST CODE PROFESSIONALS

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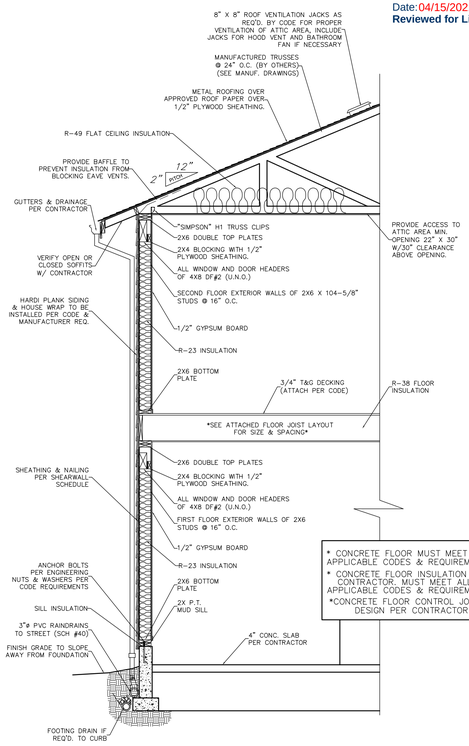
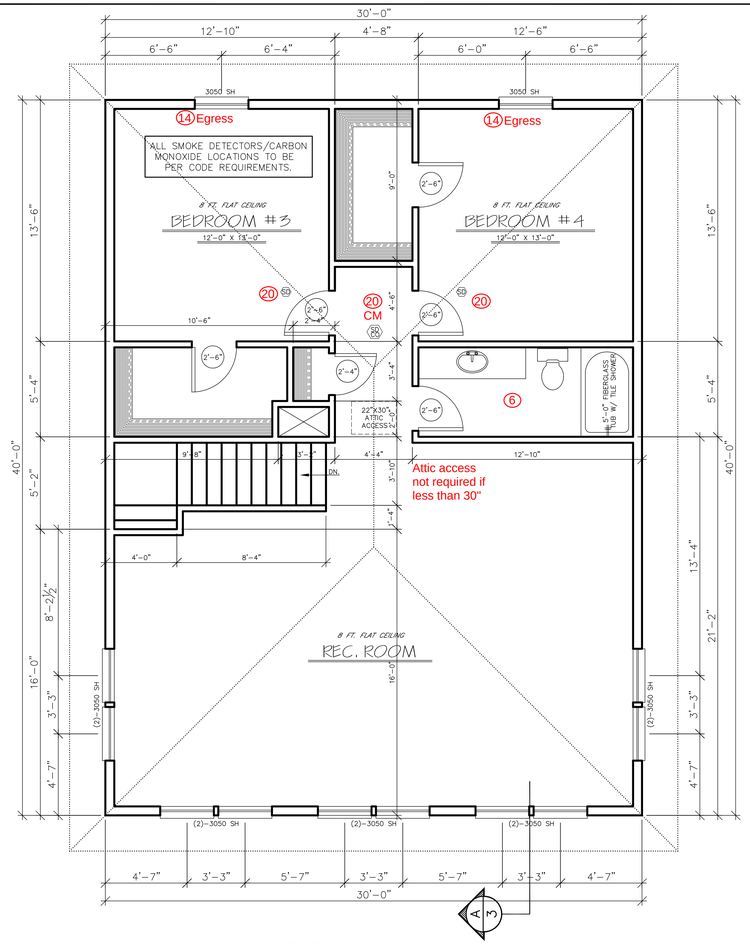


* CONCRETE FLOOR MUST MEET ALL APPLICABLE CODES & REQUIREMENTS
* CONCRETE FLOOR INSULATION PER CONTRACTOR, MUST MEET ALL APPLICABLE CODES & REQUIREMENTS
*CONCRETE FLOOR CONTROL JOINT DESIGN PER CONTRACTOR

TYPICAL WALL SECTION

SCALE: N.T.S.

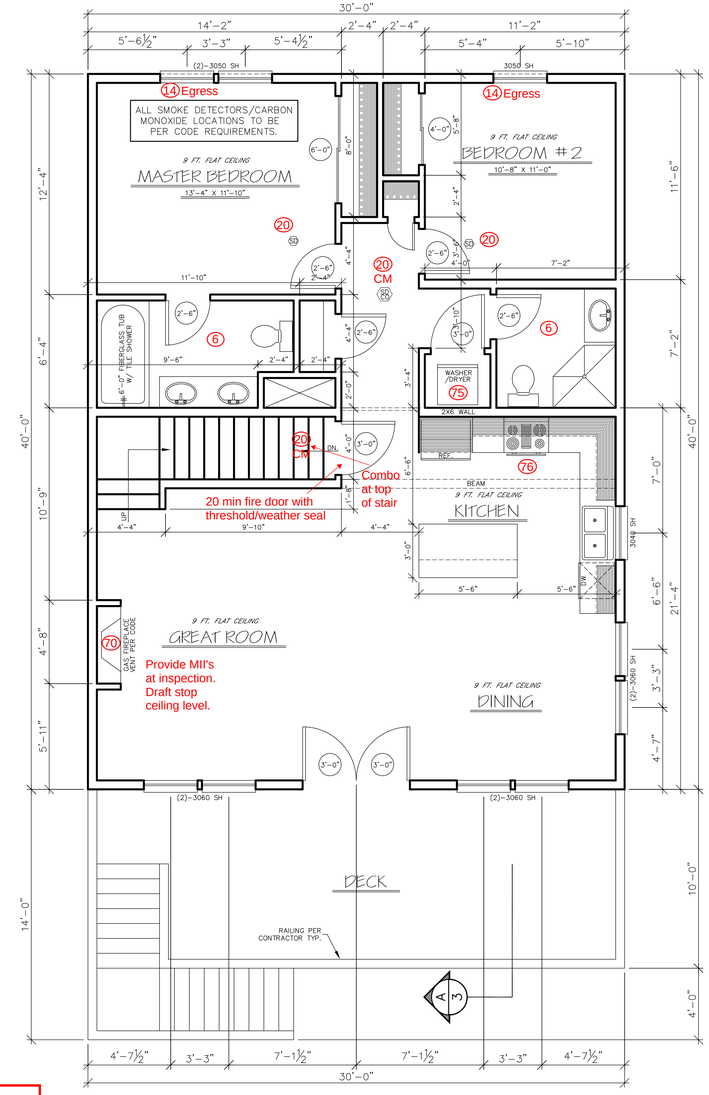
Any opening window with a sill less than 24" to the floor, and that has a greater then a 72 inch drop outside must have have fall protection per R312.2



UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"

MAIN FLOOR	1200 SQ. FT.
SECOND FLOOR	1200 SQ. FT.
TOTAL LIVING	2400 SQ. FT.
LOWER FLOOR/GARAGE	1200 SQ. FT.



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

See attached Building Department Checklist. Numbered items on plans reference code requirements and corresponding code sections.

ROOF VENTILATION PER SECTION R806
THE MINIMUM NET FREE VENTILATING AREA SHALL BE 1/150 OF THE AREA OF THE VENTED SPACE.
VENT LOCATIONS TO BE DETERMINED BY CONTRACTOR IN FIELD AND BE INSTALLED PER CODE REQUIREMENTS.

ENVELOPE ENHANCEMENT MEASURE:
OPTION#2: UPGRADED FEATURES
EXTERIOR WALLS-U-0.057/R-23 INTERMEDIATE ~~R-21 ADVANCED~~
FRAMED FLOORS-U-0.026/R-38
WINDOWS-U-0.28 (AVERAGE UA)

N O T I C E

ALL FEDERAL, STATE, AND LOCAL CODES, ORDIANCES, REGULATIONS ECT. SHALL BE CONSIDERED AS PART OF SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED, OR IMPLIED IN THESE BUILDING PLANS. COORDINATE ALL APPLICABLE MODIFICATIONS TO THESE DRAWINGS AS REQUIRED.

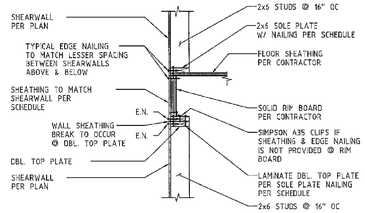
THIS DESIGNER IS NOT AN ARCHITECT OR ENGINEER AND ASSUMES NO LIABILITY FOR THE PLANS IN PART OR WHOLE AND/OR THE CONSTRUCTION OF THE WORK CONTAINED HERE IN. A QUALIFIED PROFESSIONAL SHOULD REVIEW PLANS FOR ERRORS AND OMISSIONS.

ELITE HOME DESIGN
BRAD EISELE
P.O. BOX 118
INDEPENDENCE, OR 97351
PHONE: (503)840-3000

2400 PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON

CONTRACTOR: 3 G'S CONST.
(503) 871-8434

DATE:	03-07-21
SCALE:	1/4" = 1'-0"
DRAWN:	BRAD EISELE
JOB:	
SHEET:	2
OF	6 SHEETS



NOTE:OPTIONAL DETAIL TO REPLACE THE A35 CLIPS @ DOUBLE TOP PLATE CONNECTION AS DESCRIBED ON SHEARWALL SCHEDULE ONLY VALID FOR SHEARWALLS TYPE A, B & C. FOR OTHER TYPES USE A35 CLIPS PER SCHEDULE.

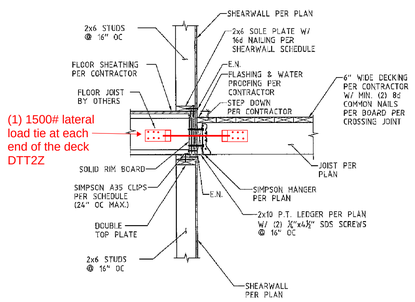
SHEAR TRANSFER BETWEEN FLOOR

3/4"=1'-0"

LEE STRUCTURAL ENGINEERS LLC

FILE No: 210105 SHEET No: SK-6
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

NOTE: FLASHING AND WATER PROOFING PER CONTRACTOR

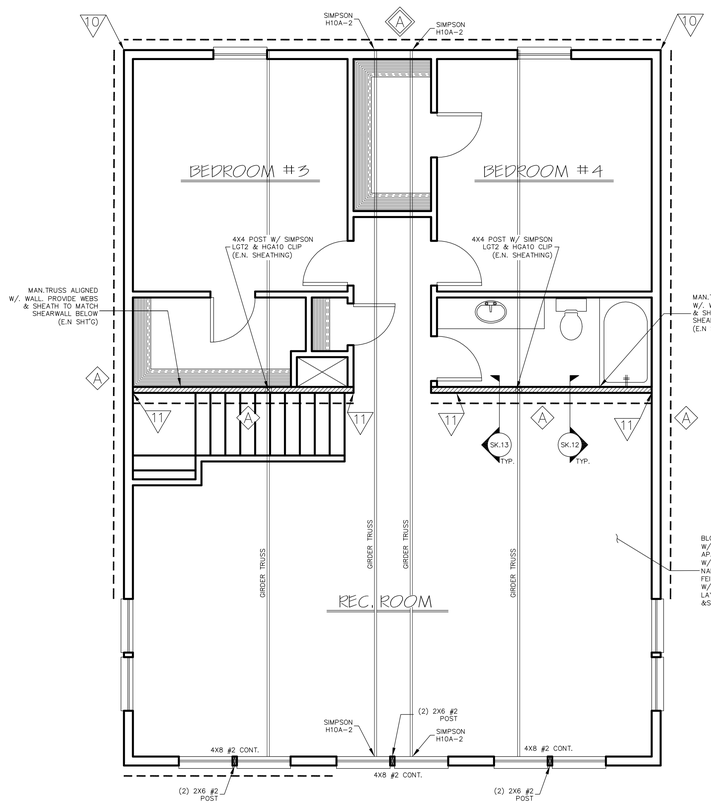


DECK FRAMING

3/4"=1'-0"

LEE STRUCTURAL ENGINEERS LLC

FILE No: 210105 SHEET No: SK-7
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE



UPPER FLOOR ENGINEERING PLAN

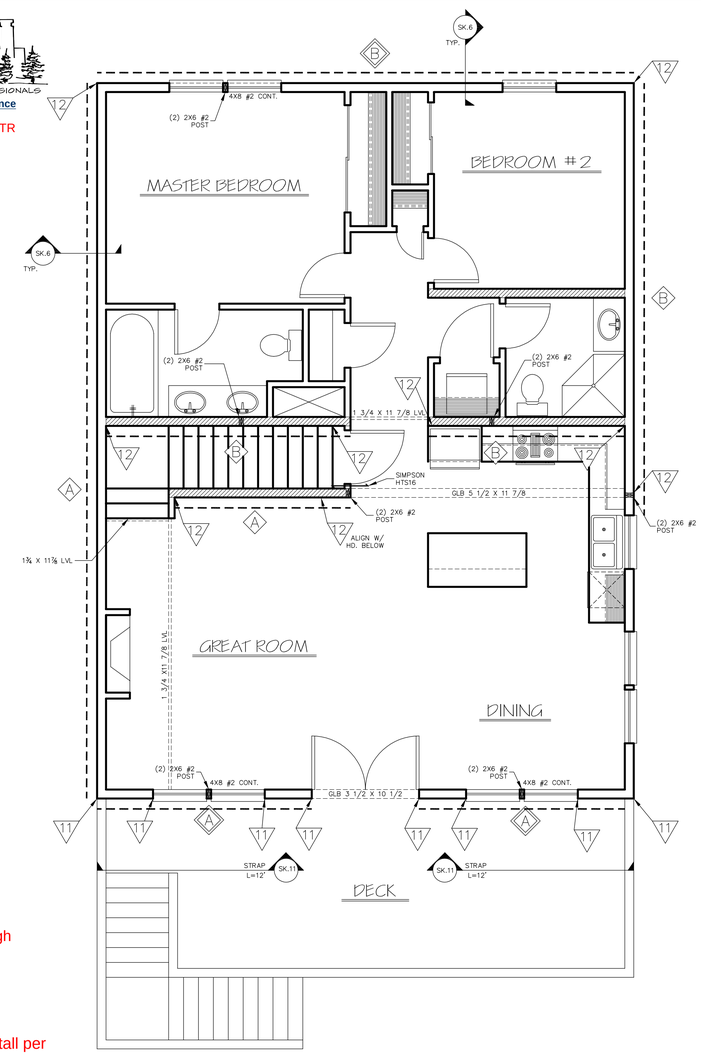
SCALE: 1/4" = 1'-0"

NORTHWEST CODE PROFESSIONALS
Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #: 541-21-000119-STR
Date: 04/15/2021
Reviewed for Lincoln City

ENGINEERED TRUSS CALCULATIONS ARE REQUIRED TO BE ON THE JOBSITE PRIOR TO CONSTRUCTION

Squash block all point loads through floors to the foundation/approved footings below.

Refer to project I-Joist layouts. Install per engineering and manufacturer spec's



MAIN FLOOR ENGINEERING PLAN

SCALE: 1/4" = 1'-0"

Lee Structural Engineers, LLC.
Job # 210105 Date: 2/17/2021 Sheet # T.1
Project: 6600 Logan Road Residence Designer: JWL Client: 3 G's Construction

SHEARWALL CONSTRUCTION SCHEDULE[1,2,3,4,6,7,8,9]

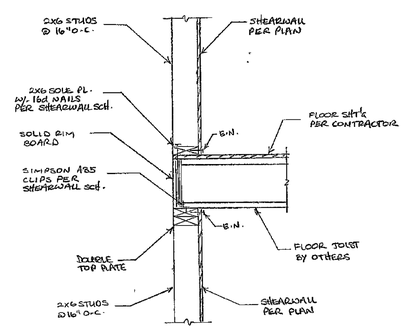
(NOT ALL WALL TYPES SHOWN MAY BE USED ON PROJECT)

Wall Type	Structural Panel Sheathing	Edge Nailing[4]	Field Nailing	Remarks	A 35 Clip Double Top Plate Conn.[5]	Sill Plate Connection (A.B.) 1/2" Dia. X 10" Long	Sill Plate Connection (A.B.) 5/8" Dia x 10" Long	Sole Plate Connection	Shear Value (plf) Seismic	Shear Value (plf) Wind
A	7/16" OSB or 15/32" Plywood	0.131" Dia x 2.5" Nails @ 6" O.C.	0.131" Dia x 2.5" Nails @ 12" O.C.		24" O.C.	2' - 8" O.C.[10]	4' - 0" O.C.[10]	16d Nails @ 6" O.C.	260	344
B	7/16" OSB or 15/32" Plywood	0.131" Dia x 2.5" Nails @ 4" O.C.	0.131" Dia x 2.5" Nails @ 12" O.C.		16" O.C.	1' - 4" O.C.[10]	2' - 8" O.C.[10]	16d Nails @ 4 1/2" O.C.	390	515
C	7/16" OSB or 15/32" Plywood[11]	0.131" Dia x 2.5" Nails @ 3" O.C.	0.131" Dia x 2.5" Nails @ 12" O.C.		12" O.C.	1' - 4" O.C.[10]	2' - 0" O.C.[10]	16d Nails @ 3 1/2" O.C.	490	685
D	15/32" Plywood[12]	0.148" Dia x 3" Nails @ 3" O.C.	0.148" Dia x 3" Nails @ 12" O.C.		9" O.C.	N/A	1' - 4" O.C.[10]	(2) Rows 16d Nails @ 6" O.C.	600	840
E	15/32" Plywood[12]	0.148" Dia x 3" Nails @ 2" O.C.	0.148" Dia x 3" Nails @ 12" O.C.		8" O.C.	N/A	1' - 4" O.C.[10]	(2) Rows 16d Nails @ 4" O.C.	870	1218

Plywood only

Notes:

1. Block all edges of sheathing. U.O.N.
2. Do not break sheathing skin by over driving nails.
3. Pre-drill as required to avoid splitting sills, etc.
4. Nails should be located 3/8" clear of panel edges.
5. Use Simpson A35 clips to attach blocking or gable to top plate At roof line use Simpson H-1 clips in place of the A35 clips at each truss (U.O.N.)
6. Values of other standard construction fasteners will require spacing adjustments and must be approved by the engineer-of-record.
7. Use hot dipped galvanized nails at all exterior applications.
8. C-D, C-C sheathing, plywood panel siding, and other grades covered in APA Plywood Design Specification.
9. Sheathing face grain can be applied perpendicular or parallel to wall studs, provided studs are spaced a maximum of 16" o.c.
10. 3" x 3" x 1/4" washer required at each A.B. (Extend to within 1/2" of sheathed side)
11. All framing members receiving edge nailing from abutting panels shall not be less than a 3" nominal or thicker member or (2) 2" nominal members nailed with 10d nails 4" o.c. staggered. Panel joint nailing shall be staggered.
12. Framing at adjoining panel edges shall be 3" nominal member or wider and nails shall be staggered where nails are spaced 2" or less o.c., or where 10d nails have penetration into framing of more than 1 1/2" are spaced 3" or less o.c.



SHEAR TRANSFER

3/4" = 1'-0"

See Engineering "S" Pages

Engineer notes and requirements have been transfered to the plans.

LEE STRUCTURAL ENGINEERS LLC

FILE No: 210105 SHEET No: SK-8
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

NOTE:
- TYP. TRUSS/WALL CONN. TO BE (2) SIMPSON H2.5A CLIP (ONE EACH SIDE) U.O.N.
- TYP. FRAMING TO BE DF-L #2 U.O.N.
- TYP. HDR. TO BE 4X8 DF#2 U.O.N.

SHEARWALL
INTERIOR BEARING WALL
SHEATH ENTIRE WALL ABOVE & BELOW OPENINGS PER SHEARWALL SCHEDULE
SHEARWALL TYPE
HOLDOWN TYPE/LOCATION

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ELITE HOME DESIGN
BRAD EISELE
PO BOX 118
INDEPENDENCE, OR 97351
PHONE: (503)860-3000

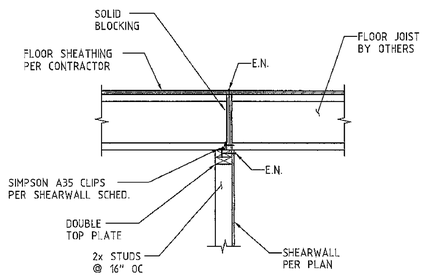
2400 PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON

CONTRACTOR: 3 G'S CONST.
(503) 871-8434

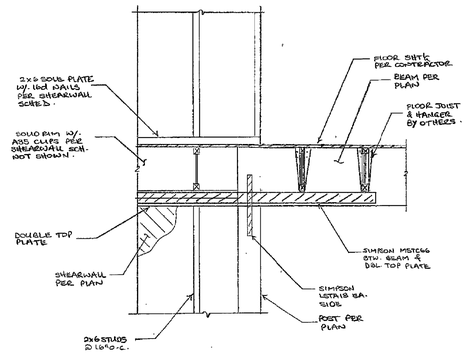
DATE: 03-07-21
SCALE: 1/4" = 1'-0"
DRAWN: BRAD EISELE
JOB:
SHEET: 4
OF 6 SHEETS

NORTHWEST CODE PROFESSIONALS

Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #:541-21-000119-STR
Date:04/15/2021
Reviewed for Lincoln City



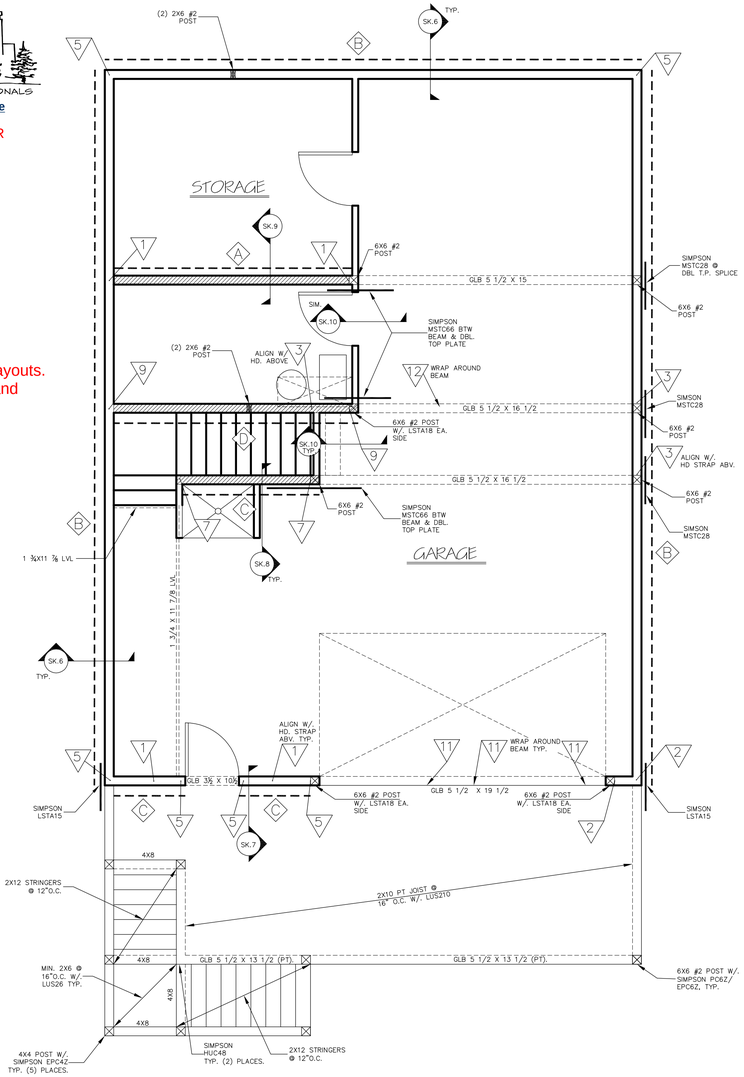
TYP. FLOOR TO SHEAR WALL CONN.
3/4"=1'-0"



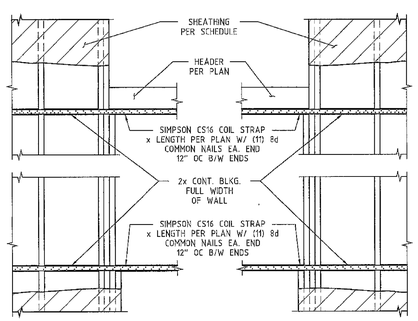
SHEAR TRANSFER
3/4"=1'-0"

Refer to project I-Joist layouts. Install per engineering and manufacturer spec's

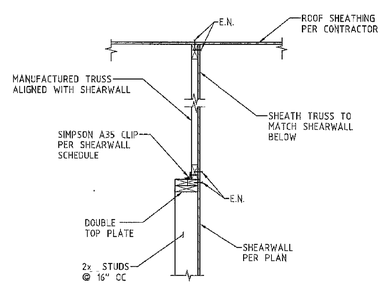
Squash block all point loads through floors to the foundation/approved footings below.



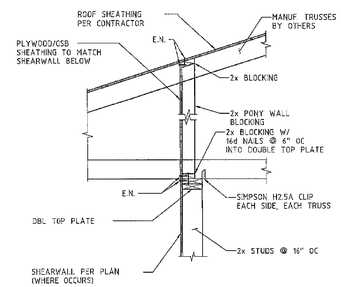
BASEMENT FLOOR ENGINEERING PLAN SCALE: 1/4" = 1'-0"



STRAP TIE @ SILL AND HEADER
3/4"=1'-0"



SHEAR TRANSFER DETAIL
3/4"=1'-0"



SHEAR TRANSFER PERPENDICULAR TO TRUSS
3/4"=1'-0"

NOTE:
–TYP. TRUSS/WALL CONN. TO BE (2) SIMPSON H2.5A CLIP (ONE EACH SIDE) U.O.N.
–TYP. FRAMING TO BE DF–L #2 U.O.N.
–TYP. HDR. TO BE 4X8 DF#2 U.O.N.

- SHEARWALL
- INTERIOR BEARING WALL
- SHEATH ENTIRE WALL ABOVE & BELOW OPENINGS PER SHEARWALL SCHEDULE
- SHEARWALL TYPE
- HOLDOWN TYPE/LOCATION

See Engineering "S" Pages

Engineer notes and requirements have been transfered to the plans.

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LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-9
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-10
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-11
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-12
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-13
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

ELITE HOME DESIGN
BRAD EISELE
P.O. BOX 118
INDEPENDENCE, OR 97351
PHONE: (503)860-3000

2400 PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON

CONTRACTOR: 3 G'S CONST.
(503) 871-8434

DATE: 03-07-21
SCALE: 1/4" = 1'-0"
DRAWN: BRAD EISELE
JOB:
SHEET: 5
OF 6 SHEETS

Lee Structural Engineers, LLC.
Job # 210105
Project: 6600 Logan Road Residence

Date: 2/17/2021
Designer: JWL

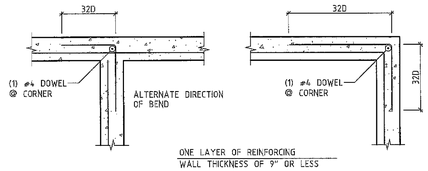
Sheet # T.2
Client: 3 G's Construction

HOLDOWN SCHEDULE [1,2,3,4,5]

(Not all holdown types shown may be used on project)

Mark	Holdown	Anchor Bolt	Anchor Diameter	Embedment Length	Minimum Stemwall Width	Minimum Boundary Member	Connection to Boundary Member	Remarks	Allowable Loads (Wind) Mid-Wall	Allowable Loads (Wind) Corner	Allowable Loads (Wind) End Wall	Allowable Loads (Seismic) Mid-Wall	Allowable Loads (Seismic) Corner	Allowable Loads (Seismic) End Wall
1	LTT20B	SSTB16	5/8"	12 5/8"	6"	(2) 2x6[6]	(10) 10d Common		1500#	1500#	1500#	1500#	1500#	1500#
2	HDU2	SSTB16	5/8"	12 5/8"	6"	(2) 2x6[6]	(6) 1/4" x 2 1/2"[7]		3075#	3075#	3075#	2550#	2550#	2550#
3	HDU4	SSTB20	5/8"	16 5/8"	6"	(2) 2x6[6]	(10) 1/4" x 2 1/2"[7]		4145#	3880#	3880#	3145#	2960#	2960#
4	HDU5	SSTB24	5/8"	20 5/8"	6"	(2) 2x6[6]	(14) 1/4" x 2 1/2"[7]		4825#	4295#	4295#	3740#	3325#	3325#
5	HDU8	SSTB28	7/8"	24 7/8"	8"	4x6	(20) 1/4" x 2 1/2"[7]		6970#	6970#	6970#	6970#	6970#	6395#
6	HDQ8	SSTB28	7/8"	24 7/8"	8"	4x6[8]	(20) 1/4" x 3"[7]		7630#	7630#	7310#	7630#	7315#	6395#
7	HDQ8	SSTB28	7/8"	24 7/8"	8"	6x6	(20) 1/4" x 3"[7]		9230#	8360#	7310#	8315#	7315#	6395#
8	HDQ8	SB1x30	1"	24"	8"	6x6	(20) 1/4" x 3"[7]		9230#	9230#	6930#	9230#	8315#	6065#
9	HHDQ11	SB1x30	1"	24"	8"	6x6	(24) 1/4" x 2 1/2"[7]		11810#	9505#	6930#	11470#	8315#	6065#
10	MSTC28	N/A	N/A	N/A	N/A	(2) 2x6[9]	(12) - 10d Common		1155#			1155#		
11	MSTC40	N/A	N/A	N/A	N/A	(2) 2x6[6]	(28) - 10d Common		2695#			2695#		
12	MSTC52	N/A	N/A	N/A	N/A	(2) 2x6[6]	(44) - 10d Common		4235#			4235#		
13	MSTC66	N/A	N/A	N/A	N/A	(2) 2x6[9]	(54) - 10d Common		5360#			5360#		

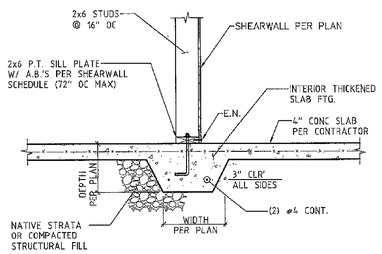
Notes:
1. Holdowns by Simpson Strong-Tie Company, Inc. See Simpson catalog for proper installation.
2. Hardmount all holdown anchors prior to concrete pour.
3. Edge nail sheathing to all posts or boundary members at holdowns.
4. Locate HD within 6" of end of shear panel.
5. Install holdown minimum 5" clear from corner.
6. Laminate studs with 10d nails at 12" on center staggered. Clinch tips of nails.
7. Use Simpson SDS 1/4" diameter wood screws.
8. Assumes a DF sill or sole plate. 6x6 boundary member required with HF sole plate.



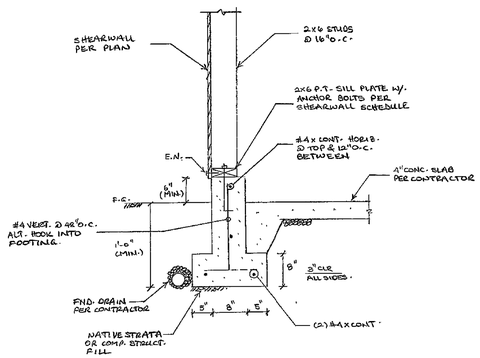
NOTE:
CORNER BARS TO MATCH THE SIZE OF HORIZONTAL REINFORCEMENT
(D) = DIAMETER OF BAR

TYPICAL CONCRETE CORNER REBAR DETAILS
N.T.S.

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-3
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE



INTERIOR STRIP FTG.
3/4"=1'-0"



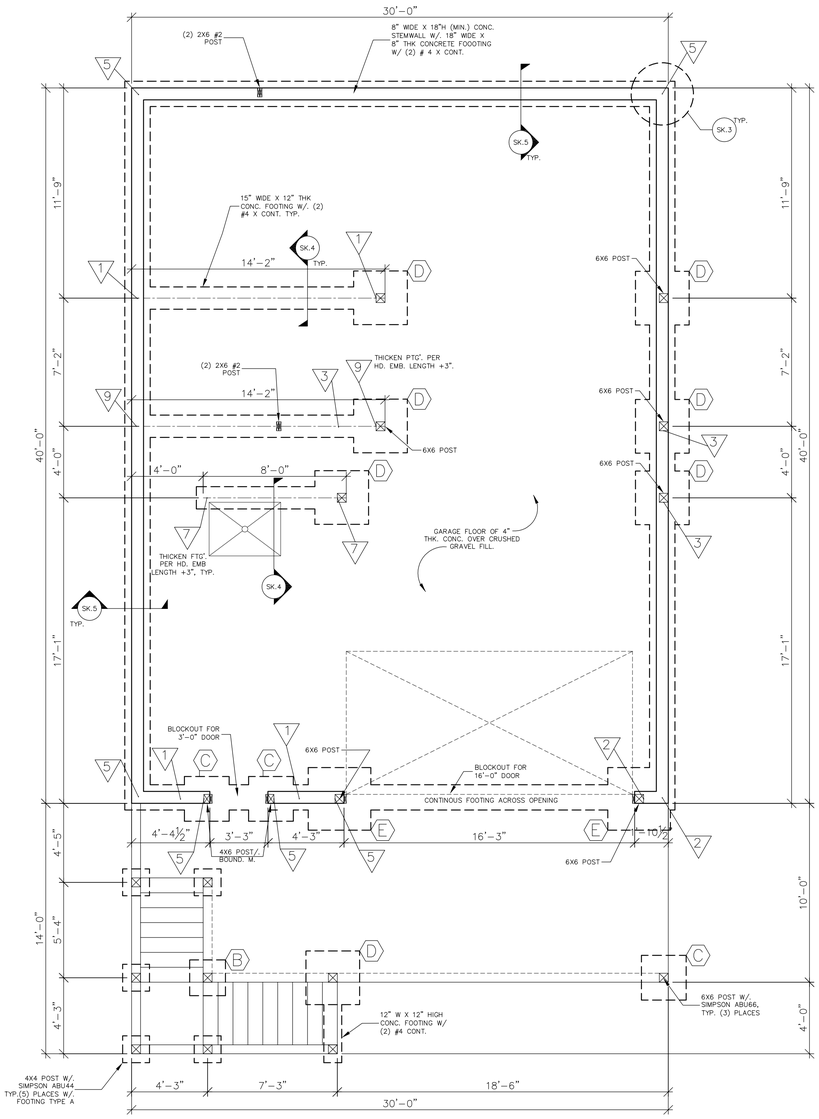
TYPICAL PERIMETER FOOTING
3/4"=1'-0"

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-4
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

LEE STRUCTURAL ENGINEERS LLC
FILE No: 210105 SHEET No: SK-5
MADE BY: JWL DATE: 2/17/21
CLIENT: 3 G'S CONSTRUCTION
PROJECT: 6600 LOGAN ROAD RESIDENCE

NORTHWEST CODE PROFESSIONALS
Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #: 541-21-000119-STR
Date: 04/15/2021
Reviewed for Lincoln City

Squash block all point loads through floors to the foundation/approved footings below.



FOUNDATION PLAN SCALE: 1/4" = 1'-0"

See attached Building Department Checklist. Numbered items on plans reference code requirements and corresponding code sections.

28 30 31 32
33 34 35 36

Setbacks to property lines shall be marked at the footing inspection. The contractor of record is responsible for establishing the correct property markers and setbacks.

Soil Conditions are assumed **1500psf**. If at excavation soils issues are found, consult a qualified engineer and the jurisdiction.

MARK	FOOTING SIZE	FOOTING REINFORCEMENT
A	1'-6" X 1'-6" X 10"	(2) #4 X 1'-0" EA. WAY
B	2'-0" X 2'-0" X 10"	(3) #4 X 1'-6" EA. WAY
C	2'-6" X 2'-6" X 10"	(3) #4 X 2'-0" EA. WAY
D	3'-0" X 3'-0" X 10"	(4) #4 X 2'-6" EA. WAY
E	3'-6" X 3'-6" X 12"	(4) #4 X 3'-0" EA. WAY

NOTE: THICKEN EXTERIOR ISOLATED PAD FOOTING TO 12" (MIN>) FOR FROST

NOTE:
-LOCATE FND. VENTS 12" CLEAR (MIN.) FROM HD'S. & AB'S

HOLDOWN TYPE/LOCATION
FOOTING MARK

EXPANSIVE SOILS OR OTHER SOIL ISSUES MAY BE PRESENT ON YOUR PROPERTY (BUILDING SITE). THE OWNER OR PERMIT HOLDER IS RESPONSIBLE TO VERIFY IF ANY SOIL CONDITIONS ARE PRESENT PRIOR TO FOUNDATION/ FOOTING INSTALLATION.

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ELISE HOME DESIGN
BRAD EISELE
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PHONE: (503)860-3000

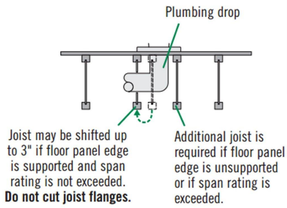
2400 PLAN
6600 LOGAN RD.
LINCOLN CITY, OREGON

CONTRACTOR: 3 G'S CONST.
(503) 871-8434

DATE: 03-07-21
SCALE: 1/4" = 1'-0"
DRAWN: BRAD EISELE
JOB:
SHEET: 6
OF 6 SHEETS

PARR LUMBER

THINK SAFETY- READ INSTALLATION INFORMATION BEFORE PROCEEDING



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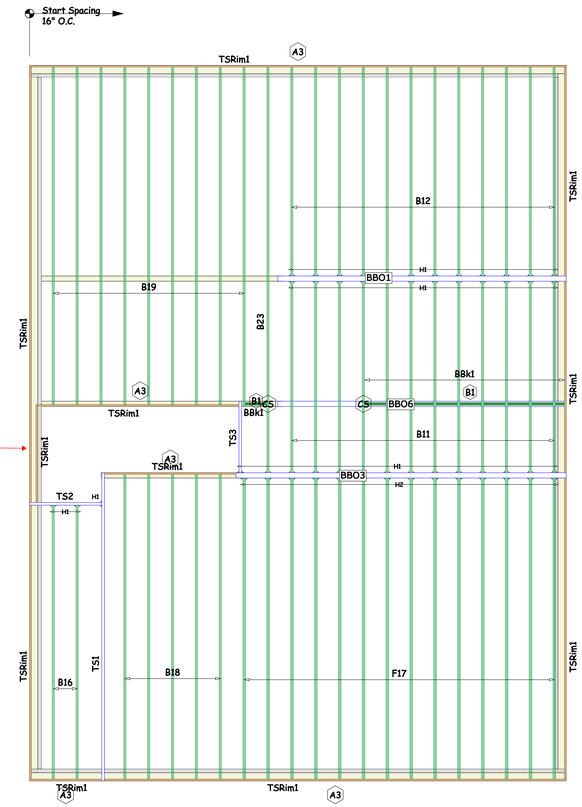
JAVELIN software by Weyerhaeuser

NORTHWEST CODE PROFESSIONALS

Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #:541-21-000119-STR
Date:04/15/2021
Reviewed for Lincoln City



Balloon frame exterior walls of all open areas, stair wells and vaulted gable end walls.

Framing Connector Summary								
PlotID	Qty	Manuf	Product	Skew	Slope	Backer Blks	Filler	Web Stiff
H1	41	Simpson	IUS1.81/11.88	-	-	No	No	No
H2	14	Simpson	IUS2.06/11.88	-	-	No	No	No

TJIs				
PlotID	Length	Product	Plies	Net Qty
B23	23-00-00	11 7/8" TJI 110 joist	1	1
B19	19-00-00	11 7/8" TJI 110 joist	1	9
B18	18-00-00	11 7/8" TJI 110 joist	1	5
B16	16-00-00	11 7/8" TJI 110 joist	1	2
B12	12-00-00	11 7/8" TJI 110 joist	1	12
BBk1	11-02-02	11 7/8" TJI 110 joist	1	1
B11	11-00-00	11 7/8" TJI 110 joist	1	12
F17	17-00-00	11 7/8" TJI 210 joist	1	14

TimberStrand				
PlotID	Length	Product	Plies	Net Qty
TSRim1	20-00-00	1 1/4" x 11 7/8" 1.3E TimberStrand LSL	1	5
TSRim1	20-00-00	1 1/4" x 11 7/8" 1.3E TimberStrand LSL	1	4
TS1	18-00-00	1 3/4" x 11 7/8" 1.55E TimberStrand LSL	1	1
TS2	5-00-00	1 3/4" x 11 7/8" 1.55E TimberStrand LSL	1	1
TS3	4-00-00	1 3/4" x 11 7/8" 1.55E TimberStrand LSL	1	1

Sheeting				
PlotID	Length	Product	Plies	Net Qty
		23/32"x48"x96" Weyerhaeuser Edge Gold Panel (0/24) T&G FF	1	37

LEVEL NOTES	
Current Date:	1/25/2021
File Name:	SP21-061.jvl
Level Name:	Main
Members with Design Overridden:	
TJ-Pro Rating (Weighted Average):	55
Minimum Level TJ - Pro Rating & Joist:	TJ-Pro rating = 46, joist = B18(i1098)
Maximum Level TJ - Pro Rating & Joist:	TJ-Pro rating = 70, joist = B11(i1111)
FLOOR	
Floor Container:	FC1
Use/Occupancy:	ResidentialLivingAreas
Floor Area Loading is:	40.0 lb/ft² Live Load & 15.0 lb/ft² Dead Load
Maximum Allowed Deflection:	L/480 Live Load & L/240 Total Load
TJ-Pro Rating Information:	
Weighted Average:	55
Directly Applied Ceiling:	Gypsum 5/8"
Decking Attachment:	Glue and Nail
Decking Material:	23/32"x48"x96" Weyerhaeuser Edge Gold Panel (0/24) T&G FF
Blocking at max 8-00-00 o.c.:	No

See Engineering "S" Pages

541-21-000119-STR
Approved plans shall be on site and accessible at inspection.

Squash block all point loads through floors to the foundation/approved footings below.

521-21-000119-STR

RECEIVED
03/15/2021
PLANNING

WARNING

Joists are unstable until braced laterally

Bracing Includes:
- Blocking
- Hangers
- Sheathing
- Strapping
- Stud Lues
- Rim joist

DO NOT walk on joists until braced. INJURY MAY RESULT.

DO NOT walk on joists that are lying flat.

DO NOT stack building materials on unsheathed joists. Stack only over beams or walls.

WARNING NOTES:

Lack of proper bracing during construction can result in serious accidents. Observe the following guidelines:

1. All blocking, hangers, rim boards and rim joists at the end supports of the TJI® joists must be completely installed and properly nailed before construction loads are applied to the floor system. Failure to do so may cause the joists to roll over. This can be accomplished by a temporary or permanent deck (sheathing) fastened to the first 4 feet of joists at the end of the span.
2. Safety bracing of foil (minimum) must be nailed to a braced end wall or sheathed area (as in note 2) and to each joist approximately 6 feet on center. Additional bracing or rubber is highly probable under light construction loads - such as a worker or one layer of unnailed sheathing.
3. Sheathing must be completely attached to each TJI® joist before additional loads can be placed on the system.
4. Ends of cantilevers require extra bracing on both the top and bottom flanges.
5. Do not place concentrated loads on the top flange before installation.

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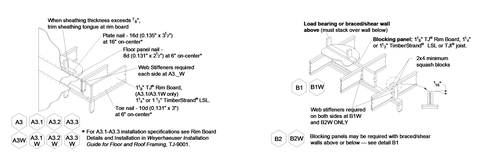
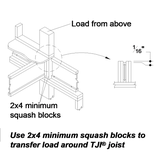




A COMPLETE JAVELINTM LAYOUT INCLUDES THE ILEVELTM FRAMER'S POCKET GUIDE.

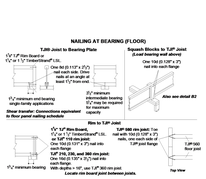
1. MATERIAL PLACEMENT PLAN DISCLAIMER:
PARR LUMBER COMPANY("PARR") DOES NOT GUARANTEE THE ACCURACY OF THIS MATERIAL PLACEMENT PLAN. THE MATERIAL LIST INCORPORATED IN THIS PLACEMENT PLAN IS AN ESTIMATE ONLY. THE ACTUAL MATERIAL USED MAY VARY SIGNIFICANTLY FROM THE AMOUNT OF MATERIAL ESTIMATED DUE TO A NUMBER OF FACTORS. PARR MAKES NO REPRESENTATION OR WARRANTY REGARDING THE ACTUAL AMOUNT OF MATERIAL USED. ALL LOADS AND DIMENSIONS USED TO CREATE THIS MATERIAL PLACEMENT PLAN HAVE BEEN SPECIFIED BY THE CUSTOMER AND VERIFIED BY THE CUSTOMER FOR COMPLETENESS, ACCURACY AND COMPLIANCE WITH APPLICABLE CODE REQUIREMENTS. IT IS THE RESPONSIBILITY OF THE CUSTOMER TO VERIFY ALL PRODUCTS LISTED FOR SIZE, LENGTH AND APPLICATION. THE CUSTOMER SHOULD ALSO REVIEW THIS PLACEMENT PLAN WITH QUALIFIED PROFESSIONAL EXPERT IN REGARD TO THE PARTICULAR STRUCTURE OF STRUCTURAL COMPONENTS THEREOF.

2. INDEMNIFICATION AND HOLD HARMLESS. CUSTOMER SHALL INDEMNIFY AND HOLD PARR, ITS OFFICERS, AGENTS AND EMPLOYEES HARMLESS AGAINST AND FROM ANY AND ALL CLAIMS, LIABILITY, DAMAGE, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY FEES, FOR ANY CLAIM, CAUSE OF ACTION, DEMAND, PERSONAL INJURY, DEATH OR DAMAGE TO ANY PROPERTY OR PERSON ARISING OUT OF OR IN ANY WAY CONNECTED WITH ANY ACT OR OMMISSION IN REGARD TO THIS PLAN.

3. LIMITATION OF LIABILITY. IN NO EVENT SHALL PARR BE LIABLE TO CUSTOMER OR ANY THIRD PARTY FOR LOSS OF PROFITS, REVENUE, DATA OR USE OR FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES SHALL BE LIMITED TO THE AMOUNT PAID BY CUSTOMER FOR THE GOODS OR SERVICES PROVIDED BY PARR UNDER THIS AGREEMENT.

THIS PLACEMENT PLAN MUST BE REVIEWED AND APPROVED BY THE DESIGN PROFESSIONAL OF RECORD. LOCATE PLUMBING OUTLETS AND ADJUST TJI® LAYOUT (+/-) 3" TO AVOID FLANGE DAMAGE. ALL LEDGER ATTACHMENTS MUST BE VERIFIED BY A DESIGN PROFESSIONAL OF RECORD. PURCHASER MUST VERIFY ALL PRODUCT AND DIMENSIONAL PRICES TO ORDERING PRODUCT.

TJ designed per Prescriptive International Residential Code, blocking is required over intermediate bearing in seismic Categories D0, D1, and D2 as per the exception in R502.7. Please refer to the engineer of record for requirements. Contact your dealer if additional material is required.



THIS DRAWING IS BASED ON:
ARCHITECTURAL DRAWINGS PREPARED BY: XXXXXXXXXXXXXXXXXXXX DATED: XX/XX/XX
STRUCTURAL DRAWINGS PREPARED BY: XXXXXXXXXXXXXXXXXXXX DATED: XX/XX/XX

JOB COMMENTS: SP21-061
3 G's Construction
6600 Logan Rd.
Parr Salem
Sergio S.

1/25/2021

Created By:
Parr Lumber Co.
Spencer Hawks
7650 NE Wagon Dr.
Hillsboro, OR
Phone: 503-638-6512
Email: spencer.hawks@parr.com

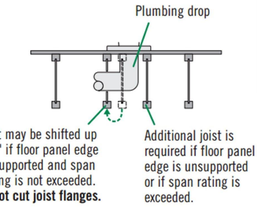
REV	BY	DATE

LAYOUT SCALE: 1/4" = 1'

SHEET
1 OF 2

PARR® LUMBER

THINK SAFETY- READ INSTALLATION INFORMATION BEFORE PROCEEDING



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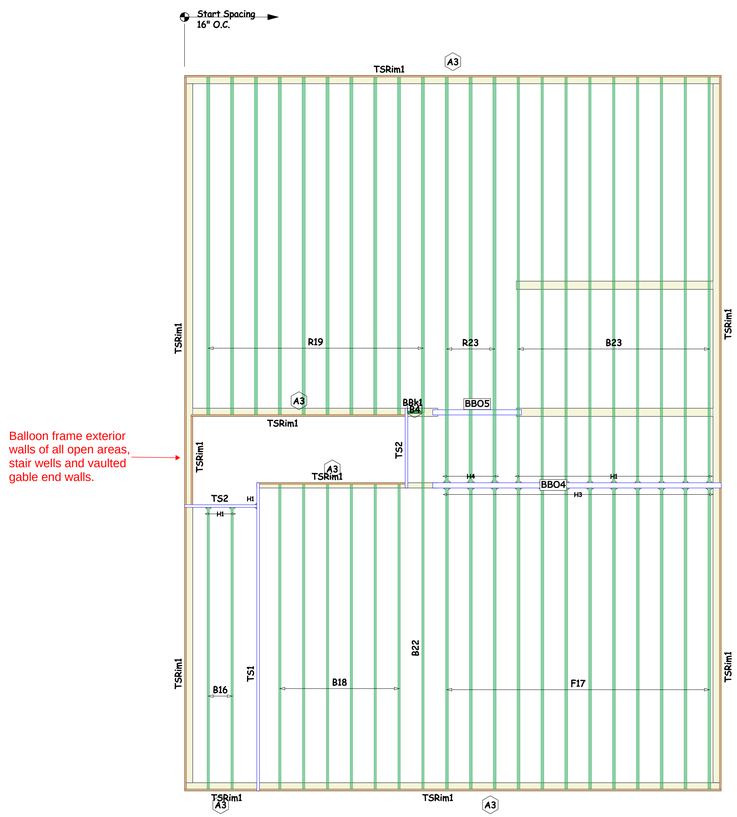
NORTHWEST CODE PROFESSIONALS

Reviewed for Code Compliance
Approved by: Brandon Zipser
Permit #:541-21-000119-STR
Date:04/15/2021
Reviewed for Lincoln City



Balloon frame exterior walls of all open areas, stair wells and vaulted gable end walls.

Framing Connector Summary								
PlotID	Qty	Manuf	Product	Skew	Slope	Backer Blks	Filler	Web Stiff
H1	12	Simpson	IUS1.81/11.88	-	-	No	No	No
H3	12	Simpson	IUS2.06/11.88	-	-	No	No	No
H4	3	Simpson	MIU2.37/11	-	-	No	No	Yes

TJIs				
PlotID	Length	Product	Plies	Net Qty
B23	23-00-00	11 7/8" TJI 110 joist	1	9
B22	22-00-00	11 7/8" TJI 110 joist	1	1
B18	18-00-00	11 7/8" TJI 110 joist	1	6
B16	16-00-00	11 7/8" TJI 110 joist	1	2
BBk1	9-02	11 7/8" TJI 110 joist	1	1
F17	17-00-00	11 7/8" TJI 210 joist	1	12
R23	23-00-00	11 7/8" TJI 360 joist	1	3
R19	19-00-00	11 7/8" TJI 360 joist	1	10

TimberStrand				
PlotID	Length	Product	Plies	Net Qty
TSRim1	20-00-00	1 1/4" x 11 7/8" 1.3E TimberStrand LSL	1	5
TSRim1	20-00-00	1 1/4" x 11 7/8" 1.3E TimberStrand LSL	1	4
TS1	18-00-00	1 3/4" x 11 7/8" 1.55E TimberStrand LSL	1	1
TS2	5-00-00	1 3/4" x 11 7/8" 1.55E TimberStrand LSL	1	2

Design Accessory				
PlotID	Length	Product	Plies	Net Qty
	9-02	7/8" x 2 5/16" Web Stiffeners	1	6

Sheeting				
PlotID	Length	Product	Plies	Net Qty
		23/32"x48"x96" Weyerhaeuser Edge Gold Panel (0/24) T&G FF	1	36

LEVEL NOTES	
Current Date:	1/25/2021
File Name:	SP21-061.jvl
Level Name:	Upper
Members with Design Overridden:	
TJ-Pro Rating (Weighted Average):	50
Minimum Level TJ - Pro Rating & Joist:	TJ-Pro rating = 46, joist = B16(i1154)
Maximum Level TJ - Pro Rating & Joist:	TJ-Pro rating = 63, joist = B23(i1177)
FLOOR	
Floor Container:	FC2
Use/Occupancy:	ResidentialLivingAreas
Floor Area Loading is:	40.0 lb/ft² Live Load & 15.0 lb/ft² Dead Load
Maximum Allowed Deflection:	L/480 Live Load & L/240 Total Load
TJ-Pro Rating Information:	
Weighted Average:	50
Directly Applied Ceiling:	Gypsum 5/8"
Decking Attachment:	Glue and Nail
Decking Material:	23/32"x48"x96" Weyerhaeuser Edge Gold Panel (0/24) T&G FF
Blocking at max 8-00-00 o.c.:	No

See Engineering "S" Pages

Squash block all point loads through floors to the foundation/approved footings below.

WARNING

Joists are unstable until braced laterally

Bracing includes:

- Decking
- Hangers
- Sheathing
- Blocking panels
- Metal Lines
- Iron Joist

DO NOT walk on joists until braced. INJURY MAY RESULT.

DO NOT walk on joists that are lying flat.

DO NOT stack building materials on unsheathed joists. Stack only over beams or walls.

WARNING NOTES:

Lack of proper bracing during construction can result in serious accidents. Observe the following guidelines:

1. All blocking, hangers, rim boards and rim joists at the end supports of the TJI® joists must be completely installed and properly nailed. Blocking panels may be required to transfer load around damaged or missing TJI® joists. Blocking panels must be accomplished by a temporary or permanent rim board (sheathing) fastened to the first 4 feet of joists at the end of the span.
2. Safety bracing of 1x4 (minimum) must be nailed to a braced end wall or sheathed area (as in note 2) and to each joist without this bracing, building sidewaysor inflexor is highly probable under light construction loads - such as a worker or one layer of unnailed sheathing.
3. Lateral bracing must be properly attached to each 1.5" joist before additional loads can be placed on the system.
4. Ends of cantilevers require safety bracing on both the top and bottom flanges.
5. The flanges must remain straight within 1/32" from true alignment.

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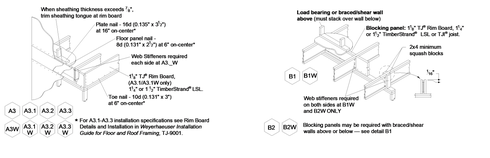
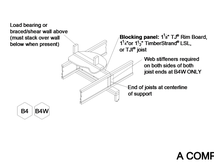
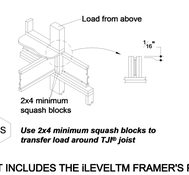
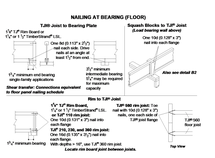






Use 2x4 minimum squash blocks to transfer load around TJI® joist

A COMPLETE JAVELINTM LAYOUT INCLUDES THE ILEVELTM FRAMER'S POCKET GUIDE.



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If designed per Prescriptive International Residential Code, blocking is required over intermediate bearing in seismic Categories D0, D1, and D2 per the exception in R502.7. Please refer to the engineer of record for requirements. Contact your dealer if additional material is required.

THIS DRAWING IS BASED ON:
ARCHITECTURAL DRAWINGS PREPARED BY: XXXXXXXXXXXXXXXXXXXX DATED: XX/XX/XX
STRUCTURAL DRAWINGS PREPARED BY: XXXXXXXXXXXXXXXXXXXX DATED: XX/XX/XX

JOB COMMENTS: SP21-061
3 G's Construction
6600 Logan Rd.
Parr Salem
Sergio S.
1/25/2021

REV	BY	DATE

Created By:
Parr Lumber Co.
Spencer Hawks
7650 NE Wagon Dr.
Hillsboro, OR
Phone: 503-638-6512
Email: spencer.hawks@parr.com

LAYOUT SCALE: 1/4" = 1'

SHEET
2 OF 2

From: Frederick Ulrich
To: Anne Marie Skinner
Subject: RE: VAR 2022-01 3GS Construction Setback Variance
Date: Tuesday, February 8, 2022 10:52:43 AM
Attachments: image002.png
image003.png

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The requested variance has no conflict with OFC requirements.

Frederick (Ed) Ulrich
Fire Marshal

North Lincoln Fire & Rescue
District #1

Phone: 541-996-2233
Cell: 541-921-9024
Fax: 541-996-5344
Email: fulrich@nlfr.org

Administrative Offices
Bob Everest Station 14
PO Box 200
2525 NW Highway 101
Lincoln City, OR 97367

From: Anne Marie Skinner <askinner@lincolncity.org>
Sent: Tuesday, February 08, 2022 10:33 AM
To: Department Heads <Department_Heads@lincolncity.org>; Brian.S.NELSON (Brian.S.NELSON@odot.state.or.us) <Brian.S.NELSON@odot.state.or.us>; BROWN Jevra * DSL <Jevra.BROWN@dsl.oregon.gov>; Clara Taylor (clara.taylor@dsl.oregon.gov) <clara.taylor@dsl.oregon.gov>; Daniel Wentz <dwentz@lincolncity.org>; Devils Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; duane.j.liner (duane.j.liner@odot.state.or.us) <duane.j.liner@odot.state.or.us>; Frederick Ulrich <fulrich@nlfr.org>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil; Lon French (lfrench@northlincolnsanitary.com) <lfrench@northlincolnsanitary.com>; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov) <Lisa.PHIPPS@dlcd.oregon.gov>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov) <Matthew.UNITIS@dsl.oregon.gov>
Subject: VAR 2022-01 3GS Construction Setback Variance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you know the content is safe.

Hello,

Attached to this email are application materials for a street side setback variance. The application was received February 6, 2022. Please review the application materials and provide an emailed response to this email indicating additional items you may need to complete your review **OR** provide any comments you have on the application, as well as your recommended conditions of approval.

Please reply **no later than Tuesday, February 15, 2022.** If no response is received, the assumption is that you have no comments, need no additional materials, and/or have no conditions of approval.

Anne Marie Skinner
DIRECTOR

City of Lincoln City | Planning & Community Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1228
E: askinner@LincolnCity.org | **W:** LincolnCity.org

From: trishhibler@gmail.com
To: Planning
Subject: Public Hearing on VAR 2022-01
Date: Monday, February 14, 2022 6:37:47 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I'm writing about the requested variance at 6604 NE Logan Road. They're requesting variance of 6.38 feet from the minimum 20-foot street side setback.

As I recall from a notice from a month or more ago, the property was also in violation on the north side property line with about the same measurement. I supposed it was just an oversight and that happens sometimes. Now that there's another variance requested, I'm wondering if it was intentional and then the builder just asks for a variance.

I own the house up the hill at 1923 NE 66th. The building of the two houses has impacted my view of the ocean, especially the house closest to 66th. Is that house also too close to the set back from the side street? That would be quite a coincidence.

I spoke to someone at the planning commission last spring about adding a very small deck to the street side front of my house. I was informed that it would violate the setback and wouldn't be allowed. It seems rather unfair that the house facing Logan Road is able to build so close to the side street (66th) since it faces Logan Road and blocks way more view than my small deck would have done.

I'm not sure how this can be resolved but I felt that I needed to state my objections.

Patricia Hibler, property owner
1923 NE 66th
Lincoln City, OR 97367

Mailing address:
1285 32nd Ave. NW
Salem, OR 97304
Sent from Mail for Windows

From: Alison Robertson
To: Anne Marie Skinner
Subject: RE: VAR 2022-01 3GS Construction Setback Variance
Date: Tuesday, February 8, 2022 12:09:38 PM
Attachments: image001.png

I have no comments.
Thanks,
Alison

Alison Robertson, AICP, LEED AP
DIRECTOR

City of Lincoln City | Urban Renewal & Economic Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1207
E: ARobertson@LincolnCity.org | **W:** LincolnCity.org

From: Anne Marie Skinner <askinner@lincolncity.org>
Sent: Tuesday, February 8, 2022 10:33 AM
To: Department Heads <Department_Heads@lincolncity.org>; Brian.S.NELSON (Brian.S.NELSON@odot.state.or.us) <Brian.S.NELSON@odot.state.or.us>; BROWN Jevra * DSL <Jevra.BROWN@dsl.oregon.gov>; Clara Taylor (clara.taylor@dsl.oregon.gov) <clara.taylor@dsl.oregon.gov>; Daniel Wentz <dwentz@lincolncity.org>; Devils Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; duane.j.liner (duane.j.liner@odot.state.or.us) <duane.j.liner@odot.state.or.us>; Frederick Ulrich (fulrich@nlfr.org) <fulrich@nlfr.org>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil; Lon French (lfrench@northlincolnsanitary.com) <lfrench@northlincolnsanitary.com>; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov) <Lisa.PHIPPS@dlcd.oregon.gov>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov) <Matthew.UNITIS@dsl.oregon.gov>
Subject: VAR 2022-01 3GS Construction Setback Variance

Hello,

Attached to this email are application materials for a street side setback variance. The application was received February 6, 2022. Please review the application materials and provide an emailed

response to this email indicating additional items you may need to complete your review **OR** provide any comments you have on the application, as well as your recommended conditions of approval.

Please reply **no later than Tuesday, February 15, 2022.** If no response is received, the assumption is that you have no comments, need no additional materials, and/or have no conditions of approval.

Anne Marie Skinner
DIRECTOR

City of Lincoln City | Planning & Community Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1228
E: askinner@LincolnCity.org | **W:** LincolnCity.org

NOTICE OF PUBLIC HEARING
VAR 2022-01

The Lincoln City Planning Commission will hold a public hearing to consider VAR 2022-01 on **Tuesday, March 1, 2022, at 6:00 p.m.** on the Zoom online platform. Any person who may be affected is invited to attend and participate in the hearing and present written and/or oral testimony concerning the project. The brochure included with this notice provides the procedure for conduct of hearings.

Description of Project

The Lincoln City Planning and Community Development Department received an application requesting a 6.38-foot variance from the minimum 20-foot street side setback.

The subject property is addressed as 6604 NE Logan Road, and identified as Assessor's Map 06-11-34-AA-03200. The applicant is 3G's Construction, Inc. The property owner is also 3G's Construction, Inc.

Applicable Criteria and Staff Report

The applicable criteria governing this review are: Lincoln City Municipal Code (LCMC) Chapter 17.17 Single-Family Residential, Roads End (R-1-RE) Zone; Section 17.76.050 Type III Procedures; and Section 17.77.140 Variances. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost to individuals who request it.

For More Information

The complete file may be reviewed online at www.lincolncity.org by going to Departments in the top bar, then Planning & Community Development, then Land Use Cases, then Variance, and then VAR 2022-01. A copy of the application and all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost at the Lincoln City Planning and Community Development Department, 801 SW Highway 101, Lincoln City, Oregon. **For additional information, please call Anne Marie Skinner, Director, at 541.996.1228**.

Written Comments and/or Testimony

Failure of an issue to be raised in a hearing in person, or by letter/email, or failure to provide statements or evidence sufficient to afford the Planning Commission and/or City Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA). Please email your comments to planning@lincolncity.org or mail to Lincoln City Planning and Community Development, PO Box 50, Lincoln City, Oregon 97367.

Planning Commission meetings are televised live on Charter Channel 4 Lincoln City and rebroadcast at various times. They are streamed live on the internet through a link on the City of Lincoln City website, and can also be viewed following the meeting. The meeting location at Lincoln City City Council Chambers, 801 SW Highway 101, is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing impaired device, or for other accommodations for persons with disabilities should be made at least 48 hours in advance of the meeting to the City Recorder, at 541.996.1203.

DATE MAILED: February 8, 2022
DATE PUBLISHED: February 15, 2022

Variance
Staff Report for Planning Commission Public Hearing
Case File VAR 2022-01

Date: February 18, 2022

Case File: VAR 2022-01 6604 NE Logan Rd Street Side Setback

Applicant: 3 G's Construction, Inc.
PO Box 85
Salem, OR 97308

Property Owner: 3 G's Construction, Inc.
PO Box 85
Salem, OR 97308

Situs Address: 6604 NE Logan Rd

Location: Northeast corner NE Logan Rd/NE 66th St intersection

Tax Map and Lot: 06-11-34-AA-03200-00

Comprehensive Plan Designation: Single-Family Residential District (R-5)

Zoning District: Single-Family Residential, Roads End (R-1-RE) Zone

Site Size: 0.10 acre

Proposal: Vary required 16.38-foot street side setback to 10 feet

Surrounding Land Uses and Zones:
North: Residential; R-1-RE
South: Residential; R-1-RE
East: Residential; R-1-RE
West: Residential; R-1-RE

Authority: Lincoln City Municipal Code (LCMC) 17.76.050.G states that Table 17.76.020-1 identifies the decision authority for each Type III application. Table 17.76.020-1 of LCMC Chapter 17.76 identifies a variance as a Type III application with the decision authority given to the Planning Commission.

Procedure: The Planning and Community Development Department mailed notice to the owners of all properties within 250 feet of the site on February 8, 2022. The *News Guard* published the public hearing notice on February 15, 2022.

Applicable Substantive Criteria:	LCMC Chapter 17.17 Single-Family Residential, Roads End (R-1-RE) Zone LCMC Section 17.76.050 Type III Procedures LCMC Section 17.77.140 Variances

BACKGROUND

The subject property (site) is addressed as 6604 NE Logan Rd and contains a newly-constructed detached dwelling. The application for a structural (building) permit for the new construction was submitted on March 10, 2021. The review of the site plan by the former senior planner, David Mattison, took place on March 25, 2021, with subsequent approval. Public Works and Building staff completed their reviews and the permit was issued on April 28, 2021.

With the issued permit, the applicant proceeded to site preparation. This included clearing and grading, as well as setting the footings for the pouring of the foundation. The applicant requested the required setback inspection, which was subsequently performed on May 17, 2021, by David Mattison. David Mattison approved the setback inspection. Both the site plan and the setback inspection approved by David Mattison showed a street side setback of 10 feet, rather than the required 16.38 feet.

A citizen complaint was filed in January 2022 regarding the possible street side setback encroachment. The complaint was verified and a code violation case was created on January 20, 2022. A courtesy notice was issued to the property owner of the site requesting that, no later than January 30, 2022, one of three actions take place: remove all setback encroachments; apply for a zoning code text amendment to LCMC 17.17.070; or apply for a variance for the street side setback. The applicant chose to apply for a variance and subsequently submitted the required application and fee.

COMMENTS

On February 8, 2022, Fire Marshal Ulrich provided a comment that the requested variance has no conflict with OFC requirements.

On February 8, 2022, the director of Lincoln City Urban Renewal & Economic Development emailed that she has no comments.

On February 14, 2022, Patricia Hibler provided comments stating that the building of the house has impacted her view of the ocean and questioning the fairness of this variance request when she wasn't allowed to add a small deck to the street side of her house because it would have violated the setback. Staff notes that LCMC Title 17 has no requirements for view protection and impacts to views is not a criterion for approving or disapproving a variance.

ANALYSIS

17.08 Definitions

"Setback" means the minimum or maximum distance required between a specified object and another point. Typically, a setback refers to the minimum or maximum distance from a building or structure to a specified property line. "Street side setback" means the required distance from the street side property line and a specified object.

17.17.070 Lot requirements.

Lot requirements shall be as follows:

D. The minimum front yard shall be 20 feet. Except that the minimum setbacks from Logan Road need not exceed the average setback of buildings on all lots within 100 feet of the lot on which the proposed building is to be located and that abut Logan Road.

Finding: The average setback of buildings on all lots within 100 feet of the site and that abut Logan Rd calculates to 12.77 feet. Accordingly, the front setback for the site is 12.77 feet. All portions of the structure, including porches, stairs, decks, and balconies that are over 30 inches from the ground, must meet the 12.77-foot-front setback requirement. In this case, the front of the main wall of the house is set back 34.4 feet from the front property line, and the upper stairs and deck that are over 30 inches from the ground are set back 20 feet from the front property line. The front setback requirement is not only met, but is exceeded by 7.32 feet.

F. The minimum street side yard shall be 20 feet, except that it may be one foot less for each two feet of front yard setback over the minimum, but not to less than 10 feet.

Finding: The front setback for the site is 12.77 feet. The front of the main wall of the house is set back 34.4 feet from the front property line. However, the upper stairs and deck on the front of the house that are over 30 inches from the ground are only set back 20 feet from the front property line. Accordingly, the provided front setback is 7.32 feet over the minimum of that which is required (required 12.77 feet, provided 20 feet – 20-12.77 = 7.32).

The provided front setback is 20 feet. The required front setback is 12.77 feet. The distance over the minimum of 20 feet is determined by subtracting the minimum requirement (12.77 feet) from what has been provided (20 feet) to yield 7.32. That number is then divided by 2, which equals 3.62.

3.62 is then subtracted from the minimum street side setback of 20 feet to give the required street side setback for this site at 16.38 feet. The provided street side setback is 10 feet, which means that the house encroaches by 6.38 feet into the required street side setback.

17.77.140 Variance

C. Approval Criteria. To approve a variance, the planning commission shall make findings of fact, based on evidence provided, that all of the following circumstances exist:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control;

Finding: This criterion requires evidence of an exceptional or extraordinary circumstance that applies to this site, which does not apply to other properties in the vicinity, over which the applicant has no control. The applicant feels this criterion is met with the extraordinary circumstance being the city's inaccurate review and approval of the site plan showing the 10-foot street side setback, followed by the city's inaccurate passing of the setback inspection, both over which the applicant has no control. The applicant's narrative specifically states the following:

> "The extraordinary circumstance here is the fact that with a street side setback of 10 feet, the newly-constructed house on the property does not meet the street side setback requirement… The situation came about as a result of a cascade of mistakes on the part of the city…Before purchasing the property, on November 17th, I called and talked to James White in the planning department in a 13 minute phone call. Among the matters I spoke with him about, we specifically talked about setbacks. At that time he told me that the street side setback was 10 feet…Except for the misinformation about the street side setback he was very helpful and informative…As a part of the planning department review the reviewer, David Mattison, checked the setbacks, including the street side setback. The plans showed clearly that the proposed setback was 10 feet. The reviewer approved the plans as I submitted them with the 10-foot setback…When the forms were in place, as required I called the city for an inspection. One of the primary purposes of this inspection is to ensure that the house is being placed properly on the lot in accordance

> with the approved plans and that the required setbacks are met. The planning department's inspector, David Mattison, approved everything and the forms passed inspection. I then went ahead and poured the footings and built the house… This was a shock to me as I had asked specifically about setbacks, had passed the building plans review (including setbacks), and had passed the field inspection (also including setbacks). As a consequence I have a completed house that is not allowed to be occupied, and I am asking for a variance."

The applicant's narrative also states:

> "As a side note, it is important to understand that this is not a case of claiming that because of the city's repeated mistakes, the city is estopped from applying the ordinance's setback requirement. Instead, this is a case where, yes, the setback requirement applies, but because of the extraordinary circumstance resulting from the city's mistakes – the completed house that does not fully meet the setback requirements – the ordinance's variance provisions allow me the necessary relief."

The applicant has not provided any evidence of an exceptional or extraordinary circumstance which does not apply to the other properties in the R-1-RE zone or the vicinity **and** result from lot size or shape legally existing prior to the date of the ordinance codified. No evidence has been provided that the lot size or shape of the site is an exceptional or extraordinary circumstance. No evidence has been provided that the topography of the site is an exceptional or extraordinary circumstance. The applicant is relying on the "other circumstances over which the applicant has no control" portion of 17.77.140.C and is claiming the circumstance over which the applicant has no control is the city's inaccurate approval of the site plan and subsequent inaccurate approval of the setback inspection. Staff concludes that the applicant has not provided evidence to support the existence of an exceptional or extraordinary circumstance that applies to the site; therefore, this criterion is not met.

2. *The variance is necessary for the preservation of a property right of the applicant which is substantially the same as owners of other property in the same zone or vicinity possess;*

Finding: The applicant states that "the property right involved here is the right to build and occupy a detached dwelling on the property" and that the "house has been built but cannot be occupied because the final inspection revealed that it does not meet the setback requirement" and that the "variance is needed so that the house may be occupied."

Staff finds that a detached dwelling is an allowed use in the R-1-RE zone, per LCMC Chapter 17.17. This property right is enjoyed by all property owners in the R-1-RE zone. When a detached dwelling is constructed in accordance with the Oregon Residential Specialty Code (ORSC), occupancy of that dwelling is allowed. Again, this occupancy right is shared by all properties in the R-1-RE zone that meet the requirements of the ORSC. A building permit for a detached dwelling has been applied for and obtained. The construction of the dwelling is complete and is ready for the final building inspection by the building official. Provided the ORSC requirements are met and passed in the building official's final building inspection, the building official will issue the certificate of occupancy. Setback violations are not grounds for denying issuance of a certificate of occupancy. Specifically, ORSC R105.4 states that the building official is authorized to prevent occupancy or use of a structure where in violation of this (referring to the ORSC) code by withholding or revoking a certificate of occupancy. However, setback requirements are not part of the ORSC; therefore, meeting or not meeting a setback requirement is irrelevant to the issuance of the certificate of occupancy. This criterion is not met.

3. *The variance should not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city planning policy;*

Finding: The site is in the R-1-5 zone. The site is surrounded on all sides by properties also in the R-1-5 zone. Surrounding properties either already contain detached dwellings or are planned for the future construction of detached dwellings. The existing dwelling on the southeast corner of the NE Logan Rd/NE 66th St exceeds the required 20-foot street side setback at approximately 27'-1 ¾". However, houses at 1830 NE 66th St, 1918 NE 66th St, 6555 NE Neptune Dr, and 2030 NE 66th St do not meet the required 20-foot street side setback at 18'-10 ½", 16'-1 ¾", 14'-1/4", and 8'-8 ¼", respectively. Additionally, it appears that two existing houses don't meet the required 20-foot front setback at 19'-5 ¾" for 1923 NE 66th St and 16'-11 ½" for 2023 NE 66th St. Having one more house not meeting a required setback in amongst the 6 houses in the vicinity that also don't meet a required setback will not be materially detrimental to the vicinity. Staff also notes that the R-1-RE zone is the only residential zone in the city that requires a minimum 20-foot street side setback and a minimum 20-foot front setback. The R-1-5, R-1-7.5, and R-1-10 zones only require a minimum 5-foot street side and front setback for single-story dwellings and a minimum 7.5-foot street side and front setback for two- or three-story dwellings. Staff concludes that this circumstance for granting a variance exists.

4. *The variance requested is the minimum variance which would alleviate the hardship.*

Finding: The required street side setback in this case is 16.38 feet, and what has been provided in the completed house construction is 10 feet. The request is the minimum necessary to alleviate the street side setback encroachment by allowing a variance to the minimum requirement from 16.38 feet to 10 feet. The hardship is that, since the house is constructed, there are three options to alleviate the encroachment: 1) obtain a 6.38-foot variance; 2) obtain a text amendment to change the minimum street side setback requirement in the R-1-RE zone; or 3) remove the southernmost 6.38 feet of the house to meet the required 16.38-foot-minimum setback from street side property line. The applicant states: "The minimum necessary to alleviate this hardship is varying the street-side setback from 16.38 feet to 10 feet." Staff concludes that this criterion is met.

RECOMMENDATION

Staff submits that the evidence presented in the submitted application materials, as concluded in the findings in this report, is not sufficient to show that every criterion is being met, and recommends denial of the request.

6720
1825
1831
1851
1895
1911
1919
1923
1955
1961
NE 67TH ST
6626
1834
1904
1916
1928
1940
1962
6612
6604
1835
1847
1909
1923
1943
2005
2023
2035
21'-6 1/4"
41'-7"
25'-3 1/4"
19'-5 3/4"
21'-6 1/4"
53'-2 1/2"
16'-11 1/2"
NE 66TH ST
27'-1 3/4"
18'-10 1/2"
16'-1 3/4"
14'-1/4"
8'-8 1/4"
6554
1830
1918
6555
2030
2044
6546
6542
6537
6538
6525
6532
6541
NE MAST AV
NE NEPTUNE DR
N
1 inch = 60 feet

Planning Commission Communication

CPA ZC 2022-01 Purvine

Meeting Date:	March 1, 2022	Primary Staff Contact:	AnneMarie Skinner
Department:	Planning Commission	E-Mail:	ASkinner@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:		Estimated Time:	

See attached staff report

Attachments:

Application CPA ZC 2022-01 (PDF)
LAKESIDE_HEIGHTS (PDF)
CPA ZC 2022-01 County Zoning (PNG)
Zoning (BMP)
Comments Combined (PDF)
CPA ZC 2022-01 Staff Report (DOCX)

OFFICE USE ONLY		OFFICE USE ONLY
Date Filed: _____ Amount/Fee: _____ Receipt No: _____ Received By: _____ 30 Days: _____ Deemed Incomplete: _____ Deemed Complete: _____ 120 Day Deadline: _____	City of Lincoln City **LAND USE APPLICATION**	Stamp Date Received **File No:**

APPLICATION TYPE

☐ ANNEXATION	☐ LOT LINE ADJUSTMENT	☐ SITE PLAN REVIEW
☐ APPEAL OF PLANNING COMMISSION DECISION	☐ MINOR PARTITION	☐ SUBDIVISION
☐ APPEAL OF PLANNING DEPARTMENT DECISION	☐ NATURAL RESOURCE DEVELOPMENT REVIEW	☐ URBAN GROWTH BOUNDARY AMENDMENT
☑ COMPREHENSIVE PLAN & ZONING MAP AMENDMENT	☐ NATURAL RESOURCE DEVELOPMENT VARIANCE	☐ VACATION
☐ COMPREHENSIVE PLAN &/OR ZONING ORDINANCE TEXT AMENDMENT	☐ PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN	☐ VARIANCE
☐ CONDITIONAL USE PERMIT	☐ PLANNED UNIT DEVELOPMENT FINAL MASTER PLAN	☐ OTHER_____

NAME OF APPLICANT: City of Lincoln City

MAILING ADDRESS: PO Box 50

CITY: Lincoln City STATE: OR ZIP: 97367

DAYTIME PHONE: 541.996.1228 Signature: John K. Broomall - Karla J. Broomall Trustee

EMAIL (OPTIONAL): askinner@lincolncity.org

OWNER OF RECORD (if other than applicant)

NAME: Gary H. Purvine and John K. Broomall, Trustee and Karla J. Broomall, Trustee

MAILING ADDRESS: PO Box 125

CITY: Corbett STATE: OR ZIP: 97019

DAYTIME PHONE: 503.307.2427 Signature: John K. Broomall - Karla J. Broomall Trustee Gary H Purvine

EMAIL (OPTIONAL): garypurvine@aol.com

APPLICANT AND/OR OWNER'S INTEREST IN PROPERTY SUBJECT TO REQUEST:

☐ AGENT, ☐ FEE OWNER, ☐ CONTRACT PURCHASER, ☐ OPTION HOLDER, ☐ LESSEE, ☐ OTHER

PROJECT LOCATION: south of NE 40th Ct, approx. 125' west of NE Johns Ave & 162' east Devils Lake

PROJECT ADDRESS: 3508 NE 40th Court

ASSESSOR'S MAP NO.: 07-11-02-AC **TAX LOT(S):** 00800

AREA: 0.26 **(acres)** **SQ. FT.:** 11,326 **ZONING:** R-M

Planning and Community Development, 801 SW Highway 101, PO Box 50, Lincoln City, OR 97367
Tel: 541-996-2153 Fax 541-996-1284

BOOK 15 PAGE 49

LAKESIDE HEIGHTS

(REPLATTING A PORTION OF LOT I, BLOCK I, CROWN IMPERIAL III)

A SUBDIVISION PLAT LOCATED IN THE NE 1/4 OF SECTION 2, T7S, R11W, W.M.
CITY OF LINCOLN CITY, LINCOLN COUNTY, OREGON

FILED
NOV 15 1994
AT 03:30 O'CLOCK P. M.
DANA W. JENKINS, COUNTY CLERK
BY N. Black DEPUTY

SURVEYOR'S NARRATIVE

BOUNDARY SURVEY OF A PORTION OF THAT TRACT OF LAND DESCRIBED IN MICROFILM VOLUME 275, PAGE 2157, LINCOLN COUNTY RECORDS FOR THE PURPOSE OF SUBDIVIDING SAID PORTION. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH LINE OF THE PLAT OF "LAKE POINT" AS RECORDED IN PLAT BOOK 8, PAGE 13, LINCOLN COUNTY RECORDS AND AS DEFINED BY MONUMENTS FOUND AS SHOWN IN COUNTY SURVEY No. 9314. THE BOUNDARIES OF THE SUBJECT PARCEL WERE CALCULATED FROM APPROVED TENTATIVE PLAT OF "LAKESIDE HEIGHTS", THE PROPERTY LINE ADJUSTMENT SURVEY RECORDED AS COUNTY SURVEY No. 14,532, THE HIGH WATER LINE OF DEVILS LAKE AND THE WEST LINE OF NE JOHN'S AVE. AS DEFINED IN COUNTY SURVEY No. 9314. LOCATED IN THE NE 1/4 OF SECTION 2, T7S, R11W, W.M. LINCOLN COUNTY, OREGON.

SURVEYOR'S CERTIFICATE

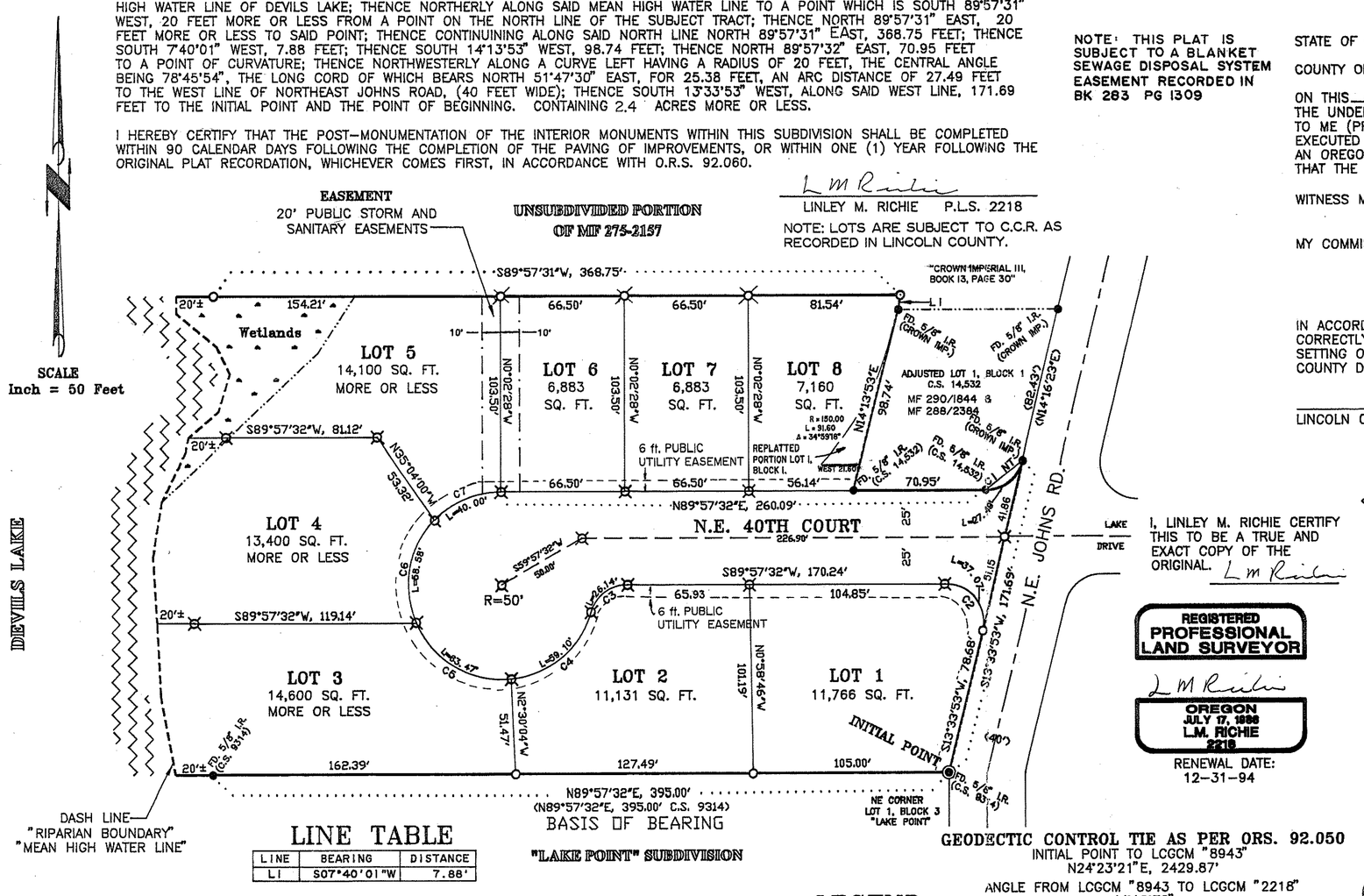
I, LINLEY M. RICHIE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ANNEXED MAP OF "LAKESIDE HEIGHTS" AND THE INITIAL POINT OF SAID MAP IS A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 1, BLOCK 3, "LAKE POINT" SUBDIVISION AS RECORDED IN PLAT BOOK 8, PAGE 13, LINCOLN COUNTY RECORDS, LOCATED IN THE NE 1/4 OF SECTION 2, T7S, R11W W.M. LINCOLN COUNTY OREGON. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FROM SAID INITIAL POINT SOUTH 89°57'32" WEST, ALONG THE NORTH LINE OF "LAKE POINT", 395.00 FEET; THENCE CONTINUING ALONG SAID NORTH LINE 20 FEET MORE OR LESS TO THE HIGH WATER LINE OF DEVILS LAKE; THENCE NORTHERLY ALONG SAID MEAN HIGH WATER LINE TO A POINT WHICH IS SOUTH 89°57'31" WEST, 20 FEET MORE OR LESS FROM A POINT ON THE NORTH LINE OF THE SUBJECT TRACT; THENCE NORTH 89°57'31" EAST, 20 FEET MORE OR LESS TO SAID POINT; THENCE CONTINUINING ALONG SAID NORTH LINE NORTH 89°57'31" EAST, 368.75 FEET; THENCE SOUTH 7°40'01" WEST, 7.88 FEET; THENCE SOUTH 14°13'53" WEST, 98.74 FEET; THENCE NORTH 89°57'32" EAST, 70.95 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE LEFT HAVING A RADIUS OF 20 FEET, THE CENTRAL ANGLE BEING 78°45'54", THE LONG CORD OF WHICH BEARS NORTH 51°47'30" EAST, FOR 25.38 FEET, AN ARC DISTANCE OF 27.49 FEET TO THE WEST LINE OF NORTHEAST JOHNS ROAD, (40 FEET WIDE); THENCE SOUTH 13°33'53" WEST, ALONG SAID WEST LINE, 171.69 FEET TO THE INITIAL POINT AND THE POINT OF BEGINNING. CONTAINING 2.4 ACRES MORE OR LESS.

I HEREBY CERTIFY THAT THE POST-MONUMENTATION OF THE INTERIOR MONUMENTS WITHIN THIS SUBDIVISION SHALL BE COMPLETED WITHIN 90 CALENDAR DAYS FOLLOWING THE COMPLETION OF THE PAVING OF IMPROVEMENTS, OR WITHIN ONE (1) YEAR FOLLOWING THE ORIGINAL PLAT RECORDATION, WHICHEVER COMES FIRST, IN ACCORDANCE WITH O.R.S. 92.060.

L M Richie
LINLEY M. RICHIE P.L.S. 2218

NOTE: LOTS ARE SUBJECT TO C.C.R. AS RECORDED IN LINCOLN COUNTY.

NOTE: THIS PLAT IS SUBJECT TO A BLANKET SEWAGE DISPOSAL SYSTEM EASEMENT RECORDED IN BK 283 PG 1309



I, LINLEY M. RICHIE CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL. L M Richie

REGISTERED PROFESSIONAL LAND SURVEYOR
L M Richie
OREGON JULY 17, 1986 L.M. RICHIE 2218
RENEWAL DATE: 12-31-94

GEODECTIC CONTROL TIE AS PER ORS. 92.050
INITIAL POINT TO LCGCM "8943"
N24°23'21"E, 2429.87'
ANGLE FROM LCGCM "8943 TO LCGCM "2218"
44°10'32"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S07°40'01"W	7.88'

CURVE TABLE

CURVE	DELTA	R	L	Ts	LONG CHORD			
C1	78°45'54"	20.00'	27.49'	16.42'	N51°47'30"E	25.38'		NONTANGENT
C2	106°12'22"	20.00'	37.07'	26.64'	S39°28'06"E	31.99'		
C3	74°53'12"	20.00'	26.14'	15.32'	S54°01'20"W	24.32'		
C4	67°43'25"	50.00'	59.10'	33.55'	S50°24'24"W	55.72'		
C5	72°43'34"	50.00'	63.47'	36.81'	S59°22'07"E	59.29'		
C6	67°07'40"	50.00'	58.58'	33.17'	N10°33'30"E	55.29'		
C7	45°50'12"	50.00'	40.00'	21.14'	N67°02'26"E	38.94'		

LEGEND

- ◉ DENOTES INITIAL POINT AS NOTED
- O DENOTES MONUMENT SET: 5/8" X 30" RE-BAR WITH YELLOW PLASTIC CAP MARKED "LIN RICHIE PLS 2218"
- ⌑ DENOTES MONUMENT SET: 5/8" X 30" RE-BAR WITH YELLOW PLASTIC CAP MARKED "LIN RICHIE PLS 2218" (TO BE SET DURING POST MONUMENTATION)
- ● DENOTES MONUMENTS FOUND HELD FOR CONTROL AS NOTED
- ( ) DENOTES RECORD INFORMATION

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT DISHONGH AND PALMER LTD. IS THE OWNER OF THE TRACT OF LAND TO BE PLATTED AND DOES HEREBY MAKE, ESTABLISH, AND DECLARE THE ANNEXED MAP OF "LAKESIDE HEIGHTS", BEING MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, A TRUE MAP AND PLAT THEREOF, ALL LOTS BEING THE DIMENSIONS SHOWN ON SAID MAP AND PUBLIC STREETS BEING OF THE WIDTHS THEREON SET FORTH, AND SAID DISHONGH AND PALMER LTD. DOES HEREBY "DEDICATE TO THE CITY OF LINCOLN CITY" FOR USE OF THE PUBLIC ALL STREETS AND EASEMENTS SHOWN ON THE ACCOMPANYING PLAT. THERE ARE NO WATER RIGHTS APPURTENANT TO THIS PROPERTY.

Dan Dishongh President
DAN DISHONGH, PRESIDENT OF DISHONGH & PALMER LTD.
CONSENTS FROM BENEFICIARIES, BOOK 291, PAGES 749 & 750

ACKNOWLEDGEMENT

STATE OF OREGON
SS.
COUNTY OF Lincoln

ON THIS 16th DAY OF August, IN THE YEAR 1994, BEFORE ME Karen M Hervin, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED DAN DISHONGH, PERSONALLY KNOWN TO ME (PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE), TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS PRESIDENT ON BEHALF OF DISHONGH AND PALMER LTD. AN OREGON CORPORATION, THE CORPORATION THEREIN NAMED, AND ACKNOWLEDGED TO BE THAT THE CORPORATION EXECUTED IT.

WITNESS MY HAND AND OFFICIAL SEAL

OFFICIAL SEAL
KAREN M HERVIN
NOTARY PUBLIC - OREGON
COMMISSION NO. 015871
MY COMMISSION EXPIRES JUNE 4, 1996

MY COMMISSION EXPIRES: June 4, 1996

INTERIOR CORNER MONUMENTATION

IN ACCORDANCE WITH O.R.S. 92.070, THE INTERIOR CORNERS OF THIS SUBDIVISION HAVE BEEN CORRECTLY SET WITH PROPER MONUMENTS. AN AFFIDAVIT HAS BEEN PREPARED REGARDING THE SETTING OF SAID MONUMENTS AND RECORDED IN BOOK_____, ON PAGE_____, LINCOLN COUNTY DEED RECORDS.

APPROVALS

LINCOLN COUNTY SURVEYOR

Benjamin Mullins — October 13, 1994
LINCOLN CITY PLANNER — DATE

November 9, 1994
LINCOLN COUNTY SURVEYOR / ~~DEPUTY~~ — DATE

Linda Pitzer by CR — 11-10-94
LINCOLN COUNTY TAX COLLECTOR / DEPUTY — DATE

Ed Todd by AP — 11-9-94
LINCOLN COUNTY ASSESSOR — DATE

Don Lindly 11/9/94 — LINCOLN COUNTY COMMISSIONER / DATE
Sean Cowan 11/9/94 — LINCOLN COUNTY COMMISSIONER / DATE

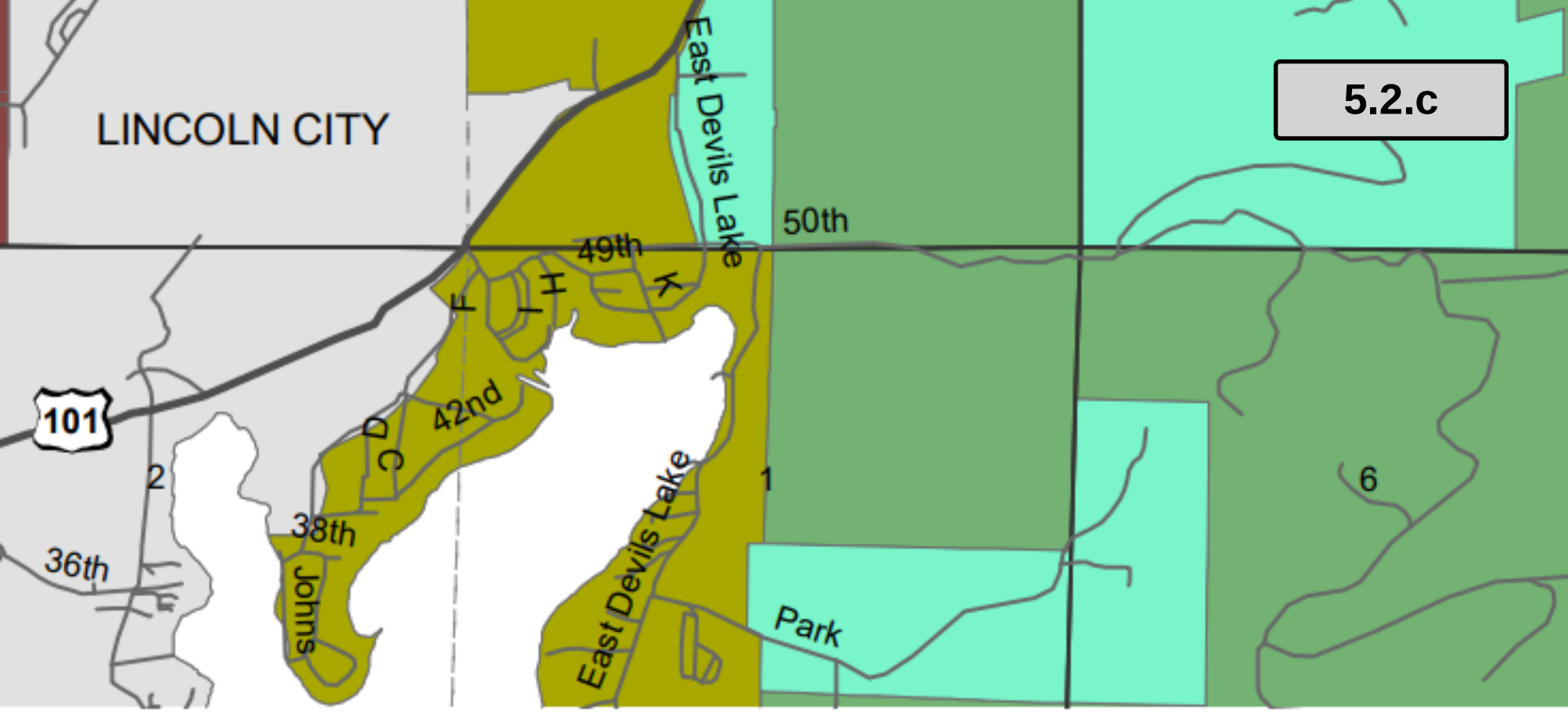
11/9/94 Nancy E. Osman — LINCOLN COUNTY COMMISSIONER
Dana W. Jenkins by ~~CRD~~ 11-15-94 — LINCOLN COUNTY CLERK / DATE

Lola Peterson — October 13, 1994
CHAIRMAN, LINCOLN CITY PLANNING COMMISSION — DATE

Paul Christensen — October 13, 1994
LINCOLN CITY ENGINEER — DATE

CHECKED BY: LMR
DRAWN BY: GAM
SCALE: 1" = 50'
DATE: 7-18-94
JOB No. 9403038

LIN RICHIE SURVEYING / LRS
CONSULTING LAND SURVEYORS
3330 N.E. 101 SUITE 1
Lincoln City, Oregon 97367
-LIN RICHIE P.L.S.-
(503) 994-4234 Fax (503) 994-7221



g

A-C [Agricultural Conservation

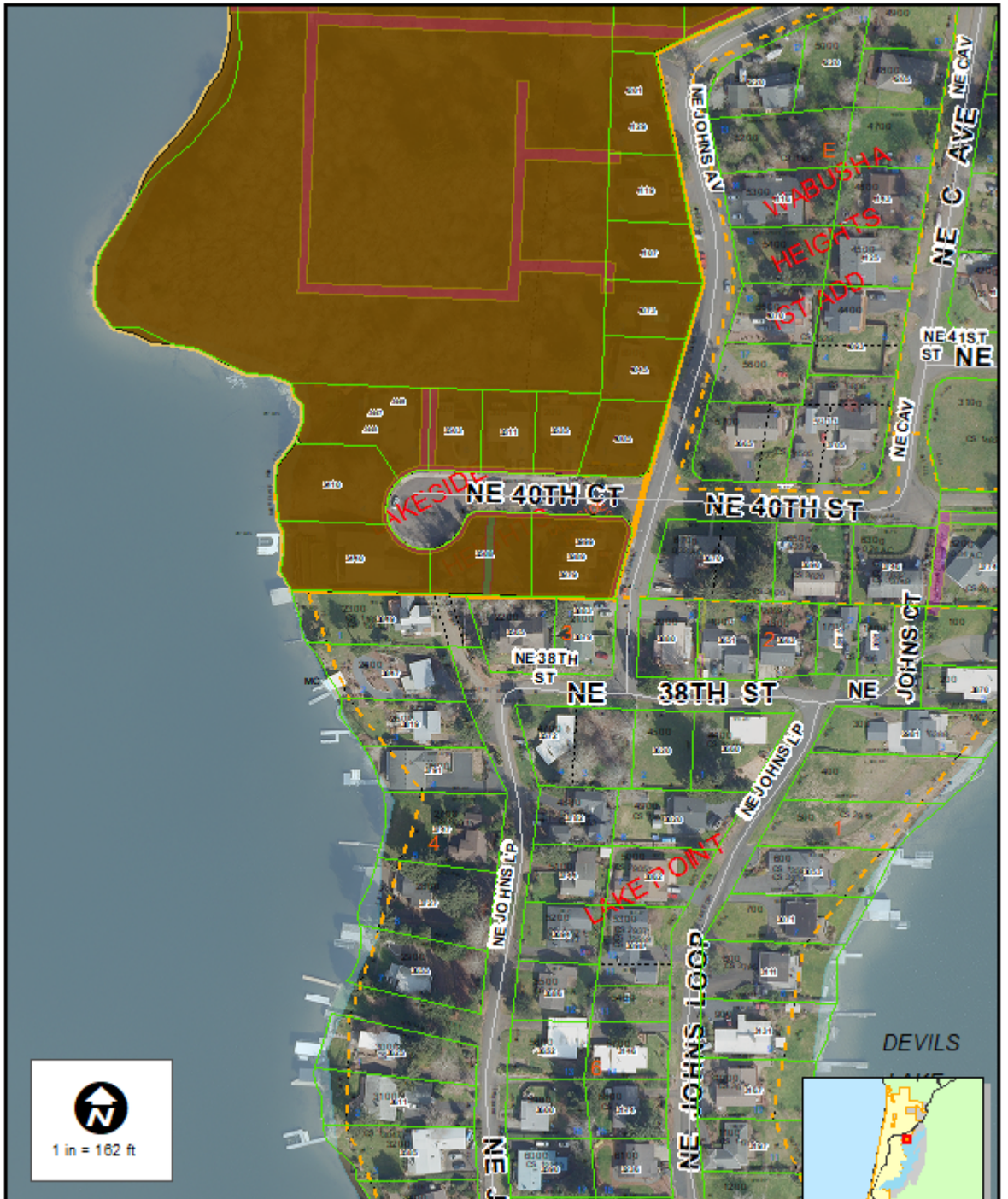
C-1 [Retail Commercial]

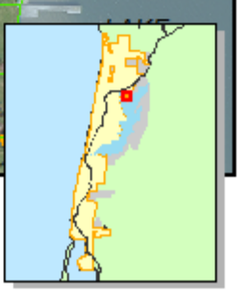
C-T [Tourist Commercial]

M-W [Marine Waterway]

P-F [Public Facilities]

R-1 [Residential]





Lincoln City

Vicinity Map

City of Lincoln City government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date: 2/23/2022

From: BROWN Jevra * DSL
To: Anne Marie Skinner
Subject: RE: Rezone request
Date: Friday, January 28, 2022 1:12:55 PM
Attachments: image001.png

Hi Anne Marie,

07S 11W 02AC #800 has no mapped SWI features…check the Lincoln City LWI – if no LWI mapped features, then no comment.

Jevra Brown, Aquatic Resource Planner
Department of State Lands
Cell 503-580-3172
NOTE NEW EMAIL ADDRESS: Jevra.Brown@DSL.Oregon.gov

Checking for wetlands and waters? – Use the STATEWIDE WETLANDS INVENTORY

To help prevent the spread of COVID-19 many of the DSL staff are telecommuting.

From: Anne Marie Skinner <askinner@lincolncity.org>
Sent: Thursday, January 27, 2022 5:16 PM
To: Stephanie Reid <sreid@lincolncity.org>; Daniel Wentz <dwentz@lincolncity.org>; NELSON Scott <Scott.NELSON@odot.oregon.gov>; BROWN Jevra * DSL <Jevra.BROWN@dsl.oregon.gov>; TAYLOR Clara * DSL <Clara.TAYLOR@dsl.oregon.gov>; Department Heads <Department_Heads@lincolncity.org>; Devils Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; LINER Duane J <Duane.J.LINER@odot.oregon.gov>; Frederick Ulrich (fulrich@nlfr.org) <fulrich@nlfr.org>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil; Lon French (lfrench@northlincolnsanitary.com) <lfrench@northlincolnsanitary.com>; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD <Lisa.PHIPPS@dlcd.oregon.gov>; Sarah.Hibbs (Sarah.Hibbs@lincoln.k12.or.us) <Sarah.Hibbs@lincoln.k12.or.us>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us; UNITIS Matthew * DSL <Matthew.UNITIS@dsl.oregon.gov>
Subject: Rezone request

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No response will indicate no comment.

Thank you,
Anne Marie

From: Frederick Ulrich
To: Lon French; Anne Marie Skinner; Stephanie Reid; Daniel Wentz; Brian.S.NELSON (Brian.S.NELSON@odot.state.or.us); BROWN Jevra * DSL; Clara Taylor (clara.taylor@dsl.oregon.gov); Department Heads; Devils Lake Water Improvement District (lake.manager@dlwid.org); director.nlchm (director.nlchm@gmail.com); duane.j.liner (duane.j.liner@odot.state.or.us); Joshua.Lee (Joshua.Lee@PacifiCorp.com); Katharine.A.Mott2@usace.army.mil; Onno Husing; pamelal (pamelal@ctsi.nsn.us); PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov); Sarah.Hibbs (Sarah.Hibbs@lincoln.k12.or.us); Schurter, Andrew; surveys@co.lincoln.or.us; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov)
Subject: RE: Rezone request
Date: Friday, January 28, 2022 9:06:17 AM
Attachments: image002.png
image003.png

No comments from NLFR.

Frederick (Ed) Ulrich
Fire Marshal

North Lincoln Fire & Rescue
District #1

Phone: 541-996-2233
Cell: 541-921-9024
Fax: 541-996-5344
Email: fulrich@nlfr.org

Bob Everest Station 1400
PO Box 200
2525 NW Highway 101
Lincoln City, OR 97367

From: Lon French <lfrench@northlincolnsanitary.com>
Sent: Thursday, January 27, 2022 6:10 PM
To: Anne Marie Skinner <askinner@lincolncity.org>; Stephanie Reid <sreid@lincolncity.org>; Daniel Wentz <dwentz@lincolncity.org>; Brian.S.NELSON (Brian.S.NELSON@odot.state.or.us) <Brian.S.NELSON@odot.state.or.us>; BROWN Jevra * DSL <Jevra.BROWN@dsl.oregon.gov>; Clara Taylor (clara.taylor@dsl.oregon.gov) <clara.taylor@dsl.oregon.gov>; Department Heads <Department_Heads@lincolncity.org>; Devils Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; duane.j.liner (duane.j.liner@odot.state.or.us) <duane.j.liner@odot.state.or.us>; Frederick Ulrich <fulrich@nlfr.org>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov) <Lisa.PHIPPS@dlcd.oregon.gov>; Sarah.Hibbs (Sarah.Hibbs@lincoln.k12.or.us) <Sarah.Hibbs@lincoln.k12.or.us>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov) <Matthew.UNITIS@dsl.oregon.gov>
Subject: Re: Rezone request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you know the content is safe.

No comment from me :)

Lon French

1726 SE Hwy 101
Lincoln City, Or 97367
541-992-3629
LFrench@northlincolnsanitary.com

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Sent: Thursday, January 27, 2022 5:16:21 PM
To: Stephanie Reid <sreid@lincolncity.org>; Daniel Wentz <dwentz@lincolncity.org>; Brian.S.NELSON (Brian.S.NELSON@odot.state.or.us) <Brian.S.NELSON@odot.state.or.us>; BROWN Jevra * DSL <Jevra.BROWN@dsl.oregon.gov>; Clara Taylor (clara.taylor@dsl.oregon.gov) <clara.taylor@dsl.oregon.gov>; Department Heads <Department_Heads@lincolncity.org>; Devils Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; duane.j.liner (duane.j.liner@odot.state.or.us) <duane.j.liner@odot.state.or.us>; Frederick Ulrich (fulrich@nlfr.org) <fulrich@nlfr.org>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil <Katharine.A.Mott2@usace.army.mil>; Lon French <lfrench@northlincolnsanitary.com>; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov) <Lisa.PHIPPS@dlcd.oregon.gov>; Sarah.Hibbs (Sarah.Hibbs@lincoln.k12.or.us) <Sarah.Hibbs@lincoln.k12.or.us>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us <surveys@co.lincoln.or.us>; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov) <Matthew.UNITIS@dsl.oregon.gov>
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Thank you,
Anne Marie

Anne Marie Skinner
DIRECTOR

City of Lincoln City | Planning & Community Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR

From: Daniel Wentz
To: Anne Marie Skinner
Cc: Stephanie Reid
Subject: RE: Rezone request
Date: Friday, January 28, 2022 10:37:22 AM
Attachments: image001.png
image002.png

No comments from public works.
City utility service is adequate for either zoning.

Daniel Wentz, MPH
PROJECT MANAGER

City of Lincoln City | Public Works
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1238 | **C:** 541.364.1029
E: Dwentz@lincolncity.org | **W:** LincolnCity.org

To help ensure equal access to City programs, services and activities, the City of Lincoln City will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 541-996-1221, Oregon Relay 7-1-1 with such request or visit www.lincolncity.org

---

From: Frederick Ulrich <fulrich@nlfr.org>
Sent: Friday, January 28, 2022 9:06 AM
To: Lon French <lfrench@northlincolnsanitary.com>; Anne Marie Skinner <askinner@lincolncity.org>; Stephanie Reid <sreid@lincolncity.org>; Daniel Wentz <dwentz@lincolncity.org>; Brian.S.NELSON (Brian.S.NELSON@odot.state.or.us) <Brian.S.NELSON@odot.state.or.us>; BROWN Jevra * DSL <Jevra.BROWN@dsl.oregon.gov>; Clara Taylor (clara.taylor@dsl.oregon.gov) <clara.taylor@dsl.oregon.gov>; Department Heads <Department_Heads@lincolncity.org>; Devils Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; duane.j.liner (duane.j.liner@odot.state.or.us) <duane.j.liner@odot.state.or.us>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov) <Lisa.PHIPPS@dlcd.oregon.gov>; Sarah.Hibbs (Sarah.Hibbs@lincoln.k12.or.us) <Sarah.Hibbs@lincoln.k12.or.us>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov) <Matthew.UNITIS@dsl.oregon.gov>
Subject: RE: Rezone request

No comments from NLFR.

Frederick (Ed) Ulrich
Fire Marshal

North Lincoln Fire & Rescue
District #1

Phone: 541-996-2233
Cell: 541-921-9024
Fax: 541-996-5344
Email: fulrich@nlfr.org

Bob Everest Station 1400
PO Box 200
2525 NW Highway 101
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No comment from me :)

Lon French
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541-992-3629
LFrench@northlincolnsanitary.com

From: Anne Marie Skinner <askinner@lincolncity.org>
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Lake Water Improvement District (lake.manager@dlwid.org) <lake.manager@dlwid.org>; director.nlchm (director.nlchm@gmail.com) <director.nlchm@gmail.com>; duane.j.liner (duane.j.liner@odot.state.or.us) <duane.j.liner@odot.state.or.us>; Frederick Ulrich (fulrich@nlfr.org) <fulrich@nlfr.org>; Joshua.Lee (Joshua.Lee@PacifiCorp.com) <Joshua.Lee@PacifiCorp.com>; Katharine.A.Mott2@usace.army.mil <Katharine.A.Mott2@usace.army.mil>; Lon French <lfrench@northlincolnsanitary.com>; Onno Husing <ohusing@co.lincoln.or.us>; pamelal (pamelal@ctsi.nsn.us) <pamelal@ctsi.nsn.us>; PHIPPS Lisa * DLCD (Lisa.PHIPPS@dlcd.oregon.gov) <Lisa.PHIPPS@dlcd.oregon.gov>; Sarah.Hibbs (Sarah.Hibbs@lincoln.k12.or.us) <Sarah.Hibbs@lincoln.k12.or.us>; Schurter, Andrew <Andrew.Schurter@nwnatural.com>; surveys@co.lincoln.or.us <surveys@co.lincoln.or.us>; UNITIS Matthew * DSL (Matthew.UNITIS@dsl.oregon.gov) <Matthew.UNITIS@dsl.oregon.gov>
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Thank you,
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Anne Marie Skinner
DIRECTOR

City of Lincoln City | Planning & Community Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1228
E: askinner@LincolnCity.org | **W:** LincolnCity.org

From: Alison Robertson
To: Anne Marie Skinner
Subject: RE: Rezone request
Date: Monday, January 31, 2022 8:33:54 AM
Attachments: image001.png

Thanks Anne Marie. I have no comments.
Best,
Alison

Alison Robertson, AICP, LEED AP
DIRECTOR

City of Lincoln City | Urban Renewal & Economic Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1207
E: ARobertson@LincolnCity.org | **W:** LincolnCity.org

From: Anne Marie Skinner <askinner@lincolncity.org>
Sent: Thursday, January 27, 2022 5:16 PM
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DIRECTOR

City of Lincoln City | Planning & Community Development
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1228
E: askinner@LincolnCity.org | **W:** LincolnCity.org

Back 40 Properties, LLC
Christine & Harold Washington
19191 SW Peavine Rd
McMinnville OR 97128

16. February 2022

Lincoln City Planning Commission
PO Box 50 / 801 SW Hwy 101
Lincoln City OR 97367

Attention: Marie Skinner, Director

Regarding: CPA ZC 2022-01
Property owners: Gary H. Purvine; John K. Broomall, Trustee;
Karla J. Broomall, Trustee

We received your correspondence regarding a zone change for the property, (address: 3508 NE 40th Ct., Assessor's Map 07-11-02-AC-00800) located directly to the east of our residence.

We have had our residence there since 2005. We enjoy our time there. We would welcome a zone change from Multiple-Unit Residential (R-M) to Single-Family Residential R-1-7.5. We are familiar with the property and realize that there would be a limited amount of "off-street parking." Due to the layout of NE 40th Ct. in Neotsu, there is already limited "on-street" parking and a multi-family dwelling would negatively affect the mostly single family dwellings in the neighborhood.

We appreciate the opportunity to voice our opinions/concerns. Thank you for your consideration.

Respectfully,

Christine & Harold Washington

From: norm lafaunce
To: Planning
Subject: CPA ZC 2022-01
Date: Saturday, February 12, 2022 12:14:46 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We have no objection to the rezoning of the property at 3805 NE Court. We are building a house at 3572 NE 38th st. Our daughter, Alexa LaFaunce, lives on the parcel adjoining the lot to be rezoned (to the south) at 3565 NE 38th street. She also is in favor of the rezoning.

Norman and Barbara LaFaunce

Comprehensive Plan Map Amendment Zone Change Staff Report for Planning Commission Public Hearing Case File CPA ZC 2022-01 Purvine

Date: February 22, 2022

Case File: CPA ZC 2022-01 Purvine

Property Owner: John K. Broomall, Trustee, and Karla J. Broomall, Trustee
PO Box 125
Corbett, OR 97019

Property Owner: Gary H. Purvine
PO Box 125
Corbett, OR 97019

Situs Address: 3508 NE 40th Ct

Location: South side of NE 40th Ct, approximately 120 feet west of NE 40th Ct/NE Johns Ave intersection

Tax Map and Lot: 07-11-02-AC-00800-00

Comprehensive Plan Designation: High-Density Residential District (R-M)

Zoning District: Multiple-Unit Residential (R-M) Zone

Site Size: 11,131 square feet

Proposal: Comprehensive Plan Map Amendment from High-Density Residential District to Medium-Density Residential District and Zone Change from R-M to R-1-7.5

Surrounding Land Uses and Zones:
North: Dwellings; R-M
South: Dwellings; Lincoln County's R-1 (Residential)
East: Dwellings; R-M, Lincoln County's R-1 (Residential)
West: House and then Devils Lake; R-M

Authority: Lincoln City Municipal Code (LCMC) 17.76.050.G states that Table 17.76.020-1 identifies the decision authority for each Type III application. Table 17.76.020-1 of LCMC Chapter 17.76 identifies a comprehensive plan amendment and a zone change as a Type III application with the decision authority given to the City Council after a recommendation from the Planning Commission.

Procedure: The Planning and Community Development Department mailed notice to the owners of all properties within 250 feet of the site on February 8, 2022. The *News Guard* published the public hearing notice on February 15, 2022, and February 22, 2022.

Applicable	Oregon Statewide Planning Goals
Substantive	Lincoln City Comprehensive Plan
Criteria:	LCMC 17.77.050 and 17.77.150

BACKGROUND

The subject property (site) is addressed as 6604 NE Logan Rd and is undeveloped. The site is Lot 2 of Lakeside Heights. Lakeside Heights is an 8-lot subdivision that was recorded on November 15, 1994. Staff's review of the project file for the Lakeside Heights project shows that the lots were developed for the future construction of detached single-family dwellings. Excepting the site and one other lot, the entire subdivision is developed with dwellings. Lots 3, 6, 7, and 8 contain detached single-family dwellings. Lots 1 and 5 each contain a triplex. The area north of Lakeside Heights is undeveloped and is owned by the Confederated Tribe of Siletz Indians of Oregon. To the west of Lakeside Heights is Devils Lake. The area south of Lakeside Heights is in unincorporated Lincoln County and is developed with detached single-family dwellings in Lincoln County's R-1 zone. The area east of Lakeside Heights is also in unincorporated Lincoln County and is developed with detached single-family dwellings in Lincoln County's R-1 zone.

The site does not contain any natural resources overlays, nor is it in the flood hazard area. The site does not contain any bluff erosion hazards, designated trails, or aesthetic resources. The site is served by NE 40th Ct, which is an improved public street.

The property owners wish to have the flexibility of housing options provided by the R-1-7.5 zone (specifically a detached single-family dwelling with an accessory dwelling unit or a four-flat dwelling) rather than the site's current R-M zone (which does not allow the same types of housing as the R-1-7.5 zone), and thus the request for the comprehensive plan map amendment and zone change.

COMMENTS

On February 16, 2022, Christine and Harold Washington provided a letter via email stating that they would welcome a zone change and feel that "a multi-family dwelling would negatively affect the mostly single family dwellings in the neighborhood."

On February 12, 2022, Norman and Barbara LaFaunce provided the following emailed comment: "We have no objection to the rezoning of the property at 3805 NE Court. We are building a house at 3572 NE 38th st. Our daughter, Alexa LaFaunce, lives on the parcel adjoining the lot to be rezoned (to the south) at 3565 NE 38th street [sic]. She also is in favor of the rezoning."

On January 31, 2022, Urban Renewal emailed that they have no comments.

On January 28, 2022, North Lincoln Fire & Rescue emailed that they have no comments.

On January 28, 2022, Oregon Department of State Lands emailed that the site has no mapped statewide wetlands inventory features, to check the Lincoln City local wetlands inventory, and if none then no comment.

On January 28, 2022, Public Works emailed that they have no comments and that city utility service is adequate for either zoning.

On January 27, 2022, North Lincoln Sanitary emailed that they have no comment.

ANALYSIS

A. Lincoln City Comprehensive Plan

1. **Land Use Planning Goal**

"To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

The City Council established a land use policy framework and implementing ordinance through adoption of a comprehensive plan and zoning ordinance, respectively. The Land Conservation and Development Commission acknowledged the City of Lincoln City's Comprehensive Plan and implementing land development regulations, including LCMC Title 17 Zoning, as complying with the Oregon Statewide Planning Goals. Review of the proposed amendment in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions, including the provisions of LCMC Chapter 17.77, establishes conformance with this goal.

The Comprehensive Plan Land Use Planning element identifies zoning as the most common method of land use regulation and control. The plan states:

> *"Essentially, zoning is a means of ensuring that the land uses of an area are properly situated in relation to one another. It provides adequate amounts of space for each type of development."*

The proposed map amendment and zone change would convert the platted 11,131-square-foot lot from the Multiple-Unit Residential zone to the Single-Family Residential zone. The proposed map amendment and zone change does not introduce a new zone to the area, as the areas to the south and east of the site are all in Lincoln County's single-family residential zone. Both zones allow housing. Staff finds the proposal is consistent with Goal 1.

2. **Citizen Involvement Goal**

"Develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process."

The Comprehensive Plan's Citizen Involvement Program goal is to "develop a Citizen Involvement Program which ensures the continued participation of citizens in the land use planning process." The City has developed a Citizen Involvement Program through Resolution 94-33. The public hearing process for the proposed map amendment and zone change included mailed and published notice to the public and property owners, and review of the proposal by the Planning Commission and the City Council, consistent with the Plan, Goal, and Resolution.

Among the policies under the City's Citizen Involvement Program goal is one that states: "Lincoln City shall assure that a reasonable effort is made to encourage the opportunity for citizens to attend public meetings." The Planning Commission and City Council meetings are publicized widely with hearing notices mailed to property owners in the affected area, published in *The News Guard*, and posted on the City's website. The City holds public hearings in the evening to encourage public attendance. Moreover, for those unable to attend in person, the meetings are televised live, streamed live over the internet, and rebroadcast on cable television. Video of meetings and the packet materials are also available on the City's website for review, free of charge. These aforementioned items in their totality constitute a more than reasonable effort to encourage citizens to attend public meetings and meet Goal 2.

3. **Public Services and Utilities Goal**

"To plan and develop a timely, orderly, and efficient arrangement of public facility and services which compliment [sic] *the area and serve as a framework for urban and rural development."*

Public services and utilities are already in place in the area of the proposed map amendment and zone change. Available public services and utilities are as follows:

a. Pacific Power provides electric power;
b. The City of Lincoln City provides water service;
c. The City of Lincoln City provides sanitary sewer service;
d. Various providers provide land line and cellular telephone service;
e. Access is from NE 40th Ct, which is an improved public street.

Existing services and utilities generally satisfy Goal 3.

4. Urbanization Goal

"To promote an orderly and efficient transition of land uses from rural to urban."

The area affected by the proposed map amendment and zone change is within the urban growth boundary and the City limits and is already developed as urban. The proposed amendment and zone change will not change the already-existing urban development or prevent more urban development, so is consistent with this goal.

5. Natural Hazard Goal

"The City shall control development in hazardous areas to protect life and property from natural disasters and hazards."

The City's maps show no identified natural hazards on the site. The proposal is consistent with Goal 5.

6. Housing Goal

"To provide for the housing needs of all citizens."

The request would convert the 11,131-square-foot platted lot from one residential zone (Multiple-Unit Residential R-M) to another residential zone (Single-Family Residential R-1-7.5). In both zones, housing is an outright permitted use. The housing options are different in the two zones with the R-1-7.5 zone allowing single-family dwellings, attached single-family dwellings, duplex dwellings, cottage housing developments, manufactured homes, residential homes, four-flat dwellings, and accessory dwelling units. The R-M zone allows attached single-family dwellings, cottage housing developments, duplex dwellings, multi-unit dwellings, residential homes, and tiny house developments. Both zones, then, provide for the housing needs of the citizens of Lincoln City, just with different options.

Based on the requirements of the R-1-7.5 zone, the property could support one single-family detached dwelling, an accessory dwelling unit accompanying the single-family detached dwelling, a duplex dwelling, a cottage housing development, a manufactured home, a residential home, or a four-flat dwelling. Based on the requirements of the R-M zone, the property could support two attached dwellings, one duplex dwelling, a cottage housing development, a residential home, a tiny house development consisting of nine tiny houses, a manufactured home, or a four-unit apartment building. Accessory dwelling units are not allowed in the R-M zone because detached single-family dwellings are not allowed, and accessory dwelling units are only permitted as accessory to detached single-family dwellings. Both zones allow a four-unit dwelling, but the R-M zone doesn't allow a detached single-family dwelling and the R-1-7.5 zone doesn't allow a tiny house development. Essentially, then, both zones provide for the housing needs of the citizens of Lincoln City with the same number of unit options excepting the inability of constructing a detached single-family dwelling in

the R-1-7.5 zone or a tiny house development in the R-M zone. Staff finds the proposal is consistent with Goal 6.

7. Economy Goal

"To support the tourist industry and achieve a degree of diversity in the community which will allow a balanced economy that will, in turn, support an adequate level of services for all members of the area."

The Comprehensive Plan states that the City's primary industry is tourism and concludes that tourism will continue to function as the City's basic industry. The request to change from one residential zone to another residential zone has no bearing on the tourist industry. Staff finds this goal is not applicable to the request.

8. Aesthetic Goal

"To develop a livable and pleasing city which enhances man's activities while protecting the exceptional aesthetic quality of the area."

Landscaping standards and design standards apply to both the R-M zone and the R-1 zone. The fulfillment of the landscaping and design standards, when the site is developed, will satisfy LCMC Title 17, which also satisfies this goal. The request is consistent with the Aesthetic Goal.

9. Transportation Goal

"To provide a safe, convenient and rapid transportation network to facilitate the movement of goods and people."

The site is accessed by NE 40th Ct, which is a local public street. NE Johns Ave is to the east of the site, and is also a local public street. Both are improved. NE Johns Ave accesses from NE Neotsu Dr, a paved public street, that directly connects with Hwy 101, which is a principal arterial. This goal is satisfied.

10. Energy Goal

"To conserve energy."

This lot is close to other destinations and services. New construction must meet all energy and building codes. The goal, therefore, is satisfied.

11. Overall Environmental Goal

"To achieve a balance between the need to provide housing and services and the need to protect and enhance the natural environment of the city."

The city's inventory of natural resources, including wetlands, riparian areas, fish and wildlife habitat, and aesthetic and scenic areas show none are on this lot. New construction on this lot will not impact the natural environment of the city. This goal is satisfied.

12. Shoreland, Beaches, Dunes, Estuary, and Ocean Resources Goal

"To conserve, protect, and enhance the coastal resources of the city."

The site does not contain any shoreland, beaches, dunes estuaries, or ocean resources and is more than 2 miles from the Pacific Ocean. Rezoning of the site will not have any impact on the city's coastal resources; therefore, the proposed request is consistent with this goal or this goal is not applicable.

B. Statewide Planning Goals

Goal 1 – "Citizen Involvement" "To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process."

The application for amending the comprehensive plan map and changing the zoning was available at no cost on the City's website and also available for public review and purchase at the counter. Staff was available to explain the proposal and technical information. The City published hearing notices in the local newspaper in accordance with notice requirements and mailed notices to impacted property owners. The findings concerning the Comprehensive Plan Citizen Involvement are incorporated herein by this reference. Staff made its report on the land use proposals available on the City's website in advance of the meeting. The request is consistent with Goal 1.

Goal 2 – "Land Use Planning" "To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

The City Council adopted the Lincoln City Comprehensive Plan and its implementation measure, the Lincoln City Zoning Ordinance, after public hearings and has reviewed them on a periodic cycle to take into account changing public policies and circumstances. Citizens and affected governmental units had opportunities for review and comment during preparation, review, and revision of the plan and implementing ordinances. Review of this proposed rezoning in accordance with the Lincoln City Comprehensive Plan and the applicable zoning ordinance provisions establishes conformance with this goal.

The proposed rezoning is integrated and consistent with the planning process and policy framework; specifically, the request furthers compliance with existing policies to stabilize and protect the existing (almost completely detached single-family dwellings) residential neighborhood from incompatible uses. Findings concerning the Planning goal for the Lincoln City Comprehensive Plan are incorporated herein by this reference. The request is consistent with Goal 2.

Goal 3 – "Agricultural Lands" "To preserve and maintain agricultural lands."

The area affected by the proposed rezoning is within the City's Urban Growth Boundary. The area is currently designated and zoned for urban development and will remain as such, any rezoning notwithstanding. The rezoning will not affect agricultural lands; therefore, Goal 3 is not applicable.

Goal 4 – "Forest Lands" "To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture."

The area affected by the proposed rezoning is within the City's Urban Growth Boundary and currently zoned and developed for urban development. The affected area does not contain any designated forest lands; therefore, Goal 4 is not applicable.

Goal 5 – "Open Spaces, Scenic and Historic Areas and Natural Resources" "To protect natural resources and conserve scenic and historic areas and open spaces."

The area affected by the proposed rezoning does not include any areas zoned Open Space or Park. The site does not contain any structures, nor is the site listed on the National Register of Historic Places. The findings concerning the Lincoln City Comprehensive Plan's Overall Environmental goal, as well as the Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal, are incorporated herein by this reference. The proposal is consistent with Goal 5.

Goal 6 – "Air, Water and Land Resources Quality" "To maintain and improve the quality of the air, water and land resources of the state."

Current building and public works standards for new development require protection of these resources. Accordingly, when a building permit application is submitted for new construction on the site, the plans will be reviewed for compliance with requirements for maintaining the quality of the air, water, and land resources of the state. City standards for discharges regulate solid waste, thermal, noise, atmospheric or water pollutants, contaminants or products therefrom. The findings concerning the Lincoln City Comprehensive Plan's overall Environmental goal are incorporated herein by this reference. The proposed request is consistent with Goal 6.

Goal 7 – "Areas Subject to Natural Disasters and Hazards" "To protect people and property from natural hazards."

City maps show no identified hazards on the site. The findings concerning the Lincoln City Comprehensive Plan Natural Hazard goal are incorporated herein by this reference. The proposal is consistent with Goal 7.

Goal 8 – "Recreational Needs" "To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts."

The area affected by the proposed rezoning does not contain any open space or park areas, nor does it contain any areas designated for open space or parks in the City's master plans. The proposal is consistent with Goal 8.

Goal 9 – "Economic Development" "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

The area affected by the proposed rezoning is within the City's Urban Growth Boundary and currently zoned and developed for housing development. The affected area does not contain any economic development lands. The proposed rezoning is consistent with Goal 9.

Goal 10 – "Housing" "To provide for the housing needs of citizens of the state."

The request would convert the 11,131-square-foot platted lot from one residential zone (Multiple-Unit Residential R-M) to another residential zone (Single-Family Residential R-1-7.5). In both zones, housing is an outright permitted use. The housing options are different in the two zones with the R-1-7.5 zone allowing single-family dwellings, attached single-family dwellings, duplex dwellings, cottage housing developments, manufactured homes, residential homes, four-flat dwellings, and accessory dwelling units. The R-M zone allows attached single-family dwellings, cottage housing developments, duplex dwellings, multi-unit dwellings, residential homes, and tiny house developments. Both zones, then, provide for the housing needs of the citizens of Lincoln City, just with different options.

Based on the requirements of the R-1-7.5 zone, the property could support one single-family detached dwelling, an accessory dwelling unit accompanying the single-family detached dwelling, a duplex dwelling, a cottage housing development, a manufactured home, a residential home, or a four-flat dwelling. Based on the requirements of the R-M zone, the property could support two attached dwellings, one duplex dwelling, a cottage housing development, a residential home, a tiny house development consisting of nine tiny houses, a manufactured home, or a four-unit apartment building. Accessory dwelling units are not allowed in the R-M zone because detached single-family dwellings are not allowed, and accessory dwelling units are only permitted as accessory to detached single-family dwellings. Both zones allow a four-unit dwelling, but the R-M zone doesn't allow a detached single-family dwelling and the R-1-7.5 zone doesn't allow a tiny house development. Essentially, then, both zones provide for the housing needs of the citizens of Lincoln City with the same number of unit options excepting the inability of constructing a detached single-family dwelling in the R-1-7.5 zone or a tiny house development in the R-M zone. The findings that address the City's Housing goal are incorporated herein by this reference. Staff considers the proposal consistent with Goal 10.

Goal 11 – "Public Facilities and Services" "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

Utilities and services are available at the site. The findings concerning the City's Public Services and Utilities goal are incorporated herein by this reference. The request is consistent with Goal 11.

Goal 12 – "Transportation" "To provide and encourage a safe, convenient and economic transportation system."

The site is accessed by NE 40th Ct, which is a local public street. NE Johns Ave is to the east of the site, and is also a local public street. Both are improved. NE Johns Ave accesses from NE Neotsu Dr, a paved public street, that directly connects with Hwy 101, which is a principal arterial. The findings concerning the City's Transportation goal are incorporated herein by this reference. The request is consistent with Goal 12.

Goal 13 – "Energy Conservation" "To conserve energy."

Any construction on the site must meet the current building and energy codes. The proposed rezoning will not impact the requirements to meet current building and energy codes. The findings concerning the City's Energy goal are incorporated herein by this reference. The request is consistent with Goal 13.

Goal 14 – "Urbanization" "To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities."

The area affected by the proposed rezoning is within the City's Urban Growth Boundary and currently zoned for urban housing development. The proposal does not the City's Urban Growth Boundary, nor does it change that the site will be zoned for urban housing development. The findings concerning the City's Land Use goal, Housing goal, and Urbanization goal are incorporated herein by this reference. The proposed amendment and zone change are consistent with Goal 14.

Goal 15 – "Willamette Greenway" "To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway."

The site is not located within the Willamette River Greenway, nor in proximity to the Willamette River Greenway and thus the proposed amendment and zone change will have no impact to the Willamette Greenway. Accordingly, Goal 15 is not applicable.

Goal 16 – "Estuarine Resources" "To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries."

The proposal does not affect any areas adjacent to the Siletz Bay estuary; therefore, Goal 16 is not applicable.

Goal 17 – "Coastal Shorelands" "To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands."

The City's coastal shorelands are not impacted by the proposed request since the site does not contain any coastal shorelands, nor is the site in proximity to any coastal shorelands. The findings concerning the City's Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal are incorporated herein by this reference. Goal 17 is met or not applicable.

Goal 18 – "Beaches and Dunes" "To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and To reduce the hazard to human life and property from natural or man-induced actions associated with these areas."
The proposed rezoning does not affect any areas located within a beach or active dune area. The findings concerning the City's Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal are incorporated herein by this reference. Goal 18 is met or not applicable.

Goal 19: "Ocean Resources" "To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations."

Since the area of the proposed amendment and zone change is on the dry land area of the City, the proposal will not affect the near shore, ocean, and continental shelf. The findings concerning the City's Shoreland, Beaches, Dunes, Estuary and Ocean Resources goal are incorporated herein by this reference. Goal 19 is met or not applicable.

Single-Family Residential (R-1-7.5) zone criteria
LCMC Section 17.16.020 lists the type of uses permitted within the zone, including:

- Single-family dwellings
- Attached single-family dwelling, if attached to no more than one other single-family dwelling
- Two-family and duplex dwellings
- Cottage housing developments
- Manufactured homes
- Residential homes
- Four-flat dwellings

LCMC 17.16.030 provides accessory uses of guest houses, home occupations, and accessory dwelling units.

Any new development or construction must meet the requirements of the R-1 zone and other regulations referenced by the zone, including among others, those pertaining to landscaping and off-street parking.

The R-1-7.5 zone has a minimum lot size requirement of 7,500 square feet. The site contains 11,131 square feet. The R-1-7.5 zone has a minimum lot width requirement of 70 feet and a minimum lot depth requirement of 80 feet. The site is 127 feet wide and 101 feet deep. The R-1-7.5 zone has a minimum front, side, street side, and rear setback requirement of 5 feet for single-story structures and 7.5 feet for multi-story structures. Building height may be up to 35 feet. Maximum building coverage is 35% of the site. The site meets the lot size and dimension requirements. Compliance with setback, height, and building coverage requirements is reviewed during the building permitting process.

RECOMMENDATION

Based upon the findings in this report, staff recommends approval of the request.