

NW LAND PLANNING

Land Use Planning  Project Management
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October 31, 2022

City of Lincoln City Planning
AnnMarie Skinner, Director
801 SW Highway 101
Lincoln City, OR 97367

RE: Tax Lots 2800, 2900, 3000, 3100, 3200, 3300, 3400 and 3500 of Assessor Map 7 12 27DC, in the City of Lincoln City, Lincoln County, Oregon

Dear Ms. Skinner and Planning Staff,

Please allow this letter to serve as a brief narrative. The applicant, Taft Development LLC, is requesting approval of a Natural Resources Development Variance.

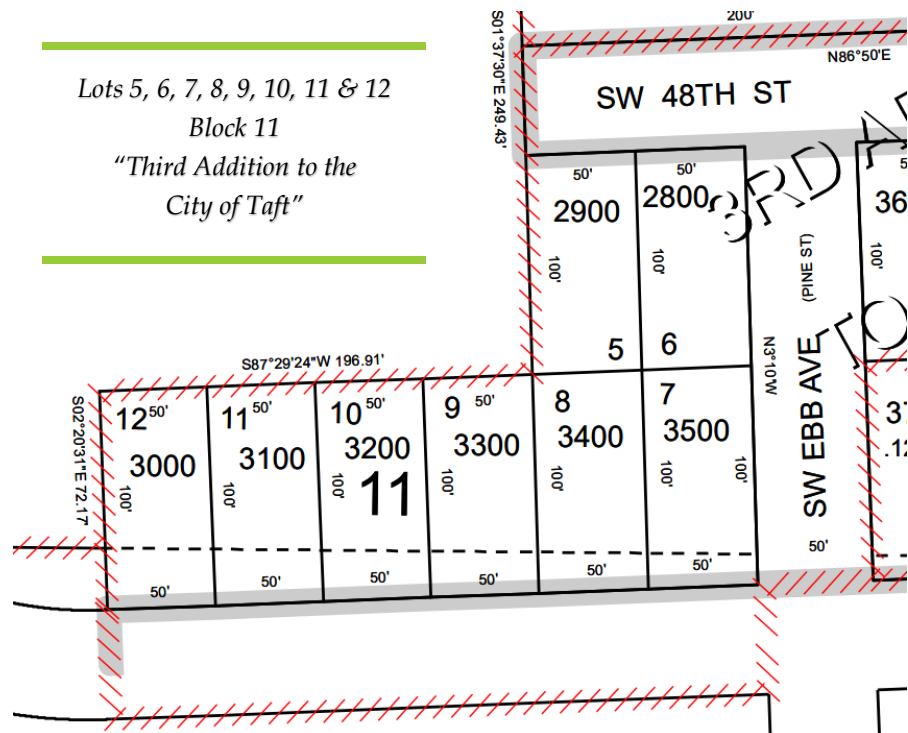
SITE DESCRIPTION

The site is located on the west side of Ebb Street, the south side of SW 48th Street, and the north side of SW 50th Avenue in the Taft Village Core.

Each lot is 50 feet wide by 100 feet deep and contain 5,000 square feet.

SW Ebb Street is fully improved with a sidewalks and street lighting.

The site is fairly flat and slopes slightly toward the northwest. The is dense vegetation on the site. The site has been surveyed; a copy of the Topography Map is included as an attachment with this request.





Looking southwest toward the site from SW 48th Avenue & SW Ebb Street.



Looking northwest toward the site from SW 50th Avenue & SW Ebb Street.

The applicant retained Westbrook Science & Design, LLC to provide an assessment of the site and provide a report and request to the Oregon Department of State Lands (DSL) to correct the mapping of the site. The applicant also hired Schott & Associates to provide buffer recommendations; both the DSL concurrence and the Site Assessment and recommendations are included with this request. WSD found that the lots are vacant of buildings and contain trees and brush. Test plots were taken and analyzed, and the actual wetland boundary was denoted and surveyed in the field by NW Surveying.

**LINCOLN CITY MUNICIPAL CODE
TITLE 17 - ZONING**

LCMC 17.46.060.A.1

Strict adherence to the natural resource overlay zone standards would effectively preclude a use of the lot or parcel that reasonably could be expected to occur in the zone, and that the property owner would be precluded a substantial property right enjoyed by the majority of the landowners in the vicinity; and

Response: Strict adherence to the natural resource overlay zone standards would effectively preclude the use of the lots. The applicant wants to build multi-family buildings on the area of the lots, which is a use that could reasonably be expected to occur in the TVC zone. As currently mapped, the property owner is precluded a substantial property right enjoyed by the majority of the landowners in the vicinity, which is to be able to develop the land. With a buffer and mitigation measures applied as recommended by licensed professionals the owner can enjoy the rights as enjoyed by the majority of landowners in the vicinity.

LCMC 17.46.060.A.2

The variance requested, of the possible variances necessary to create a buildable area outside of the natural resource overlay zone, has the least impact to the natural resource functions; and

Response: As detailed in the included assessment provided by Schott & Associates, the buildable area has been delineated and the buildable area has been defined. With proper mitigation measures, the wetland area will not be impacted by development on the site. In addition to the measures described in the included report from Schott & Associates, any future development of the site will include design by civil engineers, surveyors, architects, and other required professionals who will recommend additional mitigation measures for stormwater runoff so no impact will be made to off-site wetlands or the public facilities and systems.

LCMC 17.46.060.A.3

The proposed development, including actions to mitigate impacts to natural resource functions, can be accommodated without substantial negative impact to the applicable natural resource functions; and

Response: Since the development area will be outside of the defined natural area, the impact will be minimized. Any impact from run off from future development will be mitigated for with modern storm water management practices that will be design by a professional civil engineer and approved by the city. Any future development for the site will be applied for by the applicant to the city.

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; and

Response: The lot were legally created in 1950 with the plat “Third Addition to the City of Taft”, a copy is included. The collective lots have been owned by the same person and the site has been un-used. Due to not being maintained, the site gives the impression that the entirety of the lots are wetland areas. As demonstrated by the included reports from Westbrook Science, Martin Shott & Associates, along with the DSL concurrence, there is a definable edge to the resource area.

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; and

Response: The property owner has a right to build on the lots; the approval of the variance will allow the owner to apply a reasonable buffer area that determines the areas to be developed with buildings on the lots. The owner should have a right to build on the developable portion of their properties.

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

Response: If developed, the lots have access to all critical and vital services such as sewer and water, fire and police, schools, parks and transportation. Any development on the site will be requested meeting the standards of the zone, or with any required adjustments or variances as needed, all requiring a review by the appropriate jurisdictions. Future development of the site is conceptual until the boundary can be defined as a result of this request.

LCMC 17.77.140.C.4

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

Response: The applicant has included the DSL concurrence and recommendations from Martin Shott & Associates for a buffer for the site to the defined wetland boundary. This variance is the minimum needed to allow for the future development of the site.

Please let me know if more information is needed, I can be reached at 503.330.2019 or trisha_clark@hotmail.com.

Attachments: Application Form
 Assessor Map
 DSL Concurrence Letter
 Martin Shott & Associates Assessment
 Plat of “Third Addition to the City of Taft”
 Topography Map