

## CANNON BEACH PLANNING COMMISSION

Thursday January 27, 2000 7:00 p.m.

### MINUTES

Present: Chairman Herb Schwab and Commissioners Ron Logan, Janet Rekate, Tracy Gardner, Anita Dueber, Betsy Ayres and Sam Steidel

Staff: City Planner Rainmar Bartl, Administrative Assistant Georgia Shives

### CALL TO ORDER AND APPROVAL OF AGENDA

Chairman Schwab called the meeting to order at 7:00 p.m. Ayres moved to adopt the agenda as distributed; Rekate seconded the motion which passed with a unanimous roll call vote.

PUBLIC HEARING: MP 99-01, HLB & ASSOCIATES, ON BEHALF OF PROPERTY OWNER JOSEPH HANNA, MINOR PARTITION REQUEST TO PARTITION AN EXISTING PARCEL, MAP 51030DA, TAX LOT 4100, INTO THREE PARCELS. THE 1.4 ACRE PARCEL IS LOCATED WEST OF HEMLOCK STREET AND EAST OF FOREST LAWN ROAD, AND IS ZONED R2, RESIDENTIAL MEDIUM DENSITY.

No one objected to the jurisdiction of the Planning Commission to continue hearing this matter at this time. None of the Commissioners expressed a conflict of interest. As ex parte contacts all Commissioners indicated they had visited the site.

Bartl reviewed his staff report of January 10. He said in 1987, the Planning Commission approved a minor partition for the lot immediately to the south of the applicant's parcel; in approving the partition, the Planning Commission attached a condition that access to the parcels created by the partition have their access restricted to Forest Lawn Road. Bartl explained that the purpose of the condition appears to have been two-fold: 1) a desire to minimize driveways onto the city's main arterial, Hemlock Street, and 2) retaining an uninterrupted area of vegetation and trees along the west side of Hemlock Street. He said staff is asking the Planning Commission to consider the previous decision and whether to apply a similar restriction to this proposal. Bartl said other than the issue of access restriction, staff recommends approval of the minor partition.

Schwab said there was one house built with the access onto Hemlock Street because the restriction was not placed on the plat of the previous partition; Bartl responded that is correct.

## PLANNING COMMISSION 1/27/00 MINUTES

Rekate asked which is the correct minimum lot depth in an R-2 zone, 80' or 90'. Bartl responded that it is 80' and he will make the correction in the staff report.

Rekate asked if Bartl could explain a quote in the Fire Department's letter citing the Oregon Uniform Fire Code that requires "every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150' from fire apparatus access as measured by an approved route around the exterior of the building." Bartl explained that it means all structures need to be within 150' of the fire access road. He said if the exterior of the building is more than 150' from a fire access road, the Fire Chief has two options: 1) require that the fire access road be extended to within 150', or 2) require that the building include fire sprinklers. Bartl said there have been a number of situations like this in the recent past and the requirement has been to install sprinklers.

Schwab said this comes up in the building permit process and is not an issue for the Planning Commission.

Bartl said the Fire District letter notes that Forest Lawn Road does not meet fire access road standard and recommends that the responsible party improve the existing roads to minimum standards. He stated that there are several roads in Cannon Beach that do not meet these standards and is not the city's intent to upgrade Forest Lawn Road. Bartl noted he will discuss the comment about the one-way road and posting no parking signs with Dave Rouse. Plannin Commissioners pointed out the road is already one way. Rekate said she had concerns about cutting down trees if the road is widened.

It was noted that there was no other correspondence.

Chairman Schwab opened the public hearing and stated that the appropriate criteria were listed in the staff report and criteria sheets were next to the west door; testimony and evidence must be directed toward those criteria or other criteria of the Comprehensive Plan or Municipal Code which the person testifying believes to apply to the decision; failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-makers and parties an opportunity to respond to the issue precludes appeal based on that issue; prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments and testimony regarding the application; the Planning Commission shall grant such requests by continuing the public hearing or leaving the record open for additional written evidence, arguments or testimony. Chairman Schwab opened the public hearing and called for a presentation by the representative of the applicant.

Dave Seese, 1665 Cooper St, Seaside, of HL&B Associates, stated he is representing of the applicant, Joseph Hanna. He said he had no objections to the staff report but wanted to make a clarification to it in Section II, Paragraph 2, Item D. He said the easterly lot in Parcel 3, if subdivided, would have access onto Hemlock Street rather than Forest Lawn Road.

## **PLANNING COMMISSION 1/27/00 MINUTES**

Rekate said that since there is a separation between Parcel #2 and undivided Parcel #3, there could be east-west access to Forest Lawn Road. Seese said that would be a possibility, but it would reduce the buildable area due to the wetlands and minimum lot width requirement.

Ayres asked about the applicant's letter where it states that "Parcel 3 may be further subdivided into two parcels in a future calendar year, if the owner so directs." She questioned if this was to come before the Planning Commission; Seese responded affirmatively. Ayres asked to get clarification about the next paragraph where it states "The client wishes to minimize any additional traffic on Forest Lawn and would locate the driveways on Hemlock Street." Seese responded that the client is proposing that Parcel 1 be accessed from Hemlock Street if approved.

Schwab said the Planning Commission only has two questions before them: 1) whether to accept the provisions of Parcels 1, 2, and 3; and 2) whether to accept any driveways accessing Hemlock Street.

Seese said Parcel 1 in this proposed partition has frontage on both Hemlock Street and Forest Lawn Road. He stated that the clients prefer to see the driveway off Hemlock Street since Forest Lawn is unimproved and also to minimize traffic on that street.

No one else wished to testify.

The public hearing was closed.

### **CONSIDERATION OF MP 99-01.**

Gardner moved to grant the minor partition request as presented; the motion failed for lack of a second.

Rekate moved to grant the minor partition request by adding the condition that all three lots are accessed from Forest Lawn Road; Steidel seconded the motion which passed with a unanimous roll call vote.

### **AUTHORIZATION FOR CHAIRMAN TO SIGN APPROPRIATE ORDERS.**

Logan moved to authorize the Chairman to sign the appropriate orders; Rekate seconded the motion which passed with a unanimous roll call vote.

### **CORRESPONDENCE**

Barl said a letter was received from Peter A. Anderson concerning the inclusion of his property into the city's urban growth boundary. Barl said that Mr. Anderson and his partner own 2-2.5 acre lots on the southeast corner of Haystack Heights, and are in the County's Forest 80 zone. He said in recent years

## **PLANNING COMMISSION 1/27/00 MINUTES**

they have discussed inclusion into the urban growth boundary, but have never made a formal application. Bartl said it is staff's opinion that it is unlikely that it would be included into the urban growth boundary in the near future since the city has a 20 year supply of vacant land in the city and a 30 supply in the urban growth boundary.

Gardner stated that he has been contacted by Mr. Anderson, at his real estate office, regarding his professional opinion about the property. Gardner asked if he should step down from the discussion. Bartl responded that Gardner he needs to determine whether that conversation biased him in any way. Gardner said he felt it did not. No other commissioners objected to Gardner participating in the discussion.

Bartl said this is not a formal request. The reason it is in the packets is because the letter was addressed to the City Council and Planning Commission, and the last portion of the letter asks for a response.

Ayres said staff should write a response to the letter referring to the dates that staff has previously written them stating a formal application needs to be made to be considered.

Schwab asked Bartl to prepare a letter stating Mr. Anderson has the same options as anyone else and to note it in the file.

### **APPROVAL OF MINUTES.**

Logan moved to approve the Minutes of the meeting of December 16, 1999; Ayres seconded the motion which passed with a unanimous roll call vote.

(Gardner, Dueber and Steidel abstained from voting since they were not present at the previous Planning Commission meeting.)

### **INFORMATION AGENDA:**

#### **ONGOING PLANNING ITEMS.**

Bartl said that a Planning Commission training worksession is planning to be held in Seaside on March 11 and asked if anyone was interested in attending. Steidel and Dueber indicated that they would like to attend.

Bartl stated that the Steve Martin Surfsand application for an addition to the Surfsand Motel, denied by the Design Review Board, appealed to the City Council, and remanded back to the Design Review Board, will have a conceptual review next week before the Design Review Board.

## PLANNING COMMISSION 1/27/00 MINUTES

Bartl said the City Council approved an amendment to the sidewalk policy to extend the sidewalk south of Sunset on the east side of Hemlock Street, adjacent to Wallace property.

Bartl said that at an ODOT design team meeting, it was determined that the work contract would not be granted in September of 2000 as planned, but the following February; ODOT said this change will not affect the actual construction start date.

Bartl said that City Council had a worksession on Cannon Beach build out and wanted time to think about the alternatives before scheduling another meeting. The next Planning Commission worksession was scheduled on February 7 at 8:30 to continue discussing the Cannon Beach build out project.

### ADJOURNMENT.

The meeting adjourned at 7:30 p.m.

  
\_\_\_\_\_  
Georgia Shives, Administrative Assistant

## CANNON BEACH PLANNING COMMISSION

Thursday January 27, 2000 7:00 p.m.

### AGENDA AND BRIEFING MEMORANDUM

(Note: Agenda times are estimates only)

7:00 pm (1) CALL TO ORDER AND APPROVAL OF AGENDA.

7:01 pm (2) PUBLIC HEARING: MP 99-01, HLB & ASSOCIATES, ON BEHALF OF PROPERTY OWNER JOSEPH HANNA, MINOR PARTITION REQUEST TO PARTITION AN EXISTING PARCEL, MAP 51030DA, TAX LOT 4100, INTO THREE PARCELS. THE 1.4 ACRE PARCEL IS LOCATED WEST OF HEMLOCK STREET AND EAST OF FOREST LAWN ROAD, AND IS ZONED R2, RESIDENTIAL MEDIUM DENSITY.

The applicant, HLB & Associates, on behalf of property owner Joseph Hanna, requests a minor partition of an existing parcel (Map 51030DA, Tax Lot 4100) into three parcels. The 1.4 acre parcel is located west of Hemlock Street and east of west of Forest Lawn Road, and is zoned R2, Residential Medium Density. The proposed partition would result in parcels of 7,618 SF, 5,129 SF and 48,021.8 SF in size.

The application will be reviewed against Municipal Code Sections 16.04.170-16.04.340; Section 17.14.040, Residential Medium Density Zone, Standards; and Section 17.90.020.

7:20 pm (2a) CONSIDERATION OF MP 99-01.

The Planning Commission should grant or deny the minor partition request.

7:30 pm (3) AUTHORIZATION FOR CHAIRMAN TO SIGN APPROPRIATE ORDERS.

7:35 pm (4) CORRESPONDENCE

Enclosed in your packets is a letter from Peter A. Anderson concerning the inclusion of his property into the city's urban growth boundary. Staff is requesting direction from the Planning Commission.

7:45 pm (5) APPROVAL OF MINUTES.

Minutes of the meeting of December 16, 1999 are in the packets.

**INFORMATION AGENDA:**

7:50 pm (6) ONGOING PLANNING ITEMS.

Rainmar will review ongoing planning items.

(7) STAFF REPORTS AND TREE REMOVAL PERMITS.

Staff reports from the January 11, 2000 City Council meeting are in the packets along with tree removal applications received since the last Planning Commission packet.

(8) GOOD OF THE ORDER.

8:00 pm (9) ADJOURNMENT.

**STAFF REPORTS, BACKGROUND MATERIALS, MAPS AND PLANS ARE POSTED IN  
CITY COUNCIL CHAMBERS ONE WEEK PRIOR TO THE MEETING**

January 10, 2000

## STAFF REPORT

To: Planning Commission  
From: Rainmar Bartl, City Planner  
Re: Hanna Minor Partition

### I. BACKGROUND

The applicant, HLB & Associates, on behalf of the property owner Joseph Hanna, is proposing to partition an existing parcel, Tax Lot 4100, Map 51030DA, into three parcels. Tax Lot 4100 has an area of 60,769 square feet, or 1.4 acres. The proposed parcels are to have the following lot sizes: Parcel #1 - 7,618 sq.ft., Parcel #2 - 5,129 square feet., and Parcel #3 - 48,022 square feet. Parcel #1 will have 50 feet of street frontage on Forest Lawn Road and 53 feet of frontage on S. Hemlock Street. Parcel #2 will have 50 feet of frontage on Forest Lawn Road. Parcel #3 will have approximately 335 feet of frontage on S. Hemlock Street and approximately 400 feet of frontage on Forest Lawn Road. The site is vacant and contains a wetland area, Cannon Beach Wetland Site #24. A wetland delineation for the site has been prepared. The delineation established that the site contains 34,747 square feet of wetlands, or .8 acres. The wetland area is contained on Parcel #3. The parcel is essentially flat. The parcel is designated R2, Medium Density Residential.

The applicant states that Parcel #3 may be further divided into two parcels in a future calendar year.

### II. CRITERIA-ZONING CODE

A. Section 17.14.040.A Residential Medium (R2) Zone Standards, Lot Size provides that "the minimum lot area lot size for single-family dwellings shall be five thousand square feet."

Finding: Parcel # 1 has an area of 7,618 square feet. Parcel #2 has an area of 5, 129 square feet. Parcel #3 has an area of 48,022 square feet. These lot sizes are consistent with the lot size standard of the R2 zone.

Conclusion: The proposal meets this criterion.

B. Section 17.14.B.1 Residential Medium Density (R2) Zone Standards, Lot Width provides that the lot width shall be at least 40 feet.

Finding: The Parcel #1 has a lot width of approximately 50 feet. Parcel #2 has a lot width of approximately 44 feet. Parcel #3 has a lot width exceeding 150 feet.

Conclusion: The proposal meets this criterion.

C. Section 17.14.B.1 Residential Medium Density (R2) Zone Standards, Lot Depth provides



that the lot depth shall be at least 90 feet.

Finding: Parcel #1 has a lot depth of approximately 150 feet. Parcel #2 has a lot depth of approximately 100 feet. Parcel #3 has a lot depth in excess of 140 feet.

Conclusion: The proposal meets this criterion.

D. Section 17.90.020 Access Requirement provides that "every lot shall abut a street, other than an alley, for at least twenty-five (25) feet . . . "

Discussion: Parcel #1 has 50 feet of street frontage on Forest Lawn Road and 53 feet of frontage on S. Hemlock Street. Parcel #2 has 50 feet of frontage on Forest Lawn Road. Parcel #3 has 335 feet of frontage on S. Hemlock Street and approximately 400 feet of frontage on Forest Lawn Road.

The applicant states that it is the owners intent to provide access to Parcel #1 from Hemlock Street, to Parcel #2 from Forest Lawn Road, and if and when Parcel #3 is further divided, the westerly lot in Parcel #3 would have access onto Forest Lawn Road and the easterly lot in Parcel #3 would have access onto Forest Lawn Road.

In 1987, the planning commission approved a minor partition for the lot immediately to the south of the applicant's parcel. In approving the partition, the planning commission attached a condition that access to the parcels created by the partition have their access restricted to Forest Lawn Road. The purpose of the condition appears to have been based on two factors, one, a desire to minimize driveways onto an arterial street, S. Hemlock and two, retaining an uninterrupted area of vegetation and trees along the west side of S. Hemlock Street.

### III. CRITERIA - SUBDIVISION ORDINANCE

- A. Section 16.04.190.5 Tentative Plans - Other Information provides that "where the site includes wetlands, a wetland delineation with the boundaries of the wetlands shown on the plan map."

Finding: The property contains Cannon Beach Wetland Site #24. A wetland delineation for the site has been prepared by Pacific Habitat Services. The extent of the wetland area is shown on the proposed plat map.

Conclusion: The application meets this standard.

- A. Section 16.04.310.A Lots Size and Dimensions provides that "the size of parcels or lots to be created by a partition or subdivision shall be determined by the zone in which the property is located and the average slope of the property from which the parcel is to be created. The minimum lot size for parcels and lots created shall be as follows:

**Percent of  
Average Slope**

**Minimum lot size per Dwelling Unit  
(Square feet)**

0-14.99

Set by zoning district

Finding: The site is essentially flat. Therefore, the minimum lot size is established by the R2 zone, which is 5,000 square feet. Each of the three parcels has a minimum lot size of 5,000 square feet.

Conclusion: The application meets this standard.

- C. Section 16.04.310.B - Lots, Location provides that "all lots shall have a twenty-five-foot frontage on a publicly dedicated street."

Finding: See Finding II-D

**III. CONCLUSION**

The application meets the criteria for granting a partition. The planning commission should determine whether it wishes to establish access restrictions on the lots to be created.

Pchamp99-1.sr

MEMORANDUM

DATE: JANUARY 11, 2000  
TO: CANNON BEACH PLANNING COMMISSION  
FROM: DAVE KINASH, PUBLIC WORKS DIRECTOR  
RE: PROPOSED HANNA PARTITION

A handwritten signature in black ink, appearing to be 'DK' or similar, written over the 'FROM' line of the memorandum.

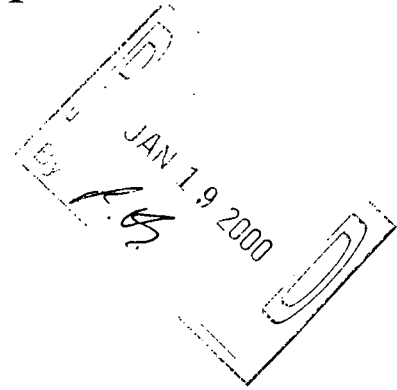
This is to indicate my concurrence with the Planning Commission's previous position that driveway entrances onto arterial streets (Hemlock in this case) should be avoided if possible and that this also accomplishes the desirable retention of a vegetation buffer.

I request that the Hanna Partition approval be conditioned to require that Lots 1,2, and 3 (west) be accessed from Forest Lawn Road.



## CANNON BEACH RURAL FIRE PROTECTION DISTRICT

P.O. Box 24  
Cannon Beach, OR 97110  
(503) 436-2949  
Fax: (503) 436-9639



18 January 2000

Cannon Beach Planning Commission  
Cannon Beach, OR 97110

Dear Planning Commission,

Cannon Beach Fire has reviewed the partition request present by HLB for Joseph Hanna and makes the following comments and recommendations:

Parcel 1 will have access from Hemlock Street and Parcel 2 will have access from Forest Lawn. As long as any proposed structure to be placed on Parcel 1 and/or Parcel 2 is built so that the access can be achieved by the Fire Department in accordance with the 1998 Oregon Uniform Fire Code, Cannon Beach Fire does not object to the request for partition. Section 902.2.1 of the 1998 Oregon Uniform Fire Code requires that "every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any a portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved rout around the exterior of the building," a fire apparatus access road shall be provided. In looking at Parcel 1 and Parcel 2, it appears that this provision is met. However, the Fire District notes the existing Forest Lawn Road does not meet all provisions of Section 902 of the 1998 Oregon Uniform Fire Code in terms of the required 20' unobstructed width and 13'6" overhead clearance. We recommend that the responsible party improve the existing road to minimum standards prior to any new development accessed from Forest Lawn. This should include signage for parking restriction and one-way traffic flow.

Parcel 3 may or may not be subdivided in the future. Cannon Beach Fire would want to be notified in advance of any future request for subdivision of Parcel 3, so that it can review such action in regards Fire Code access requirements.

Thank you for your consideration in these matters.

Sincerely,

Captain Mike Graham  
Fire Marshal - CBRFPD

# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL [canbeach@orednet.org](mailto:canbeach@orednet.org)

January 3, 2000

**Re: MP 99-01, HLB & Associates, for property owner Joseph Hanna, Request for a Minor Partition.**

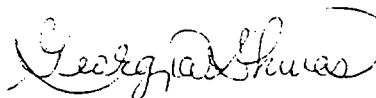
Dear Property Owner:

HLB & Associates, on behalf of property owner Joseph Hanna, has requested a minor partition to partition an existing parcel (Map 51030DA, Tax Lot 4100) into three parcels. You are being notified as a property owner within 100 feet of this property. A public hearing on the matter will be held at the Planning Commission meeting on January 27, 2000.

Please note that you may submit a statement either in writing or orally at the hearing, supporting or opposing the proposed action. Your statement should address the pertinent criteria, as stated in the hearing notice. Statements in writing must be received by the date of the hearing.

A copy of a description of how public hearings are conducted is enclosed, along with a copy of the hearing notice and a map showing the location of the subject property. Should you need further information regarding the relevant Zoning Ordinance or Comprehensive Plan criteria, please contact Cannon Beach City Hall at the above address or call me at (503) 436-1581.

Sincerely,



Georgia Shives  
Administrative Assistant

Enclosure: Notice of Hearing  
Map of Subject Area  
Procedure for Hearings

gas\pc\mp99-01.po



*"The Beach of a Thousand Wonders"*

NOTICE OF PUBLIC HEARINGS  
CANNON BEACH PLANNING COMMISSION

The Cannon Beach Planning Commission will hold public hearings on Thursday, **January 27, 2000**, at 7:00 p.m. at Cannon Beach City Hall, 163 E. Gower Street, Cannon Beach, regarding the following:

The applicant, HLB & Associates, on behalf of property owner Joseph Hanna, requests a minor partition of an existing parcel (Map 51030DA, Tax Lot 4100) into three parcels. The 1.4 acre parcel is located west of Hemlock Street and east of west of Forest Lawn Road, and is zoned R2, Residential Medium Density. The proposed partition would result in parcels of 7,618 SF, 5,129 SF and 48,021.8 SF in size.

The application will be reviewed against Municipal Code Sections 16.04.170-16.04.340; Section 17.14.040, Residential Medium Density Zone, Standards; and Section 17.90.020.

All interested parties are invited to attend the hearings and express their views. Statements will be accepted in writing or orally at the hearing. Issues which may provide the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before a local governing body. Issues must be raised, in person or by letter, with sufficient specificity to enable the decision maker to respond to the issue. Failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal based on that issue. The hearing is accessible to the disabled. Contact City Hall if you will need any special accommodations to attend or to participate in the meeting.

Correspondence should be mailed to the Cannon Beach Planning Commission, PO Box 368, Cannon Beach, OR 97110. Materials and relevant criteria are available for review at Cannon Beach City Hall, 163 E. Gower Street, Cannon Beach, or may be obtained at a reasonable cost. Staff reports are available for inspection at no cost or may be obtained at a reasonable cost 7 days prior to the hearings. Contact Helen Westbrook at City Hall (503)436-1581 for further information.

The Planning Commission reserves the right to continue any hearing to another date and time. If a hearing is continued, no further public notice will be provided.

  
Rainmar Bartl, Planner

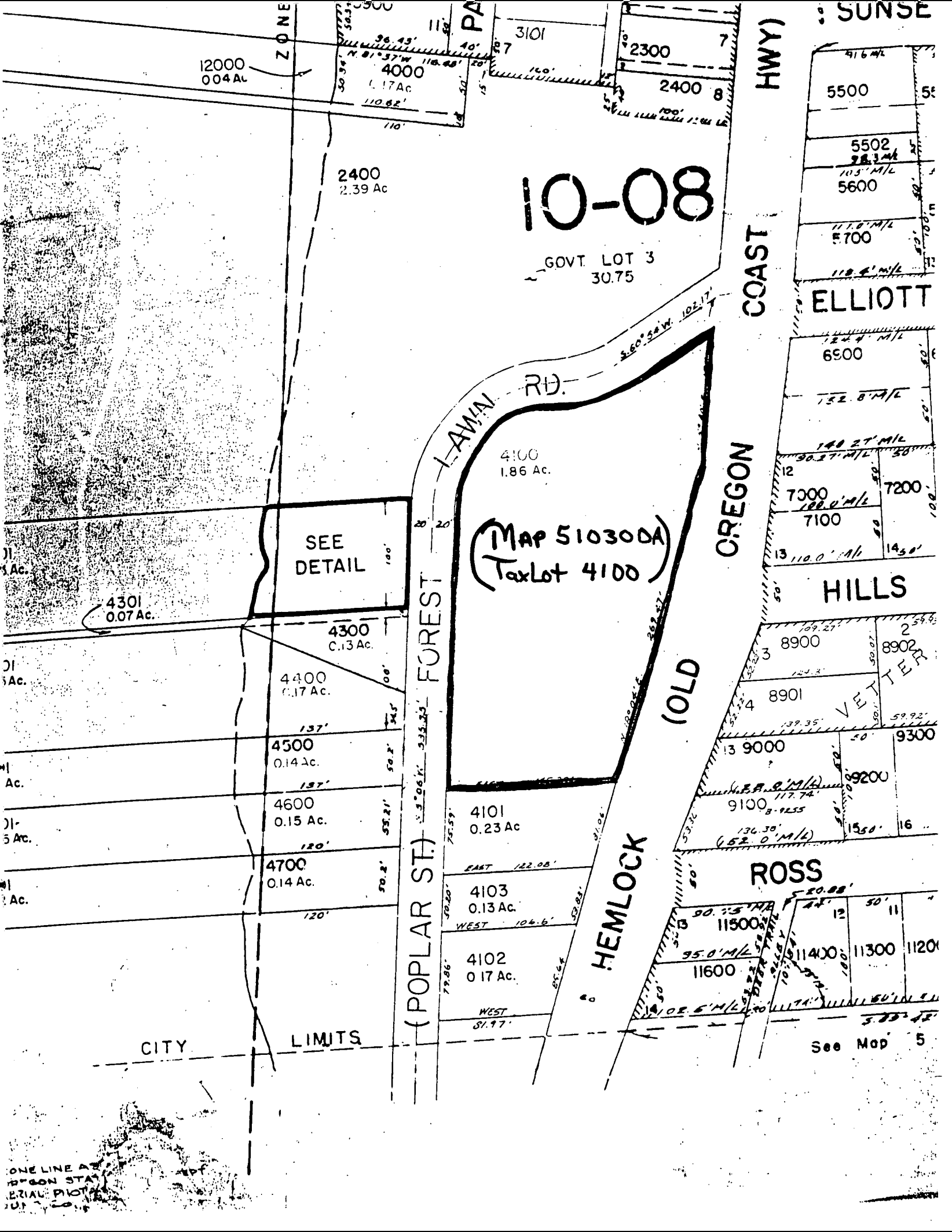
Post: January 3, 2000

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: PLEASE PROMPTLY  
FORWARD THIS NOTICE TO THE PURCHASER

**CONDUCT OF PUBLIC HEARINGS BEFORE  
CANNON BEACH CITY COUNCIL and PLANNING COMMISSION**

- A. At the start of the public hearing, the Mayor or Planning Commission Chair will ask the following questions to ensure that the public hearing is held in an impartial manner:
1. Whether there is a challenge to the jurisdiction of the City Council or Planning Commission to hear the matter;
  2. Whether there are any conflicts of interest or personal biases to be declared by a Councilor or Planning Commissioner;
  3. Whether any member of the Council or Planning Commission has had any ex parte contacts.
- B. Next, the Mayor or Planning Commission Chair will make a statement which:
1. Indicates the criteria which apply to the action;
  2. Cautions those who wish to testify that their comments must be related to the applicable criteria or other criteria in the Comprehensive Plan or Municipal Code that the person testifying believes apply;
  3. States that failure to raise an issue in a hearing, or failure to provide statements or evidence sufficient to afford the decision makers an opportunity to respond to the issue precludes appeal based on that issue;
  4. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence or testimony regarding the application. The City Council or Planning Commission shall grant such request by continuing the public hearing or leaving the record open for additional written evidence or testimony.
- C. The public participation portion of the hearing will then proceed as follows:
1. Staff will summarize the staff report to the extent necessary to enable those present to understand the issues before the Council or Planning Commission.
  2. The Councilors or Planning Commissioners may then ask questions of staff.
  3. The Mayor or Planning Commission Chair will ask the applicant or a representative for any presentation.
  4. The Mayor or Planning Commission Chair will ask for testimony from any other proponents of the proposal.
  5. The Mayor or Planning Commission Chair will ask for testimony from any opponents of the proposal.
  6. Staff will be given an opportunity to make concluding comments or respond to additional questions from Councilors or Planning Commissioners.
  7. The Mayor or Planning Commission Chair will give the applicant and other proponents an opportunity to rebut any testimony of the opponents.
  8. Unless continued, the hearing will be closed to all testimony. The Council or Planning Commission will discuss the issue among themselves. They will then either make a decision at that time, or continue the public hearing until a specified time.

**NOTE:** Any person offering testimony must first state their name, residence and **mailing address** for the record. If representing someone else, the speaker must state whom he represents.



10-08

GOVT. LOT 3  
30.75

2400  
2.39 Ac

SEE  
DETAIL

4301  
0.07 Ac.

4300  
0.13 Ac.

4400  
0.17 Ac.

4500  
0.14 Ac.

4600  
0.15 Ac.

4700  
0.14 Ac.

4100  
1.86 Ac.

(MAP 51030DA  
TaxLot 4100)

4101  
0.23 Ac.

4103  
0.13 Ac.

4102  
0.17 Ac.

5500

5502  
98.1 M/L

5600

5700

ELLIOTT

6900

152.8 M/L

140.2 M/L

7000

7100

7200

14.50'

HILLS

8900

8901

9000

9100

9200

9300

9400

9500

9600

9700

9800

9900

10000

10100

10200

10300

10400

10500

10600

10700

10800

10900

11000

11100

11200

11300

11400

11500

11600

11700

11800

11900

12000

12100

12200

12300

12400

12500

12600

12700

12800

12900

13000

13100

13200

13300

13400

13500

13600

13700

13800

13900

14000

14100

14200

14300

14400

14500

14600

14700

14800

14900

15000

15100

15200

15300

15400

15500

15600

15700

15800

15900

16000

16100

16200

16300

16400

16500

16600

16700

16800

16900

17000

17100

17200

17300

17400

17500

17600

17700

17800

17900

18000

18100

18200

18300

18400

18500

18600

18700

18800

18900

19000

19100

19200

19300

19400

19500

19600

19700

19800

19900

20000

20100

20200

20300

20400

20500

20600

20700

20800

20900

21000

21100

21200

21300

21400

21500

21600

21700

21800

21900

22000

22100

22200

22300

22400

22500

22600

22700

22800

22900

23000

23100

23200

23300

23400

23500

23600

23700

23800

23900

24000

24100

24200

24300

24400

24500

24600

24700

24800

24900

25000

25100

25200

25300

25400

25500

25600

25700

25800

25900

26000

26100

26200

26300

26400

26500

26600

26700

26800

26900

27000

27100

27200

27300

27400

27500

27600

27700

27800

27900

28000

28100

28200

28300

28400

28500

28600

28700

28800

28900

29000

29100

29200

29300

29400

29500

29600

29700

29800

29900

30000

30100

30200

30300

30400

30500

30600

30700

30800

30900

31000

31100

31200

31300

31400

31500

31600

31700

31800

31900

32000

32100

32200

32300

32400

32500

32600

32700

32800

32900

33000

33100

33200

33300

33400

33500

33600

33700

33800

33900

34000

34100

34200

34300

34400

34500

34600

34700

34800

34900

35000

35100

35200

35300

35400

35500

35600

35700

35800

35900

36000

36100

36200

36300

36400



REC#	MAP_NUMBER	TAX_LOT	OWNER_OF_REC.	ADDRESS_1
1	51030DA	2400	HAY FAMILY LTD PARTNERSHIP	PO BOX 1747
2	51030DA	4100	ELEANOR EASLY	PO BOX 220
3	51030DA	4101	JANET BOTNEN	820 DEVARA LANE
4	51030DA	4103	MICHAEL/KAREN DURBIN	4686 NW DRIVER PL
5	51030DA	4200	WILLIAM/JULIE REIERSGAARD	2600 SE ELLSWORTH RD
6	51030DA	4204	JOE & JUDY HANNA	4911 SE 33RD AVE
7	51030DA	4300	ALAN/SHARON STUTZMAN	18055 S CRESTLINE DR
8	51030DA	4400	ALAN/SHARON STUTZMAN	18055 S CRESTLINE DR
9	51030DA	4500	DRAKE/ROSANNE NICHOLSON	1802 BLACK LAKE BLVD SW
10	51030DA	4600	PAUL MCMAHON	PO BOX 1031
11	51030DA	4700	WILLIAM/MARGARET BUFFUM	9367 SW MORRISON ST
12	51030DA	5700	FRED LACKAFF	PO BOX 671
13	51030DA	6900	JUDY GRAVES	6611 SE YAMHILL CT
14	51030DA	7000	DAVID/FRANCES PHILLIPS	PO BOX 628
15	51030DA	7100	KENNETH/EMMA KOLB	892 SNEIDER BARKS RD
16	51030DA	8900	TIM & DIANE ERCEG	PO BOX 580
17	51030DA	8901	MELINDA MILLER	9831 MARINE VIEW DR
18	51030DA	9000	DAVID WHEATLEY	PO BOX 1205
19	51030DA	9100	BILL & HELEN M. SPRAGUE	2915 ARBOR DR

REC#	ADDRESS_2	ZIP
1	LAKE OSWEGO OR	97035-1747
2	ONTARIO OR	97914-0220
3	MONTESANO WA	98563
4	PORTLAND OR	97229
5	VANCOUVER WA	98664
6	PORTLAND OR	97202
7	LAKE OSWEGO OR	97034
8	LAKE OSWEGO OR	97034
9	OLYMPIA WA	98512
10	CANNON BEACH OR	97110-1031
11	PORTLAND OR	97225
12	CANNON BEACH OR	97110-0671
13	PORTLAND OR	97215-2011
14	CANNON BEACH OR	97110-0628
15	WASHOUGAL WA	98671
16	CANNON BEACH OR	97110
17	MUKILTEO WA	98275
18	CANNON BEACH OR	97110-1205
19	WEST LINN OR	97068

# HLB & Associates

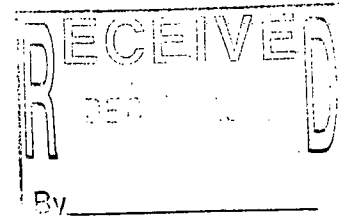
I N C O R P O R A T E D

4253-A Hwy 101 North  
Seaside, Oregon 97138

Surveying, Civil Engineering & Planning

TEL (503) 738-3425  
FAX (503) 738-7455

November 30, 1999



City of Cannon Beach  
P.O. Box 368  
Cannon Beach, OR 97110  
Attn. Rainmar Bartl

**RE: Application for Partition, Tax Lot 4100, Map 5 10 30DA**

Dear Rainmar:

Enclosed please find the application and sketch map for the proposed partition of the subject property. Our records indicate that the subject property is located in zone R2, Residential Medium Density. The intent is to create three parcels, all meeting minimum zoning requirements. Parcel 3 may be further subdivided into two parcels in a future calendar year, if the owner so directs.

It is the client's intent that Parcel 1 will take access from Hemlock Street; Parcel 2 will be accessed from Forest Lawn Road. If and when Parcel 3 is further subdivided, the Westerly lot in Parcel 3 would take access from Forest Lawn, the Easterly lot in Parcel 3 would be accessed from Hemlock Street. The client wishes to minimize any additional traffic on Forest Lawn and would locate the driveways on Hemlock Street within close proximity to each other to minimize access points.

In June, 1999, our firm performed a boundary survey of the subject parcel. Also, in June, 1999, Pacific Habitat Services performed a wetlands delineation of the subject parcel. Copies of both maps are enclosed.

HLB & Associates, Inc. as applicant, respectfully submits said application for review and approval. If any questions or concerns arise regarding this project, please contact me at your convenience.

Sincerely,

*HLB & Associates, Inc.*

David M. Seese, PLS 2762  
Survey Manager

cc: Joey Hanna  
encl.

M:\Letters\Hanna App.doc

CITY OF CANNON BEACH  
P.O. Box 368  
Cannon Beach, OR 97110-0368  
Phone (503) 436-2045/Fax (503) 436-2050

PARTITION APPLICATION

Please fill out this form completely. Please type or print.

Applicant Name: HUB & ASSOCIATES, INC.

Mailing Address: 4253A Hwy 101 Phone: 738-3425  
SEASIDE, OR 97138

Property-Owner Name: JOSEPH HANNA  
(if other than applicant)

Mailing Address: 5820 S.W. KELLY Phone: 503-892-9999  
PORTLAND, OR 97201

Property Location: 5-10-30 Map No.: DA Tax Lot No.: 4100

Partition Description: CREATE 3 LOTS - 3RD LOT TO BE  
POSSIBLY SUBDIVIDED (PARTITIONED) IN FUTURE

Please see Municipal Code Sections 16.04.180 and 16.04.190 for Partition information that must be included with this application.

Application Fee: \$300.00

Applicant Signature: [Signature] Date: 11/30/99

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act on his/her behalf. Please attach the name, address, phone number, and signature of any additional property owners.

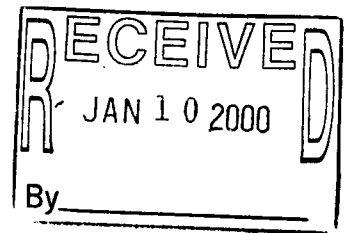
\*\*\*\*\*

Received on: 12/6/99 By: [Signature] Fee Paid: 300.00

Receipt No.: 7312 Application completeness checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Forms/MP.APP

**Peter A. Anderson**  
**3639 Pacific Avenue**  
**Tolovana Park, OR 97110**



December 21, 1999

Mr. Rainmar Bartl  
City Planner  
City of Cannon Beach  
P. O. Box 368  
Cannon Beach, OR 97110

Dear Rainmar:

As you know, the Anderson family homesteaded 160 acres during the nineteenth century that is currently in Clatsop County, of which 5 acres remain. Over the past 20 years, we have sought inclusion within the urban growth boundary and the city of Cannon Beach. While our family has been long-standing residents of the city of Cannon Beach, and has exhibited a respect and love for the area, the descendents of the original Anderson homesteaders would like to realize some economic value derived from the family's long-standing property ownership.

Over the years, we have attempted unsuccessfully, on several occasions to advocate inclusion within the urban growth boundary and the city of Cannon Beach to develop our property. As you may recall, we even had to acquire a lot in Haystack Heights so as to provide access to our own property, which had been circumvented through an egregious oversight of a previous city administration. We met on Monday, November 22 to learn from you what your assessment of our outlook might be for inclusion so as to be in a better position to assess alternative uses for our property.

Summarizing our conversation, you indicated that it would be "several years" before you believed a decision would be reached as to whether or not:

1. the growth plans for the city of Cannon Beach are fine as they are;
2. further growth plans should be considered; or
3. amendments should be made to the existing urban growth plan that would substitute potentially more preferable growth parcels for those currently within the existing urban growth boundary. We understand further that the Anderson property is being considered as one of the parcels that might be preferable to some within the existing urban growth boundary.

The purpose of this letter is to respectfully advise you, as the staff liaison to the city council and planning commission, that we do not have "several years" to await your decision, and feel compelled to, therefore, move ahead on one of our two or three alternatives. They are:

1. harvest the timber on the existing 5 acres, replant, and await the possibility of a decision to include the Anderson property in future years;
2. sell the two 2½ acre parcels to two individuals as single family homesites within the zoning provisions of Clatsop County, thereby removing them from potential inclusion within the urban growth boundary in the city of Cannon Beach to accommodate future growth requirements; or
3. a combination of #s1 and 2, similar to what we understand has occurred at Sunset Heights whereby we would harvest the timber and then sell the two 2½ acre parcels to two individuals within the Clatsop County zoning restrictions.

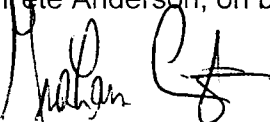
As you know, we believe the best and highest use of these two parcels would be to include them within the urban growth boundary and the city of Cannon Beach such that the 5 acres could be used to accommodate Cannon Beach's future growth requirements. We have also recommended that the trees could be selectively removed so as to accommodate a lower density housing arrangement and thereby better preserve the indigenous environment.

Pending your response to this letter, we will assume that our idea for the best and optimal use for these 5 acres is not consistent with that of the planning commission and/or the city council, and that the timing for possible inclusion within the urban growth boundary and the city of Cannon Beach remains uncertain and far in the future. If this remains the case, we will respect that decision and will regretfully move ahead on one of the alternatives outlined above. We appreciate your consideration of our advocacy over the past 20 years.

Sincerely,



Pete Anderson, on behalf of the Anderson family

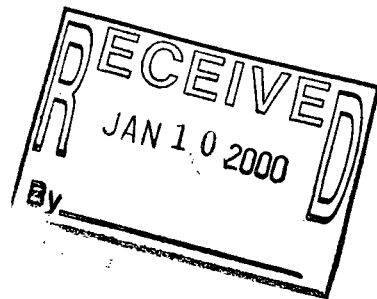
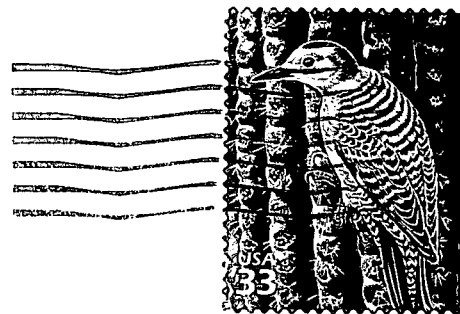


Graham Covington

GLC/

cc: City Council  
City Manager  
Planning Commission

Peter A. Anderson  
3639 Pacific Avenue  
Tolovana Park, OR 97110



Planning Commission  
City of Cannon Beach  
P. O. Box 368  
Cannon Beach, OR 97110

97110+0368



## CANNON BEACH PLANNING COMMISSION

Thursday December 16, 1999 7:00 p.m.

### MINUTES

Present: Chairman Herb Schwab and Commissioners Ron Logan, Janet Rekate, and Betsy Ayres

Excused: Commissioners Larry Peters, Sam Steidel and Tracy Gardner

Staff: City Planning Director Rainmar Bartl, Administrative Assistant Georgia Shives

### CALL TO ORDER AND APPROVAL OF AGENDA

Chairman Schwab called the meeting to order at 7:00 p.m. Ayres moved to adopt the agenda as distributed; Rekate seconded the motion which passed with a unanimous roll call vote.

CONTINUED PUBLIC HEARING: SR 99-06, FINKLEA APPLICATION, ON BEHALF OF PROPERTY OWNERS FRED AND SHELLY DAHL, FOR A SETBACK REDUCTIONS IN CONJUNCTION WITH THE REMODELING OF AN EXISTING SINGLE FAMILY DWELLING LOCATED AT 3615 UMPQUA STREET (MAP 51031DD, TAX LOT 2401) IN AN R1, RESIDENTIAL MODERATE DENSITY ZONE. THE APPLICANT REQUESTS SETBACK REDUCTION TO PERMIT A 3 FOOT STREET SIDE YARD SETBACK AND A 2 FOOT REAR YARD SETBACK.

No one objected to the jurisdiction of the Planning Commission to continue hearing this matter at this time. None of the Commissioners expressed a conflict of interest. As ex parte contacts, Commissioners indicated they had visited the site. Ayres said she had read the record from the previous meeting and wished to participate in the consideration. Chairman Schwab opened the public hearing and called for a presentation by the applicant.

John Finklea, 3223 SW Naito Parkway, Portland, OR 97201, architect to the property owners, Fred and Shelly Dahl, stated that additional drawings were sent to the Commissioners to illustrate that the proposed building remodel would not impact the view from the eastern property. Finklea said that was what was in contention at the previous meeting, plus the height of the garage. He said he has rarely asked his clients to deviate from the restrictions that the community has placed on the design and construction. He stated that this application has merit because in order to provide a garage and the dwelling square footage area the owners need, it would be necessary to move further to the west, infringing

## **Planning Commission 12/16/99 MINUTES**

on the view of the property owner to the south. Finklea said there was no objection from the property owner to the east, and the setbacks requested conform to the setback reductions that were granted to a former owner of the property in 1991.

In response to a question by Rekate, Finklea stated the drawing he had sent showed the profile of the garage and the reduced height that the Planning Commission had requested. He said the garage foundation would be at a lower height than what is currently there. Finklea showed in a larger drawing the existing house with the footprint of the proposed location of the house. He said this would not infringe on properties to the south. Schwab asked if he had talked to the property owner to the east; Finklea responded yes. Schwab asked how much further to the west the structure could lawfully be extended; Finklea responded 8 feet. In response to a question by Logan, Finklea stated that the garage is currently 9 foot 10 inches high; the proposed garage height will be a maximum of 13 feet in height.

No one else wished to testify.

Rekate asked if the house required a breakaway foundation. Bartl responded that the house would need to meet velocity zone requirements. Finklea said there are different ways to meet the velocity requirements. Finklea said, in this instance, it is necessary to raise the level of the house since the foundation is only 30 inches higher than the flood elevation.

The public hearing was closed.

### **CONSIDERATION OF SR 99-06**

Rekate moved to grant the setback reduction on the north side with the garage height not more than 13 feet; Ayres seconded the motion which passed with a unanimous vote.

Ayres moved to grant the setback reduction on the east side to include conditions that the recorded easement for ingress and egress over Tax Lot 2400 is amended to require approval by the City of Cannon Beach and the Cannon Beach Rural Fire Protection District prior to any changes in the easement; Logan seconded the motion.

In response to a question by Rekate, Bartl said the Fire District was initially opposed to the setback reduction because of the 2 foot side yard setback. When the Fire District found out there was an additional 10 foot easement, the proposal was acceptable. Bartl said that it was necessary that to keep the easement so that there is adequate fire separation; the proposal condition would require Fire District approval of any change in the easement.

A roll call vote was taken on the motion to grant the setback reduction on the east side of the Dahl property which passed with a unanimous vote.



## **Planning Commission 12/16/99 MINUTES**

PUBLIC HEARING: CU 99-010, KATIE & BILL COLLINS, ET AL, CONDITIONAL USE REQUEST TO PERMIT STRUCTURAL SHORELINE STABILIZATION IN CONJUNCTION WITH EXISTING SINGLE FAMILY DWELLING AND VACANT LOT LOCATED AT 3264 PACIFIC STREET. THE PROPERTIES ARE DESCRIBED AS MAP 51031AD, TAX LOTS 2000 AND 2002, LOCATED IN AN R1, RESIDENTIAL MODERATE DENSITY, ZONE.

No one objected to the jurisdiction of the Planning Commission to hear this matter at this time. None of the Commissioners expressed a conflict of interest. As ex parte contacts, Commissioners indicated they had visited the site.

Bartl reviewed the staff report of November 30, 1999.

There was no correspondence.

Chairman Schwab opened the public hearing and stated that the appropriate criteria were listed in the staff report and criteria sheets; testimony and evidence must be directed toward those criteria or other criteria of the Comprehensive Plan or Municipal Code which the person testifying believes to apply to the decision; failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-makers and parties an opportunity to respond to the issue precludes appeal based on that issue; prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments and testimony regarding the application; the Planning Commission shall grant such requests by continuing the public hearing or leaving the record open for additional written evidence, arguments or testimony. Schwab called for a presentation by the applicant.

Jeff Harrington, HLB & Associates, 4253A Hwy 101 N, Seaside, representing the applicants Katie and Bill Collins, stated he was available to answer questions.

No one else wished to testify.

The public hearing was closed.

### CONSIDERATION OF CU 99-10.

Logan moved to approve the conditional use permit with the two conditions stated on page 6 of the staff report; Rekate seconded the motion which passed with a unanimous vote.

### AUTHORIZATION FOR CHAIRMAN TO SIGN APPROPRIATE ORDERS.

Rekate moved to authorize the Chairman to sign the appropriate orders; Logan seconded the motion which passed with a unanimous roll call vote.

## **Planning Commission 12/16/99 MINUTES**

### APPROVAL OF MINUTES.

Rekate moved to approve the Minutes of the meeting of November 18, 1999; Logan seconded the motion which passed with a unanimous roll call vote. (Ayres abstained from voting since she was not present at the previous Planning Commission meeting.)

### **INFORMATION AGENDA:**

#### ONGOING PLANNING ITEMS.

Bartl reviewed the ongoing planning items and scheduled a worksession for Monday, January 10, 2000.

Bartl reported that from the December 7, 1999 City Council meeting, City Council upheld the Design Review Board's denial of the Chamber of Commerce's application of the placement of lighthouses for the Christmas celebration and adopted the Proposed Traffic and Management Plan.

Bartl said the city heard from its attorneys that the Oregon Supreme Court decided not to hear the Holland subdivision matter.

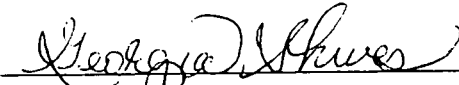
Bartl noted that he had distributed copies of the definitions of NGVD (National Geodetic Vertical Datum).

#### GOOD OF THE ORDER.

Rekate asked when all of Cannon Beach was going to be protected by riprap and how much is protected currently with a seawall. Bartl responded that less than half is protected.

#### ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

  
Georgia Shives, Administrative Assistant

January 4, 2000

To: Helen Westbrook  
From: Rainmar Bartl  
Re: Monthly Report - December

A. Monthly Activities

1. December City Council

- a. Cannon Beach Chamber of Commerce lighthouses Appeal - DRB denial; **upheld the design review board decision.**
- b. City of Cannon Beach proposed amendment to the comprehensive plan background report - capital improvement program; **tentatively approved, subject to preparation of an ordinance.**
- c. Parking and traffic management plan 1999-2000; **adopted the plan.**
- d. Amendments to the flood hazard overlay zone; **adopted an ordinance.**
- e. Little Appeal; **adopted final findings in support of the appeal and overturning the design review board decision.**

2. December Planning Commission

- a. Finklea setback reduction; **approved subject to condition.**
- b. Collins conditional use - riprap; **approved subject to conditions.**

3. December Design Review Board

There was no meeting in December meeting.

B. On-going Planning Items

1. Cannon Beach at build-out; **continued to develop pertinent background information and meet with planning commission.**
2. SHED committee; **begin prioritization of recommended action items.**
3. School Siting Committee; **collect pertinent background information.**

## Staff Report

To: Helen Westbrook, City Manager  
Mayor & City Council

From: Dave Kinash, PW Director

Subject: Power Outage



The November 1999 Public Works Activity Report to Council indicated that a power outage on October 27-28, resulted in overflows from pump stations. Council has requested more information concerning this matter.

A city wide power outage occurred late on Wednesday night, October 27th. The outage lasted until approximately mid morning of the following day. Approximately two inches of rain occurred during the period.

Dan Elek, PW Foreman, responded to the calls concerning pump station initial shutdown. It was decided initially not to call out service personnel to set up and run generators (at Pacific and Matanuska stations) due to the storm conditions and lateness of the hour. It was not known at that time how long the outage would last; however, initial information received from the power company after about an hour into the outage indicated that repairs would be made within an hour or two. As it turned out, the initial problem was of short duration, but unforeseen problems with controls and wiring at the temporary substation unit caused a much longer outage. Dan and I decided to wait until morning to deploy the generators if the power was still off. The generators were deployed at approximately 8 am and set up to run the Pacific and Matanuska stations. The generators operated the stations until power was restored at approximately 10:30. The 5th Street station and the five smaller stations did not operate during this period. It is not known how much, if any, overflow occurred at each of these stations. The main pump station and wastewater treatment plant operated under generator power located at the plant.

For general information, the following are power dependent wastewater facilities:

1. Pacific pump station (Pacific & Coolidge)
2. Main Pump station (Second & Spruce) powered by the wastewater plant's generator.
3. 5th Street pump station (5th & Alt 101)
4. Elkland pump station (RV Resort-Elk Creek Rd)
5. Matanuska pump station (Pacific @ Stephanie Inn)
6. Haystack pump station (Pacific, north of Center-oceanfront)
7. Siuslaw pump station (Siuslaw & Pacific)
8. Midway pump station (Ocean & Midway)
9. Sitka pump station (Sitka Street)

Public Works policy regarding use of generators is to utilize the two portable generators to the extent possible to avoid overflows. This means shuttling the generators between stations as required during a city-wide outage. This procedure during winter storm conditions at night is consider less critical than in the height of the summer time population influx.

03 January 2000

TO: Helen Westbrook  
Parks Committee  
City Council Members

FROM: Kim Bosse'

RE: RV Park Pool Community Swim Program

The RV Park opened on November 30, 1999 for a three-month free swim program. The pool is open 3 days a week (Tues., Weds, Thurs.) from 3:30PM to 7:30 PM for community use. The following is a summary of use to date.

#### ATTENDANCE

DATE	ADULTS	CHILDREN	TOTAL	
11-30	6	10	16	
12-1	4	21	25	
12-2	4	15	19	
12-7	17	30	47	
12-8	11	14	25	
12-9	2	11	13	School Christmas Party
12-14	4	17	21	
12-15	17	23	40	
12-16	3	14	17	
12-21	10	17	27	
12-22	6	20	26	
12-23	3	10	13	
12-28	8	18	26	
12-29	8	17	25	
12-30	13	24	37	

Average Attendance 25

#### ISSUES

1. There have been no complaints from RV Park patrons.
2. The only incidents have been in the first week in which a few older teens were asked to not return unless their behavior changed. The teens have returned with no further rough behavior.
3. The only accidents have been the occasional stubbed toe or scraped elbow on the concrete.

# **Cannon Beach Police Department**

## **CITY COUNCIL REPORT**

**for City Council Meeting on January 11, 2000**

**By Police Chief David Rouse**

### **The New Years Holiday**

There were no incidents over the New Years holiday. In fact I believe there were no fire or rescue calls either. We had additional staff working on New Years eve. The town was busy and there were people on the streets until the early morning hours. All the Police Department computers appear to be working without a problem.

### **Personnel**

Sgt Fletchall is still on light duty with a stress fracture in his leg. He will remain on light duty until at least February 7'th. Terry White's last day was December 31'st. Mike Calog and I will be sharing the equipment maintenance responsibilities. The flu bug has been very active in the PD for the past month.

### **Telephone number on "tow-a-way" signs**

Public Works reports that they have a plan for putting decals with the PD telephone number on towaway signs as requested in the parking management plan.

### **Crime**

There was very little criminal activity in December. Two exceptions are worth noting. One involved a number of street signs being moved or removed. The other is two incidents of counterfeit bills being found in town. One was a \$5 and one was a \$50.

### **Power outages**

The plug in for the City Hall telephone system was moved from the attic to the shop area. This will allow us to transfer the phone system to generator power much more conveniently and safely. Injuries from banged heads have resulted from past power failures.

We were unable to start the emergency generator used by the Police Department. It has been in the shop twice this fall and does not appear to be reliable any more. It is a surplus military generator that is 30 years old.

### **Patrol Car**

The blue 1996 Ford is being outfitted with a lightbar, cage, etc and should be ready for use as a patrol car before the end of the month. The blue Ford is a dedicated CNG vehicle. It has low mileage.

Cannon Beach Code Activity Enforcement Report  
November 26-December 27 1999

Twenty-two new code cases were logged for the reporting period.

Two abandoned vehicles were tagged and owners located and asked to remove from the public right of way.

Five residences with obscured or missing building numbers were noted and owners contacted. House numbers were installed on another residence from last month by the city and that owner billed accordingly.

A Portland-based contractor was asked to obtain a business license before completing work at a downtown location. The firm complied the following day.

Violation of a conditional use permit for a motel gift shop was reported and action taken by the owners to bring the shop into compliance.

Four junk vehicles (unlicensed and/or inoperable) were removed from public or private property.

A rubbish complaint in Tolovana was reported and found to be a non-violation.

A licensed short term rental owner was cited for operating a second unit outside the parameters of her business license. Trial is scheduled for February 16<sup>th</sup> in Municipal Court.

Six sign violations were logged and the signs removed by responsible parties or myself. Most were illegal placement at street corners or on the public right of way.

A tree hazard in south Tolovana resulted in roof damage to a RV (vehicle did not stop). Home owner was notified to cut low hanging limb to required height of 14 feet over the right of way.

# CODE ENFORCEMENT NEW CASES 11-26-99 to 12-27-99

<u>Case#</u>	<u>Incident</u>	<u>Incident Date</u>	<u>Disposition</u>	<u>Action</u>
MC99-196	Abandoned Vehicle 819.100	11/30/99	Cleared	Complied
MC99-213	Abandoned Vehicle 819.100	12/21/99	Cleared	Complied
MC99-193	Building Numbers 15.08.010	11/26/99	Pending	Letter sent
MC99-206	Building Numbers 15.08.010	12/14/99	Pending	Letter sent
MC99-207	Building Numbers 15.08.010	12/14/99	Pending	Letter sent
MC99-208	Building Numbers 15.08.010	12/14/99	Pending	Letter sent
MC99-214	Building Numbers 15.08.010	12/27/99	Pending	Verbal Request
MC99-197	Business License 5.04.080	11/30/99	Cleared	Complied
MC99-194	Conditional Use Permit Violation	11/30/99	Cleared	Verbal Request
MC99-204	Junk 8.04.110	12/8/99	Cleared	Complied
MC99-205	Junk 8.04.110	12/8/99	Cleared	Complied
MC99-209	Junk 8.04.110	12/16/99	Pending	Verbal Request
MC99-210	Junk 8.04.110	12/16/99	Cleared	Complied
MC99-203	Rubbish 8.04.100	12/7/99	Cleared	No violation
MC99-198	Short Term Rental 17.77.040	11/30/99	Cleared	Cited
MC99-195	Signs, car 10.08.220	11/30/99	Cleared	Removed
MC99-199	Signs - General 17.56.010	12/3/99	Cleared	Complied
MC99-200	Signs - General 17.56.010	12/4/99	Cleared	Complied
MC99-201	Signs - General 17.56.010	12/4/99	Cleared	Removed
MC99-202	Signs - General 17.56.010	12/4/99	Cleared	Complied
MC99-212	Signs - General 17.56.010	12/21/99	Cleared	Complied
MC99-211	Tree Hazard	12/21/99	Pending	Verbal Request



TO: CITY COUNCIL  
FROM: DAVE KINASH, PUBLIC WORKS DIRECTOR  
RE: 12/99 MONTHLY REPORT

#### WASTEWATER

Tests: BOD, TSS, Nutrient, Fecal Coliform; Composite Sampling;  
11/99 NPDES report;  
Locates: 6;  
Matanuska: Inspected air relief valves, ordered 2 new  
replacements, painted, installed; installed vent piping;  
electrical system, motors inspected by CB Electric; completed  
maintenance history; cleaned rags from check valves; pulled  
east pump, removed debris;  
Vista Del Mar: put rock in soft spot by air relief valve;  
12/10/99 power outage, north side, 3.5 hrs, generator used @ Ecola  
pump station;  
New Service: 132 & 140 N Hemlock, area repaved, maps drawn;  
Truck #188: tire repaired;

#### RECYCLE

Bales processed: cardboard, 7; tin, 1; mixed paper, 3;  
grayboard, 1; mixed plastic, 1;  
Plastic accumulation (bags): milk jugs: 9; assorted: 0;  
Shipment: clear glass, 11/4; magazines, 11/16;  
Post Office pickup, barrels: magazines, 11; newsprint, 9; mixed  
paper, 6;  
CB Elementary pickup, barrels: white paper, 1; mixed paper, 1;  
tin, 1; magazines, 100#; newspaper, 100#; cardboard, 125#;  
City Hall pickup, barrels: magazines, 1; newspaper, 1; mixed, 1;  
cardboard, 60#;  
Curbside: newsprint, 565#; tin, 189#; magazines, 240#; plastic  
bottles, 78#; cardboard, 110#;  
Shipment: newsprint, 12/1; green glass, 11/30;  
Recycle Saturday: residential, 50; commercial, 16;  
Volunteers: 3 for 3 hours;  
Community Service Worker: 4 hrs, 12/7; 4 hrs, 12/14;

#### PARKS

All parks: brush cut; cleanup; storm cleanup; mulching beds;  
weeding; fall bulb planting completed;  
Les Shirley: faucet leak repaired;

#### WATER

Locates: 12; Meter reading/maintenance; meter re-reads;  
Abandon Service: 1287 Pacific;  
Replace existing service: 188 W Harrison;  
Replace main & services: Vista Del Mar;  
SSF: storm/erosion damage @ intake;  
PW Yard: assemble wash rack;

## ROADS & STREETS

Throughout town: grading; cold asphalt pothole patching; hot asphalt utility ditch patching; street sign repair/replacement; clear emergency beach access ramps; clear outfalls;

Thanksgiving storm clean up: vacator all storm water outfall pipes, clean tide gates;

Haystack Heights: ditching/shoulder work, buried storm water inlet, return 150' of culvert to service;

PW Yard: inventory, move street signs to new building, construct storage racks, table, benches; move block wall for wash rack plumbing;

S-curves: monitor, maintain slide zone signs;

Map tow away zone locations; count signs for Council action of contact phone number sticker placement;

BUILDING PERMITS ISSUED  
MONTH OF NOVEMBER, 1999  
CITY OF CANNON BEACH

<u>OWNER/MAILING ADDRESS</u>	<u>JOB SITE</u>	<u>PERMIT#</u>	<u>CONTRACTOR</u>	<u>DESCRIPTION</u>	<u>VALU</u>
DEMETRIOS MELETIS 500 NE 39TH AVE PORTLAND OR 97232	3163 S HEMLOCK	99-146	OHI CONST 503-635-6248	C-REPAIR-FIRE	7000
COASTER PROPERTIES 1211 SW 5TH #600 PORTLAND OR 97204	186 N HEMLOCK	99-145	SAME 436-2235	C-RMDL	15,000
ECOLA BIBLE SCHOOL PO BOX 190 CANNON BEACH OR 97110	423 ALT HWY 101 N	99-144	EARTH ANCHORS 503-235-4625	R-RPR	3740
MICHAEL SIMON 1005 SW MYTEL DR PORTLAND OR 97201	187 E MADISON	99-142	ROY THOMPSON 436-0607	R-ADD	2000
JACKIE WEBER 1400 SAN JUAN HILLS #105 LAS VEGAS NV 89134	387 SUNSET	99-141	ENVISION PAINT 738-7250	R-ADD	9600
JUDY GREGORY 11480 NW PERIMAN DR PORTLAND OR 97229	539 N LAUREL	99-139	QUALITY HOME CONT 738-6538	R-RPR	3600
ELK CREEK TERRACE APTS 4650 SW NACADAN /3200 PORTLAND OR 97201	357 ELK CREEK RD #705	99-138	DAN LEACH	R-RPR	2000

IORDANA MAJOWSKI 2818 SE 26TH AVE PORTLAND OR 97202	1264 PACIFIC DR	99-135	STEVE OLSTEDT 738-2522	R-ADD	2800
ED & TREE JOHNSON PO BOX 241 CANNON BEACH OR 97110	451 ELKLAND CT 436-0201	99-129	SAME	R-NEW MD	53,000
MARILYN HULETZ 592 7TH ST LAKE OSWEGO OR 97034	155 TAFT	99-112	JOE ZAK 503-368-7476	R-ADD	33,600

# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL canbeach@orednet.org

PERMIT FOR TREE REMOVAL PERMIT #:TC 00-03  
CANNON BEACH MUNICIPAL CODE, CHAPTER 17.70, TREE REMOVAL

OWNER: RICHARD KLOCK  
17905 SE 39TH ST  
VANCOUVER, WA. 98683

PROPERTY LOCATION: 239 E MONROE  
MAP 51029BC/TAX LOT 2500

**FINDINGS:** Permission requested for removal of: 1 hemlock tree based on necessity to remove tree based on safety hazard, lifting in windstorms; and, 1 spruce tree, based on safety hazard, root system is compromised & eventual uprooting is certain, evidence of ground downwind lifting 10-12" on deck fascia board.

**Site visit by Balden, 01/18/00:** #2, Hemlock is essentially a dead tree, less than 10% foliage; heavy cone production indicates severe stress, ok to remove; #1, spruce, evidence of roots heaving on south side, however tree is now vertical. Suggest crown thinning, 30% removal in upper half of canopy to reduce wind sail effect. Retention of this tree aids in protection of adjacent trees to north. If thinning does not stabilize tree, then removal is recommended.

**APPROVED:** 1 hemlock tree; spruce to be thinned in crown;

**REPLANTING REQUIREMENT:** none, adequate trees remain.

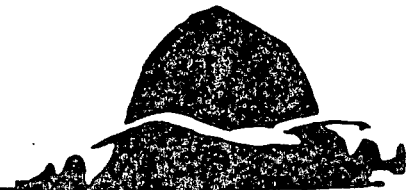
**TIM LINDSEY, BUILDING OFFICIAL:** Tim Lindsey

**DATE:** 01/18/00

**PROPERTY OWNER'S SIGNATURE:** \_\_\_\_\_

**APPLICANT'S SIGNATURE:** \_\_\_\_\_

I UNDERSTAND, AS PROPERTY OWNER, THAT I AM RESPONSIBLE IF THIS TREE-CUT PERMIT IS VIOLATED IN ANY WAY. AS PROPERTY OWNER, MY SIGNATURE OR AUTHORIZED APPLICANT'S SIGNATURE, ALLOWS ANY DULY AUTHORIZED EMPLOYEE OF THE CITY TO ENTER UPON ALL PROPERTIES AFFECTED BY THIS PERMIT, FOR THE PROPOSE OF FOLLOW-UP INSPECTION, OBSERVATION OR MEASUREMENT.



*"The Beach of a Thousand Wonders"*

# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL canbeach@orednet.org

PERMIT FOR TREE REMOVAL PERMIT #: TC 00-01  
CANNON BEACH MUNICIPAL CODE, CHAPTER 17.70, TREE REMOVAL

OWNER: MARGARET JACOBSEN  
3715 WARRENSVILLE CNTR RD  
SHAKER HEIGHTS, OHIO 44122

PROPERTY LOCATION: 4131 S. HEMLOCK  
MAP 41006BC/TAX LOT 10300

FINDINGS: Permission requested for removal of: 1 alder tree based on necessity to remove tree based on safety hazard, damaged & dying. The tree is an ancient alder that has been pruned in the past. The wounds did not heal & rot has set in. The tree appears to have rot throughout. It stands next to the driveway & will likely hit the house when it falls.

Site visit by Balden, 01/11/00: Alder tree was excessively pruned many years ago. Multiple leaders on decayed main stem are potential for failure. Decay pockets in lower stem further weaken tree. Suggest immediate removal before tree falls on house.

APPROVED: 1 alder tree

REPLANTING REQUIREMENT: none due to density of remaining conifers.

TIM LINDSEY, BUILDING OFFICIAL: L. Lindsey

DATE: 01/11/00

PROPERTY OWNER'S SIGNATURE: Margaret Jacobsen

APPLICANT'S SIGNATURE:

I UNDERSTAND, AS PROPERTY OWNER, THAT I AM RESPONSIBLE IF THIS TREE-CUT PERMIT IS VIOLATED IN ANY WAY. AS PROPERTY OWNER, MY SIGNATURE OR AUTHORIZED APPLICANT'S SIGNATURE, ALLOWS ANY DULY AUTHORIZED EMPLOYEE OF THE CITY TO ENTER UPON ALL PROPERTIES AFFECTED BY THIS PERMIT, FOR THE PROPOSE OF FOLLOW-UP INSPECTION, OBSERVATION OR MEASUREMENT.

PC

# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL canbeach@orednet.org

PERMIT FOR TREE REMOVAL PERMIT #:BPT 99-136 & 137  
CANNON BEACH MUNICIPAL CODE, CHAPTER 17.70, TREE REMOVAL

OWNER: JOHN KLEIN  
5350 SW 88TH AVENUE  
PORTLAND, OREGON 97225

PROPERTY LOCATION: 155 & 175 WEST SEVENTH STREET  
MAP 51019AD/TAX LOT 701, LOTS 23 & 24

**FINDINGS:** Permission requested for removal of: 8 hemlock & 1 spruce trees based on necessity to remove trees based on need for access, placement of structures & safety hazard. The spruce needs to be removed due to safety hazard; remainder are for access & extension of utilities.

Site visit by Lindsey & Bartl, 11/08/99: Application as requested meets criteria & is approved. Replanting not required based on remaining trees & other appropriate wetland vegetation on site. Permit is issued in conjunction with BP 99-136 & BP 99-137 for 2 new single family dwellings and access road.

**APPROVED:** 8 hemlock & 1 spruce trees

**REPLANTING REQUIREMENT:** as noted.

TIM LINDSEY, BUILDING OFFICIAL: LL  
DATE: 12/07/99

PROPERTY OWNER'S SIGNATURE: John A Klein  
APPLICANT'S SIGNATURE:

I UNDERSTAND, AS PROPERTY OWNER, THAT I AM RESPONSIBLE IF THIS TREE-CUT PERMIT IS VIOLATED IN ANY WAY. AS PROPERTY OWNER, MY SIGNATURE OR AUTHORIZED APPLICANT'S SIGNATURE, ALLOWS ANY DULY AUTHORIZED EMPLOYEE OF THE CITY TO ENTER UPON ALL PROPERTIES AFFECTED BY THIS PERMIT, FOR THE PROPOSE OF FOLLOW-UP INSPECTION, OBSERVATION OR MEASUREMENT.

# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL canbeach@orednet.org

PERMIT FOR TREE REMOVAL IN STREET RIGHT-OF-WAY

PERMIT NUMBER: TC 99-42R

CANNON BEACH MUNICIPAL CODE, CHAPTER 17.70, TREE REMOVAL

OWNER: JOHN KLEIN  
5350 SW 88TH AVENUE  
PORTLAND, OREGON 97225

PROPERTY LOCATION: 7TH STREET BETWEEN LARCH & HEMLOCK STREETS  
MAP 51019AD/RIGHT-OF-WAY

FINDINGS: This permit is issued subject to a required 10 day property owner notification period during which property owners have the opportunity to comment on the tree removal; required ten day waiting period ended on 10/13/99.

Permission requested for the removal of six hemlock trees for required vehicular and utility access; access is required for driveway access to two new single family dwellings;

Site visit by Lindsey, 11/08/99:

Trees meet criteria & are approved as requested. No comments were received from notice sent to property owners.

REPLANTING REQUIREMENTS: None

APPROVED BY TIM LINDSEY, BUILDING OFFICIAL: 

DATE: 12/07/99

X PROPERTY OWNER'S SIGNATURE: 

APPLICANT'S SIGNATURE:

I UNDERSTAND, AS APPLICANT, THAT I AM RESPONSIBLE IF THIS TREE-CUT PERMIT IS VIOLATED IN ANY WAY; AND, THAT IT IS FOR MY BENEFIT THAT THE TREES ARE BEING REMOVED; AND, THAT ALL COSTS FOR THE REMOVAL SHALL BE MINE.



# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL [canbeach@orednet.org](mailto:canbeach@orednet.org)

PERMIT FOR TREE REMOVAL PERMIT #: TC 97-24  
CANNON BEACH MUNICIPAL CODE, CHAPTER 17.70, TREE REMOVAL

OWNER: PATRICIA HRYCIW  
PO BOX 865  
CANNON BEACH, OREGON 97110

PROPERTY LOCATION: 148 E MONROE  
MAP 51030AA/TAX LOT 14800

**FINDINGS:** Permission requested for removal of: 1 sitka spruce tree based on necessity to remove tree based on safety hazard. The application was denied in 10/98, with the condition that tree be re-evaluated in one year.

**Site visit by Balden, 10/28/99:** Tree has declined since last inspection, 10/98. Foliage sparse, less than 20% remaining, not likely to recover. Tree on windward side of house; falling limbs could cause damage to roof in storm conditions. Suggest removal of tree before severe winter storms.

**APPROVED:** 1 spruce tree

**REPLANTING REQUIREMENT:** none.

**TIM LINDSEY, BUILDING OFFICIAL:** *Tim Lindsey*  
**DATE:** 01/10/00

**PROPERTY OWNER'S SIGNATURE:** *Permit by mail (PB)*  
**APPLICANT'S SIGNATURE:** \_\_\_\_\_

I UNDERSTAND, AS PROPERTY OWNER, THAT I AM RESPONSIBLE IF THIS TREE-CUT PERMIT IS VIOLATED IN ANY WAY. AS PROPERTY OWNER, MY SIGNATURE OR AUTHORIZED APPLICANT'S SIGNATURE, ALLOWS ANY DULY AUTHORIZED EMPLOYEE OF THE CITY TO ENTER UPON ALL PROPERTIES AFFECTED BY THIS PERMIT, FOR THE PROPOSE OF FOLLOW-UP INSPECTION, OBSERVATION OR MEASUREMENT.



# CITY OF CANNON BEACH

P.O. BOX 368  
CANNON BEACH  
OREGON 97110

PHONE (503) 436-1581  
FAX (503) 436-2050  
E-MAIL canbeach@orednet.org

PERMIT FOR TREE REMOVAL PERMIT #: TC 00-05  
CANNON BEACH MUNICIPAL CODE, CHAPTER 17.70, TREE REMOVAL

OWNER: RV RESORT AT CANNON BEACH  
PO BOX 219  
CANNON BEACH, OREGON 97110

PROPERTY LOCATION: 345 ELK CREEK ROAD  
MAP 51029CB/TAX LOT 200

## AFTER THE FACT PERMIT

**FINDINGS:** 2 shore pines were removed from site #22 and site #55. The trees posed a danger to RV's and guests due to damage incurred by most recent wind storm. Branches split from trees leaving less than 30% of thickness to support height of remaining tree. The trees were removed on 1/17/00.

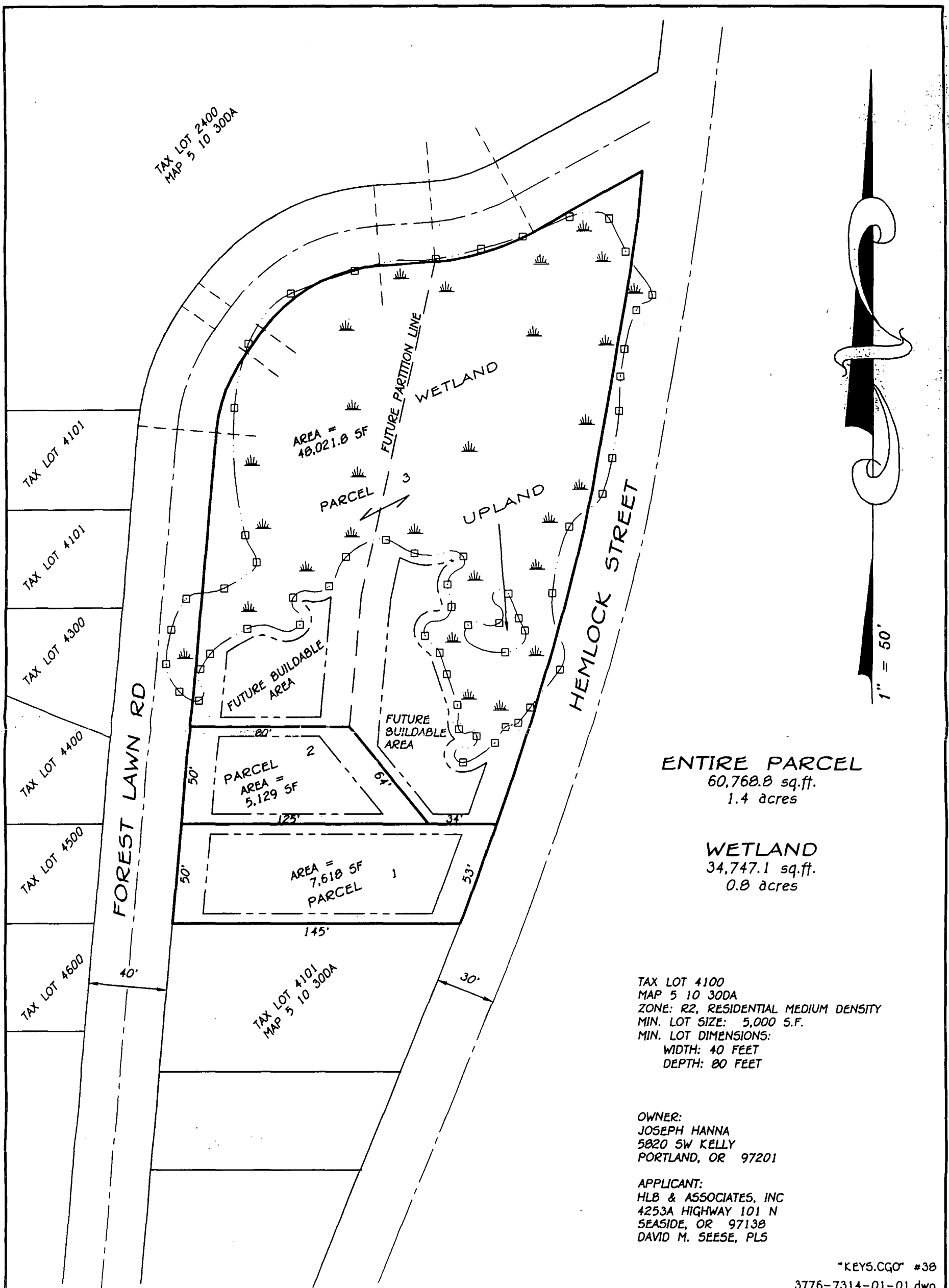
TIM LINDSEY, BUILDING OFFICIAL: L. Lindsey

DATE: 01/19/00

PROPERTY OWNER'S SIGNATURE: permit by mail BB

APPLICANT'S SIGNATURE:

I UNDERSTAND, AS PROPERTY OWNER, THAT I AM RESPONSIBLE IF THIS TREE-CUT PERMIT IS VIOLATED IN ANY WAY. AS PROPERTY OWNER, MY SIGNATURE OR AUTHORIZED APPLICANT'S SIGNATURE, ALLOWS ANY DULY AUTHORIZED EMPLOYEE OF THE CITY TO ENTER UPON ALL PROPERTIES AFFECTED BY THIS PERMIT, FOR THE PROPOSE OF FOLLOW-UP INSPECTION, OBSERVATION OR MEASUREMENT.



<b>PRELIMINARY PARTITION MAP FOR:</b> <b>JOEY HANNA</b> TAX LOT 4100 MAP 5 10 30DA SE1/4 SECTION 30, T5N, R10W, W.M. CLATSOP COUNTY, OR			<b>SURVEY BY:</b> <b>HLB &amp; Associates</b> <b>INCORPORATED</b> Surveying • Engineering • Planning TILLAMOOK COUNTY 160 LANEDA AVE. MANZANITA, OR 97130 (503) 368-5394 FAX: (503) 368-5847 CLATSOP COUNTY 4253A HWY 101 N. GEARHART, OR 97138 (503) 738-3425 FAX: (503) 738-7455			REGISTERED PROFESSIONAL LAND SURVEYOR  OREGON July 10, 1996 2762 DAVID M. SEESE RENEWAL DATE: JULY 1, 2000		
DATE Nov. 30, 1999	JOB NO. 7314-3776	EQUIPMENT n.d.	FIELD n.d.	DRAWN DMS	CHECKED DNB			