

BEFORE THE PLANNING COMMISSION OF THE CITY OF YACHATS

LINCOLN COUNTY, OREGON

In the Matter of QUIET WATER,)
a Planned Unit Development.)

) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW

_____)
The Planning Commission of the City of Yachats, Oregon makes
the following:

I

JURISDICTION

1. FINDING: A public hearing was held on September 26, 1979 at the hour of 7:30 p.m. in the Yachats Grade School, at which time the Yachats Planning Commission heard an application for a planned unit development and subdivision known as QUIET WATER. The meeting was properly convened and conducted according to the laws of the State of Oregon and the Ordinances of the City of Yachats.

2. FINDING: Public notice was given of said hearing in advance in excess of that required by the City Ordinances, and as according to state law.

3. FINDING: The application of Applicants, Michael Montgomery and William Combs, was duly and properly filed.

1. Findings of Fact and Conclusions of Law

4. FINDING: Michael Montgomery and William Combs are the owners of record of the property, the subject of the application.

5. FINDING: The property under consideration is within the City limits of the City of Yachats.

II

COMPREHENSIVE PLAN

1. FINDING: The subject property is included in the Comprehensive Plan of the City of Yachats.

2. FINDING: The subject property is designated in the Comprehensive Plan as R-1 Single Family-Residential.

3. FINDING: Applicants' proposal is in accord with the Comprehensive Plan in the following particulars:

a. The plan provides flexibility in housing type, location and density and meets projected housing needs;

b. The plan as proposed protects natural resources and wildlife habitats;

c. The plan is not in a natural hazard area with the exception that a portion of the property is subject to flooding within the definition of the one-hundred-year flood line, and the plan is so designed to prohibit construction below the one-hundred-year flood line.

2. Findings of Fact and Conclusions of Law

d. The plan as proposed provides for controlled urban growth and economic growth, and is designed to meet the housing needs of Yachats.

III

ZONING ORDINANCE

1. FINDING: The property, the subject of Proponents' application, is zoned R-1.

2. FINDING: The R-1 zone provides for a planned unit development which is what the Proponents are proposing.

3. FINDING: The proposed planned unit development complies with Article 7 of the Planned Unit Development portion of the Yachats Zoning Ordinance, in all of its particulars, and the application is proper according to the requirements set forth therein.

4. FINDING: The proposal does not violate any other articles of the City of Yachats City Zoning Ordinance.

IV

LAND CONSERVATION DEVELOPMENT COMMISSION

1. FINDING: Applicant has addressed the Land Conservation and Development Commission Goals and Guidelines, and the Planning Commission adopts the addressment and finds that

3. Findings of Fact and Conclusions of Law

the proposal does not violate any of the Land Conservation and Development Commission Goals and Guidelines.

V

MISCELLANEOUS FINDINGS

1. FINDING: Adequate City services exist or can be readily developed to service the subject property.
2. FINDING: There is a definite need for housing in the Yachats area as indicated by Proponents' evidence, and this proposal best meets the housing needs by providing for a variety of housing types and costs.
3. FINDING: The single family R-1 type of use is the highest and best use of the subject property.
4. FINDING: The project as proposed will provide a needed connector street between the Yachats River Road which is a county road, and U. S. Highway 101, a state highway.

CONCLUSIONS

Based upon the foregoing findings of the Yachats Planning Commission, Proponents' planned unit development as proposed is approved, subject to the following conditions:

1. Lori Lane, as depicted on the proposal, shall be constructed before any further development can take place on

4. Findings of Fact and Conclusions of Law

the remainder of the property, and developed at Applicants' expense.

2. ^{street and} A/drainage plan must be submitted before final approval is given prior to construction.

3. A landscaping plan must be submitted before final approval is given prior to construction.

4. The Yachats Planning Commission shall decide before any construction takes place whether or not the streets proposed by Applicant shall be public streets or private streets at the City of Yachats' option, other than Lori Lane which will be a public street or highway.

PASSED AND ADOPTED by the Planning Commission of the City of Yachats, Oregon this 20th day of December, 1987, by the following vote:

Ayes:	<u>5</u>	(1 Commission position vacant)
Nays:	<u>0</u>	
Absent:	<u>3</u>	
Abstain:	<u>0</u>	

APPROVED by the Chairman of the Planning Commission of the City of Yachats, Oregon on this 20th day of December, 1987.

T. G. Wiese
Chairman

ATTEST:

Michiko Ryan
City Recorder

5. Findings of Fact and Conclusions of Law