

BEFORE THE CITY OF CANNON BEACH

IN THE MATTER OF A LOT LINE ADJUSTMENT FOR THE FOLLOWING PROPERTY

Taxlot# 51032BC00400, 51032BC00101

212 and 220 E. Surfcrest Ave, non-addressed lots on U.S. Highway 101

FINDINGS OF FACT, CONCLUSIONS, AND ORDER NO. LL#23-01

ZONE: R2 Residential Medium Density

APPLICANT: Jeff Moon
220 Ogden Dr.
Oregon City, OR 97405

The above-named applicant applied to the City for review and approval of a proposed lot line adjustment on properties described above. The Community Development Department considered the above-entitled matter and approved the lot line adjustment on January 9, 2024. The City of Cannon Beach orders that the request for a lot line adjustment is granted and adopts the findings of fact, conclusions, and conditions contained in Exhibit "A".

This decision may be appealed to the Planning Commission by an affected party by filing an appeal with the City within fourteen days of this date.

DATED: January 9, 2024



Robert St. Clair
Planner

EXHIBIT A
FINDINGS OF FACT
LOT-LINE ADJUSTMENT LL23-01

PROPERTY DESCRIPTION: Taxlots #51032BC00400, 51032BC00101

PROPERTY LOCATION: 212 and 220 E. Surfcrest Ave, non-addressed lots on U.S. Highway 101

ACTION: Approved

BACKGROUND:

The applicant requests approval of a Lot Line Adjustment for Taxlots #51032BC00400, 51032BC00101 consisting of two platted lots of record recorded in Book 798 Page 818 and Book 179, Page 561 of Clatsop County records. The proposed configuration is shown on the map labeled "Exhibit Sketch Proposed Boundary Adjustment" prepared by S&F Land Services. This proposal is handled as a lot line adjustment as no additional lots are created by the proposed action.

APPLICABLE CRITERIA

Cannon Beach Municipal Code section 16.04.370, Lot line adjustment, is applicable to this request. The subject property is in the Residential Medium Density (R2) zone, so the standards of that zone are also applicable: 17.14.040.

FINDINGS:

16.04.370.C.1: *An additional lot is not created by the lot line adjustment and the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by the approved zoning for that district.*

The proposed adjustment involves two platted lots of record that are not part of a recorded subdivision. The northern property, TL 400, is a 1.14 acre parcel and the southern property, TL 101 is 0.61 acres. The minimum lot size for the R2 Residential Medium Density zoning classification is 5,000 square feet. The proposal is to reconfigure the property lines such that an approximate 200 square foot area in the northwestern corner of TL 101 is conveyed to TL 400. The proposed adjustment does not create any new lots.

17.14.040(A): *In an R2 zone, the following standards shall apply except as they may be modified through the design review process pursuant to Chapter 17.44:*

- A. *Lot Size. Lot area shall be at least five thousand square feet, except that construction on lots of less than five thousand square feet is permitted subject to Section 17.82.020. The minimum lot size for a single-family dwelling shall be five thousand square feet. The minimum lot size for all uses, including single-family dwellings, shall be adjusted for average slope using the standards in Section 16.04.310(A).*

Both parcels associated with the application exceed the minimum lot size of 5,000 by a significant margin. The 200 square foot area being conveyed does not significantly impact development potential, especially since residential density shall be adjusted for average slope using the standards in CBMC 16.040310(A).

16.04.370.C.2: *By reducing the lot size, the lot or structures on the lot will not be in violation of the zoning ordinance requirements for that district.*

The proposal complies with the exception to minimum lot sizes in 17.14.040(A) and the shifting of the lot line does not affect any structures. TL 101 is developed with two dwelling units, however the 200 square foot area being conveyed does not impact this development or make the lot non-conforming to established standards for the R2 Residential Medium Density zone. TL 400 is undeveloped and the proposal does not appear to impact proposed residential development for that property.

17.10.040.B: 3, 4, 5 & 6 (establishing minimum setbacks):

<i>Front (street):</i>	<i>15 feet</i>
<i>Side:</i>	<i>5 feet</i>
<i>Street-side corner lot:</i>	<i>15 feet</i>
<i>Rear:</i>	<i>15 feet</i>
<i>Rear, corner lot:</i>	<i>5 feet</i>

Any proposed future structures will be held to the current zoning requirements of the R2 zoning district.

DECISION:

The proposed Lot Line Adjustment is approved as shown on the drawing labeled “Exhibit Sketch Proposed Boundary Adjustment.” This decision may be appealed to the Planning Commission by filing an appeal to the City Manager within fourteen consecutive calendar days of the decision.

Exhibit Sketch Proposed Boundary Adjustment

