

Clatsop County Community Development Department
Conditional Use Permit Application

Establishment on T4N R10W Section 30CB

Tax Lots 1400 and 1402

Applicant: Bruce Bessey, Ronald Kachel

Owner: Same

Zoning: AC-RCR/FHO/SDRO

Proposal to amend existing use permit from a two unit Bed & Breakfast to a three unit Bed & Breakfast.

We are proposing to increase our conditional use permit from a two to a three unit Bed & Breakfast. We have been operating as Ocean Point Inn since initial application approval in January of 2006 through today. We have established ourselves within our local community as respectful residents and have had no incidents of complaint. Our establishment as permanent residents is beneficial to part-time residents as a point of local contact to monitor conditions of properties and as means of examination and notification of damages due to weather, etc. for absentee owners.

No changes will be made, are necessary or required to the residence for the increase in units to occur. The landscape and parking were updated in 2009 and can accommodate one vehicle per each of the three units, two for the residents and one additional. An increase in the number of units will not have any adverse or negative effects on our adjacent neighbors, one of which is a part-time residence and the other which provides short term vacation rentals.

I have attached a copy of the original approval with staff report and findings pertaining to the compliance to the criteria of the development code. No factors have changed that affect the meeting of this criteria.

Please advise us if any additional information is required.

Bruce Bessey



Ronald Kachel





Clatsop County

Community Development
800 Exchange Street, Suite 100
Astoria, Oregon 97103

Phone 503 325-8611 Fax 503 338-3606
comdev@co.clatsop.or.us www.co.clatsop.or.us

67190746

#19-000042

Conditional Use Permit

Fee: Type II \$658 Type IIa-III: \$919

(Double if a violation exists)

Owner: Bruce Bessey Email: info@oceanpoint-inn.com
 Mail Address: P.O. Box 832 City/State/Zip: Cannon Beach, OR 97110
 Phone: _____ Phone: 503-436-1833

Owner: Ronald Kechel Email: _____
 Mail Address: SALE City/State/Zip: SALE
 Phone: _____ Phone: _____

Other: _____ Email: _____
 Mail Address: _____ City/State/Zip: _____
 Phone: _____ Phone: _____

Property Address: 79819 Ocean Birt Road Arch Cape OR 97102

Proposed Use: increase from two to three unit Bed & Breakfast

Comprehensive Plan Designation: _____

Existing Zoning: AC-RCR/PHO/SDRO Overlay District: _____

Property Description: Township 4N Range 10W Section 30CB Tax Lot(s) 1400, 1402

Directions to the property from Astoria: Hwy 101 South, rt on Leach Lane, left on Ocean Birt Rd.

What is the nearest "Community" (i.e. Svensen, Arch Cape, Westport)? Arch Cape

General description of the property:

Existing Use: Residential - Two unit Bed & Breakfast

Topography: flat with drop towards ocean

Proposed Development: increase from two to three unit Bed & Breakfast



General description of adjoin property:

Existing Use: Part Time Residence / short term vacation rental

Topography: flat with drop towards ocean

Attach a site plan of the property showing lot dimensions, sizes, and location of all existing and proposed structures setbacks of existing and proposed structures to all property lines, access to the site, parking area layout that includes the space sizes and location and the width of any parking aisles. Also, identify the location of any stream, wetland, lake or other resource on or adjacent to the property.

SIGNATURES: All owners of record, per Clatsop County Assessment records, must sign the application. Representatives of public agencies, corporations, trusts, etc. must provide documentation of signing authority. The information contained in this application is in all respects true, complete and correct to the best of my knowledge.

Signature  Date: 11-1-2019
Signature  Date: 11-1-2019

The following sections are from the Clatsop County Land and Water Development and Use Ordinance #80-14.

Section 5.000 Conditional Development and Use.

Section 5.005 General. Although each zoning district is primarily intended for a predominate type of use and development, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development and use needs to be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this ordinance and the objectives of the comprehensive plan.

Section 5.010. Application for a Conditional Development and Use. If a development and use is classified as conditional in a zone, it is subject to approval under Sections 5.00 to 5.030. An applicant for a proposed conditional development and use shall provide facts and evidence and a site plan in compliance with Section 5.300 sufficient to enable the Community Development Director or hearing body to make a determination.

Section 5.015. Authorization of a Conditional Development and Use.

- (1) A new, enlarged or otherwise altered development classified by this Ordinance as a conditional development and use may be approved by the Community Development Director under a Type II procedure except that the following conditional developments and uses may be approved by the Hearings Officer under a Type Ila procedure:
- (A) Dog kennel or Kennel;
 - (B) Airport;
 - (C) Bed & Breakfast over 3 units;
 - (D) Golf courses;
 - (E) Automobile service station or repair shop, including body work, used car sales, wrecking yard;
 - (F) Public or private recreation such as riding stable, fishing or boating docks or ramps, gun club, golf course, or resort type establishment in association with recreation;
 - (G) Non-farm partition;
 - (H) Non-farm dwelling;
 - (I) Farm help relative dwelling;
 - (J) Home occupations related to auto/machinery repair or painting;
 - (K) Firearms training facility;
 - (L) Solid waste disposal site;
 - (M) Small scale, light industrial developments such as assembly, fabricating, processing, compounding, packing and similar operations within an enclosed building;
 - (N) Automobile wrecking yard;
 - (O) Amusement enterprises such as games of skill and science, thrill rides, penny arcades, and shooting galleries.

Where the proposed development involves a non-water dependent use or activity in the Marine Industrial Shoreland Zone, Section 3.620, mailed notice shall also be provided to any interested party who has submitted a written request concerning the proposed development, and to state and federal agencies with statutory planning and permit issuance authority in aquatic areas. Including the Oregon Division of State Lands, Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Corps of Engineers, and the Environmental Protection Agency.

Please address the following standards on a separate sheet of paper. Be as specific as possible. "Yes" and "No" responses are not sufficient.

- (2) In addition to the other applicable standards of this ordinance, the hearing body must determine that the development will comply with the following criteria to approve a conditional development and use.
- (A) The proposed use does not conflict with any provision, goal, or policy of the Comprehensive Plan.
 - (B) The proposed use meets the requirements and standards of the Clatsop County Land and Water Development and Use Ordinance (Ordinance 80-14)
 - (C) The site under consideration is suitable for the proposed use considering:
 - 1) The size, design, and operating characteristics of the use, including but not limited to off-street parking, fencing/buffering, lighting, signage, and building location.
 - 2) The adequacy of transportation access to the site, including street capacity and ingress and egress to adjoining streets.
 - 3) The adequacy of public facilities and services necessary to serve the use.
 - 4) The natural and physical features of the site such as topography, natural hazards, natural resource values, and other features.
 - (D) The proposed use is compatible with existing and projected uses on surrounding lands, considering the factors in (C) above.
 - (E) The proposed use will not interfere with normal use of coastal shorelands.
 - (F) The proposed use will cause no unreasonably adverse effects to aquatic or coastal shoreland areas and;
 - (G) The use is consistent with the maintenance of peripheral and major big game habitat on lands identified in the Comprehensive Plan as Agricultural Lands or Conservation Forest Lands. In making this determination, consideration shall be given to the cumulative effects of the proposed action and other development in the area on big game habitat.
- (3) In addition to compliance with the criteria as determined by the hearing body and with the requirements of Sections 1.040 and 1.050, the applicant must accept those conditions listed in Section 5.025 that the hearing body finds are appropriate to obtain compliance with the criteria.

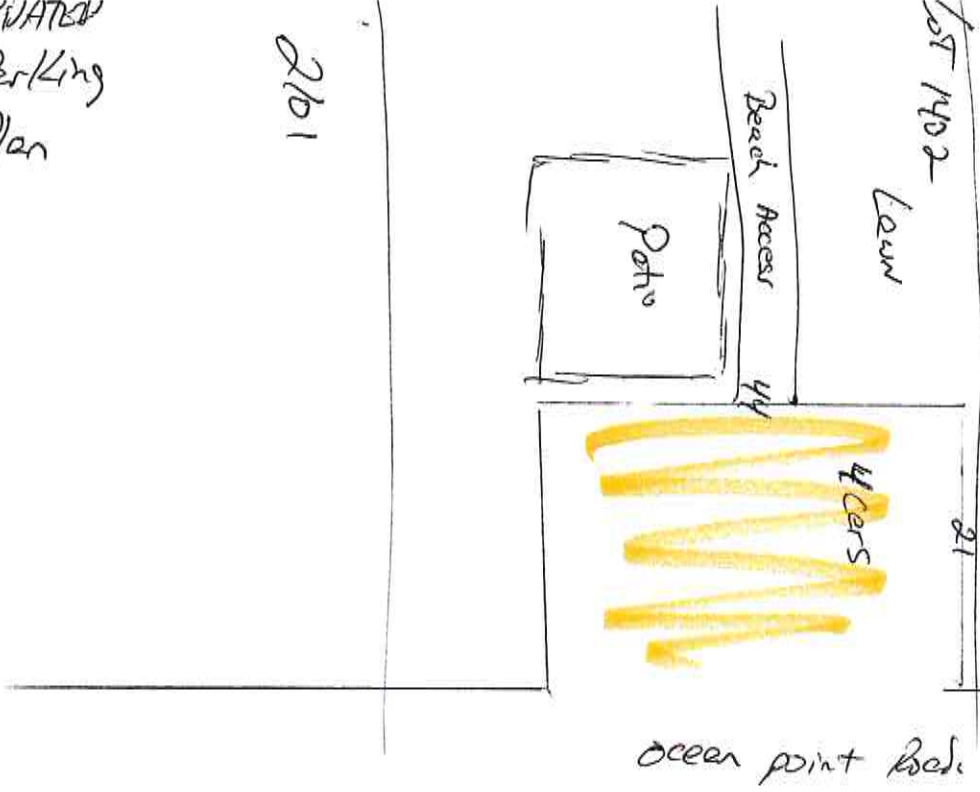
Section 5.025 Requirements for Conditional Development and Use. In permitting a conditional development and use, the hearing body may impose any of the following conditions as provided by Section 5.015:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (2) Establish a special yard or other open space or lot area or dimension.
- (3) Limit the height, size or location of a building or other structure.
- (4) Designate the size, number, location or nature of vehicle access points.
- (5) Increase the amount of street dedication, roadway width or improvements within the street right-of-way.
- (6) Designate the size, location, screening, drainage, surfacing or other improvement of a parking or truck loading areas.
- (7) Limit or otherwise designate the number, size, location, height or lighting of signs.
- (8) Limit the location and intensity of outdoor lighting or require its shielding.
- (9) Require diking, screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
- (10) Designate the size, height, location or materials for a fence.
- (11) Require the protection of existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- (12) Require provisions for public access (physical and visual) to natural, scenic and recreational resources.
- (13) Specify other conditions to permit the development of the County in conformity with the intent and purpose of the classification of development.

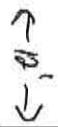
Section 5.030. Time Limit of Permit for Conditional Use. Authorization of a conditional use shall be void after two years unless substantial construction or action pursuant thereto has taken place (as per Section 5.011). However, the County may, at the discretion of the Community Development Director, extend authorization for an additional one year upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the permit. The County may grant conditional use approvals for activities such as dike maintenance for a period of time up to five years; such approvals will normally correspond with parallel state and/or federal permits.

UPDATED
Parking
Plan

2101

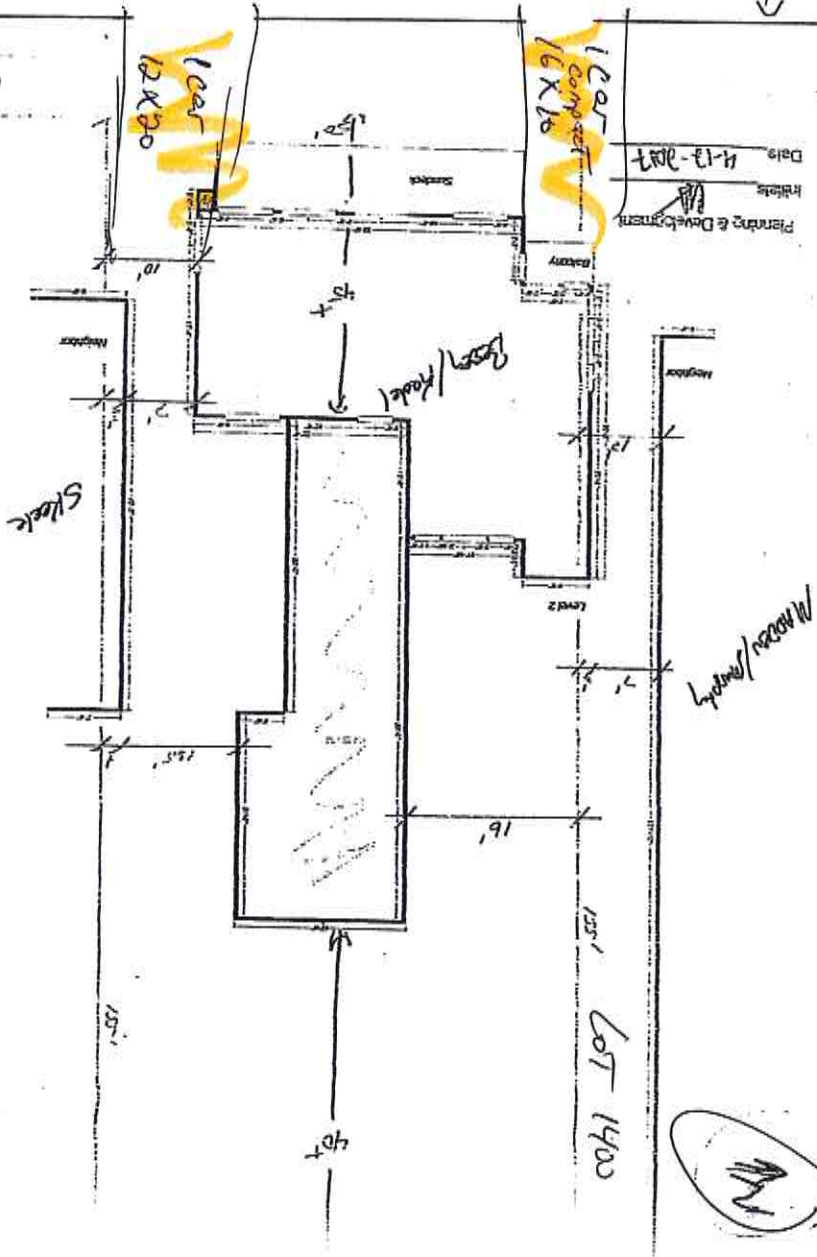


Ocean point Bed.



2201

2100

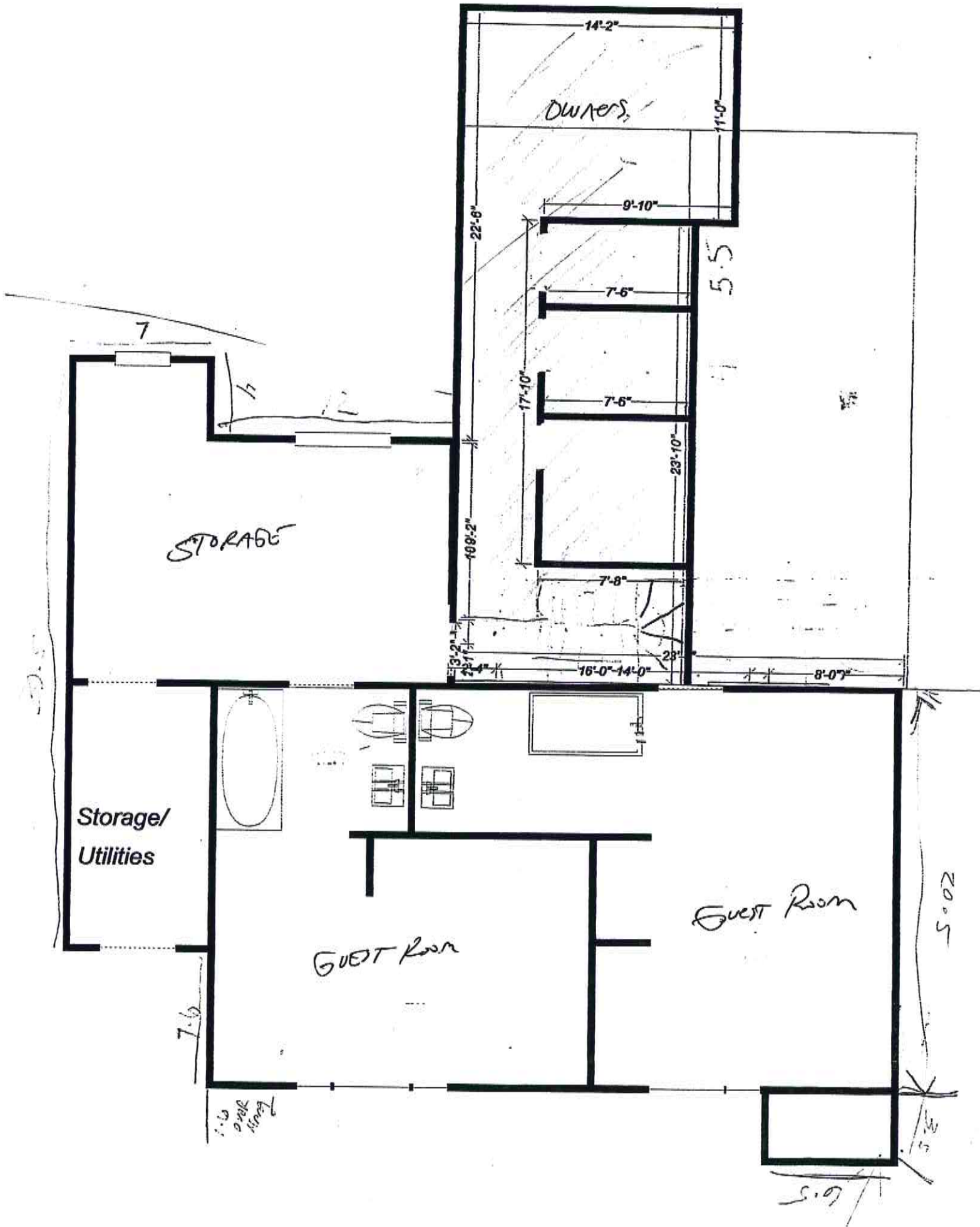


2200

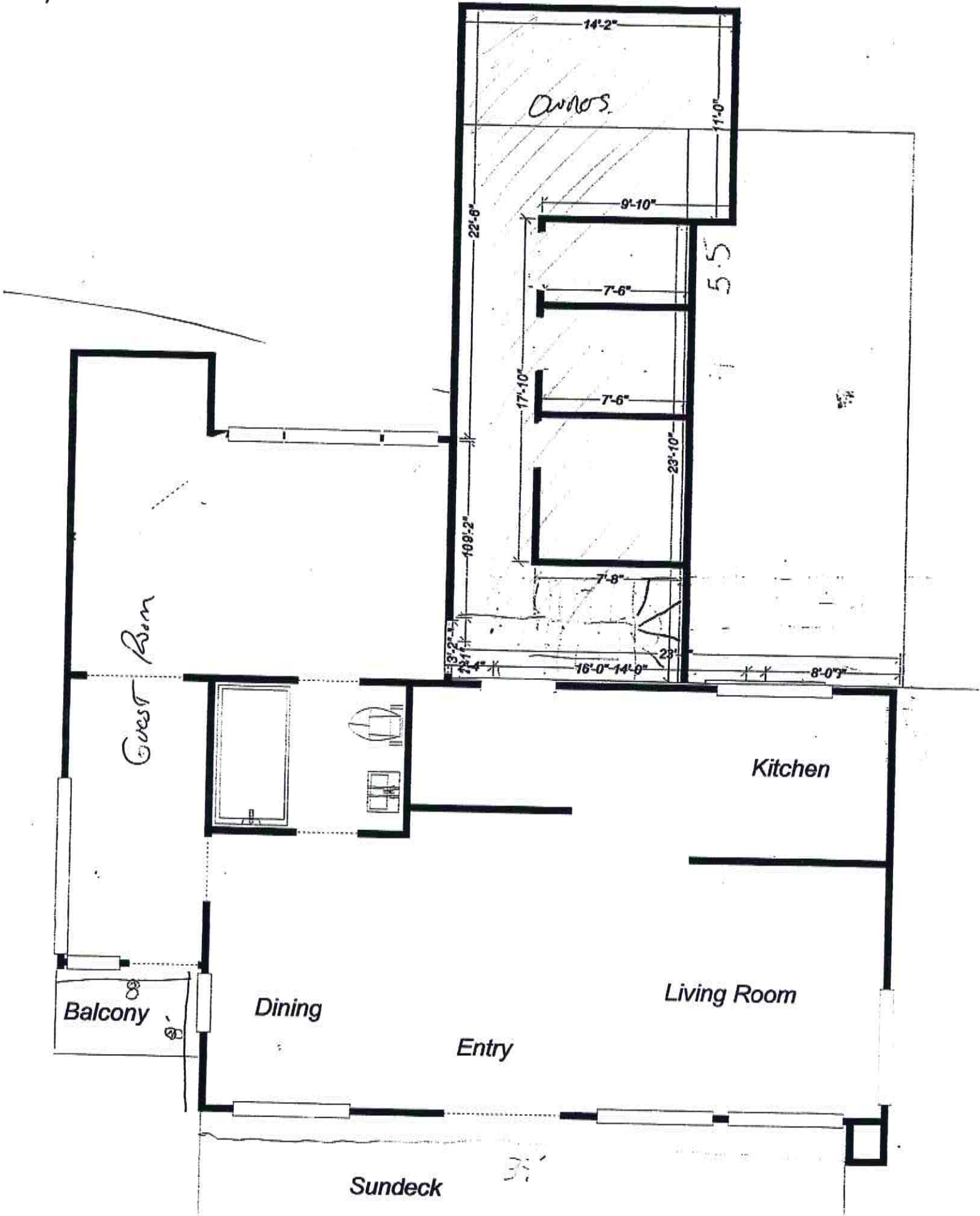
Planning & Development
Holtz
Date: 4-13-2017



Lower Floor



Upper Floor



BEFORE THE COMMUNITY DEVELOPMENT DIRECTOR
OF CLATSOP COUNTY, OREGON

IN THE MATTER OF A CONDITIONAL USE)
PERMIT FOR A BED & BREAKFAST)
ESTABLISHMENT ON T4N R10W SECTION 30CB))
TAX LOTS 1400 AND 1402)
APPLICANT: BRUCE BESSEY, RONALD)
KACHEL)
OWNER: SAME)
ZONING: AC-RCR/FHO/SDRO)

RESOLUTION & ORDER

06-01-04

Date: 1-26-06

The above entitled matter came before the Director on January 6, 2006; and

The above named applicant applied to Community Development Department of Clatsop County for County approval of a Conditional Use Permit for a Bed & Breakfast Establishment;

The Director reviewed the proposed development on January 18, 2006 after the public comment period and approved the application.

The Director hereby adopts the findings of fact and conclusions contained in Exhibit "A".

The effective date of this approval is 12 days from the date of approval. The decision may be appealed to the Hearings Officer by an affected party by filing an appeal with the Director within 12 days of this date.

ON BEHALF OF THE COMMUNITY
DEVELOPMENT DEPARTMENT

Kathleen A. Sellman

Kathleen Sellman, Director
Community Development