

BEFORE THE PLANNING COMMISSION
CURRY COUNTY, OREGON

In the matter of a Request for Approval of)
The Landau Pacific Vista Subdivision (S-1801))
Preliminary Plat and Plan. Filed by Robert Landau,)
Pacific Vista LLC, Identified on Curry County)
Assessor's Map 37-15-01DD, Tax Lot 100.)

FINAL ORDER
and Findings of Fact

ORDER in the **APPROVAL** of the Landau Pacific Vista Subdivision Preliminary Plat and Plan (S-1801) to authorize a five (5) lot subdivision on a 35.17 acre parcel in the Rural Residential-5 (RR-5) zoning district filed by Robert Landau, Pacific Vista LLC. The subject property is identified as Curry County Assessor's Map No. 37-15-01DD, Tax Lot 100, Curry County, Oregon.

WHEREAS:

This matter came before the Curry County Planning Commission as a request (S-1801) for approval of the Preliminary Plat and Plan to develop the Landau Pacific Vista Subdivision, a 35.17 parcel into five lots ranging in size from 5.68 acres to 8.41 acres in the RR-5 zoning district. The subject property is located east of highway 101 at the end of Pacific Vista Drive which is a private road. The property is just south of the City of Gold Beach but outside the Urban Growth Boundary (UGB).

A hearing on the request was held before the Planning Commission on March 21, 2019, as a matter duly set upon the agenda of its regular meeting after giving public notice to affected property owners and publication in the local newspaper as set forth in Section 2.070.

At the March 21, 2019 public hearing on said request, evidence and testimony was presented by the Planning Director in the form of Findings of Fact, Conclusions, and exhibits. The hearing was conducted according to the rules of procedure and conduct of hearings on land use matters as set forth in Section 2.140(2) of the Curry County Zoning Ordinance. The Planning Commission received oral and written evidence concerning this application. After receiving public testimony on March 21, 2019 the Planning Commission closed the hearing portion of the proceedings and proceeded with deliberations based on evidence submitted into the record.

Upon a motion duly made and seconded, the Planning Commission voted to **APPROVE** the Preliminary Plat and Plan, S-1801, to authorize a five (5) lot subdivision on a 35.17 acre parcel in the Rural Residential-5 (RR-5) zoning district named the Landau Pacific Vista Subdivision.

FINDINGS OF FACT:

The Planning Commission adopts the findings in the Staff Report dated March 6, 2019 (Exhibit 1) and the Pacific Vista Drive Road Easement (Exhibit 2) as well as both written and oral testimony submitted into the public hearing record as the basis for this decision.

RJE
TLVJ
4-25-2019

CONCLUSIONS OF LAW

1. The burden of proof is upon the Applicant in proving that the proposal fully complies with applicable ordinance criteria, Oregon State Statutes and Oregon Administrative Rules as set forth in Section 2.100(1)(a).
2. The Planning Commission finds that Exhibit 1, Findings of Fact and Conclusions; Exhibit 2, and evidence and testimony presented at the hearings of March 21, 2019 addresses and complies with the relevant comprehensive plan policies, standards of the zoning ordinance, and Oregon State Statute and Administrative Rules sufficiently to support the burden of proof needed to approve the Landau Pacific Vista Subdivision Preliminary Plat and Plan for a five (5) lot subdivision on a 35.17 acre parcel in the RR-5 zoning district.
3. The Planning Commission finds that the applicant has met the burden of proof to support approval of the Preliminary Plat and Plan with conditions.

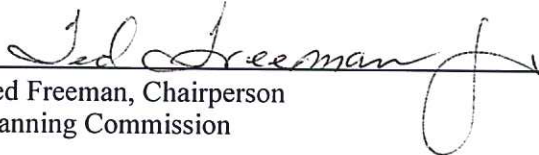
NOW THEREFORE LET IT HEREBY BE ORDERED that S-1801, a request for approval of the Preliminary Plat and Plan to develop the Landau Pacific Vista Subdivision, a 35.17 acre parcel into five lots ranging in size from 5.68 acres to 8.41 acres in the RR-5 zoning district, and identified as Curry County Assessor Map No. 37-15-01DD, Tax Lot 100, Curry County, Oregon, filed by Robert Landau, be **APPROVED** subject to meeting the following conditions:

1. The final Plat and Plan shall meet all the requirements of the Curry County Zoning and Land Division Ordinances for submission of final plans prior to final plat approval.
2. The final Plat must be filed within twelve (12) months of the date of this approval. Approval shall become null and void unless the final Plat is recorded or a written request for an extension of time is received by the Planning Department.
3. Prior to development of the lots, a site specific geological report must be prepared by a certified engineering geologist licensed by the State of Oregon.
4. The private access road shall have a 16 foot wide paved surface. Final design of the access road, including storm water management, shall be reviewed and approved by the County Road Department.
5. A fire suppression water system to serve the proposed development shall be designed by a registered professional engineer; approved by the County Planning Department and the Gold Beach-Wedderburn Fire Protection District.

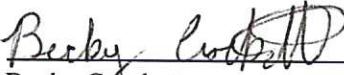
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This order in **APPROVAL** of Application S-1801 was reviewed and approved by the Planning Commission on this 25th day of April, 2019.

CURRY COUNTY PLANNING COMMISSION



Ted Freeman, Chairperson
Planning Commission



Becky Crockett
Planning Director