

I'm pleased to see that plans to develop the wetland on Forest Lawn have been scaled down. The proposed plan for 3 lots on a portion of the wetlands is a huge improvement from the original plan for 8 lots covering the entire wetland/parcel. While this plan is more in line with Cannon Beach Municipal Code related to wetlands, I believe it requires closer review and additional information from the applicant before the Planning Commission can issue a decision. For the reasons set forth below, I urge the Commissioners to postpone full review of this matter and issuance of any decision until more complete information is provided by the applicant.

The application claims that all development will take place on upland areas of the wetland. I question their upland delineation because they state they were unable to access all portions of the wetland for sampling. Most notably, the area designated as Lot 3 was not sampled but is designated as upland not wetland. The sample spots do not appear to cover the relevant areas necessary to accurately designate wetland from upland. I would like to see a more comprehensive sampling of the wetland, with particular emphasis on those areas they deem upland, prior to any approval of the Partition Application or Conditional Use Permit. I'm hopeful a more thorough sampling of the wetland/upland area will reveal there isn't as much upland area as they claim and Lot 3 should be removed from the plan.

Accurate delineation of upland portions is important because it directly effects where development can take place. Development on uplands is arguably allowed and the developer makes the argument that because they've limited development to the upland areas only, they've mitigated their impact on the wetlands and don't need to address the protections set forth in the Cannon Beach Municipal Code related to wetland areas.

I note that the Partition Application and Conditional Use Permit are lacking a Geologic Site Investigation Report showing construction feasibility and demonstrating there's not a hazard related to building on the site. The application states that a report is forthcoming. It seems logical to delay review until this report can be included in the review. This is especially true given that the development will take place in a wetland/upland area and may need atypical construction.

I also see in the email communication between city officials and the developer some mention of granting the remaining wetland to the City of Cannon Beach, arguably for protection...and a tax write off. It's been suggested to me by someone familiar with these situations that as a condition for granting the permit/application, the remaining wetland should be dedicated as open space should the developer retain ownership of the wetland. Similarly, if the City is to own it, the wetland should be rezoned to a zone that conserves the wetland in perpetuity. Without these additional steps, the individual I spoke with doubted either party would protect the remaining wetland.

I suspect there are other "findings" the applicant has skewed but I don't have the familiarity or know-how to spot these issues. Tree removal is likely one such issue. Access to the development by Forest Lawn v. Hemlock may be another and conformity of house design may be yet another. Previous plans for the development show stilted pink houses connected by boardwalks.

For all of these reasons, I believe more information is required and full review of the matter should be delayed. Should the Planning Commission move forward with full review, I strongly suggest development be limited to proposed Lots 1 and 2 to maintain the integrity of the wetland in the absence of definitive evidence showing that Lot 3 is in fact comprised of upland. Thank you.