



BEFORE THE CITY OF CANNON BEACH

IN THE MATTER OF A DEVELOPMENT PERMIT)	
FOR THE CLEARING OF VEGETATION AND)	
GRADING FOR THE ESTABLISHMENT OF AN)	
OFF-STREET PARKING AREA APPROVING THE)	FINDINGS OF FACT,
REQUEST AND ADOPTING FINDINGS)	CONCLUSIONS, AND
		ORDER DP#23-29

ZONE: Residential Moderate Density (R1)

APPLICANT: Paul Silver & Janet Klapstein
1990 SW Mill Street Terrace
Portland, OR 97201

The above-named applicant applied to the City for review and approval of a permit for vegetation clearing and grading in order to establish an off-street parking area at an existing single-family dwelling at 4079 S. Pacific Ave, Taxlot #41006BC05800. The project area is within 100 feet of a delineated wetland and its buffer area, however it outside of the buffer area. The City of Cannon Beach orders that the request for a development permit for repairs is granted and adopts the following findings of fact, conclusions, and conditions contained in Exhibit A.

The E-Permitting record for this application can be reviewed here: [164-23-000097-PLNG](#)

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. This permit becomes effective after the fourteen day appeal period has expired.

DATED: August 14, 2023



Robert St. Clair
Planner

EXHIBIT "A"

FINDINGS OF FACT

4079 S. PACIFIC AVE. VEGETATION CLEARING AND GRADING FOR OFF-STREET PARKING – DP#23-29

PROPERTY DESCRIPTION: Taxlot# 41006BC05800
PROPERTY LOCATION: 4079 S. Pacific Ave.
APPLICANT: Paul Silver & Janet Klapstein
PROPERTY OWNERS: Paul Silver & Janet Klapstein
ACTION: Approved

BACKGROUND

The project is the clearance of vegetation and grading at an existing dwelling at 4079 S. Pacific Ave. in order to establish an off-street parking area. The dwelling was approved for construction in 2006 with an off-street parking area on the southern portion of the property as per zoning verification letter ZV 23-02. The area to be improved will contain two off-street parking spaces. Vegetation to be removed primarily includes undergrowth species. No regulated trees, defined as 6-inch diameter breast height (4 feet 6 inches above grade), are within the project area and no tree removal permit is required.

APPLICABLE CRITERIA

The following sections of the Cannon Beach Municipal Code are applicable to this application:

(1) Section 17.62.030(A)(1)(a) – Grading and Erosion Control Permit

A. Development Permit Required.

1. Persons proposing to clear, grade, excavate or fill land (regulated activities) shall obtain a development permit as prescribed by this chapter unless exempted by Section 17.62.040. A development permit is required where:

a. The proposed clearing, grading, filling, or excavation is located within one hundred feet of a stream, watercourse or wetland.

Findings:

The project area is within 100 feet of Local Wetland Inventory site #51 and its five foot buffer area, but is outside of on the opposite side of the property from the wetland. This project may be authorized under a Type 2 permit and a conditional use review is not required for this application.

CONCLUSIONS

The Community Development Department has reviewed the application and determined that it meets the applicable criteria.

DECISION

The development permit vegetation clearing and grading has been approved subject to the following conditions:

1. The use of motorized equipment shall be limited to between the hours of 7:00 AM and 7:00 PM per Municipal Code Section 8.16.

Site Map, Development Permit #23-29

Project Location: 4079 S. Pacific Ave.

