



NOTICE OF DECISION AND ORDER

Conditional Use Permit CUP-24-2

Site Design Review SDR-24-1

MAILED May 15, 2024

APPLICANT: John Nygaard

PROPERTY OWNER: Nygaard Land LLC

SUBJECT OF REVIEW: Establish a mini-warehouse use at taxlot 810340002301

HEARING AND RECORD

At the May 9, 2024, meeting, the Warrenton Planning Commission approved the Conditional Use Permit and Site Design Review for a mini-warehouse on taxlot 810340002301. The approval is based on the submittals from the applicant, findings of fact related to the proposed development in the staff report, and testimony heard at the public hearing on May 9, 2024. The approval is subject to six conditions of approval.

CONDITIONS OF APPROVAL

1. Before any permits are issued for the development of the property, the applicant must demonstrate the right to access their lot across taxlot 81034000105, which is currently owned by Warrenton Hammond School District. This can be done through the dedication of right-of-way for the proposed public street or through a public access easement.
2. The name of the proposed public street must comply with WMC Section 12.24.040 when it is dedicated to the City. SE Warrior Drive will not be allowed.
3. Any utility easements shall be dedicated to the City of Warrenton.
4. The developer shall provide as-built drawings and certification by a registered engineer in accordance with the adopted criteria for all improvements before acceptance by the City.
5. The developer shall agree to make all necessary offsite stormwater improvements if downstream deficiencies are created by the development of this property.
6. The developer shall submit a final Stormwater Report with the final construction documents.

Copies of all submittals and related documents are available by contacting the Warrenton Planning Department at (503) 861-0920 or planning@warrentonoregon.us.


Type III decisions are final and effective one day after the appeal period expires. The appeal period is May 16, 2024 – May 30, 2024. **This decision is final and effective on May 31, 2024.** Failure of any person to receive mailed notice shall not invalidate the decision, provided that a good faith attempt was made to mail the notice.

RIGHT TO APPEAL

In accordance with Warrenton Municipal Code 16.208.050(H), any person with standing to appeal may appeal the Planning Commission's decision by filing a Notice of Appeal according to the following procedures:

1. Time for filing. A Notice of Appeal shall be filed with the Community Development Director within 14 days of the date the notice of decisions was mailed.
2. Content of Notice of Appeal: The notice of appeal shall contain:
 - A. An identification of the decision being appealed, including the date of the decision.
 - B. A statement demonstrating the person filing the notice of appeal has standing to appeal.
 - C. A statement explaining the specific issue raised on appeal.
 - D. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period.
 - E. Filing fee.
3. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.

For questions, please contact the Warrenton Planning Department at (503) 861-0920 or planning@warrentonoregon.us.



Chris Hayward, Chair
Warrenton Planning Commission

5/14/2024
Date