

Verification on Oath or Affirmation for Mailed Land-Use Decision Notices

(WMC 16.208.040.E.2)

State of OREGON

County of CLATSOP

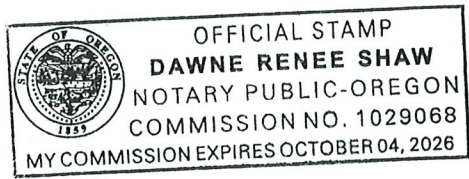
Signed and affirmed before me on June 11, 2024 by Matthew Ellis that on June 6, 2024, a notice of decision was mailed to the persons who must receive notice as required by the Warrenton Municipal Code.

Matthew Ellis
Matthew Ellis, AICP, Planning Director

Dawne Shaw
Dawne Shaw, CMC, City Recorder

Notary Public – State of Oregon

Official Stamp



Document Description

This certificate is attached to a Notice of Decision, dated June 6, 2024.



City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

NOTICE OF DECISION AND ORDER

Land Partition LP-24-3

APPLICANT: Seth Hague

PROPERTY OWNER: Fort Pointe Land Partners, LLC

SUBJECT OF REVIEW: Preliminary land partition for Taxlot 810170001300

DATE: June 6, 2024

APPEAL PERIOD ENDS: June 21, 2024

BACKGROUND

The Planning Department received a land partition application on April 26, 2024, and was deemed complete on May 6, 2024. The application is to divide the property into three lots. This application does not serve as the preliminary plat for the planned unit development application MC-23-3 for the purposes of Condition of Approval #31. Such preliminary plat shall be submitted with the final planned unit development plan.

In the application, language is offered relative to the size and installation of proposed public improvements, including water and sewer lines. This notice of decision shall not be construed as acceptance of the proposed size or location of public improvements as those are not proposed on the preliminary plat. Approval of the size and location of such public improvements is granted by the Public Works Department and the City Engineer. This approval will be granted at a later date with a subsequent application.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

Public notice letters were sent to property owners within 100 feet on May 6, 2024, and published in The Astorian on May 23, 2024. No public comments were received.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS

Applicable Warrenton Municipal Code (WMC) chapters for this modification include:

"Making a difference through excellence of service"

WMC 16.208.040 Type II Procedure (Administrative)
WMC 16.24 LOW DENSITY RESIDENTIAL (R-40) DISTRICT
WMC 16.28 INTERMEDIATE DENSITY RESIDENTIAL (R-10) DISTRICT
WMC 16.216 LAND DIVISIONS AND LOT LINE ADJUSTMENTS

Only the applicable standards are addressed below. Portions that do not apply have been omitted.

Chapter 16.208 TYPES OF APPLICATIONS AND REVIEW PROCEDURES
16.208.040 Type II Procedure (Administrative).

APPLICANT RESPONSE: None.

STAFF FINDING: The application was submitted with the required materials. **This criterion is met.**

Chapter 16.216 LAND DIVISIONS AND LOT LINE ADJUSTMENTS
16.216.050 Approval Criteria – Preliminary Plat.

- A. General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:
1. Partition and Subdivision.
 - a. The proposed preliminary plat complies with all of the applicable Development Code sections and other applicable City ordinances and regulations. At a minimum, the provisions of this chapter, and the applicable sections of Division 2 (Land Use Districts) and Division 3 (Design Standards) shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Chapter 16.272, Variances.
 - b. Housing Density. The subdivision meets the City's housing density standards of the applicable zoning district (Division 2).

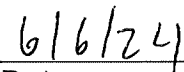
APPLICANT RESPONSE: None.

STAFF FINDING: This preliminary plat is subject to several conditions of approval from MC-23-3, which are continued below. The conditions not continued in this application are not abandoned and are expected to be met in subsequent applications. The proposal is in compliance with all other applicable sections of the Warrenton Municipal Code. Further subdivision of Parcel 2 will be required. See Condition of Approval #1. **This criterion is met.**

DECISION: () Approved () Approved with Conditions (attached) () Denied



Matthew Ellis, AICP, Planning Director



Date

CONDITIONS OF APPROVAL

1. Further subdivision of Parcel 2 in compliance with the approved final planned unit development plan is required prior to the issuance of building permits.
2. The final plat shall be signed by a registered professional land surveyor.
3. Per MC-23-3, the developer's engineer shall prepare a final storm water management plan that addresses potential impacts on adjoining properties, the Enterprise drainage system and the Tansy Creek drainage system. The plan shall be reviewed and approved by the city's consulting engineer prior to final plat approval.
4. Per MC-23-3, the developer will submit an updated geo-technical report for the development areas that addresses any special construction requirements due to soils conditions prior to final plat approval.
5. Per MC-23-3, the developer will propose development covenants that establish all building setbacks from other structures, roadways, sidewalks, etc. The design standards shall outline exterior design themes, property maintenance and exterior storage requirements. The covenants for Parcel 3 shall be recorded with the final plat.
6. Per MC-23-3, an easement for the Ridge Road to NW Warrenton Drive multi-purpose trail shall be granted along the northerly portion of the project area. This shall be shown on the final plat.
7. The submitted final plat shall comply with the approved final planned unit development plan required in MC-23-3. Final plat approval shall not be granted until after the planned unit development plan has been approved by the Warrenton Planning Commission.

Copies of all submittals, related documents, and this notice of decision are available for review on the City of Warrenton website or by contacting the City of Warrenton: <https://www.warrentonoregon.us/ced/page/applications-pending-approval>

EFFECTIVE DATE

Unless appealed, Type II decisions are final and effective one day after the appeal period expires. The appeal period is June 7, 2024 – June 21, 2024. **This decision is final and effective June 24, 2024.** If an appeal is filed, the decision is effective on the day after the appeal is decided. All persons entitled to notice or who are otherwise adversely affected or aggrieved by the decision may appeal the decision in accordance with Warrenton Municipal Code Section 16.208.040(G).

RIGHT TO APPEAL

A Type II administrative decision may be appealed to the Planning Commission by the applicant, any person who was mailed a written notice of the Type II administrative decision, or any other person who submitted written comments.

A notice of appeal shall be filed with the Planning Director within fourteen (14) days of the date the notice of decision was mailed. 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 issues 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.

The appeal of a Type II administrative decision by a person with standing shall be limited to the specific issues raised during the written comment period. Unless the appellant is the applicant, the hearing on the appeal shall be limited to the specific issues identified in the written comments submitted during the comment period.

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