

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 6, 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

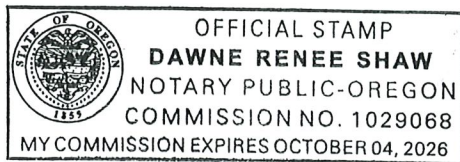
Matthew Ellis, AICP, Planning Director

Dawne Shaw

Dawne Shaw, CMC, City Recorder

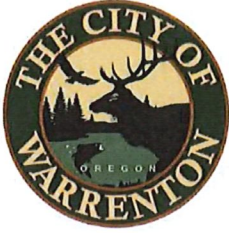
Notary Public – State of Oregon

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

Modification to Approved Plans MC-24-2

APPLICANT: Jetty Stone, LLC

PROPERTY OWNER: Jetty Stone, LLC

SUBJECT OF REVIEW: Modification to landscaping plan for Jetty Stone Apartments

DATE: June 6, 2024

APPEAL PERIOD ENDS: June 21, 2024

BACKGROUND

The Planning Department received an application to modify the approved landscaping plans for SDR-17-4 on May 6, 2024, and was deemed complete on May 6, 2024. Modifications to the landscaping plans fall under a minor modification, requiring the Type II review procedure.

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:

WMC 16.208.040 Type II Procedure (Administrative).

WMC 16.228.040 Minor Modifications.

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 16.228 Modifications to Approved Plans and Conditions of Approval
16.228.040 Minor Modifications.

B. Minor Modification Request. An application for a minor modification is reviewed using the Type II procedure in Chapter 16.260. A minor modification shall be approved, approved with conditions, or denied by the Community Development Director based on written findings on the following criteria:

1. The proposed development is in compliance with all applicable requirements of the Development Code; and

APPLICANT RESPONSE: New locations of trees and landscaping grasses will make sense with existing boundary vegetation and parking lot landscaping.

STAFF FINDING: The request conforms with the applicable sections of the Warrenton Municipal Code. **This criterion is met.**

2. The modification is not a major modification as defined in Section 16.228.030.

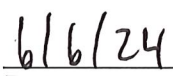
APPLICANT RESPONSE: None.

STAFF FINDING: The proposed modifications do not fall under the definition of major modifications. **This criterion is met.**

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



Matthew Ellis, AICP, Planning Director



Date

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.