



NOTICE OF DECISION AND ORDER

Conditional Use Permit CUP-24-7

MAILED June 26, 2024

APPLICANT: Andrea Darus

PROPERTY OWNER: Andrea Darus

SUBJECT OF REVIEW: Conditional use permit for food cart

APPEAL PERIOD ENDS: July 11, 2024

HEARING AND RECORD

Andrea Darus of the South Jetty Inn has applied for a Conditional Use Permit to come into compliance with the WMC. Currently, a food cart with a temporary use permit, Elk Stop Coffee, has been operating based on approval from a previous planning director. However, the use was placed there after the ordinance requiring them to be granted a conditional use permit was adopted. They failed to receive their conditional use permit until tonight. Staff has no concerns about how they have been operating but did want to bring them into compliance.

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 June 27, 2024 – July 11, 2024. **This decision is final and effective on July 12, 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:

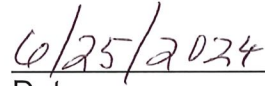
1. Time for filing. A Notice of Appeal shall be filed with the Community Development Director within 14 days of the date the notice of decisions was mailed.

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



Date