



NOTICE OF DECISION AND ORDER

Conditional Use Permit CUP-24-8

MAILED September 20, 2024

APPLICANT: Will Caplinger, AICP, Two Branches Consulting

PROPERTY OWNER: Port of Astoria

SUBJECT OF REVIEW: Remove land from the bank of Skipanon River for compensatory mitigation

HEARING AND RECORD

Will Caplinger, AICP of Two Branches Consulting applied for a conditional use permit to add approximately 1 acre of open water to the Skipanon channel for estuarine mitigation for the Pier 2 West project in Astoria. The subject properties are located north of E Harbor Drive and west of NE King Avenue and are zoned I-2 Water-Dependent Industrial Shorelands. The subject properties are presently undeveloped and are identified as Tax Lots 81015D000100, 81015D000400, 81015D000500, and 81015D000600.

The Planning Commission held a consolidated public hearing on September 12, 2024. At the hearing, the Planning Commission moved to deny the conditional use permit CUP-24-8 based on the findings and conclusions of the staff report.

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 September 23, 2024 – October 7, 2024. **This decision is final and effective on October 8, 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

9/20/24
Date