

**BEFORE THE CITY OF CANNON BEACH**

**IN THE MATTER OF A REQUEST FOR EXTENSION )**  
**OF ELECTRICAL UTILITIES AND THE ADDITION )**  
**OF A PIT TANK AT THE EMERGENCY CACHE SITE )**  
**AT TAXLOT 51029CA00101 APPROVING THE )**  
**REQUEST AND ADOPTING FINDINGS )** **FINDINGS OF FACT,**  
**CONCLUSIONS, AND**  
**ORDER NO. DP 22-10**

**ZONE:** Residential Very Low Density (RVL)

**APPLICANT:** City of Cannon Beach

The above-named applicant applied to the City for review and approval of a permit to extend electrical and telecommunication utilities and the installation of a pit tank at the City of Cannon Beach’s emergency cache site at taxlot 51029CA00101. The City of Cannon Beach orders that the request be granted and adopts the following findings of fact, conclusions, and conditions contained in Exhibit A.

This decision may be appealed to the Planning Commission by an affected party by filing an appeal with the City within fourteen days of this date.

**DATED:** July 11, 2022



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Robert St. Clair  
Planner

**EXHIBIT “A”**  
**FINDINGS OF FACT**  
**EMERGENCY UTILITIES EXTENSION (DP# 22-10)**

**PROPERTY DESCRIPTION:** 51029CA00101

**PROPERTY LOCATION:** Elk Creek Rd.

**APPLICANT:** City of Cannon Beach

**PROPERTY OWNERS:** City of Cannon Beach

**ACTION:** Approved

**BACKGROUND**

The proposed project is a 504 foot extension of a Pacific Power electrical utility line, extension of a Spectrum telecommunication line, and the installation of a pit tank to the City of Cannon Beach’s “Echo” cache site on Elk Creek Rd.

**APPLICABLE CRITERIA**

Cannon Beach Municipal Code chapter 17.62, Grading, Erosion and Sedimentation Control, and 17.92.010, Development Permit, are applicable to this request.

**FINDINGS**

(1) Section 17.62.030.A.1 requires the issuance of a Development Permit for projects clearing, grading, excavation, or filling more than 10 cubic yards of material.

*A. Development Permit Required*

*1. Persons proposing to clear, grade, excavate or fill land (regulated activities) shall obtain a development permit as prescribed by this chapter unless exempted by Section 17.62.040. A development permit is required where:*

*a. The proposed volume of excavation, fill, or any combination of excavation and fill exceeds ten cubic yards in a calendar year.*

(2) Section 17.92.010.A.1.b states the requirement for specifically listed activity or structure types requiring a development permit:

*An activity or structure specifically listed in this title as requiring a development permit. (For the purpose of this section, these are referred to as Type 2 or Type 3 development permits.)*

(3) Section 17.92.010.C.2 defines the administrative review procedure for Type 2 development permits:

2. *Administrative review of Type 2 development permits shall follow the following procedure:*
  - a. *The development permit application shall be reviewed by planning department against the applicable standards contained in this title and the application shall either be approved, approved with conditions, or denied.*
  - b. *A decision shall be made within twenty days of the receipt of a complete application.*
  - c. *The decision of the planning department shall be by signed written order. The order shall comply with Section 17.88.110(B). The written order is the final decision on the matter and the date of the order is the date that it is signed. The order becomes effective on the expiration of the appeal period, unless an appeal has been filed.*
  - d. *The applicant shall be notified of the decision in accordance with the provisions of Section 17.88.130. Property owners within one hundred feet of the exterior boundary of the subject property shall likewise be notified.*
  - e. *A decision on the development permit may be appealed to the planning commission in accordance with Section 17.88.140.*

## **CONCLUSIONS**

The Community Development Department has reviewed the application and determined that the application meets the applicable criteria.

## **DECISION**

The emergency utilities extension has been approved.

**Exhibit B**

**Project Area Map**

