



BEFORE THE CITY OF CANNON BEACH

IN THE MATTER OF A DEVELOPMENT)	
PERMIT FOR STORMWATER OUTFALL)	
MAINTENANCE AT TAXLOT# 510290000101)	FINDINGS OF FACT,
APPROVING THE REQUEST AND)	CONCLUSIONS, AND
ADOPTING FINDINGS)	ORDER DP #22-11

ZONE: Institutional (IN)

APPLICANT: City of Cannon Beach
 Department of Public Works
 Attn: Trevor Mount
 163 E. Gower St.
 Cannon Beach, OR 97001

The above-named applicant applied to the City for review and approval of a permit to remove vegetation and soil from seven drainage outfall pipes in preparation for an inspection report required by the Oregon Department of Environmental Quality. The City of Cannon Beach orders that this request for approval of a development permit is granted subject to conditions, and adopts the findings of fact, conclusions and conditions contained in attachment 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 18, 2022



 Robert St. Clair
 Planner



EXHIBIT "A"

FINDINGS OF FACT

STORMWATER OUTFALL MAINTENANCE – DP#22-11

PROPERTY DESCRIPTION:	Taxlot# 510290000101
PROPERTY LOCATION:	U.S. Highway 101, east of the sewage lagoons
APPLICANT:	City of Cannon Beach
PROPERTY OWNER:	City of Cannon Beach
ACTION:	Approved

BACKGROUND

The proposed project is the clearance of accumulated vegetation and soil from seven stormwater outfall pipes located on the subject property in preparation of an inspection report required by the Oregon Department of Environmental Quality. Soil disturbance will be limited to less than 10 cubic yards and no soil will be removed from the site.

The subject property contains a wetland that has been inventoried by Clatsop County that is not included in the City of Cannon Beach's wetland inventory. As such the regulations adopted in the Wetland Overlay zone are applicable to this application.

APPLICABLE CRITERIA

The following sections of the Cannon Beach Municipal Code are applicable to this application:

- 17.43.030 – Uses and Activities Permitted Outright in Wetlands
- 17.62.030 – Grading, Erosion, and Sedimentation Control
- 17.92.010 – Development Permit

FINDINGS

(1) Section 17.43.030.E states that vegetation management is a permitted activity in wetland areas.

17.43.030 Uses and Activities Permitted Outright in Wetlands.

The following uses and activities may be permitted in the wetlands portion of the WO zone, subject to the issuance of a development permit in accordance with Section 17.92.010, and subject to applicable standards, and if permitted outright in the base zone:

E. Vegetation management.



(2) Section 17.62.030.A.1.a states that a Development Permit is required for projects that clear, grade, excavate, or fill land within 100 feet of a stream, watercourse, or wetland.

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 clearing, grading, filling, or excavation is located within one hundred feet of a stream, watercourse or wetland; or

(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 it meets the applicable criteria, upon the following conditions:

CONDITIONS

1. The use of motorized equipment shall be limited to between the hours of 7:00 AM and 7:00 PM per Municipal Code Section 8.16.



SITE MAP

