



**BEFORE THE CITY OF CANNON BEACH**

<b>IN THE MATTER OF A DEVELOPMENT</b>	)	
<b>PERMIT FOR VEGETATION CLEARING</b>	)	
<b>AT TAXLOT# 51020BC00503, 00504,</b>	)	
<b>00505, 00506, 00507, AND 00508</b>	)	
<b>APPROVING THE REQUEST AND</b>	)	<b>FINDINGS OF FACT,</b>
<b>ADOPTING FINDINGS</b>	)	<b>CONCLUSIONS, AND</b>
		<b>ORDER DP #22-13</b>


ZONE: Residential Low Density (RL)

APPLICANT: Haggart Renovations LLC  
 9720 SW Hillman Ct. Ste. 815  
 Wilsonville, OR 97070

The above-named applicant applied to the City for review and approval of a permit to remove vegetation from six undeveloped properties on Monica Ct. east of N. Spruce St. 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: August 25, 2022**

  
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 Robert St. Clair  
 Planner



## EXHIBIT "A"

### FINDINGS OF FACT

#### BRUSH & VEGETATION CLEARANCE – DP#22-13

<b>PROPERTY DESCRIPTION:</b>	Taxlot# 51020BC00503, 00504, 00505, 00506, 00507, 00508
<b>PROPERTY LOCATION:</b>	Monica Ct., East of N. Spruce St.
<b>APPLICANT:</b>	Haggart Renovations, LLC
<b>PROPERTY OWNER:</b>	The Victoria Group, LLC
<b>ACTION:</b>	Approved

#### BACKGROUND

The proposed project is the clearance of accumulated vegetation from six properties on Monica Ct. east of N. Spruce St. Soil disturbance will be limited to less than 10 cubic yards and no soil will be removed from the site.

#### APPLICABLE CRITERIA

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

- 17.62.030 – Grading, Erosion, and Sedimentation Control
- 17.92.010 – Development Permit

#### FINDINGS

(1) Section 17.62.030.A.1 states that a Development Permit is required for projects that clear, grade, excavate, or fill an area within 100 feet of an inventoried wetland or an area exceeding 250 square feet that is more than 100 feet from an inventoried 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*
  - b. The proposed clearing, grading, filling, or excavation is located more than one hundred feet from a stream or watercourse or wetland and the affected area exceeds two hundred fifty square feet.*

(2) 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**

