

THE CITY COUNCIL OF THE CITY OF NEWPORT,
COUNTY OF LINCOLN, STATE OF OREGON

In the Matter of:

ACCEPTING THE PLANNING COMMISSION'S)
FINAL ORDER AND FINDINGS OF FACT) ORDER NO.
APPROVING THE TRAFFIC IMPACT ANALYSIS) 2013-1
FOR THE TEEVIN BROTHERS LOG YARD)

WHEREAS, on February 28, 2013, the city received a complete application from Teevin Brothers Land and Timber Company, LLC for a traffic impact analysis associated with a proposed log yard on 15 acres of property located at 1650 SE Bay Boulevard; and

WHEREAS, the purpose of the analysis is to establish that the transportation facilities, namely SE Moore Drive and SE Bay Boulevard, can safely accommodate the proposed log truck traffic; and

WHEREAS, the City's traffic impact analysis criteria are discretionary, requiring a land use decision pursuant to the Chapter 14.45 of the Newport Zoning Ordinance; and

WHEREAS, the application was reviewed by the City Engineer and Community Development Director, and the Community Development Director issued findings of fact and a final order approving the traffic impact analysis on March 11, 2013; and

WHEREAS, the Community Development Director's decision was appealed to the Newport Planning Commission; and

WHEREAS, on April 22, 2013, the Newport Planning held a *denovo* (full evidentiary) hearing to consider the application; and

WHEREAS, on May 13, 2013, the Planning Commission issued findings of fact and a final order approving the Teevin Brothers application; and

WHEREAS, on May 28, 2013, the Planning Commission's decision was appealed to the Newport City Council; and

WHEREAS, Section 14.52.100 of the Newport Municipal Code describes the city's process for reviewing appeals of land use decisions, and the options include:

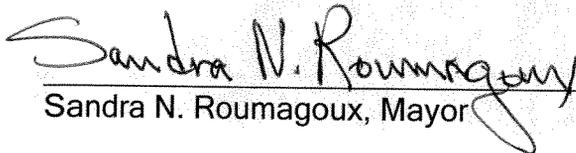
- Hold an additional *denovo* hearing on the appeal if the Council believes that a significant number of appeals have been filed and that the efficiency of the appeals process would be best served by holding such a hearing;

- Hold an on-the-record appeal hearing;
- Deny the appeal without a hearing.

NOW, THEREFORE, IT IS HEREBY ORDERED:

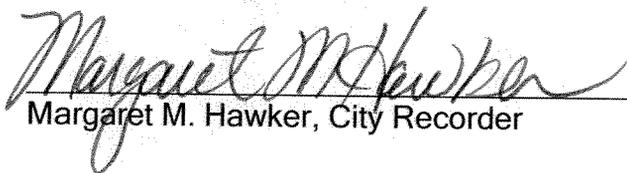
1. All of the foregoing recitals and findings of fact are hereby confirmed and adopted as findings of fact in support of this order.
2. The City Council of the City of Newport hereby enters its final order denying the appeal without a hearing, and adopting the Planning Commission's final order and findings of fact, including all associated exhibits and attachments, as the city's final decision.

SO ORDERED this third day of June, 2013.



Sandra N. Roumagoux, Mayor

ATTEST:



Margaret M. Hawker, City Recorder