

CITY OF NEWPORT NOTICE OF A PUBLIC HEARING¹

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing to consider the following Conditional Use Permit request:

File No. 3-CUP-16:

Applicant and Owner: William Wren & Kyle Lowe, 404 Main St., Toledo, OR 97391 (Jim & Carol Ruggeri, 1121 SE Spruce Way, Newport, OR 97365, property owner).

Request: Approval of a request per Section 14.03.070(8)(a)/“Commercial and Industrial Uses/Manufacturing and Production/Light Manufacturing” of the Newport Zoning Ordinance, for a conditional use permit in order to operate a recreational marijuana grow facility at 1240 NW Grove St. The subject property is located in a C-3/“Heavy Commercial” zone, where manufacturing and production (i.e. growing) is permitted as a light manufacturing use following the issuance of a conditional use permit.

Location: 1240 NW Grove St. (Lincoln County Assessor’s Map 11-11-05-BD; Tax Lot 04500).

Applicable Criteria: NZO Section 14.34.050: (1) The public facilities can adequately accommodate the proposed use; 2) the request complies with the requirements of the underlying zone or overlay zone; 3) the proposed use does not have an adverse impact greater than existing uses on nearby properties, or impacts can be ameliorated through imposition of conditions of approval; and 4) a proposed building or building modification is consistent with the overall development character of the neighborhood with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.

Testimony: Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances which the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Submit testimony in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 5:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The hearing will include a report by staff, testimony (both oral and written) from the applicant and those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

Reports/Application Material: The staff report may be reviewed or a copy purchased for reasonable cost at the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, Oregon, 97365, seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost; or copies may be purchased for reasonable cost at this address.

Contact: Derrick Tokos, Community Development Director, (541) 574-0626, (address above in "Reports/Application Material").

Time/Place of Hearing: Monday, September 12, 2016; 7:00 p.m.; City Hall Council Chambers (address above in "Reports/Application Material").

MAILED: August 9, 2016.

PUBLISHED: September 2, 2016/News-Times.

¹Notice of this action is being sent to the following: (1) Affected property owners within 200 feet of the subject property (according to Lincoln County tax records); (2) affected public/private utilities/agencies within Lincoln County; and (3) affected city departments.

