



# NOTICE OF WITHDRAWAL CLATSOP COUNTY BOARD OF COMMISSIONERS

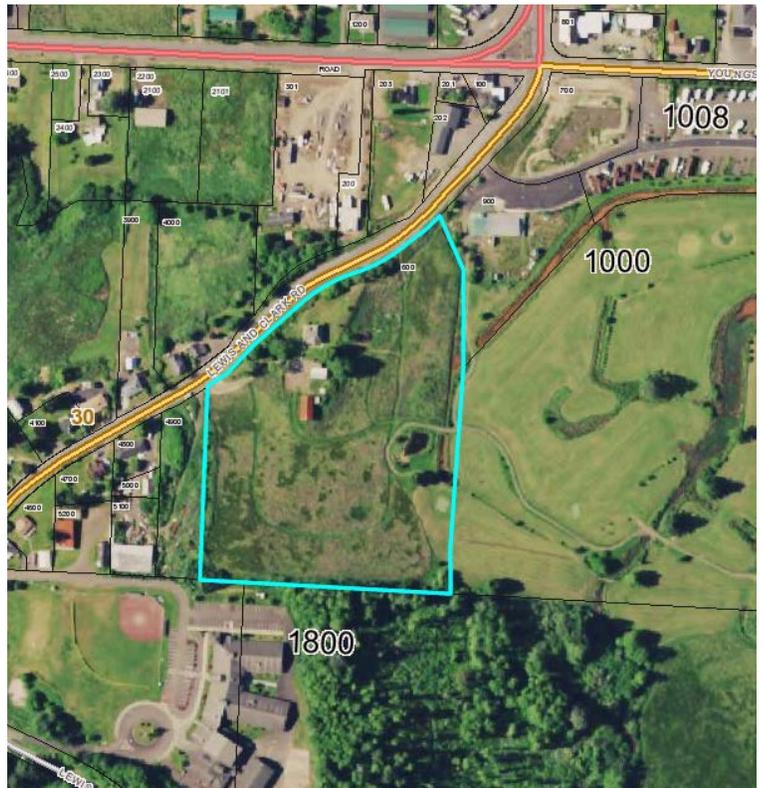
The Clatsop County Board of Commissioners will consider an appeal filed by David Noren, on behalf of property owner Richard Krueger/Bella Ridge Apartments LLC, regarding the Planning Commission's denial of a Zone Change and Conditional Use for a 48-unit apartment complex. The subject property is identified as T8N, R09W, Sec 30AD, Tax Lot 600 and located at 9225 Lewis & Clark Rd, Astoria, OR.

This will be a "de novo" hearing, meaning that new testimony and evidence will be accepted. The record from the Planning Commission decision will also be included in the record for the Board of Commissioners' review of this matter.

You are receiving this notice because you either own property within 250 feet of the property that is the subject of the land use application described in this notice or you are considered to be a party of record, an affected state or federal agency, local government, or special district. A vicinity map for the subject property is included in this notice.

**DATE AND LOCATION**  
Wednesday, October 22, 2016 - 6:00 PM in the hearing room of the Judge Guy Boyington Building  
857 Commercial Street, Astoria, OR

Description of Appeal: On July 28, 2016, the Clatsop County Planning Commission issued a decision denying an application for a zone change from Rural Community Residential (RCR) to Rural Community Multi-Family Residential (RC-MFR) and a Conditional Use Review for a 48-unit apartment complex. Apartments are not an allowed use in the current RCR zoning. The applicant is Richard Krueger/ Bella Ridge Apartments LLC. The property is approximately 10.4 acres in size. The Clatsop County Planning Commission denied the application based on a finding that it does not conform with the zone change review criterion found in Section 5.412 (3)(D) of the Clatsop County Land and Water Development and Use Ordinance, which addresses whether there are adequate water and wastewater facilities.



**You are invited** to submit comments in writing or testify in person at the September 14, 2016 hearing. Written comments should be addressed to the Clatsop County Board of Commissioners, 800 Exchange Street, Suite 100, Astoria, OR, 97103. Letters may also be emailed to [comdev@co.clatsop.or.us](mailto:comdev@co.clatsop.or.us) or faxed to (503) 338-3606. In order for letters to be made available to the Commissioners prior to the hearing on this land use matter, **the County must receive letters no later than 4:00 PM on October 11, 2016.** Alternatively, letters or oral testimony may be provided directly to the Board of Commissioners in person at the September 14, 2015, public hearing. Failure of an issue to be raised either at the Board of Commissioners public hearing, in person or by letter. Failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal based on that issue.

**This will be a “de novo” hearing, meaning that new testimony and evidence will be accepted. The record from the Planning Commission decision will also be included in the record for the Board of Commissioners’ review of this matter.**

A copy of all documents and evidence submitted by or on behalf of the appellant and the applicable criteria are available for inspection at the department office during business hours (M-F, 7:30 AM – 4:00 PM) at no cost. Copies will be provided at reasonable cost. A copy of the staff report will be available for inspection at the department office at no cost at least seven days prior to the hearing. Copies will be provided at a reasonable cost.

### **APPLICABLE CRITERIA**

#### **Clatsop County Land & Water Development & Use Ordinance 80-14**

Sections 1.010-1.050 Definitions  
Section 2.030 Type III Procedure  
Section 2.110 Mailed Notice of a Public Hearing  
Section 2.125 Procedure for Published Notice  
Section 2.260 Review Body Decision  
Section 3.114 Rural Community Multi-Family Residential  
Section 5.000 Conditional Development and Use  
Section 5.350 Transportation System Impact Review  
Section 5.400 Zone Changes

#### **Clatsop County Comprehensive Plan**

Goal 1 Citizen Involvement  
Goal 2 Land Use Planning  
Goal 6 Air Water and Land Quality  
Goal 10 Population and Housing  
Goal 11 Public Facilities and Services  
Goal 12 Transportation

#### **Standards Document**

Chapter 2 Site Oriented Improvements  
Chapter 5 Vehicle Access Control and Circulation  
Chapter 6 Road Standard Specifications

Please contact Heather Hansen, Community Development Director, at (503) 325-8611 or [comdev@co.clatsop.or.us](mailto:comdev@co.clatsop.or.us) for more details.

**Notice to Mortgagee, Lien Holder, Vendor or Seller:** ORS Chapter 215 requires that if you receive this notice it must promptly be forwarded to the purchaser.