

NOTICE OF DECISION

MISC122-0045: Extension of 1015 N Springbrook Road Conditional Use CUP21-0006

October 8, 2022

Ralston & Ralston LLC
Anthony Stuart
by email – lawstuartlaw@gmail.com; sralstonlux@aol.com

Re: Extension request for 1015 N Springbrook Road Conditional Use CUP21-0006

The Newberg Community Development Director has approved the extension request MISC122-0045, that extends the conditional use approval at 1015 N Springbrook Road from October 18, 2022 to April 18, 2023.

Newberg Development Code 15.225.100 Conditional use permit must be exercised to be effective.

A. A conditional use permit granted under this code shall be effective only when the exercise of the right granted thereunder shall be commenced within one year from the effective date of the decision. The director under a Type I procedure may grant an extension for up to six months if the applicant files a request in writing prior to the expiration of the approval and demonstrates compliance with the following:

- 1. The land use designation of the property has not been changed since the initial use permit approval; and*
- 2. The applicable standards in this code which applied to the project have not changed.*

B. In case such right is not exercised, or extension obtained, the conditional use permit decision shall be void. Any conditional use permit granted pursuant to this code is transferable to subsequent owners or contract purchasers of the property unless otherwise provided at the time of granting such permit. [Ord. 2451, 12-2-96. Code 2001 § 151.214.]

Finding: The conditional use permit for a marijuana processor facility will expire on October 18, 2022. The applicant requested that the city grant a six-month extension to allow additional time to proceed through the OLCC application process

Two criteria are applicable to the extension request. The first is that the land use designation of

the property has not been changed since the initial use permit approval. At the time of the conditional use approval the site was designated C-2 Community Commercial. No zoning designation change has occurred, and the site remains designated C-2 Community Commercial.

The second criterion is that the applicable standards in this code which applied to the project have not changed. No changes to the Newberg Municipal Code have occurred that are applicable to the conditional use requirements or design review requirements.

The applicant's request is therefore approved, and the expiration date is extended six months, until April 18, 2023.

If you have any questions, please contact me at 503-537-1212 or doug.rux@newbergoregon.gov.

Sincerely,



Douglas R. Rux
Community Development Director