

MEMORANDUM

TO: Newberg Planning Commission

FROM: Clay Downing, Planning Manager

SUBJECT: Supplemental Material CUP23-0002 / MIMD123-0001 for 500 E Illinois Street

DATE: March 9, 2023

The proposed tower modifications are submitted as an Eligible Facilities Request (EFR) for a minor modification under Section 6409 of Federal Communications Commission (FCC) rules. Under an EFR a state or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure. Further, this project is not eligible for appeal following the decision of the Planning Commission and will become effective on the date of the Planning Commission's decision.

Planning Commission Order 2023-05 was revised in accordance with this determination and is attached to this memo in a format indicating where content was removed (~~striketrough~~) or added (underlined).



PLANNING COMMISSION ORDER 2023-05

**AN ORDER APPROVING CONDITIONAL USE PERMIT CUP23-0002 AND
MINOR MODIFICATION MIMD123-0001 FOR A TOWER EXTENSION AND
COLLOCATION AT 500 E ILLINOIS STREET, YAMHILL COUNTY TAX LOT
R3218DD 01000**

RECITALS

1. Debbie Griffin, on behalf of AT&T Wireless, applied for a conditional use permit and a minor modification for a tower extension and collocation at 500 E Illinois Street, Yamhill County Tax Lot R3218DD 01000.
2. After proper notice, the Newberg Planning Commission held a public hearing on March 9, 2023, to consider the application. The Commission considered testimony and deliberated.
3. The Newberg Planning Commission finds that the application, as conditioned in Exhibit “B”, meets the applicable Newberg Municipal Code criteria as shown in the findings in Exhibit “A”.

The Newberg Planning Commission orders as follows:

1. Conditional Use Permit application CUP23-0002 and Minor Modification MIMD123-0001 hereby approved, subject to the conditions contained in Exhibit “B”. Exhibit “B” is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit “A” are hereby adopted. Exhibit “A” is hereby adopted and by this reference incorporated.
3. This Order shall be effective on March ~~9, 23,~~ 2023.
4. This order shall expire one year after the effective date above if the applicant does not obtain a building permit pursuant to this application by that time, unless an extension is granted per Newberg Development Code 15.225.100.

Adopted by the Newberg Planning Commission this 9th day of January 2023.

ATTEST:

Planning Commission Chair

Planning Commission Secretary