

**CITY OF MILLERSBURG, OREGON
NOTICE OF DECISION**

October 2, 2024

TO: Applicant

RE: NOTICE OF DECISION

This notice is to inform you that the Millersburg Planning Commission, on October 1, 2024, has made a Land Use Decision concerning the following application:

Requested Actions: The applicant is proposing a Conditional Use Permit (CUP 24-01) for a revision to the intermodal transfer facility to add the ability to transfer bio-fuels from rail to truck. No physical improvements to the site are anticipated except spill containment features.

APPLICANTS: Omni Energy Trading

LOCATION: 3251 NE Old Salem Road (Intermodal Facility)

TAX LOTS: Township 10 South; Range 3 West; Section 28; Tax Lot 00400

PARCEL SIZE: 63.70 acres

ZONING: General Industrial (GI)

CRITERIA: Millersburg Development Code, Section 5.04.050

FILE No.: CUP 24-01

The Planning Commission approved the conditional Use Permit. No ex-parte or conflicts from the Planning Commission were presented.

The decision will not become final until the period for filing a local appeal has expired. An action or ruling from the Planning Commission pursuant to the Millersburg City Code may be appealed to the City Council within 15 days after the Planning Commission has rendered its decision. If the appeal is not filed within the 15-day period, the decision of the Planning Commission shall be final. A complete copy of the record, including the application, staff report and all documents, and evidence relied upon by the Planning Commission in making their decision, are available for inspection at the Millersburg City Hall at no cost. The City Hall is located at 4222 NE Old Salem Road, Millersburg, Oregon.

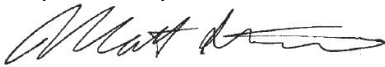
Written notice of an appeal shall be filed with the City. If the appeal is filed, the City Council shall hold a public hearing on the appeal. A party aggrieved by the City Council final determination in a proceeding for a land use decision or limited land use decision may have the determination reviewed by the Land Use Board

of Appeals (LUBA). A notice of intent to appeal a land use decision shall be filed not later than 21 days after the date the City Council notice of decision is made.

Failure of an issue to be raised at the City's review or hearing, in person or by letter, or failure to provide sufficient detail to afford the decision-maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

For additional information feel free to contact the City at 458-233-6306 or matt.straite@millersburgoregon.gov.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matt Straite", with a stylized flourish at the end.

Matt Straite,
Community Development Director