



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Steve Wills, Director

Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816 Fax 541-926-2060
www.co.linn.or.us

NOTICE OF PUBLIC HEARING FOR REOPENING OF RECORD AND DELIBERATION AND DECISION

NOTICE IS HEREBY GIVEN that on Tuesday, June 11, 2024, at 10:00 a.m. and Tuesday, June 18, 2024 at 10:00 a.m., in Room 200 of the Linn County Courthouse, Albany Oregon, public hearings will be held before the Linn County Board of Commissioners (Board) for the purpose of re-opening the record and making a land use decision on the following matter:

PD23-0670: A legislative Code text amendment application by Linn County to amend sections of Linn County Code (LCC) Chapters 920, 928, and 934. The proposed amendments are to implement portions of Senate Bill 85 (2023) relating to the establishment of new large confined animal feeding operations.

REOPENED RECORD HEARING PROCEDURES:

The Board will hold a public hearing regarding this matter on June 11, 2024 at 10:00 a.m. to reopen the public hearing regarding this matter, re-open the record for additional evidence and testimony, and establish hearing procedures and detail the schedule for submitting evidence and testimony. The public hearing will be limited to written testimony only, and subject to the timelines established in this notice and at the public hearing; no oral testimony will be accepted. The Board will reconvene on June 18, 2024 at 10:00 a.m. to deliberate and made a decision regarding this matter.

The Board may consider new information and information contained within the existing record that pertains to the proposed amendments. A staff report will be available seven days prior to the hearing date.

COMMENTS:

Blank lines for comments

BY _____ AGENCY (IF ANY) _____ DATE _____

STAFF CONTACT PERSON: Alyssa Boles; (541)967-3816, ext.2360 or aboles@co.linn.or.us

Table with columns: Linn County, State of Oregon, Other. Rows include EHP, Parks, Assessor, GIS, Flood Official, Sheriff, Bldg Official, Roads, Surveyor, DEQ, DOGAMI, DSL, Water, ODFW, ODOT/OSHD, ODSF, DLCD, Parks, State Fire Marshal, School, Landowners, City Of, Other: OR Dept of Ag, RFD.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

REOPENED RECORD HEARING PROCEDURES:

Copies of applicable decision criteria are available upon request. The applicable decision criteria are contained in LCC 921.824. A copy of the applicable decision criteria is attached to this notice.

Note that the following hearing limitations also apply:

The Board will hold a public hearing regarding this matter on **June 11, 2024 at 10:00 a.m.** to reopen the public hearing regarding this matter, re-open the record for additional written evidence and written testimony, and establish hearing procedures and detail the schedule for submitting evidence and testimony. **The public may attend the hearing; however, the hearing will be limited to written testimony only; no oral testimony will be accepted.** The procedures anticipated to be established by the Board would allow for:

Seven (7) days for the provision of written comments, due by 5:00 pm on June 17, 2024.

Once the hearing procedures are established and the Board adopts the schedule for submitting new written evidence and written argument as described in this notice, the hearing will be continued to **June 18, 2024 at 10:00 a.m.** for Board deliberation and decision. The public may attend, but may not present any additional oral or written evidence or argument.

The public hearing will begin with a declaration of any ex parte contacts (contacts which occurred outside of the public hearing) or any conflict of interest by the decision makers. This will be followed by the staff report from the planning department. The decision makers are free to ask questions of staff at any point during the hearing.

Once the hearing and record are closed, the decision makers will begin deliberations and/or will announce the time, date and place when the decision will be made.

The hearing will be conducted under the procedures for a Type IIIA Legislative Hearing in Linn County Code (LCC) 921.130. Code amendment procedures and criteria are contained in LCC 921.802 to 921.840. This application will be reviewed and a decision will be made using the following decision criteria from Section 921.824 of the Linn County Land Development Code.

LCC 921.824 - Decision criteria for Development Code text amendments

- (A) A Land Development Code text amendment may be granted if on the basis of the application, investigation, testimony and evidence submitted, findings and conclusions show that:
- (1) The amendment is consistent with the intent and purpose statement of the affected Chapter or subchapter of the Land Development Code; and
 - (2) The amendment is consistent with the intent of the policies within the applicable section(s) of the *Comprehensive Plan*.