



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Steve Wills, Director

Room 114, Linn County Courthouse
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NOTICE OF LAND USE HEARING

NOTICE IS HEREBY GIVEN that on June 11, 2024 at 7:00 p.m. in the Old Armory Building George Miller Room B on the corner of 4th Avenue and Lyon Street, Albany a public hearing will be held before the Linn County Planning Commission (Commission); and on July 9, 2024 at 10:00 a.m. in Room 200 of the Linn County Courthouse, Albany a public hearing will be held before the Linn County Board of Commissioners (Board). These hearings are to afford interested parties an opportunity to be heard on the following matter. Any comments you wish to provide will be appreciated; however, Oregon law requires that testimony and evidence must be directed toward the decision criteria. You may present your testimony at the public hearing or provide written comments to this Department before the public hearing date. The Commission will make a recommendation on this application to the Board. The Board will make a decision after close of the Board hearing.

PD24-0154: A Code text amendment application by Linn County to amend Linn County Code (LCC) Chapter 935. The proposed amendments are to update and clarify road construction and access standards and to align some standards with Oregon Fire Code. The proposed amendments are available for review in the Linn County Planning and Building Department office. Copies are available for a reasonable cost. The staff report will be available one week prior to the hearing.

COMMENTS: [Blank lines for handwritten comments]

BY [Blank] AGENCY (IF ANY) [Blank] DATE [Blank]

ADDRESS: [Blank]

STAFF CONTACT PERSON: Steve Wills; (541) 967-3816, ext. 2768 or swills@co.linn.or.us

Table with 3 columns: Linn County, State of Oregon, Other. Rows include EHP, Parks, Assessor, GIS, Sheriff, Bldg Official, Roads, Surveyor, Flood Official, DEQ, DOGAMI, DSL, Water, ODFW, ODOT/OSHD, ODSF, DLCD, Parks, State Fire Marshal, School, Landowners, City Of, Other, RFD: All fire districts.

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

1. 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(A) - Decision criteria for Development Code text amendments

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*.
2. All testimony and evidence submitted by a party must be directed toward the specified criteria or other criteria in the Comprehensive Plan, the Land development Code, or other criteria in Oregon Administrative rules (OARs) which a party believes apply to the decision. The amendments must comply with applicable decision criteria listed above.
 3. Failure of an issue to be raised in a hearing, in person or by letter, or 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.
 4. A copy of the proposed amendments, all documents included in the case file, and the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing, and copies will be provided at reasonable cost.
 5. The proposed Code text amendments are classified as a Type IIIA Legislative application. The public notice, evidentiary, and legislative hearing processes will be conducted as set forth in LCC 921.130: Type IIIA Legislative Procedure. The "hearing authority" in a Legislative Code text amendment is the Board of County Commissioners for Linn County (Board).
 6. The Planning Commission (Commission) will conduct a public hearing on this matter and will make a recommendation to the Board.
 7. The Board shall provide opportunity for the presentation of argument and testimony. All testimony must be directed toward the applicable decision criteria including applicable criteria in the Comprehensive Plan or other land use regulations. Failure to raise an issue before the close of the record or failure to provide statements or evidence sufficient to afford the decision maker(s) and the parties an adequate opportunity to respond to each issue raised precludes an appeal to LUBA based on that issue.
 8. If the Board hearing is continued or tabled, the chairperson shall state on the record the date and time for which the hearing is rescheduled, the place where the hearing will be conducted, and what limitations exist on further comment or submissions of written materials. Once the hearing is closed to public input, the Board shall begin deliberations on a decision or announce the time, date and place when the decision will be made. The Board shall make a decision conforming to the requirements of LCC 921.140 not more than 42 calendar days from the close of the public hearing.