

# **ORS 197.763(5) STATEMENT INFORMATION**

## **REGARDING PROCEDURES FOR LAND USE HEARING**

### **File 2020-04 – Comprehensive Plan Map Amendment and Zone Change Block bordered by SW Beech, SW 3<sup>rd</sup>, SW 4<sup>th</sup> & SW Cherry streets**

The applicable substantive criteria upon which this case will be decided are found in the following state law, rules and City of Scio planning regulations. The applicable sections and the decision criteria are listed in the staff report.

- A. Oregon Statewide Planning Goals and related Oregon Administrative Rules (OAR 660)
- B. Scio Comprehensive Plan
- C. Scio Comprehensive Plan Amendment Ordinance 496
- D. Scio Zoning Ordinance 561 – Article 10, Amendments to the Zoning Ordinance

All testimony, arguments and evidence received during this public hearing must be directed toward these approval criteria, or to such other rule, law, regulation or policy which you believe to apply to this case.

An issue which may be the basis for an appeal to the Oregon Land Use Board of Appeals (LUBA) shall be raised not later than the close of the record at or following the final evidentiary hearing on this case. Such issues shall be raised with sufficient specificity so as to afford this body, and the parties to this hearing an adequate opportunity to respond to each issue.

The Planning Commission will make a recommendation to the Scio City Council. The Scio City Council will hold a public hearing on the proposal and then will make a decision to either approve or deny the proposal. The City Council's decision is final, unless it is appealed to the Oregon Land Use Board of Appeals (LUBA). A Notice of Appeal may be filed with LUBA within 21 days of mailing of the City Council's Notice of Decision by the City.

The Presiding Officer over the public hearing reserves the right to limit the time of any presentation. Please try to avoid repetition; if someone else has already expressed the same thoughts, it is perfectly alright to state that you agree with the statements of that previous speaker.

If you have documents, maps or letters that you wish to have considered by this body, they must formally be placed in the record of this proceeding. To do that, either before or after you speak, please leave the material with Planning Staff who will make sure your evidence is properly taken care of.

Prior to the conclusion of the initial evidentiary hearing in this case, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application involved here. Continuances may take the form of holding an additional public hearing with oral testimony allowed, or may consist of holding the evidentiary record open for a period of time designated by the City, for submittal from the public of written evidence.

If you have any questions regarding any of the information contained in this Statement, please voice those questions, or objections at the time you testify. If you do not wish to testify, your questions or objections may be submitted in writing and will be dealt with during the course of the hearing. Any written material must be presented prior to the closure of the record in this case.

## **Public Hearing Format for Land Use Hearings Before the Scio Planning Commission and City Council**

- A. Opening of the Public Hearing & Rules of Conduct Chairperson
- B. Declarations of Ex Parte Contact, Conflicts of Interest or Bias
- C. Applicant's Presentation of the Application
- D. Staff Report Planning Consultant for the City
- E. Proponent's Testimony (persons in favor)
- F. Opponent's Testimony (persons opposed)
- G. General Testimony of Other Individuals or Organizations
- H. Questions of Clarification from the Planning Commission or City Council
- I. Applicant's Summary and Rebuttal
- J. Staff Summary
- K. Close of Public Hearing

### **Deliberation & Decision**

*No public testimony is permitted during the Planning Commission's or City Council's deliberation. The Planning Commission or City Council will normally make a recommendation or a decision on an issue following a public hearing, but may continue their deliberation to either a special meeting or the next regular meeting of the Planning Commission or City Council.*

### **Guidelines for Public Testimony:**

The Mayor or the Chairperson of the Planning Commission, as presiding officer, will recognize all speakers. If you wish to testify during the public hearing, please assist the Chairperson by abiding by the following rules:

1. State your name and address.
2. Indicate whether you support the application, oppose the application or wish to offer general testimony. Provide factual evidence and direct your testimony to the decision criteria.
3. Please keep your testimony brief and to the point. Limit comments to 3-5 minutes per person.
4. Direct any questions you have to the Chairperson. The Chairperson will direct your question to the applicant, city staff or other person who may be able to provide an answer.
5. The Chairperson may limit testimony when it is cumulative, repetitive, irrelevant or immaterial to the issues being considered.