

1302 NOTICE REQUIREMENTS AND PROCEDURES (6/6/02)

1302.01 PUBLIC NOTICE REQUIREMENTS (6/6/02)

The following notification requirements shall apply to all administrative actions to be considered at a public hearing: (10/21/99)

- A. At least 35 days before the first evidentiary hearing, a copy of the submitted application shall be sent to the recognized and active community planning organization(s), if the subject property lies wholly or partially within the boundaries of such organization(s). (6/6/02)
- B. Written notice of the public hearing shall be sent by mail at least 20 days prior to the first evidentiary hearing to the following: (6/6/02)
 - 1. The applicant;
 - 2. All property owners of record, pursuant to Subsection 1302.03, within: (6/6/02)
 - a. 300 feet of the subject property and contiguous properties under the same ownership if the property is located within an urban growth boundary; or (10/21/99)
 - b. 500 feet of the subject property and contiguous properties under the same ownership if the property is located outside an urban growth boundary and outside an EFU, TBR or AG/F zoning district; or (6/6/02)
 - c. 750 feet of the subject property and contiguous properties under the same ownership if the property is located within an EFU, TBR or AG/F zoning district. (6/6/02)
 - 3. The recognized and active community planning organization(s), if the property which is the subject of the application lies wholly or partially within the boundaries of such organization(s); (6/6/02)
 - 4. Tenants within a manufactured dwelling park when such manufactured dwelling park is the subject of a zone change request; and (6/6/02)
 - 5. The airport sponsor and the Oregon Department of Aviation when required by Subsection 712.08 or 713.07. (6/6/02)

- C. Written notice of the public hearing shall be sent by mail to cities or other entities as prescribed in an applicable dual-interest or urban growth management agreement. (6/6/02)
- D. Notice shall be given by publication in a newspaper of general circulation in the affected area at least 10 days prior to the date of a hearing. (6/6/02)

1302.02 CONTENTS OF WRITTEN NOTICE (6/6/02)

Notices of hearings shall contain the following information:

- A. The date, time and place of the hearing; the application file number; staff representative and telephone number where additional information may be obtained; (6/6/02)
- B. Identification of the property owner and applicant; a description of the subject property by tax map designation of the County Assessor, the address of the property if available and approximate location on county roads; (6/6/02)
- C. An explanation of the nature of the proposed action and the proposed use or uses which could be authorized by the decision; a list of the criteria from this ordinance and the Comprehensive Plan that apply to the application and decision; (6/6/02)
- D. A statement that interested parties may appear and be heard and that failure to raise an issue by the close of the record at or following the final evidentiary hearing, in person or by letter, or failure to provide sufficient specificity to afford the Hearings Officer an opportunity to respond to an issue precludes appeal to the Land Use Board of Appeals based on that issue;
- E. A general explanation of the requirements for submission of testimony and the procedure for conduct of hearings; (6/6/02)
- F. A statement that the application, all documents and evidence relied upon by the applicant, and the applicable criteria are available for inspection at the Planning Division at no cost and copies will be provided at a cost established by the Board of County Commissioners; and (6/6/02)
- G. A statement that at least 7 days prior to the hearing a copy of the staff report for the hearing will be available for inspection at the Planning Division and copies will be provided at a cost established by the Board of County Commissioners. (6/6/02)

1302.03 PERSONAL NOTICE (6/6/02)

For the purpose of personal notification, the records of the Clackamas County Assessor shall be used and persons whose names and addresses are not on file at the time of the filing of the application need not be notified of the action. If a property within the notification area is located outside Clackamas County, the records of the applicable County Assessor shall be used. The failure of a property owner to receive notice shall not invalidate the decision if a good faith attempt was made to comply with Subsection 1302.01(B). (6/6/02)