

ARTICLE 9.6 – NOTICE OF HEARING

SECTION 9.6.001 - TIME AND METHOD OF PUBLIC NOTICE

A. Legislative Hearings

Notices of public hearings on legislative matters shall be given by the body conducting the hearing by publication in a newspaper of general circulation in the City of La Grande at least twenty (20) days but not more than forty (40) days before the hearing. Notice shall be mailed to all property owners in the City if the proposal constitutes a "Measure 56 Rezoning".

B. Quasi-Judicial Hearings

Notices of public hearings for quasi-judicial land use hearings shall be given by the body conducting the hearing by publication in a newspaper of general circulation in the City of La Grande at least ten (10) days prior to the hearing. In addition, notice of the hearing shall be provided to the applicant and to the owners of record of property as shown on the most recent property tax assessment roll provided by Union County, where the property is located within one hundred feet (100') of the property which is the subject of the notice. The notice shall be mailed at least twenty (20) days before the first public hearing, or if two or more public hearings are allowed, ten (10) days before the first public hearing, and shall:

1. Explain the nature of the application and proposed use or uses which could be authorized.
2. List the applicable criteria from the Ordinance and the Plan that apply to the application.
3. Set forth the street address or other easily understood geographical reference to the subject property.
4. State the date, time, and location of the hearing.
5. State that failure to raise an issue by the close of the record at, or following the final evidentiary hearing at the Planning Commission level, in person or by letter, precludes appeal to the City Council, or ultimately LUBA based on that issue.
6. State that failure to provide sufficient specificity to afford the decision maker at the Planning Commission level an opportunity to respond to an issue that is raised precludes appeal to the City Council and, ultimately, to LUBA based on that issue.
7. Include the name of a local government representative to contact and a telephone number where additional information may be obtained.
8. State that a copy of: (1) the application, (2) all documents and evidence relied upon by the applicant, and; (3) applicable criteria are available for inspection at no cost and will be provided at reasonable cost.
9. State that a copy of the Staff Report will be available for inspection at no cost at least seven (7) days prior to the hearing and will be provided at reasonable cost.
10. Include a general explanation of the requirements for submission of testimony and the procedure for the conduct of hearings.

C. Amendments to Limited Use Designations

In addition to the notification requirements in Subsection B Quasi-Judicial Hearings, notices shall be given to the Oregon Department of Transportation and the Department of Land Conservation and Development pertaining to any amendments to Limited Use (LU) designations within the Urban Growth Area.

- D. Failure of a person to receive the notice prescribed in this Section shall not impair the validity of a hearing, nor the validity of the action taken.
- E. Upon completion of publication of this notice as provided for in Subsection A, or completion of the publication and mailing of the notices as provided in Subsection B hereof, the Secretary of the body conducting the hearing shall cause an affidavit of such mailing or publication to be filed in the permanent records of the particular proceedings to which such notices pertain.