



## Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

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(541) 396-7770

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### **NOTICE OF PUBLIC HEARINGS ON APPEAL**

Notice is hereby given that public hearings will be held on **September 30, 2019** at **1:00 p.m.** regarding an appeal, County File Number AP-19-004 filed by Kathy Dodds and Natalie Ranker. The hearing will be held in the Conference Room of the Owen Building, 201 N. Adams St., Coquille, Oregon. See attached map for location of the pipeline route. Notice of this hearing does not mean the route crosses your property but that you are within the notification area. Notice has also been provided to the applicant, appellants, special districts, or parties that have requested notice.

**File # AP-19-004 of File # EXT-19-004** – The applicant requested approval for an extension of the development approval period for County File No. HBCU-10-01 (REM-11-01). The conditional use application was approved for a natural gas pipeline and associated facilities on approximately 49.72 miles extending from Jordan Cove Energy Project’s LNG Terminal upland from the Port’s Marine Terminal to the alignment segment in adjacent Douglas County. The application was appealed on July 1, 2019 by filing pursuant to Article 5.8 Appeal Requirements.

#### **RELEVANT CRITERIA:** Coos County Zoning and Land Development Ordinance (CCZLDO)

- § 5.2.600 Expiration and Extensions of Conditional Uses.
    - § 5.2.600.1.a Extensions on Farm and Forest (Resource) zone property.
    - § 5.2.600.1.b Extensions on all non-resource zoned property.
  
    - OAR 660-033-0140 Agricultural Land
      - Division 33 AGRICULTURAL LAND
- 660-033-0010 Purpose - The purpose of this division is to preserve and maintain agricultural lands as defined by Goal 3 for farm use, and to implement ORS 215.203 through 215.327 and 215.438 through 215.459 and 215.700 through 215.799.
- Article 5.8 Appeal Requirements
  - Article 5.7 Public Hearings

#### **Conduct of Hearing (General Outline)**

1. Hearings Officer will commence hearing
2. Staff will provide the relevant criteria and summary of staff report
3. Testimony from applicant/proponents of the project
4. Testimony from opponents
5. Neutral Parties
6. Questions from the Hearings Officer
7. Hearings Officer will announce whether the record will be closed; record will be held open; or the public hearing will be continued
8. Rebuttal by the proponent/applicant

This is the initial evidentiary hearing in this matter and the hearing is de novo. Due to time constraints a limited of fifteen minutes for the applicant and the opposition that filed the appeal and three minutes for all other parties. Please be prepared to meet the time limits with your testimony. Prior to the conclusion of the hearing, any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application, and the Hearings Officer shall grant the request by either continuing the hearing or leaving the record open for additional written evidence, arguments or testimony for at least seven days. **When presenting testimony identify the applicable criteria and how the proposal does or does not meet the criteria. This notice has listed out the applicable criteria.**

“RAISE IT OR WAIVE IT”: Failure to raise an issue 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 to the Land Use Board of Appeals (LUBA) based upon that issue. This means that in order to appeal the County’s decision to LUBA based upon a particular issue, you must raise that issue before the close of the record in this matter. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the County to

respond to the issue before the close of the record in this matter precludes any action for damages in Circuit Court.

**Submission of Written of Testimony and Evidence**

All written testimony and evidence should be provided to Planning Staff ten days prior to the hearing to allow transmittal to the hearings officer. However, written testimony and evidence may be submitted at the hearing. To provide testimony by mail please address to Planning Department, Coos County Courthouse, 250 N. Baxter, Coquille, Oregon 97423, or testimony may be deliver to the Planning Department at 225 N. Adams, Coquille, Oregon.

Submission of written materials for consideration shall be provided in the form of one original hard copy and one exact copy or one original hard copy and one electronic copy. The County may, at its sole discretion, reject any materials that do not contain the requisite number of copies. It may be requested that the County make the requisite number of copies subject to the submitter paying the applicable copy charges. E-mail testimony may be submitted; however, it is the responsibility of the person submitting the testimony to verify it has been received by Planning Staff by the applicable Deadline. All written testimony must contain the name of the person(s) submitting it and current mailing address for mailing of notice. All written evidence or testimony received prior to the close of the evidentiary record will be included in the evidentiary record. The decision shall be based on the application submittal and information on record.

A staff report discussing the application in relation to the identified approval criteria will be available seven days before the public meeting. The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page.

For more information, the primary contact in this matter is Jill Rolfe, Planning Director. You may contact her or any other staff member at 541-396-7770 or by e-mail at [planning@co.coos.or.us](mailto:planning@co.coos.or.us). Information will be posted on the website at <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2019.aspx>

COOS COUNTY PLANNING DEPARTMENT

*Jill Rolfe, Planning Director*

Coos County Staff Members

Jill Rolfe, Planning Director

Amy Dibble, Planner II

Crystal Orr, Planning Specialist

**POSTED & MAILED ON: September 10, 2019**

**POST THROUGH: September 30, 2019**



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