



## Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

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

Physical Address: 225 N. Adams, Coquille, Oregon

(541) 396-7770

FAX (541) 396-1022 / TDD (800) 735-2900

Jill Rolfe, Planning Director

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### NOTICE OF PLANNING COMMISSION HEARINGS

This notice is to serve as public notice and if you have received this notice by mail it is because you are **a participant, adjacent property owner, special district, agency with interest, or person with interest** in regard to one or more of the following land use applications. Please read all information carefully as this decision may affect you. (See the vicinity map for the location of the subject property that you may be of interest to you).

**NOTICE IS HEREBY GIVEN THAT THE COOS COUNTY PLANNING COMMISSION WILL HOLD PUBLIC HEARINGS ON THURSDAY, MAY 2, 2019 AT 7:00 P.M. IN THE LARGE CONFERENCE ROOM OF THE OWEN BUILDING, 201 N. ADAMS, COQUILLE, OREGON, REGARDING THE FOLLOWING LAND USE APPLICATION(S):**

- **ITEM A- FILE# HBCU-19-001** – A request to reopen the Smith Quarry and expand the boundary of the operation. The applicant is Spencer Yates and the property owners are George and Alicia Smith. The subject property is part of a tract and is identified as Township 25S Range 12W Sections 26B/27/27D Tax Lots 300/700/200 and contains 255.89 acres. The subject property in which the mining operation is proposed to take place is Township 25S Range 12W Section 27 Tax Lot 700 and contains 219.05 acres. This tax lot is split zoned consisting of Exclusive Farm Use (EFU), Forest with a Mixed Use Overlay (FMU), and Coos Bay Estuary Management Plan (CBEMP) Segment 20-Rural Shorelands (20-RS). The majority of the proposed mining operation will take place within the FMU zoned portion with some occurring within the portion zoned EFU. The access to the mining operation lies with the CBEMP 20-RS zoning segment. The subject property is located east of the City of Coos Bay and is accessed off of S Coos River Lane. Criteria for this matter can be found at Coos County Zoning and Land Development Ordinance (CCZLDO) § 4.6.120.b.iii.3 Hearings Body Conditional Use review for Mining – Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources of greater than 5,000 cubic yards– within the Forest Zoning District; § 4.6.130 Criteria and review Standards for Conditional Use Permits; § 4.6.140 Development and Use Standards; § 4.6.220.b.iii.3 Hearings Body Conditional Use review for Mining – Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources of greater than 5,000 cubic yards– within the Exclusive Farm Use Zoning District; § 4.6.230 Criteria and review Standards for Conditional Use Permits; and § 4.6.240 Development and Use Standards. This property is also located within the Natural Hazards Inventory for Landslide and Earthquake Liquefaction which is regulated in Article 4.11 of the CCZLDO. Other Special Development considerations consist of floodplain and wetlands but the development will be located of those identified areas.

The application(s), all documents and evidence in the record and a list of the applicable criteria are available for inspection at the Planning Department. The Staff Report will be available for inspection at the Planning Department at least seven (7) days prior to the scheduled Planning Commission hearing. Copies may be obtained at a cost of 50 cents per page.

All parties and witnesses shall have an opportunity to present and rebut relevant evidence. All testimony must be directed toward the criteria identified in this notice, or other criteria contained in the CCZLDO, Coos County Comprehensive Plan (CCCP), or other legal standards believed to apply to the subject application. Detailed information pertaining to the conduct of the public hearing and submission of evidence is set out in CCZLDO Section 5.7.300.

Please note that any person presenting testimony on behalf of a group, company or organization must enter evidence into the record that the group, company or organization has authorized the party to present testimony on their behalf.

The Planning Commission **would appreciate** all written testimony and evidence be submitted 10 days prior to the hearing date (**by April 22, 2019**). 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.

Upon request, the Planning Commission may consider granting a continuance of the hearing, or may leave the record open to allow submission of additional written evidence and rebuttal. Please be aware that failure to raise an issue prior to the close of the evidentiary record, 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 based on that issue.

Within ten (10) days of any final action taken by the Hearings Body, written notice of the decision shall be provided to the applicant(s) and any others who participated either orally or in writing at the hearing. **Anyone entering a signed petition(s) into the record is responsible for providing individual notice of the decision to the signee(s) of the petition(s).**

Any appeal of a Hearings Body decision shall be made pursuant to Article 5.8 of the CCZLDO. The application can be found on the webpage by searching for the file number at:

<http://www.co.coos.or.us/Departments/Planning/2016Applications.aspx>

Further explanation concerning any information contained in this notice can be obtained by contacting Amy Dibble, Planner II or any Planning Department staff member at (541) 396-7770, or by visiting the Planning Department between the hours of 8:00 AM – 5:00 PM (closed noon – 1:00 PM), Monday through Friday.

COOS COUNTY PLANNING DEPARTMENT

Coos County Staff Members

Jill Rolfe, Planning Director

Amy Dibble, Planner II

Crystal Orr, Planning Specialist

Sierra Brown, Planning Specialist

Troy May, Planning Assistant

**POSTED & MAILED ON: April 5, 2019 POST THROUGH: May 2, 2019**



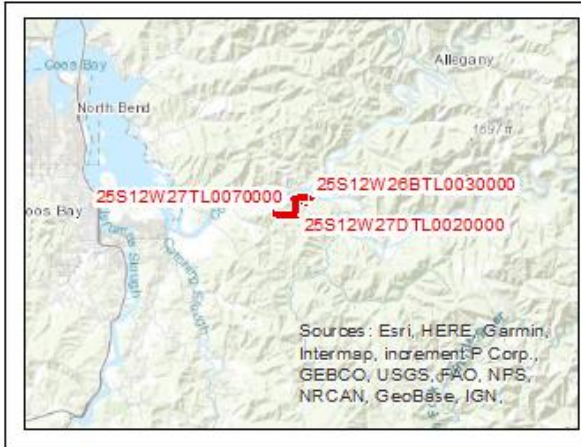
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File: HBCU-19-001

Applicant/ Owner: Spencer Yates/  
George & Alicia Smith Trust

Date: April 3, 2019

Location: Township 25S Range 12W  
Section 26B/27/27D TL 300/700/200

Proposal: Hearings Body Conditional Use

