

RESOLUTION NO. P. C. 159-91

A RESOLUTION TO INITIATE ZONE TEXT AMENDMENT
#Z.O.A 41-91 CONCERNING THE NOTICE
REQUIREMENTS FOR QUASI-JUDICIAL AND
LEGISLATIVE PUBLIC HEARINGS

I. RECITALS

- A. In 1989, the Oregon State Legislature enacted legislation which required that a city mail public notice to owners of property located within 100 feet of the subject property, at least 20 days prior to a quasi-judicial land use hearing.
- B. The City's zoning Ordinance No. 80-986, Section 39 (A) requires property owners within 300 feet of a subject property to be mailed notice of certain hearings 7 days prior to the hearing. This requirement applies only to quasi-judicial ordinance amendments, variances, conditional use permits, and appeals.
- C. The City's ordinance must be changed to reflect the 1989 legislation.
- D. Attached hereto as Exhibit "A", is the proposed language to clarify that section 39 (A) will require notice to be mailed to owners of property located within 100 feet of a subject property, at least 20 days prior to a quasi-judicial land use hearing. Exhibit "A" also includes some amendments to Section 39 (B), to clarify that at least seven days notice by newspaper

publication shall be required for public hearings on legislative matters.

II. RESOLUTION; NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. That it would be proper for the Planning Commission to initiate Zoning Ordinance amendments proposed in Exhibit "A" attached to this Resolution.
- B. That a public hearing be scheduled for March 21, 1991, to consider the amendments.
- C. The Secretary of the Planning Commission shall (1) certify the adoption of the Resolution; and (2) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles (3) send notice to the Land Conservation and Development Commission and Wasco County regarding the proposed amendment.

ADOPTED AND APPROVED THIS 21st DAY OF FEBRUARY 1991.

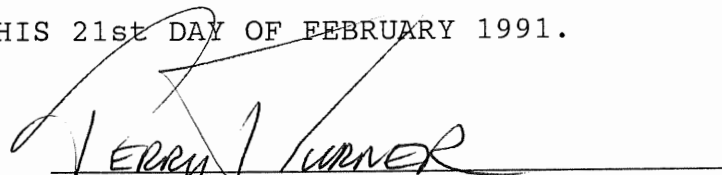

Terry Turner
Planning Commission Chairman

EXHIBIT A

1. Amend Sections 39 (A) and (B), dealing with the time and method of Notice or Publication of public hearings, to provide as follows:

(A) Notices of public hearings for quasi-judicial land use hearings conducted before the planning commission shall be given by publication in a newspaper of general circulation in The City of The Dalles at least seven (7) days prior to the hearing. In addition, notice of the hearings 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 Wasco County, where the property is located within one hundred (100) feet of the property which is the subject of the notice. The notice shall be mailed at least twenty (20) days before the public hearing, and shall comply with the requirements of ORS 197.763.

(B) 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 The Dalles at least seven (7) days before the hearing.