

**CITY OF SHADY COVE**  
**PLANNING COMMISSION MEETING**

**CITY HALL, 22451 HIGHWAY 62**  
**Thursday, June 10, 2010 at 6:30 p.m.**

Agenda

1. Roll Call
2. Announcement - Meeting is being digitally recorded.
3. There will be one public hearing this evening.

Application: To consider the continued Conditional Use Permit Application CUP 10-02 for property located at 21501 Hwy 62, Assessor's Map No. 34-1W-15CC, Tax Lot 100. Zoning is General Commercial (GC). Applicant is Jeffery D Smith/Shady Cove Mini Storage, LLC. The request is for approval to allow outdoor storage on this property. The May 13 agenda packet contains the application and staff reports.

4. Open Public Hearing on CUP 10-02.
  - A. Read Public Hearing Opening Statement.
  - B. If you would like to speak before the Commission, please sign the sheet on the table.
  - C. Jurisdiction Question.
  - D. Conflict of Interest.
  - E. Ex Parté Contact.
  - F. Site Visit.
  - G. Staff Comments.
  - H. Applicants' Testimony/Proponents' Testimony/Commission Questions.
  - I. Opponents' Testimony/Commission Questions.
  - J. Final Staff Comments.
  - K. Close/Continue Hearing.
5. Deliberations/Discussion/Decision.
6. Close/Continue Hearing.

7. Application: To consider the continued Site Review (now SD 10-01) for property located at 20200 Hwy 62, Assessor's Map No. 34-1W-21D, Tax Lot 406. Zoning is General Commercial (GC). Applicant is E. F. Dodson. The request is for approval to retain and remodel the existing 1000 square foot building to meet commercial standards and provide office space. The May 13 and May 27 agenda packets contain the application and staff reports. The applicant has not provided any additional information as of June 3.
  - A. Staff reports.
  - B. Deliberation and decision.
8. Adjournment.

# **CITY OF SHADY COVE**

## **PUBLIC HEARING OPENING STATEMENT/RULES OF CONDUCT**

### **Planning Commission / Quasi-Judicial Hearings**

We are holding one Public Hearing during this meeting. The Hearing will be digitally recorded.

This hearing shall be conducted in accordance with the land use procedures required by the Shady Cove Comprehensive Plan and applicable ordinances, as well as those of the State of Oregon. The decision of the Commission will be final, unless appealed to the City Council.

For all hearings, the applicable criteria are listed on the printouts available on the table. These are the criteria that the Planning Commission must use in making a decision. All testimony and evidence must be directed toward these criteria, or others as applicable in the Comprehensive Plan or land use regulation which the person testifying believes to be relevant to these hearing issues. When offering testimony, please relate your presentation to the listed criteria.

Failure to raise an issue, accompanied by statements or evidence sufficient to afford the Planning Commission and the applicants an opportunity to respond to the issue, shall preclude appeal to the City Council and Oregon State Land Use Board of Appeals based on that issue.

If additional documents or evidence are provided by any party, the Commission may allow any party involved in the hearing a continuance of the hearing, or they may leave the record open, to allow the party a reasonable opportunity to respond.

Any participant may request, before conclusion of the evidentiary hearing, an opportunity to present any additional evidence or testimony. The Commission shall grant the request by either continuing the public hearing—to a date, time and place certain, at least seven (7) days from the date of the initial evidentiary hearing—or by leaving the record open for at least seven (7) days for additional written evidence or testimony.

If the hearing is continued and new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven (7) days to submit additional written evidence or testimony in response to the new written evidence.

If the Commission chooses to leave the record open rather than continue the hearing, any participant may file a written request to reopen the record to respond to any new evidence submitted while the record was left open. The applicant is allowed at least seven (7) days, after the record is closed to all other parties, to submit final written arguments—but **no new** evidence—in support of the application.

For this hearing, the following procedures shall be followed:

- ◆ City staff will describe the proposal and summarize its proposed findings.
- ◆ The Applicant shall present evidence and argument demonstrating why the application should be approved.
- ◆ All **Proponents** may present evidence and argument.
- ◆ All **Opponents** may present evidence and argument.
- ◆ Due to the applicant's responsibility of demonstrating why the application should be approved, the applicant may respond to any opposing testimony, but no **new** evidence will be accepted, as there is no further opportunity for the opponents to speak.
- ◆ If the Planning Commission decides that all necessary evidence has been presented, the hearing will be closed. If the Commission decides it needs more information, the hearing will be continued to a specified place, date and time.

Each person offering comments during this hearing must state his or her name and address, and write that same information on the sign-up sheet found on the table. We wish to hear from everyone who is interested in the proposal. However, we request that you do not infringe on someone else's speaking time by repeating evidence already provided.

Because the applicant has the burden of demonstrating that the application should be approved, the applicant, including consultants, will be allowed fifteen (15) minutes to present their case. All other persons testifying shall have three (3) minutes. A group of opponents can select a spokesperson to speak for no longer than 15 minutes. The applicant will then have five (5) minutes for rebuttal. Any time spent answering questions from the Council will not be considered as part of the speaker's allotted time.