



NOTICE OF PUBLIC HEARING

Monday, September 9, 2024 at 6:30 PM

NOTICE IS HEREBY GIVEN that Kerr Contractors c/o John Arambul and Bryan Kerr, on behalf of property owner Willow Creek Land LLC, has applied for a Variance Application (File # V 25-01). The applicant proposes a variance to the standard surface mining operation hours to allow the operation of a temporary asphalt paving plant between the hours of 6:00 PM to 7:00 AM, not to exceed a period of 60 days. The subject property associated with Map and Taxlot 6212-00-01100 is approximately 32.47 acres and is zoned Surface Mining (SM).

SAID PUBLIC HEARING will be held before the Columbia County Planning Commission on **Monday, September 9, 2024**, starting at **6:30 p.m.** This meeting will be hybrid in nature, allowing participants to log in via Go-To-Meeting (link below) or attend in person at Healy Hall, within Columbia County Public Works Department, 1054 Oregon St., St. Helens, OR 97051.

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/880602597>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 880-602-597

The criteria to be used in deciding this request will be found in some or all of the following documents and laws, as revised from time to time: Oregon Revised Statutes (ORS) 197.797; Columbia County Comprehensive Plan; Columbia County Zoning Ordinance- Section 1040 Surface Mining, Section 1044 Operating Standards, Section 1045 Modification of Standards, Section 1504 Variances. The specific criteria applicable to this request are listed and evaluated in the staff report.

A copy of the application, all documents and evidence relied upon by the applicant, and the staff report will be available at the Land Development Services office located at 445 Port Ave, St Helens, OR and online at

<https://www.columbiacountyor.gov/departments/LandDevelopment/planning-commission> at least 7 days prior to the Planning Commission hearing. Written comments on the issue can be submitted via email to Planning@columbiacountyor.gov or you can send comments via U.S. Mail to Columbia County, Department of Land Development Services, 230 Strand Street, St. Helens, OR 97051.

The hearing will be held according to the procedures established in the Zoning Ordinance. Interested parties may appear and be heard. The applicant has the burden of presenting substantial evidence showing that the application meets all of the applicable criteria. Following presentation of the staff report, the applicant and other persons in favor of the application will be allowed to address the commission, explaining how the evidence submitted meets the applicable criteria. Following the applicant's presentation, any person in opposition to the application may

present evidence and testimony against the application. Then those who are neither in favor nor opposed to the application will have an opportunity to present evidence and testimony. The applicant will then have the opportunity to rebut any of the evidence or testimony presented. After the presentation of evidence and arguments, the public hearing record will be either left open or closed by the Planning Commission.

The Commission will then make a tentative decision to be followed by approval of a written order and a statement of findings and conclusions supporting the decision, which will be mailed to those entitled to notice at a later date. The Commission may continue the hearing to a time and date certain in the future.

Failure of an issue to be raised 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 Board based on that issue.

Additional information about this application may be obtained from the Planning Division of the Land Development Services Department, at (503) 397-7217. If you have any questions or concerns regarding access to the meeting or need accommodation, please call Jack Niedermeyer at the Land Development Services office at (503) 397-7217.

Columbia County Land Development Services
Jamie Viveiros, Planning Division Manager