

City Council Process and Procedure for a Land Use Public Hearing

- Open each Hearing individually
- Hearing Disclosure Statement (ORS 197.763)
 - For all those wishing to testify, please be aware that you must raise an issue with enough detail to afford City Council and parties an opportunity to respond to the issue if you later want to raise that issue on appeal. Testimony and evidence must be directed towards the review criteria for text amendments.
- Declarations by City Council:
 - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
 - Conflict of Interest - Has any member of the Council or their immediate family have any financial or other interests in the application that has to be disclosed.
 - Ex Parte Information - The Council is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Council has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Council is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
 - Review of application
 - Discussion of relative Criteria that must be used
 - During this presentation the members of the Council may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
 - Applicant's Testimony
 - Proponents' Testimony
 - Testimony from those wishing to speak in favor of the application
 - Opponents' Testimony
 - Testimony from those wishing to speak in opposition of the application
 - Neutral Testimony
 - Testimony from those that are neither in favor nor in opposition of the application.
 - Rebuttal
- Close Public Hearing
- Discussion and Decision among the Council
 - Motion
 - Approval
 - Denial
 - Remand
 - Continuous
- If there is an objection to a decision it can be appealed to the Land Use Board of Appeals (LUBA). There are 21 days allowed to make the appeal.

If you have a question, please wait until appropriate time and then direct your questions to the Council. Please speak one at a time so the recorder knows who is speaking.