NOTICE PUBLIC HEARING AFFECTING THIS AREA

Zone Change/Comprehensive Plan/Property Line Adjustment 26-003

PURPOSE OF HEARING: For a zone change and comprehensive plan change to change the zone from Commercial (C) to Exclusive Farm Use (EFU) and to change the comprehensive plan designation from Commercial to Primary Agriculture and a Property Line Adjustment on a 31.44 acre parcel and a 1.56 acre parcel to create a 28.09 acre and a 3.35 acre parcel located at 13495 Woodburn-Monitor RD NE, Woodburn.

APPLICANTS: Yspenia Church

DATE AND TIME OF HEARING: Thursday, November 19, 2026; 2:00 p.m.

LOCATION OF HEARING: Senator Hearing Room, 1st floor, Courthouse Square Building, 555 Court St. NE, Salem

HOW TO PARTICIPATE: Interested persons (or representative) may speak for or against the proposal in person at the public hearing or provide neutral comments. Written comments or testimony may be submitted prior to the hearing via US Mail or by email to: planning@co.marion.or.us and must be received at the Planning Division office by 5:00 p.m. the day before this public hearing. Written comments may also be submitted at the hearing. The application, documents and applicable criteria are available for review at no cost and copies are available at cost. The staff report will be available at least 7 days prior to the hearing and can be viewed on the Planning Division website at: http://www.co.marion.or.us/PW/Planning/Pages/PublicHearings.aspx

Before the close of the initial evidentiary hearing any party may request an opportunity to present additional evidence, argument or testimony. The Hearing Officer shall grant the request by continuing the hearing or leaving the written record open for at least seven days.

Testimony presented at land use hearings conducted by the Hearings Officer must be under oath. Witnesses giving oral testimony will be sworn in at the time testimony is given. Corporations, including governmental bodies that are the applicant, must appear through an attorney (ORS 9.320). Licensed Oregon attorneys may make legal argument without being sworn, as long as facts on which the argument is based are supported by sworn oral testimony or written affidavit.

After the close of the hearing the Hearings Officer may approve or deny the application, remand to the Planning Division, or approve a modified proposal. Failure to raise an issue, in person or by letter, or failure to provide sufficient specificity to afford the Hearings Officer an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue. Notice to mortgagee, lienholder, vendor, or seller: ORS CHAPTER 215 requires that if you receive this notice, it must promptly be forwarded to the purchaser.

LAND USE DECISION CRITERIA: The criteria upon which the decision on this application will be based include:

OAR 660-033-020(1) Agricultural Land Definition
OAR 660-033-030 Identifying Agricultural Land
Marion County Comprehensive Plan – Agricultural Lands Policies
MCC 17.123.060 Zone Change Criteria
MCC 17.145 Commercial (C) Zone
MCC 17.136 Exclusive Farm Use (EFU) Zone
MCC 17.136.090 Property Line Adjustment Criteria (EFU)

For information regarding this application contact jspeckman@co.marion.or.us; (503)-566-4173
Marion County Planning Division; (503) 588-5038; 5155 Silverton Rd NE, Salem Oregon 97305

NOTE: The scheduling of a hearing and the mailing of this notice should not be construed in any way as a determination that the application has been deemed complete under the provisions of ORS 215.428.

In order to accommodate persons with physical impairments, please notify the Planning Division of any accommodations you may need as far in advance of the hearing as possible.

LAND USE HEARINGS – FREQUENTLY ASKED QUESTIONS

Why did I receive this notice?
You received this public hearing notice because a property owner in your area filed a land use application that requires a hearing OR the decision of a land use application for property in your area has been appealed. State law requires that we provide notice of land use hearings to the applicant(s) and property owners within a certain distance of the subject property.

If I attend, do I have to testify? And what if I cannot attend?
We encourage interested citizens to participate in the land use and hearing process. You do not have to testify, you may come and simply observe. You may also send comments in writing (hard copy or email) prior to the hearing or submit them as noted on the front of this sheet. If you are submitting written comments prior to the hearing and cannot attend, please submit comments prior to 5pm the day before the hearing. Written comments will be included in the record.

Can I use a PowerPoint presentation?
You may use a PowerPoint during the hearing as part of your presentation, however, it will need to be submitted to the Planning Division 2 weeks before the hearing. If a PowerPoint is not submitted two weeks before the hearing, you will need to print copies and bring those to the hearing. Please submit PowerPoints to: Planning@co.marion.or.us

What will happen at the public hearing?
Planning Division staff will present their report and recommendation. The hearings officer will take testimony from the applicant, those in support, in opposition, and any general comments. The applicant will then be given an opportunity to present rebuttal. After all of the testimony, the hearings officer will close the hearing. However, anyone may request additional time to present more evidence, argument or testimony. The hearings officer will grant the request by continuing the hearing or leaving the written record open for at least seven days. Once the hearing and record is closed no further testimony or comments will be allowed and the hearings officer will review the full case record. Please note that Marion County hearing rules prohibit the hearings officer from discussing a case with interested parties after the close of the hearing.

How do I testify?
In the hearing room you will find a sign-up sheet to testify and/or receive notice of the decision. If you have written comments that were not submitted prior to the hearing, sign up to speak and submit them at that time. When it is your turn, you will be called to the table. State your name and address and speak clearly into the microphone as your testimony will be recorded as part of the public record. Please be concise and limit your testimony to approximately three minutes. The hearings officer may ask questions to clarify your comments. Please note if the hearing is the result of an appeal by someone other than the applicant, the order of testimony may be altered to require that the appellant present testimony first.

How long will the hearing take?
The hearings begin at 2:00 p.m. as indicated in the notice, however, more than one case may be scheduled. You should plan to arrive at 2:00 p.m. but be aware that the hearing may not begin until later if two cases are scheduled. Most hearings are completed within an hour.

When is a decision made?
Approximately 21 days after the public hearing and record is closed, depending on the complexity of the case. They may approve or deny the case, may remand it to the Planning Division, or approve a modified proposal. For zone change applications she will issue a recommendation to the Board of Commissioners.

How will I be notified of the decision?
If you attended the public hearing and/or requested a copy of the decision one will be mailed to you. Please note the hearings officer's decision can be appealed to the Marion County Board of Commissioners. Details of the appeal process are included in the decision or available from the Planning Division.

For more information, please contact the Planning Division at (503) 588-5038 or planning@co.marion.or.us