



NOTICE OF DECISION

Date mailed: **June 30, 2022**

In the matter of: **QUASI-JUDICIAL LAND USE DECISION (APL 2022-001)**; Multi-family residential development. The property is zoned High Density Residential (RHD). The Tax lot size is approximately 0.22 acres.

Owner: Gangnes Family Trust

On June 28, 2022, the Talent Planning Commission **APPROVED** a project to build an 11-unit, multi-family structure comprised of nine 1-bedroom apartments ranging between 561 and 628 SF (eight located on the first floor and one located on the third floor); and two 2-bedroom apartments each with 798 SF (third floor) located at 461 Arnos Road and described as Township 38 South, Range 1 West, Section 25B, Tax Lot 2902.

Materials concerning this decision, including the final order dated June 28, 2022 are available for review during the regular office hours of 8:30 a.m. to 5:00 p.m. Monday through Friday at Talent City Hall located at 110 E. Main Street, Talent, on the City's website at www.cityoftalent.org or copies may be purchased at Talent City Hall.

A Planning Commission decision may be appealed to the Hearings Officer within 14 days from the date the final order was mailed (**appeal period ends July 14, 2022**). Appeals must be in writing, along with a land use application and fee. The written notice of appeal shall include all matters specifically appealed, including a brief summary of the material presented to the Planning Commission upon which the decision, which is being appealed, was based. Further, specific statutory citations supporting the appeal shall also be included. Failure to raise an issue accompanied by statements or evidence sufficient to afford this Commission and the parties an opportunity to respond to the issues precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

If you would like to appeal this decision to a Hearings Officer, the following standards must be met and steps completed. Turn page over for appeal procedures.

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In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider



APPEAL PROCEDURES

- 1) **Who may appeal?** The following people have legal standing to appeal: the applicant; any person who was mailed written notice of the original decision; or any other person who participated in the proceeding by submitting written comments.
- 2) **Notice of Appeal.** Any person with standing to appeal, as provided in Step 1, above, may appeal a Type III decision by filing a Notice of Appeal according to the following requirements:
- 3) **Time for filing.** A Notice of Appeal, in the form of a business letter and stating the reasoning for the appeal based on the applicable criteria, shall be filed with the Community Development Director within 14 calendar days from the date of the Planning Commission's decision was mailed.
- 4) **Content of Notice of Appeal.** The Notice of Appeal shall contain:
 - An identification of the decision being appealed, including the date of the decision;
 - A statement demonstrating the person filing the Notice of Appeal has standing to appeal;
 - A statement explaining the specific issues raised on appeal;
 - If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and
 - A \$250 deposit will be required as a filing fee to cover the cost of staff time to process the request for an appeal.
- 5) **Scope of appeal.** In accordance with Section 18.190.050(F), only those with standing to appeal may present arguments, but can submit new evidence into the record. An appeal of a Type-III application is to a Hearings Officer, appointed by the City Council, and heard through a *de novo* hearings procedure. The Hearings Officer may place conditions of approval to meet the applicable criteria or deny an application based on applicable criteria not met, but must be supported by findings of fact in the record.

If you need additional information or have questions about the appeals process, please contact Kristen Maze at (541) 535-7401 or via e-mail at kmaze@cityoftalent.org.