

NOTICE OF PUBLIC HEARING

The Malheur County Court will hold a public hearing on December 4, 2024 at 9:00 a.m. at the Malheur County Courthouse, 251 B Street west, Vale, Room 106 and electronically at: <https://meet.goto.com/MCPZ/malheur-county-court>; Access Code 299-510-653, on the appeal filed by Andy Cockell (Maverick Towers) of a Malheur County Planning Commission decision to approve the application of Matthew Schutjer (Rage Development)/ landowner: Christopher and Rebecca Ray, for a Conditional Use Permit for a Wireless Telecommunication Facility in an Exclusive Farm Use zone pursuant to MCC Title 6, Conditional Uses 6-6-7, 6-6-8-1, 6-6-8-8, ORS 215.283, ORS 215.213, and OAR 660, Division 130, Agricultural Lands – OAR 660-130-0130(16).

The basis of the appeal MCC 6-6-8-8 Section A Siting Prioritization Subsection 1a. 1. All wireless telecommunication facilities shall be sited in accordance with the following priorities, in order of preference: a. Collocation by placement of antenna or other transmission and reception devices on an existing tower, building or other structure such as a utility pole or tower, water tank or similar facility. Maverick Towers already has a Malheur County approved tower available for co-location that provides the same coverage. The applicant Rage Development was aware of the approved tower and that it was available for co-location when they filed the new tower application.

The hearing is limited to the record created at the Planning Commission hearing, no new evidence can be provided, and it will be conducted by the procedures in MCC Title 6 Chapter 13 and ORS 215.422. Any party may appear at the hearing. Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the County Court an opportunity to respond to the issue may preclude an appeal to the Land Use Board of Appeals on that issue.

The property is described by Assessor records as tax lot 4500, Section 28/29, T.14S., R.39E., W.M.; Malheur County Reference #14668. The property is located about Highway 26, Ironside. Directions to the property are as follows: from Vale, head north on Highway 26 for approximately 46 miles; turn left (west) on the private access road. The proposed site is on the left.

More information and the record can be obtained or inspected by contacting the Planning Department at (541) 473-5185; or on the county website www.malheurco.org/planning-department. Planning Department File #2024-07-009.