



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 10/10/2014
Jurisdiction: City of Grants Pass
Local file no.: 14-40500004
DLCD file no.: 005-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/06/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 37 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 005-14
{ 22358 }
Received: 10/6/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Grants Pass

Local file no.: **14-40500004**

Date of adoption: 10/01/2014

Date sent: 10/6/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 07/07/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Justin Gindlesperger, Associate Planner

Phone: 541.450.6068

E-mail: jgindlesperger@grantspassoregon.gov

Street address: 101 NW 'A' Street

City: Grants Pass

Zip: 97526-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ORDINANCE NO. 14-5622

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING ARTICLE 28 UTILITIES OF THE DEVELOPMENT CODE TO ALLOW PHASING OF UTILITY INSTALLATION AND FRONTAGE IMPROVEMENTS DURING DEVELOPMENT.

WHEREAS:

1. The Grants Pass and Urbanizing Area Comprehensive Community Development Plan was adopted December 15, 1982; and
2. The ordinance amends Article 28 Utilities of the Development Code to allow phasing of installation of utilities and installation of above ground utilities outside of the right-of-way; and
3. The proposal is consistent with the goals and policies of the Comprehensive Plan; and
4. The applicable criteria from the Development Code are satisfied, and approval of the proposal is recommended by the Historic Buildings and Sites Commission to the City Council.

NOW, THEREFORE, THE CITY OF GRANTS PASS HEREBY ORDAINS:

Section 1. The amendment to Development Code Article 28 Utilities, as set forth in Exhibit "A", is hereby adopted.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 17th day of September, 2014, with the following specific roll call vote:

AYES: DeYoung, Gatlin, Goodwin, Hannum, Riker and Williams

NAYS: None

ABSTAIN: None

ABSENT: Morgan and Webber

SUBMITTED to and *Approved* by the Mayor of the City of Grants Pass, Oregon, this 19 day of September, 2014.

Darin Fowler
Darin Fowler, Mayor

ATTEST:

Karen Frerk
Karen Frerk, City Recorder

Date submitted to Mayor: 9/19/14

Approved as to Form, Mark Bartholomew, City Attorney *MB*

Service Extension Within the Urban Growth Boundary

1. All use and development within the Grants Pass Urban Growth Boundary, as described in Section 28.052 (10) through (4), shall extend basic urban services (water, sewer, storm drainage and streets) along the full length of all portions of the subject property fronting a public right-of-way consistent with the requirements of this article.

2. When an applicant desires to develop in phases, then the review body may authorize a time for the submittal of development of the various phases.

 - a. The time period may exceed one year, but in no case shall the total time period for all phases exceed five years without entering into a Security Agreement and the deposit of security for the remaining public improvements in conformance with Article 29 of this Code.
 - b. Each phase so developed shall conform to the applicable requirements of this Code.
 - c. Phases developed after one year are subject to modifications in accordance with any changes in the Comprehensive Plan or this Code.

28.112

Other Utilities.

1. All utility service laterals, including but not limited to electrical lines and other wires, street lighting and communication and cable television services shall be placed underground.
2. The following shall be exempt from the above requirements:
 - a. Facilities used for transmission of electric energy at nominal voltages in excess of 35,000 volts;
 - b. Equipment appurtenant to underground facilities such as pedestals, cabinets or other above-ground equipment;
 - c. Temporary services for construction work, Christmas tree lots, and similar temporary uses; and
 - d. Other new facilities, provided that the City grants prior written approval for overhead placement. The City reserves the right to require written approval of the location of any such above-ground equipment.