



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

July 3, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Grants Pass Plan Amendment
DLCD File Number 002-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 16, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Scott Lindberg, City of Grants Pass

<paa> n

FORM 2

DLCD NOTICE OF ADOPTION

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18 (See reverse side for submittal requirements)

DEPT OF

JUN 27 2007

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Grants Pass Local File No.: 07-40500001 (If no number, use none)

Date of Adoption: 6/20/2007 (Must be filled in) Date Mailed: 6/25/2007 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 3/7/2007

- Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
[X] Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other:
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached." Amends term of service for Historical Buildings and Sites Commission members by eliminating "No member shall serve more than six (6) consecutive years." Proposed amendment also expands the requirement for membership on the Commission.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A." Amendment also modifies the frequency of Commission meetings.

Plan Map Changed from : to
Zone Map Changed from: to
Location: Acres Involved:
Specify Density: Previous: New:
Applicable Statewide Planning Goals: Goal 5
Was an Exception Adopted? Yes: No: [X]

DLCD File No.: 002-07(15940)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: Local Landmark

Districts: _____

Local Contact: Scott Lindberg Area Code + Phone Number: (541)474-6355

Address: 101 NW "A" Street

City: Grants Pass Zip Code+4: 97526

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**HBSC TERM OF SERVICE DEVELOPMENT CODE TEXT AMENDMENT
CITY COUNCIL FINDINGS OF FACT**

| | |
|---------------------------------|--|
| Procedure Type: | Type IV: Planning Commission Recommendation And City Council Decision |
| Project Number: | 07-40500001 |
| Project Type: | Development Code Text Amendment |
| Applicant: | City of Grants Pass |
| Planner Assigned: | Scott Lindberg |
| Application Received: | 2 March 2007 |
| Application Complete: | 2 March 2007 |
| Date of PC Staff Report: | 18 April 2007 |
| Date of PC Hearing: | 25 April 2007 |
| PC Findings of Fact: | 9 May 2007 |
| Date of CC Hearing: | 6 June 2007 |
| CC Findings of Fact | 20 June 2007 |

I. PROPOSAL:

A Director initiated text amendment to revise the term of service, qualifications for members serving, and modifying the frequency of meetings of the Historical Building and Sites Commission.

II. AUTHORITY & CRITERIA:

Section 4.102 of the City of Grants Pass Development Code authorize that a text amendment may be initiated by the Community Development Director and reviewed through a Type IV procedure.

Sections 2.060, 7.040, and 7.050 authorize the Urban Area Planning Commission to make a recommendation to the City Council and authorize the Council to make a final decision on a land use matter requiring a Type IV procedure, in accordance with the procedures of Section 2.060.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written action.

IV. PROCEDURE:

- A. The application was received on 2 March 2007, deemed complete on the same day, and processed in accordance with Section 2.060 of the Development Code.
- B. Notice of the proposed amendment and the public hearings was mailed to the Oregon Department of Land Conservation and Development on 7 March 2007.
- C. Notice of the proposed amendment and the public hearings was delivered to Josephine County on 4 April 2007.
- D. Public notice of the 25 April 2007 Planning Commission public hearing was published in the newspaper on April 11 in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. A public hearing was held by the Urban Area Planning Commission on 25 April 2007 to consider the request.
- F. Public notice of the 6 June 2007 City Council public hearing was mailed to interested parties on 16 May 2007.
- G. Public notice of the 6 June 2007 City Council hearing was published 23 May 2007 in accordance with Sections 2.053 and 2.063 of the Development Code.
- H. A public hearing was held by the City Council on 6 June 2007 to consider the request.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the City Council staff report and exhibits, which are attached as Exhibit "A" and incorporated herein.
- B. The minutes of the June 6, 2007 public hearing held by the City Council, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated hereint.

VI. GENERAL FINDINGS - BACKGROUND AND DISCUSSION:

The Director initiated a text amendment to revise the term of service for members of the Historic Building and Sites Commission. Section 7.061, which limits Commissioners to three consecutive terms of two years each is too constrictive and needlessly removes qualified persons from the Commission. The proposed amendment also seeks to modify the qualifications for the required architectural/design background position as described in Section 7.061(1d) to include retired professional architects or designers.

VII. FINDINGS OF FACT: CONFORMANCE WITH APPLICABLE CRITERIA:

The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.

CRITERION 1: The proposed amendment is consistent with the purpose of the subject section and article.

City Council's Response: Satisfied. The purpose of Article 7 is to set forth the method of appointment to the various hearing bodies that are described in the Code. This text amendment merely modifies the length of terms for a Historic Building and Sites Commissioner as well as expands the qualifications for membership.

CRITERION (2): The proposed amendment is consistent with other provisions of this Code.

City Council's Response: Satisfied. The proposed amendment does not affect other parts of the Code that would create an internal conflict. The proposed amendment makes the Article more harmonious with other Articles by removing term limits from the HBSC that are not otherwise imposed on other review bodies.

CRITERION (3): The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and most effectively carries out those goals and policies of all alternatives considered.

City Council's Response: Satisfied. The Comprehensive Plan Policy Manual mandates the creation of an Urban Area Historical Buildings and Sites Commission, but does not make a determination on the length of a term or the qualifications for membership, which is instead left up to the requirements of the Development Code.

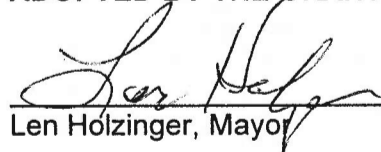
CRITERION (4): The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

City Council's Response: Not applicable. The proposed amendment does not have any affects on the transportation facilities of the City.

VIII. DECISION AND SUMMARY:

The City Council found the applicable criteria were satisfied and **APPROVED** the Development Code amendment. The vote was 8-0-0 with all Councilors in favor, none opposed, and none abstaining.

IX. ADOPTED BY THE GRANTS PASS CITY COUNCIL this 20th day of June 2007.



Len Holzinger, Mayor

NOTE: The application is a legislative amendment and is not subject to the 120 day limit.

ORDINANCE NO. 5404

AN ORDINANCE AMENDING ARTICLE 7 OF THE DEVELOPMENT CODE TO REVISE THE TERM OF SERVICE FOR MEMBERS, EXPAND THE QUALIFICATIONS FOR POTENTIAL MEMBERS, AND MODIFYING THE FREQUENCY OF MEETINGS OF THE HISTORICAL BUILDINGS AND SITES COMMISSION.

WHEREAS:


1. The Comprehensive Plan of the City of Grants Pass was adopted December 15, 1982. The Development Code of the City of Grants Pass was adopted August 17, 1983; and
2. The Development Code amendment removes restrictive limits placed on membership of the Historical Buildings and Sites Commission and provides flexibility in the frequency of meetings of the Commission; and
3. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan; and
4. The applicable criteria from the Development Code are satisfied, and the proposed amendment is recommended by the Planning Commission to the City Council.

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

Section 1: The amendments to the Development Code as set forth in Exhibit 'A', which is attached to and incorporated in this ordinance (with added provisions highlighted and deleted provisions crossed out) are hereby adopted.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 6th day of June, 2007.

SUBMITTED to and Approved by the Mayor of the City of Grants Pass, Oregon, this 12 day of June, 2007.



Len Holzinger, Mayor

ATTEST:



Administrative Services Director

Date submitted to Mayor: 6/11/07

Approved as to Form, Kris Woodburn, City Attorney



¹7.060 Historical Buildings and Sites Commission

³7.061 Appointment and Service

- (1) The Commission shall consist of individuals who have been appointed by the Mayor and City Council and shall consist of the following six members:
 - (a) Two representatives from local historical societies in Grants Pass,
 - (b) One representative who is either the owner of a property located within the Historic district, the owner of a property located within a Conservation District, or the owner of a Historic Landmark as defined by Section 13.312 of the Development Code and Designated under Section 13.420 of the Development Code.
 - (c) One representative who is the owner of a business located within the Central Business District of the City of Grants Pass,
 - (d) One representative who is either a licensed designer or architect ~~or retired licensed designer or architect~~, or, if no candidate is available who is either a licensed designer or architect, the Mayor and City Council may appoint a representative with similar credentials, with preference given to those candidates with historic preservation experience and training,
 - (e) One representative from the citizens at large.
- (2) Terms of Service. The terms of service for members shall be for two (2) years. When any member of the Commission fails to attend three (3) consecutive regular meetings of the Commission, unless his absence has been excused by the Commission, the Commission shall thereupon report this fact to the City Council. The City Council shall thereupon declare the position held by such member vacant and another member shall be appointed to the Commission to serve the

EXHIBIT A
to Ordinance.

unexpired portion of the term of the position so vacant. ~~No member shall serve more than six (6) consecutive years.~~ A vacancy occurring in a position for any reason other than the expiration of the term shall be filled by the appointment of the Mayor with confirmation by the City Council for the remainder of the term.

(3) Officers. The officers shall consist of a chairperson and any other officer deemed necessary by the Commission. Officers shall be elected by the Commission members. No individual shall hold the same office for more than two (2) consecutive years.

³(4) Meetings, Quorum and Staff. The Historical Buildings and Sites Commission shall hold official meetings monthly and as called by the Chairperson, ~~however the commission may meet less frequently if there is no business to consider.~~ and a quorum at such meeting shall consist of not less than four (4) members. The City Community Development Department shall serve as staff and advisors to the Commission.

EXHIBIT A1
to Ordinance

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**HBSC DEVELOPMENT CODE TEXT AMENDMENT
CITY COUNCIL STAFF REPORT**

| | |
|------------------------------|--|
| Procedure Type: | Type IV: Planning Commission Recommendation And City Council Decision |
| Project Number: | 07-40500001 |
| Project Type: | Development Code Text Amendment |
| Applicant: | City of Grants Pass |
| Planner Assigned: | Scott Lindberg |
| Application Received: | 2 March 2007 |
| Application Complete: | 2 March 2007 |
| Date of PC Hearing: | 25 April 2007 |
| PC Findings of Fact: | 9 May 2007 |
| Date of CC Hearing: | 6 June 2007 |

I. PROPOSAL:

A Director initiated text amendment to revise the term of service, qualifications for members serving, and modifying the frequency of meetings of the Historical Building and Sites Commission. **See Exhibit A to Planning Commission Findings of Fact.**

II. AUTHORITY & CRITERIA:

Section 4.102 of the City of Grants Pass Development Code authorize that a text amendment may be initiated by the Community Development Director and reviewed through a type IV procedure.

Sections 2.060, 7.040, and 7.050 authorize the Urban Area Planning Commission to make a recommendation to the City Council and authorize the Council to make a final decision on a land use matter requiring a Type IV procedure, in accordance with the procedures of Section 2.060.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written action.

IV. BACKGROUND AND DISCUSSION:

Detailed background and discussion is provided in the Planning Commission's Findings of Fact.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

The Urban Area Planning Commission found that the proposed amendment complies with criteria as specified in Section 4.103 of the *Code*. See the Urban Area Planning Commission Findings of Fact for full discussion.

VI. RECOMMENDATION:

The Urban Area Planning Commission finds the applicable criteria are satisfied and **RECOMMENDS APPROVAL** of the proposed text amendment.

VII. CITY COUNCIL ACTION:

A. Positive Action: Approve the request:

1. as submitted.
2. with modifications.

B. Negative Action: Deny the request for the following reasons (list):

C. Postponement: Continue item

1. indefinitely.
2. to a time certain.

VIII. INDEX TO EXHIBITS:

1. Planning Commission's Findings of Fact and the Attached Record

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**HBSC TERM OF SERVICE DEVELOPMENT CODE TEXT AMENDMENT
PLANNING COMMISSION FINDINGS OF FACT**

| | |
|---------------------------------|--|
| Procedure Type: | Type IV: Planning Commission Recommendation And City Council Decision |
| Project Number: | 07-40500001 |
| Project Type: | Development Code Text Amendment |
| Applicant: | City of Grants Pass |
| Planner Assigned: | Scott Lindberg |
| Application Received: | 2 March 2007 |
| Application Complete: | 2 March 2007 |
| Date of PC Staff Report: | 18 April 2007 |
| Date of PC Hearing: | 25 April 2007 |
| Findings of Fact: | 9 May 2007 |

I. PROPOSAL:

A Director initiated text amendment to revise the term of service and qualifications for members serving on the Historic Building and Sites Committee. *See Exhibit 2 to Staff Report for original submittal. See Exhibit 3 to Staff Report for revised and recommended proposal.*

II. AUTHORITY & CRITERIA:

Section 4.102 of the City of Grants Pass Development Code authorize that a text amendment may be initiated by the Community Development Director and reviewed through a Type IV procedure.

Sections 2.060, 7.040, and 7.050 authorize the Urban Area Planning Commission to make a recommendation to the City Council and authorize the Council to make a final decision on a land use matter requiring a Type IV procedure, in accordance with the procedures of Section 2.060.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written action.

EXHIBIT 1

IV. PROCEDURE:

- A. The application was received on 2 March 2007, deemed complete on the same day, and processed in accordance with Section 2.060 of the Development Code.
- B. Notice of the proposed amendment and the public hearings was mailed to the Oregon Department of Land Conservation and Development on 7 March 2007.
- C. Notice of the proposed amendment and the public hearings was delivered to Josephine County on 4 April 2007.
- D. Public notice of the 25 April 2007 Planning Commission public hearing was published in the newspaper on April 11 in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. A public hearing was held by the Urban Area Planning Commission on 25 April 2007 to consider the request.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as Exhibit "A" and incorporated herein.
- B. The minutes of the 25 April 2007 public hearing held by the Urban Area Planning Commission, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C. A revision to Section 7.060(4) is attached as Exhibit 3 to the Staff Report.

VI. GENERAL FINDINGS - BACKGROUND AND DISCUSSION:

The Director initiated a text amendment to revise the term of service for members of the Historic Building and Sites Commission. Section 7.061, which limits Commissioners to three consecutive terms of two years each is too constrictive and needlessly removes qualified persons from the Commission. The proposed amendment also seeks to modify the qualifications for the required architectural/design background position as described in Section 7.061(1d) to include retired professional architects or designers.

VII. FINDINGS OF FACT: CONFORMANCE WITH APPLICABLE CRITERIA:

The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.

CRITERION 1: The proposed amendment is consistent with the purpose of the subject section and article.

Planning Commission's Response: Satisfied. The purpose of Article 7 is to set forth the method of appointment to the various hearing bodies that are described in the Code. This text amendment merely modifies the length of terms for a Historic Building and Sites Commissioner as well as expands the qualifications for membership.

CRITERION (2): The proposed amendment is consistent with other provisions of this Code.

Planning Commission's Response: **Satisfied.** The proposed amendment does not affect other parts of the Code that would create an internal conflict. The proposed amendment makes the Article more harmonious with other Articles by removing term limits from the HBSC that are not otherwise imposed on other review bodies.

CRITERION (3): The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and most effectively carries out those goals and policies of all alternatives considered.

Planning Commission's Response: **Satisfied.** The Comprehensive Plan Policy Manual mandates the creation of an Urban Area Historical Buildings and Sites Commission, but does not make a determination on the length of a term or the qualifications for membership, which is instead left up to the requirements of the Development Code.


CRITERION (4): The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Planning Commission's Response: **Not applicable.** The proposed amendment does not have any effects on the transportation facilities of the City.

VIII. RECOMMENDATION:

The Urban Area Planning Commission finds the applicable criteria are satisfied and **RECOMMENDS APPROVAL** of the proposed Development Code amendment to City Council.

IX. ADOPTED BY THE URBAN AREA PLANNING COMMISSION this 9th day of May 2007.



Commissioner Ferris Simpson, Chairperson
Urban Area Planning Commission

NOTE: The application is a legislative amendment and is not subject to the 120 day limit.

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT
HBSC TERM OF SERVICE DEVELOPMENT CODE TEXT AMENDMENT
PLANNING COMMISSION STAFF REPORT TYPE IV

| | |
|---------------------------------|--|
| Procedure Type: | Type IV: Planning Commission Recommendation And City Council Decision |
| Project Number: | 07-40500001 |
| Project Type: | Development Code Text Amendment |
| Applicant: | City of Grants Pass |
| Planner Assigned: | Scott Lindberg |
| Application Received: | 2 March 2007 |
| Application Complete: | 2 March 2007 |
| Date of PC Staff Report: | 18 April 2007 |
| Date of PC Hearing: | 25 April 2007 |

I. PROPOSAL:

A Director initiated text amendment to revise the term of service and qualifications for members serving on the Historic Building and Sites Committee. **See Exhibits 1, 2.**

II. AUTHORITY & CRITERIA:

Section 4.102 of the City of Grants Pass Development Code authorize that a text amendment may be initiated by the Community Development Director and reviewed through a type IV procedure.

Sections 2.060, 7.040, and 7.050 authorize the Urban Area Planning Commission to make a recommendation to the City Council and authorize the Council to make a final decision on a land use matter requiring a Type IV procedure, in accordance with the procedures of Section 2.060.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written action.

IV. BACKGROUND and DISCUSSION:

The Director initiated a text amendment to revise the term of service for members of the Historic Building and Sites Commission. Section 7.061, which limits Commissioners to three consecutive terms of two years each is too constrictive and needlessly removes qualified persons from the Commission. The proposed amendment also seeks to modify the qualifications for the required architectural/design background position as described in Section 7.061(1d) to include retired professional architects or designers. **See Exhibit 1.**

V. CONFORMANCE WITH APPLICABLE CRITERIA:

The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.

CRITERION 1: The proposed amendment is consistent with the purpose of the subject section and article.

Staff's Response: Satisfied. The purpose of Article 7 is to set forth the method of appointment to the various hearing bodies that are described in the Code. This text amendment merely modifies the length of terms for a Historic Building and Sites Commissioner as well as expands the qualifications for membership.

CRITERION (2): The proposed amendment is consistent with other provisions of this Code.

Staff's Response: Satisfied. The proposed amendment does not affect other parts of the Code that would create an internal conflict. The proposed amendment makes the Section more harmonious with other sections by removing term limits from the HBSC that are not otherwise imposed on other review bodies.

CRITERION (3): The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and most effectively carries out those goals and policies of all alternatives considered.

Staff's Response: Satisfied. The Comprehensive Plan Policy Manual mandates the creation of an Urban Area Historical Buildings and Sites Commission, but does not make a determination on the length of a term or the qualifications for membership, which is instead left up to the requirements of the Development Code.

CRITERION (4): The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Staff's Response: Not applicable. The proposed amendment does not have any affects on the transportation facilities of the City.

VI. RECOMENDATION:

Staff recommends the Urban Area Planning Commission recommend **APPROVAL** of the proposed amendment to the City Council.

VII. PLANNING COMMISSION ACTION:

A. Positive Action: Recommend to the Council

1. approve the proposal as submitted.
2. approve the proposal with revisions recommended by the Planning Commission (list):

B. Negative Action: Negative Action: Recommend that City Council deny the request and adopt no amendment for the following reasons (list):

C. Postponement: Continue item

1. indefinitely
2. to a time certain.

NOTE: The application is a legislative amendment and is not subject to the 120 day limit.

VIII. INDEX TO EXHIBITS:

1. Current language of §7.061
2. Proposed language of §7.061
3. Addendum to proposed language of §7.061(4)

¹7.060 Historical Buildings and Sites Commission

³7.061 Appointment and Service

- (1) The Commission shall consist of individuals who have been appointed by the Mayor and City Council and shall consist of the following six members:
 - (a) Two representatives from local historical societies in Grants Pass,
 - (b) One representative who is either the owner of a property located within the Historic district, the owner of a property located within a Conservation District, or the owner of a Historic Landmark as defined by Section 13.312 of the Development Code and Designated under Section 13.420 of the Development Code.
 - (c) One representative who is the owner of a business located within the Central Business District of the City of Grants Pass,
 - (d) One representative who is either a licensed designer or architect, or, if no candidate is available who is either a licensed designer or architect, the Mayor and City Council may appoint a representative with similar credentials, with preference given to those candidates with historic preservation experience and training,
 - (e) One representative from the citizens at large.
- (2) Terms of Service. The terms of service for members shall be for two (2) years. When any member of the Commission fails to attend three (3) consecutive regular meetings of the Commission, unless his absence has been excused by the Commission, the Commission shall thereupon report this fact to the City Council. The City Council shall thereupon declare the position held by such member vacant and another member shall be appointed to the Commission to serve the unexpired portion of the term of the position so

EXHIBIT 1

vacant. No member shall serve more than six (6) consecutive years. A vacancy occurring in a position for any reason other than the expiration of the term shall be filled by the appointment of the Mayor with confirmation by the City Council for the remainder of the term.

(3) Officers. The officers shall consist of a chairperson and any other officer deemed necessary by the Commission. Officers shall be elected by the Commission members. No individual shall hold the same office for more than two (2) consecutive years.

³(4) Meetings, Quorum and Staff. The Historical Buildings and Sites Commission shall hold official meetings monthly and as called by the Chairperson, and a quorum at such meeting shall consist of not less than four (4) members. The City Community Development Department shall serve as staff and advisors to the Commission.

¹7.060 Historical Buildings and Sites Commission

³7.061 Appointment and Service

- (1) The Commission shall consist of individuals who have been appointed by the Mayor and City Council and shall consist of the following six members:
 - (a) Two representatives from local historical societies in Grants Pass,
 - (b) One representative who is either the owner of a property located within the Historic district, the owner of a property located within a Conservation District, or the owner of a Historic Landmark as defined by Section 13.312 of the Development Code and Designated under Section 13.420 of the Development Code.
 - (c) One representative who is the owner of a business located within the Central Business District of the City of Grants Pass,
 - (d) One representative who is either a licensed designer or architect **or retired licensed designer or architect**, or, if no candidate is available who is either a licensed designer or architect, the Mayor and City Council may appoint a representative with similar credentials, with preference given to those candidates with historic preservation experience and training,
 - (e) One representative from the citizens at large.
- (2) Terms of Service. The terms of service for members shall be for two (2) years. When any member of the Commission fails to attend three (3) consecutive regular meetings of the Commission, unless his absence has been excused by the Commission, the Commission shall thereupon report this fact to the City Council. The City Council shall thereupon declare the position held by such member vacant and another member shall be appointed to the Commission to serve the

EXHIBIT 2

unexpired portion of the term of the position so vacant. ~~No member shall serve more than six (6) consecutive years.~~ A vacancy occurring in a position for any reason other than the expiration of the term shall be filled by the appointment of the Mayor with confirmation by the City Council for the remainder of the term.

(3) Officers. The officers shall consist of a chairperson and any other officer deemed necessary by the Commission. Officers shall be elected by the Commission members. No individual shall hold the same office for more than two (2) consecutive years.

³(4) Meetings, Quorum and Staff. The Historical Buildings and Sites Commission shall hold official meetings monthly and as called by the Chairperson, and a quorum at such meeting shall consist of not less than four (4) members. The City Community Development Department shall serve as staff and advisors to the Commission.

¹7.060 Historical Buildings and Sites Commission

³7.061 Appointment and Service

- (1) The Commission shall consist of individuals who have been appointed by the Mayor and City Council and shall consist of the following six members:
 - (a) Two representatives from local historical societies in Grants Pass,
 - (b) One representative who is either the owner of a property located within the Historic district, the owner of a property located within a Conservation District, or the owner of a Historic Landmark as defined by Section 13.312 of the Development Code and Designated under Section 13.420 of the Development Code.
 - (c) One representative who is the owner of a business located within the Central Business District of the City of Grants Pass,
 - (d) One representative who is either a licensed designer or architect **or retired licensed designer or architect**, or, if no candidate is available who is either a licensed designer or architect, the Mayor and City Council may appoint a representative with similar credentials, with preference given to those candidates with historic preservation experience and training,
 - (e) One representative from the citizens at large.
- (2) Terms of Service. The terms of service for members shall be for two (2) years. When any member of the Commission fails to attend three (3) consecutive regular meetings of the Commission, unless his absence has been excused by the Commission, the Commission shall thereupon report this fact to the City Council. The City Council shall thereupon declare the position held by such member vacant and another member shall be appointed to the Commission to serve the

unexpired portion of the term of the position so vacant. ~~No member shall serve more than six (6) consecutive years.~~ A vacancy occurring in a position for any reason other than the expiration of the term shall be filled by the appointment of the Mayor with confirmation by the City Council for the remainder of the term.

(3) Officers. The officers shall consist of a chairperson and any other officer deemed necessary by the Commission. Officers shall be elected by the Commission members. No individual shall hold the same office for more than two (2) consecutive years.

³(4) Meetings, Quorum and Staff. The Historical Buildings and Sites Commission shall hold official meetings monthly and as called by the Chairperson, *however the commission may meet less frequently if there is no business to consider.* ~~and a~~ ^A quorum at such meeting shall consist of not less than four (4) members. The City Community Development Department shall serve as staff and advisors to the Commission.

application may make statements. The applicant and staff may then make final comments. The public comment portion will then be closed and the matter will be discussed and acted upon by the Commission.

i. **07-4020001: Christensen- Holman Comprehensive Plan Map Amendment and Zone Map Amendment**

Proposal: Comprehensive Plan Map Amendment from Low-Density Residential to Moderate-Density Residential and a Zoning Map Amendment from R-1-8 to R-2 for 0.91 acres
Address: 31 and 35 SW Eastern Avenue
Map & Tax Lot: 36-05-18-23 TL's 600 & 700
Owner: Ken Christensen and David Holman
Representative: David Holman
Planner: Bob Short

MOTION

Commissioner Berlant moved and Commissioner Kellenbeck seconded a motion to continue until date certain, May, 9, 2007. The motion passed unanimously.

ii. **07-4050001: Historic Buildings and Sites Commission Text Amendment**

Proposal: Development Code text amendment of Article 7.060 to revise the term of service and qualifications for members serving on the Historic Buildings and Sites Commission
Planner: Scott Lindberg

Vice Chair Bean stated this hearing is to consider **07-4050001: Historic Buildings and Sites Commission Text Amendment**. Is there anyone present who wishes to challenge the authority of the Commission to hear this matter? There was no reply. Vice Chair Bean asked if there were any Commissioners who wished to abstain from participating in this hearing, declare a potential conflict of interest, disclose discussion, contacts, or other ex parte information they have received regarding this matter. Commissioner Fitzgerald stated he has had discussions with one of the planners in reference to some of the materials that might be applicable to being able to record such information on deeds and/or in preliminary title reports for purposes of conveying to the general public that an overlay zone is there. That has nothing to do with this; it is his profession. It will not influence his decision. Vice Chair Bean stated the Commission must make its decision based on the criteria shown on the Power Point presentation.

Assistant Planner Lindberg stated he is here tonight to present to you the Historical Building and Sites Commission text amendment. The applicant is the City of Grants Pass. The proposal is to amend Section 7.061 of the code to eliminate limitations imposed on the membership of the Historical Building and Sites Commission as well as to amend the amount of time that the Commissioners have to meet. That is outlined in the document he handed out to you

before the beginning of the hearing.

The changes as outlined in the staff report are to amend 7.061(1)(d) to include in the qualifications for the Commissioners as a retired licensed designer or architect. Additionally it's to amend 7.061(2) to remove the term limits from the Commissioners. Right now they're limited to three consecutive terms. And additionally the proposal is to amend 7.061(4) regarding the monthly meetings of the Commissioners.

The criteria for approval of the text amendment are shown on the overhead and are addressed at length in the staff report. An analysis of the criteria is that the proposed changes will expand the range of membership for the Historical Building and Sites Commission allowing us to have a better range of applicants and good candidates. Additionally the proposed changes will remove inconsistencies within other sections of the code. For example there are no other commissions that have term limits imposed on them. Additionally the proposed changes will make it easier to comply with the purpose of the Historical Building and Sites Commission.

The recommendation of staff to you is to recommend approval of the proposed text amendment to the City Council with the submitted changes. If you have any questions he will be happy to answer them.

Commissioner Bean asked if anyone in the audience wished to speak for or against this amendment.

Ed Bowers, 1104 Luzon Lane, Grants Pass, Oregon stated the only question he would have (it's not a comment, it's a question) is he would like a little clarification of what the purpose was in having term limits. The other thing he would be concerned about would be that groups or committees can sometimes be controlled for too long by the same people.

Senior Planner Angeli-Paladino stated the term of service for a committee member is two years. Every two years that person has to reapply once the expiration happens. They're appointed by the City Council. The City Council doesn't have to reappoint the same person all the time. As far as the term limit itself, the six years, she doesn't know the history of why six years was chosen. In order to keep things moving the two years would be their service. When that expires they have to reapply if they want to continue. It would be up to the City Council to reappoint them.

Commissioner Bean asked if the Commission had any comments.

Commissioner Berlant stated his question was very similar in a way. He was curious as to what motivated this. Was it because somebody was looking at all the code provisions trying to achieve more consistency or was it because you've been having a difficult time filling the positions on this Commission and wanted to broaden it so that it opened it up to more applicants? It doesn't necessarily change the decision, but he's curious as to what brought it about.

Senior Planner Angeli-Paladino stated she would think it would be both of your reasons. We've had some spots

on the Historical Building and Sites Commission open for several months and it's hard to get people interested if they don't meet the criteria. It's a pretty select group. There are certain qualifications for people which make it a little more difficult. We wanted to broaden that. Also we wanted to make it consistent with the other commissions.

Commissioner Richardson stated the Historical Building and Sites Commission is not required to do anything for which that license is essential? We're not basing their having a license on some sort of a requirement. That just establishes their basic credentials? Senior Planner Angeli-Paladino replied correct.

Vice Chair Bean stated it's our job to make a recommendation to the City Council to either proceed with this change or to deny this request.

MOTION

Commissioner Kellenbeck moved and Commissioner Fitzgerald seconded a motion to recommend to the City Council of the City of Grants Pass that they approve **07-4050001: Historic Buildings and Sites Commission Text Amendment** as amended by staff. The motion passed unanimously.

iii. **06-20100071 & 07-30100006: Rapley Major Site Plan Review and Major Variance**

Proposal: Major site plan review to construct a 7,914 square foot auto repair shop and retail space and major variance to zone buffer standards in Article 23.034 Schedule 23-4. The applicant requests discretionary review of the commercial architectural standards.
Address: 428 SW 5th Street
Map & Tax Lot: 36-05-18-41 TL 10900
Owner: Mark Rapley
Representative: Terry Carlson, Cherokee Valley Construction
Planner: Kei Zushi

Vice Chair Bean stated this hearing is to consider **06-20100071 & 07-30100006: Rapley Major Site Plan Review and Major Variance**. Is there anyone present who wishes to challenge the authority of the Commission to hear this matter? There was no reply. Vice Chair Bean asked if there were any Commissioners who wished to abstain from participating in this hearing, declare a potential conflict of interest, disclose discussion, contacts, or other ex parte information they have received regarding this matter. There was no response. Vice Chair Bean stated the Commission must make its decision based on the criteria shown on the Power Point presentation.

Assistant Planner Zushi stated the applicant proposes to construct a 7,900 square foot structure including a 5,800 square foot auto repair shop and a 2,000 square foot retail space. The applicant proposed to use the space as a speaker/rental shop. In conjunction with the above major site plan review application, the applicant also filed an application for a major variance to the zone buffer standards which are applicable along the south property line of the subject property.