



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



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

Date: 11/03/2014
Jurisdiction: City of Grants Pass
Local file no.: 14-40200002
DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/31/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 40 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.: 002-14 {22299}
Received: 10/31/2014

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, Oregon

Local file no.: **14-40200002**

Date of adoption: 10/1/14

Date sent: 10/31/2014

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): 5/30/14

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:

No

Local contact (name and title): Lora Glover, Interim Director, Parks & Community Development

Phone: 541-450-6071

E-mail: lglover@grantspassoregon.gov

Street address: 101 NW A Street

City: Grants Pass, OR

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:

Rezone of property located inside of the Urban Growth Boundary from Rural Industrial "RI" to Industrial "I".

For a change to a comprehensive plan map:

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

- Change from RI to I 45 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): 36-05-22-00, TLs 200, 300, 400 & 36-05-22-BC, TLs 100 & 600.

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:

Article 4 ~ Development Code Amendment & Criteria; Article 12 ~ Zoning Districts

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:
---------------------------	--------------	----------------

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

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

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.

The properties are located within the UGB. An exception was not required. The formal rural industrial zoning designation was replaced with the urban zoning designation.

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**SPALDING & SON, INC.
ZONING MAP AMENDMENT
FINDINGS OF FACT - CITY COUNCIL**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	14-40200002
Project Type:	Zoning Map Amendment
Applicant:	City of Grants Pass
Map & Tax Lot:	36-05-22, Tls 200, 300 & 400; and 36-05-22-BC, Tls 100 & 600
Address:	450 Ament Road; and 2280, 2285 & 2300 Spalding Avenue
Total Acreage:	45.75 acres
Existing Comprehensive Plan Designation:	Industrial
Existing Zoning:	Rural Industrial - (RI) (UGB)
Proposed Zoning:	Industrial - (I)
Planner Assigned:	Lora Glover
Application Received:	May 14, 2014
Application Complete:	May 14, 2014
Date of Staff Report:	July 16, 2014
Date of UAPC Hearing:	July 23, 2014
Date of UAPC Findings of Fact:	August 13, 2014
Date of City Council Hearing:	August 20, 2014
Date of City Council Findings of Fact:	October 1, 2014

I. PROPOSAL:

The request is for a Zoning Map Amendment from Rural Industrial (RI) (a County zoning) to Industrial (I), a City zoning for the above-referenced tract containing approximately 45.75 acres in size. Tax Lot 100 is developed with an existing industrial warehouse ~ manufacturing building; Tax Lots 200 and 300 have a slab foundation. The other parcels are vacant. The properties were brought into the Urban Growth Boundary (UGB) in 2002 and given a Comprehensive Plan Map designation of Industrial (I).

II. AUTHORITY AND CRITERIA:

Section 2.020, Schedule 2-1, and Section 2.063 of the City of Grants Pass Development Code (Code), authorize the Planning Commission to consider the request and make a recommendation to the City Council. Section 2.066 authorizes the City Council to make the final decision. The Zoning Map may be amended provided the Criteria in Section 4.033 of the Code are met.

The property has historically been used for plywood and equipment storage as part of the Spalding Lumber Mill operation. Tax Lot 200 was most recently used as a temporary asphalt batch plant by Knife River. The property has frontage on Ament Road and Spalding Avenue, both of which are under the County's maintenance jurisdiction. There are no City services available to the property. Though water has been installed to the end of Industry Drive (600 feet to the west), sewer and storm drain remain approximately 1,000 feet away in Spalding Avenue and Industry Drive. The subject property has a Comprehensive Plan designation of Industrial (I) and a rural zoning designation of Rural Industrial (RI). The proposal would amend the zoning designation to Industrial (I). Section 12.321 of the Development Code states that the purpose of the Industrial District:

“ . . . is to provide for those industrial uses with heavier impacts upon their surroundings and the need for outdoor functions. Performance standards are less than required for other industrial districts and graduated buffering standards ensure compatibility with neighboring zones of lesser intensity of use. It is the express intent of the Industrial District to maintain lands for industrial use, with commercial and residential uses limited to those uses accessory to industrial development.”

VIII. CONFORMANCE WITH APPLICABLE CRITERIA:

For Zone Map Amendments, Section 4.033 of the City of Grants Pass Development Code requires that all of the following criteria be met:

CRITERION 1: The proposed use, if any is consistent with the proposed Zoning District.

City Council Response: Satisfied. Schedule 12-2 of the Development Code lists the permitted uses allowed in the “I” zone. Future development and/or reuse of the subject properties must be in compliance with the Development Code.

CRITERION 2: The proposed Zoning District is consistent with the Comprehensive Plan Land Use Map designation.

City Council Response: Satisfied. The property was brought into the UGB in 2002 with the Comprehensive Plan designation of Industrial (I). The property is part of the former Spalding Mill site which has been a heavy industrial operation in the area for many years. Redevelopment of the site will be consistent with the Comprehensive Plan Land Use Map.

CRITERION 3: A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impacts upon the affected service area or without a change to adopted utility plans.

City Council Response: Satisfied. Element 10 ~ Public Facilities Index of the Comprehensive Plan discusses the availability and demand for services within the UGB and some adjacent properties.

- Section 10.20.4.7 ~ Water Treatment Plant states that the *Water Treatment Plan Facilities Plan (April 2004)* states that based on a water demand

increase of 2.5 to 3 percent per year, it is expect that the plant will continue to meet the City's water needs for at least the next 20 years.

- Section 10.30.4.1 ~ Sewer Service Area states that the *2004 Collection System Master Plan* estimates that the Grants Pass Water Restoration Plant (WRP) has a service area population equivalent of approximately 44,250 in 2003, with an estimated growth rate of 1.5% for Grants Pass, 1.6% for the Harbeck-Fruitdale Area and 3.1% for the Redwood Area. It was estimated that the WRP would be serving an equivalent of 60,157 peoply by the year 2020.
- 10.40 ~ Storm Drain Facilities states that an important factor used in designing the master storm drain system was the concept of retention. If new development is designed to retain a certain portion of water during a heavy storm event, the peak flow conditions used to designing a storm drain system can be significantly reduced, reducing the costs of both the developer and the City.
- Development of the tract will require the extension of public services (Section 28.013); the submittal of a drainage plan for the site (Section 28.090); and street/frontage improvements (Section 27.110).

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

City Council Response: Satisfied. The previous analysis completed at the time of the inclusion into the UGB indicated the rezone would not result in additional traffic generation than would be available under the Rural Industrial (RI) zoning.

CRITERION 5: The natural features of the site are conducive to the proposed Zoning District.

City Council Response: Satisfied. A stream runs through the tract (north/south). Development of the tract will include compliance with riparian/stream corridor regulations listed in Article 24.

CRITERION 6: The proposed zone is consistent with the requirements of all overlay districts that include the subject property.

City Council Response: Not Applicable. There are no overlay districts that include the subject property at this time. We do anticipate initiating an amendment to adopt an overlay zone for a *Regionally Significant Industrial Area (RSIA)*, which will include the subject property in order to meet the requirements for the State's designation.

CRITERION 7: The timing of the zone change request is appropriate in terms of the efficient provision or upgrading of basic urban services versus the utilization of other buildable lands in similar zoning districts already provided with basic urban services.

City Council Response: Satisfied. Adequate capacity exists for basic urban services as discussed under Criterion 3 above. The tract will be subject to installing/extention of services at time of development.

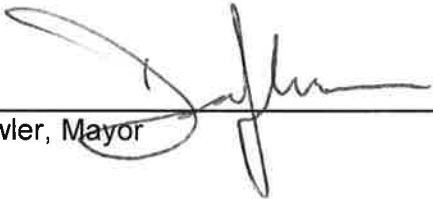
CRITERION 8: In the case of rezoning from the Urban Reserve District, that the criteria for conversion are met, as provided in Section 4.034.

City Council **Response: Not Applicable.** The subject property is not located within an Urban Reserve District, and this criterion does not apply.

IX. DECISION AND SUMMARY:

The City Council **APPROVED** the Zone Map amendment from Rural Industrial (RI) to Industrial (I). The vote was 6-0 with Councilors DeYoung, Gatlin, Goodwin, Riker, Webber and Williams in favor. There were none against. Councilors Hannum and Morgan were absent.

X. APPROVED BY THE CITY COUNCIL this 6 day of October, 2014.



Darin Fowler, Mayor