



Oregon

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

Date: 12/30/2014
Jurisdiction: City of Grants Pass
Local file no.: 14-40500003
DLCD file no.: 004-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/22/2014. 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.: 004-14 {22357}

Received: 12/22/2014

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.: **14-40500003**

Date of adoption: 9/17/14

Date sent: 12/22/2014

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): 7/8/14

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:

Development Code Text Amendment to Article 30 -(1) changing the definition of 'Residential Facility' as defined to be consistent with the definition of OAR 411-054-0005 definitions; (2) include 'Residential Facility' as a permitted use in the Residential zones on Schedule 12-2 as a Type III review

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:

Article 30 "Definitions"

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: 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.

ORDINANCE NO. 14-5619

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING ARTICLES 12, 14 & 30 OF THE DEVELOPMENT CODE REGARDING RESIDENTIAL CARE FACILITIES.

WHEREAS:

1. The Grants Pass and Urbanizing Area Comprehensive Community Development Plan was adopted December 15, 1982; and
2. The ordinance amends Article 12, Schedule 12-1, Section 14.500 and Article 30 regarding Residential Care Facilities; 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 Urban Area Planning Commission to the City Council.

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

Section 1. The amendment to Article 12, Schedule 12-1, Section 14.500 and Article 30 of the Development Code regarding Residential Care Facilities as set forth in Exhibit "A", is hereby adopted.

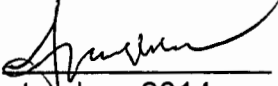
ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 17th day September, 2014, with the following specific roll call vote:

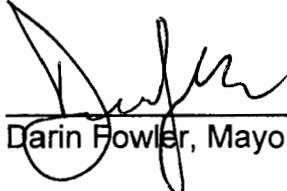
AYES: DeYoung, Gatlin, Goodwin, Hannum, Riker and Williams

NAYS: None

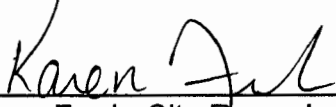
ABSTAIN: None

ABSENT: Morgan and Webber

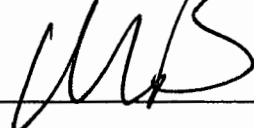
SUBMITTED to and  by the Mayor of the City of Grants Pass, Oregon, this 19 day of September, 2014.


Darin Fowler, Mayor

ATTEST:


Karen Frerk, City Recorder

Date submitted to Mayor: 9/19/14

Approved as to Form, Mark Bartholomew, City Attorney 

Land Use Types	R-1-12 R-1-10 R-1-8	R-1-6	R-2	R-3	R-4	NC	GC	CBD	BP	IP	I
h) Residential Care Facility, per 14.521	P-II-(ii)	P-II	P-II	P-I-C	P-I-C	P-I-C	P-I-C	P-I-C	-	-	-
i) Dwelling, Accessory	-	-	-	-	-	P-I-C	P-I-C	P-I-C	-	-	-
3) Trade											
a) Retail Indoor	-	-	-	-	-	P-II	P-(a)	P-(a)	P-(b)	-	-
b) Retail Outdoor	-	-	-	-	-	-	P-(a)	-	P-(b)	-	-
c) Wholesale	-	-	-	-	-	-	P-(a)	-	P-(b)	-	-
d) Itinerant Uses (repealed Ord 5564)	-	-	-	-	-	-	-	-	-	-	-
4) Services											
a) Professional Office	-	-	-	-	P-II	-	P-(a)	P-(a)	P-(b)	P*-(b)	-
b) Business Office	-	-	-	-	-	-	P-(a)	P-(a)	P-(b)	-	-
c) Limited Office	P-II	P-II	P-II	P-II	P-II	-	-	-	-	-	-
d) Repair/Maintenance, Commercial	-	-	-	-	-	-	P-(a)	P-(a)	P-(b)	-	P-(b)
e) Auto Service Station	-	-	-	-	-	-	P-(a)	-	P-(b)	-	-
f) Eating/Drinking Establishment	-	-	-	-	-	P-(a)	P-(a)	P-(a)	P-(b)	-	P-(b)
g) Hotel/Motel	-	-	-	-	-	-	P-(a)	P-(a)	-	-	-
h) RV Parks	-	-	-	-	-	-	P-III	-	-	-	-
i) Day Care/Family, per 14.310	P-I-A	P-I-A	P-I-A	P-I-A	P-I-A	P-I-A (f)	P-I-A	P-I-A	P-I-A (f)	P-I-A (f)	P-I-A (f)
j) Day Care/Group, per 14.320	P-II	P-II	P-II	P-II	P-II	-	P-II	P-II	P-II	P-II	P-II

Table Notes:

- (a) A Type II Procedure is required if the subject property adjoins a residential zone, otherwise a Type I-C Procedure is required.
- (b) A Type II Procedure is required if the subject property adjoins a residential or commercial zone, otherwise Type I-C Procedure is required.
- (c) Type I-A, except the following are exempt (Type I-EX): operation, maintenance, repair, and preservation of existing transportation facilities; dedication or public acquisition of rights-of-way and easements; authorization of construction and construction of facilities and improvements, where the improvements are within the existing right-of-way or easement area or are consistent with clear and objective dimensional standards; and emergency measures necessary for the safety and protection of property.
- (d) Manufactured Dwelling Parks are not permitted in commercial or industrial zones or commercial or industrial Comprehensive Plan land use districts. Siting of an individual home within an approved manufactured dwelling park requires a Type I-A procedure.
- (e) An existing residential dwelling unit is a permitted use in this zone. In zones where a new residential dwelling unit is not a permitted use, this provision allows the existing residential dwelling unit to continue or expand without being subject to the nonconforming use provisions of the Development Code. There may be nonconforming development provisions that are applicable. If an existing dwelling unit is removed in a zone where a new dwelling unit is not permitted, it shall not be replaced.

In zones where a new residential dwelling unit is not a permitted use, this provision does not allow for expansion that increases the number of dwelling units.

In zones where a new residential dwelling unit is not a permitted use, this provision allows for a new residential accessory structure or accessory use associated with the existing residential dwelling.
- (f) These uses are permitted within an existing dwelling unit only, since a new dwelling unit is not permitted in the zoning district.
- (g) A commercial or industrial accessory building of 400 square feet or less that comprises less than 25 percent of the existing floor area of buildings and meets the definition of a minor modification in Section 19.058 of this Code is reviewed through a Type I-A procedure. All other commercial or industrial accessory buildings are subject to the applicable site plan review procedures.
- (h) A Type I-A Procedure is required for water and sewer pump stations. All other minor public facilities are reviewed through the procedure specified in the table.
- (i) A Type III Procedure is required if the tower height exceeds the zone height limit, otherwise a Type II Procedure is required.
- (j) Residential Care Facilities in the R-1-8, R-1-10 & R-1-12 zones are limited to fifteen (15) residents.

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14.500 Residential Care

14.510 Residential Homes. Residential Homes, as defined in Article 30 of this Code, are permitted in any existing residential dwelling unit which is approved for occupancy. No development permit is required.

14.520 Residential Care Facilities.

14.521 Permit Required. A development permit for a residential care facility, as defined in Article 30 of this Code shall be obtained prior to any said use. The permit application shall contain the following:

- (1) All submittal requirements for site plan review as found in Section 19.072 of this Code.
- (2) A copy of the application and supporting documentation for State licensing of the facility.

14.522 Development Standards

(1) Off Street Parking.

(a) Parking shall be provided at the rate of one space per attendant.

(b) Design.

1) An on site turn-around must be provided when the review body determines there is a risk to public safety.

2) Up to two vehicles may be stacked end to end.

(2) The facility shall meet all requirements that would be required of a new single family dwelling on the same lot, except that non-conforming buildings need not meet setback requirements.

(3) The review body may require landscaping or site obscuring fencing when necessary to mitigate conflicts with adjacent properties.

14.523 Criteria for Approval.

(1) The facility is licensed according to State statute, or application has been made for licensing. Proof of licensing must be provided prior to occupancy of the site.

Article 30

Residential Facility: A facility licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training, or a combination thereof, for six or more individuals who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.