



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

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www.oregon.gov/LCD



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

Date: August 14, 2015
Jurisdiction: City of Grants Pass
Local file no.: 15-40200002
DLCD file no.: 003-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/12/2015. 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 54 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
003-15
File No.: {23699}
Received: 8/12/2015

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.: **15-40200002**

Date of adoption: August 5, 2015

Date sent: August ¹² 7, 2015

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): 3/20/2015
 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): Tom Schauer, AICP, Senior Planner

Phone: 541-450-6072

E-mail: tschauer@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:

NA

For a change to a comprehensive plan map:

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

- | | | | |
|----------------|-------|------------|--|
| Change from MR | to HR | .25 acres. | A goal exception was required for this change. |
| Change from LR | to GC | .48 acres. | A goal exception was required for this change. |
| Change from LR | to GC | .14 acres. | A goal exception was required for this change. |
| Change from MR | to GC | .56 acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address): 360521CC4600, 360521CD1900, 360613AC1800, 360613AD2400

- 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. **N/A**

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. **N/A**

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:

NA

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: R-3-2, GC1,GC1,R-2 Acres added: .25,.48,.14,- Acres removed: -,-,-
,0.56

Location of affected property (T, R, Sec., TL and address): 360521CC4600, 360521CD1900, 360613AC1800, 360613AD2400

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

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.

This amendment made minor map corrections to properties within the UGB, associated with the more substantial map amendments within the UGB that were adopted in December 2014 as part of the urban growth management work.

ORDINANCE NO. 15-5651

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING TRANSITION OVERLAY DISTRICT MAP.

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 Comprehensive Plan map was amended and the Zoning Transition Overlay District was established on November 12, 2014 by Ordinance 14-5630, affecting approximately 450 acres. The proposed amendments are necessary to make associated corrections related to approximately 1.34 acres; and
3. In terms of physical conditions and characteristics, location and availability of services, the properties are appropriate for the proposed map designations, and
4. The applicable criteria from the Comprehensive Plan and 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 Comprehensive Plan map is hereby amended as described in Exhibit 'A'; and

Section 2. The Zoning Transition Overlay District map is hereby amended as described in Exhibit 'A'.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 15th day July, 2015, with the following specific roll call vote:

AYES: DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler.

NAYS: None

ABSTAIN: None

ABSENT: Morgan

SUBMITTED to and *Approved* by the Mayor of the City of Grants Pass, Oregon, this 20 day of July, 2015.

Darin Fowler
Darin Fowler, Mayor

ATTEST:

Karen Frerk
Karen Frerk, City Recorder

Date submitted to Mayor: 7/17/15

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

EXHIBIT 'A'

Page 1 of 2

Label	Tax Lot	Address	Previous Plan, Zoning, and Overlay Designations	Amended Plan, Zoning, and Overlay Designations
1	36-5-21-CC-4600	1550 Carnahan Dr.	MR/ R-2/ (no overlay)	HR/ (R-2)/ R-3-2 overlay
2	36-5-21-CD-1900	1935 Rogue River Hwy.	North half: GC/ GC/ (no overlay) South half: LR/ R-1-10/ (no overlay)	North half: no change South half: GC/ (R-1-10)/ GC-1 overlay
3	36-6-13-AC-1800	2064 Upper River Rd.	North portion: LR/ R-1-8/ (no overlay) Remainder: GC/ GC/ (no overlay)	North portion: GC/ (R-1-8)/ GC-1 overlay Remainder: no change
4	36-6-13-AD-2400	2028 SW 'G' St.	SE portion: MR/ GC/ R-2 overlay Remainder: MR/ R-1-8/ R-2 overlay	SE portion: GC/ (GC)/ no overlay Remainder: no change

Subject Properties:

1. Tax Lot 36-5-21-CC-4600, 1550 Carnahan Drive

Previous: MR Plan Designation, R-2 Base Zone, No Overlay Zone

Amended: HR Plan Designation, Retain R-2 Base Zone in Interim, R-3-2 Overlay Zone

2. Tax Lot 36-5-21-CD-1900, 1935 Rogue River Highway

Previous: Split GC/LR Plan Designation, Split GC-1/R-1-10 Zone, No Overlay Zone

Amended: North Half: No change. South Half: GC Plan Designation, Retain R-1-10 Base Zone in Interim, GC-1 Overlay Zone



EXHIBIT 'A'
Page 2 of 2

Subject Properties:

3. Tax Lot 36-6-13-AC-1800, 2064 Upper River Road

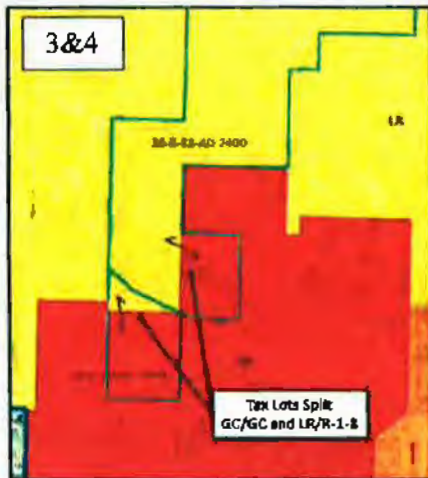
Previous: Split GC/LR Plan Designation, Split GC/R-1-8 Base Zone, No Overlay Zone

Amended: South Part: No change. North Part: GC Plan Designation, Retain R-1-8 Base Zone in Interim, GC-1 Overlay Zone

4. Tax Lot 36-6-13-AD-2400, 2028 SW 'G' Street

Previous: MR Plan Designation, Split GC/R-1-8 Base Zone, R-2 Overlay Zone

Amended: North and West Part: No change (MR Plan Designation, R-1-8 Base Zone, R-2 Overlay Zone). East part: Change back to GC Plan Designation, GC Base Zone, No Overlay Zone



Comprehensive Plan Map Before



Comprehensive Plan Map Change and Zoning Transition Overlay District



Comprehensive Plan Map Change and Zoning Transition Overlay District

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

**ELEMENT 10 (PUBLIC FACILITIES) COMPREHENSIVE PLAN AMENDMENT
FINDINGS OF FACT - CITY COUNCIL DECISION**

Procedure Type:	Type IV-B: Planning Commission Recommendation and City Council Decision (Legislative)
Project Number:	15-40500001
Project Type:	Comprehensive Plan Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Tom Schauer
Application Received:	March 6, 2015
Application Complete:	March 13, 2015
Date of UAPC Staff Report:	May 6, 2015
Date of UAPC Hearing:	May 13, 2015
Date of UAPC Findings:	May 20, 2015
Date of City Council Staff Report:	June 19, 2015
Date of City Council Hearing:	June 17, 2015, rescheduled to July 1, 2015, continued to July 15, 2015
Date of City Council Findings:	August 5, 2015

I. PROPOSAL:

Amendment adopting Addendum 1 to Element 10 of the Comprehensive Plan (Public Facilities) to incorporate updates for the Water Treatment Plan Facilities Plan and the Water Restoration Plant Facilities Plan. ***See Exhibit 'A' to Ordinance for final, adopted version.***

II. AUTHORITY AND CRITERIA:

The Comprehensive Plan and 1998 Intergovernmental Agreement authorize the Planning Commission to consider the request for the Comprehensive Plan amendment and make a recommendation to the City Council, and authorize the City Council to make the final decision. The Comprehensive Plan may be amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met.

III. APPEAL PROCEDURE:

Section 10.060 provides for the City Council's final decision to 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 date the notice of City Council's written decision is provided.

IV. PROCEDURE:

A. The application was received on March 6, 2015 and deemed complete on March 13, 2015. The application was processed in accordance with Section 2.060 of the Development Code.

- B. Notice of the proposed amendment and the public hearings was sent to the Oregon Department of Land Conservation and Development on March 20, 2015 in accordance with ORS 197.610 and OAR Chapter 660, Division 18.
- C. Notice of the proposed amendment and the public hearings was sent to Josephine County on March 20, 2015 in accordance with the 1998 Intergovernmental Agreement.
- D. Public notice of the May 13, 2015 Planning Commission public hearing was published in the newspaper on May 6, 2015 in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. The Planning Commission held a public hearing on May 13, 2015 to consider the proposal and make a recommendation to the City Council.
- F. Public notice of the proposal and the June 17, 2015 City Council public hearing was posted on May 27, 2015.
- G. The June 17, 2015 City Council public hearing was rescheduled to July 1, 2015. Public notice of the proposal and the July 1, 2015 City Council public hearing was published in the newspaper on June 24, 2015.
- H. The July 1, 2015 City Council public hearing was opened and continued to a date, time, and place certain of July 15, 2015 for the staff report, public testimony, and City Council action.
- I. The City Council held the continued public hearing on July 15, 2015 to consider the proposal and recommendation and make a decision. The vote on the first reading of the Ordinance was not unanimous due to an abstention, so the second reading and roll call vote on the ordinance were continued to August 5, 2015.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report and its exhibits attached as Exhibit "A" and incorporated herein.
 - 1. The Planning Commission's Findings of Fact and the Attached Record are attached as Exhibit 1.
 - A. The basic facts and criteria regarding this application are contained in the Planning Commission staff report and its exhibits attached as Exhibit "A" and incorporated herein.
 - 1. Proposed Addendum 1 to Element 10 of the Comprehensive Plan (Public Facilities and Services)
 - 2. Water Treatment Plant Facility Plan Update (Resolution 14-6173) and the Water Restoration Plant Facility Plan (Resolution 14-6205).
 - B. The minutes of the public hearing held by the Urban Area Planning Commission on May 13, 2015, which are attached as

Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.

- C. The PowerPoint presentation provided by staff at the May 13, 2015 public hearing is attached as Exhibit "C" and incorporated herein.
- B. The minutes of the public hearing held by the City Council on July 1, 2015 and continued to July 15, 2015, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C. The PowerPoint presentation provided by staff at the July 15, 2015 public hearing is attached as Exhibit "C" and incorporated herein.

VI. GENERAL FINDINGS - BACKGROUND AND DISCUSSION:

In 2008, the City Council adopted Ordinance 5460, which updated Element 10 of the Comprehensive Plan to reflect updates to several of the public facility plan documents. In 2014, the City Council adopted the following:

- **Resolution 14-6173. A resolution adopting the Water Treatment Plant Facility Plan Update.** This resolution adopted the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014. It replaced the previous Water Treatment Plan Facility Plan adopted in April 2004.
- **Resolution 14-6205. A resolution adopting the Water Restoration Plant (WRP) Facility Plan.** This resolution adopted the Water Restoration Plant Facility Plan prepared by Carollo Engineers, Inc. dated May 2014. It replaced the previous Water Restoration Plant (WRP) Facility Plan completed in June 2001.

Statewide Planning Goal 11 addresses Public Facilities and Services, and Oregon Administrative Rules (OAR) Division 11 address Public Facilities Planning. OAR 660-011-0005(1) defines "Public Facilities Plan" as follows: "A public facility plan is a support document or documents to a comprehensive plan. The facility plan describes the water, sewer and transportation facilities which are to support the land uses designated in the appropriate acknowledged comprehensive plans within an urban growth boundary containing a population of greater than 2,500. Certain elements of the public facility plan shall also be adopted as part of the comprehensive plan, as specified in OAR 660-011-0045."

Consistent with OAR 660-011-0005, the proposed amendment, an addendum to Element 10, recognizes these 2014 updates as part of the City's Public Facilities Plan, as support documents to the Comprehensive Plan. The addendum also adopts certain elements of these plans as part of the comprehensive plan, as specified in OAR 660-011-0045.

The Planning Commission recommended approval as presented. Staff recommended one additional revision, which was to include a map of the new UGB expansion areas and Urban Reserve areas to provide greater clarity about the service areas in addition to other data in Table 2-1, and the addition of Note 4 in Table 2-1. This doesn't affect the substantive provisions of the proposal or consistency with the applicable criteria.

The addendum as recommended by the Planning Commission, with the additional revision recommended by staff, is attached to the **Ordinance as Exhibit 'A'**. (The original proposed version is attached as Exhibit 1 to the Planning Commission Staff Report). The full plans are referenced as **Exhibit 2 to the Planning Commission Staff Report**; they are not attached to this staff report, but the full copies are provided electronically.

VII. FINDINGS OF CONFORMANCE WITH APPLICABLE CRITERIA:

For comprehensive plan amendments, the applicable criteria are provided in Section 13.5.4 of the Comprehensive Plan.

CRITERION (a): Consistency with other findings, goals and policies in the Comprehensive Plan.

Response: Satisfied. The proposed amendments are consistent with the Water Service Policies in Section 10.2 of the Comprehensive Plan Policies and the Sewer Service Policies in Section 10.3 of the Comprehensive Plan Policies. These plans address the needs for treatment capacity and requirements for the Water Treatment Plant and the Water Restoration Plant. The water distribution system plan and sewer collection system plan are in the process of being updated, and will be adopted separately.

CRITERION (b): A change in circumstances, validated by and supported by the data base or proposed changes to the data base, which would necessitate a change in findings, goals and policies.

Response: Satisfied. In addition to structural, functional, regulatory, and other issues, the facility plan addresses future demand and capacity needs based on the adopted forecasts and future land use needs.

CRITERION (c): Applicable planning goals and guidelines of the State of Oregon.

Response: Satisfied. The proposed amendments are intended to address the applicable provisions of Statewide Planning Goal 11 (Public Facilities and Services) and specifically OAR 660-011-0005 and -0045, incorporating these facility plans as support documents to the comprehensive plan, and adopting the elements specified in OAR 660-011-0045 as part of the comprehensive plan.

CRITERION (d): Citizen review and comment.

Response: Satisfied. Resolutions 14-6173 (Water Treatment Plant Facility Plan Update) and 14-6205 (Water Restoration Plant (WRP) Facility Plan) were each adopted following their respective public hearings. In addition, the Water Treatment Plant Facility Plan was developed through a process that included a Water Facility Advisory Committee. The public hearing process for the proposed amendment to Element 10 of the Comprehensive Plan also provides for citizen review and comment.

CRITERION (e): Review and comment from affected governmental units and other agencies.

Response: Satisfied. The Water Treatment Plant Facility Plan Update was prepared by Murray, Smith & Associates in Association with MWH Americas, Inc. and included consultation and coordination with affected agencies, including the Oregon Health Authority Drinking Water Program. The Water Restoration Plant Facility Plan was prepared by Carollo Engineers, Inc. and included consultation and coordination with affected agencies including the Oregon Department of Environmental Quality.

CRITERION (f): A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

Response: Satisfied. The proposed amendments provide the updates that include the comprehensive plan provisions to address adequate public facilities and provide the requisite changes for the planning horizon, the identified land use needs, and the adopted land use plans.

CRITERION (g): Additional information as required by the review body.

Response: Satisfied. The Planning Commission had sufficient information to make a recommendation, and the City Council had sufficient information to make a decision.

CRITERION (h): In lieu of item (b) above, demonstration that the Plan as originally adopted was in error.

Response: Not Applicable. The proposed amendments are intended to address a change in circumstances, as addressed in Criterion (b).

VIII. DECISION AND SUMMARY:

Based on the above findings, the City Council found the applicable criteria were satisfied and **APPROVED** the proposed Comprehensive Plan amendment as presented in Exhibit "A" to the Ordinance.

IX. FINDINGS APPROVED AND DECISION ADOPTED BY THE GRANTS PASS CITY COUNCIL this 5th day of August, 2015.



Darin Fowler, Mayor

NOTE: *The amendment is legislative and is not subject to the 120-day requirement.*

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

**CITY OF GRANTS PASS - 2015 MAP AMENDMENTS
STAFF REPORT – CITY COUNCIL**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	15-40200002
Project Type:	Comprehensive Plan Map Amendments and Zoning Transition Overlay District Map Amendments
Applicant:	City of Grants Pass
Total Acreage:	1.34 acres
Map & Tax Lot:	36-5-21-CC-4600, 36-5-21-CD-1900, 36-6-13-AC-1800, 36-6-13-AD-2400
Address:	1550 Carnahan Drive, 1935 Rogue River Highway, 2064 Upper River Road, 2028 SW 'G' Street See Exhibit 1
Planner Assigned:	Tom Schauer
Application Received:	March 4, 2015
Application Complete:	March 13, 2015
Date of UAPC Staff Report:	May 6, 2015
Date of UAPC Hearing:	May 13, 2015
Date of UAPC Findings:	May 27, 2015
Date of City Council Staff Report:	June 19, 2015
Date of City Council Hearing:	July 1, 2015
Existing and Proposed Map Designations:	See below

Tax Lot	Address	Current Plan, Zoning, and Overlay Designations	Proposed Plan, Zoning, and Overlay Designations
36-5-21-CC-4600	1550 Carnahan Dr.	MR/ R-2/ (no overlay)	HR/ (R-2)/ R-3-2 overlay
36-5-21-CD-1900	1935 Rogue River Hwy.	North half: GC/ GC/ (no overlay) South half: LR/ R-1-10/ (no overlay)	North half: no change South half: GC/ (R-1-10)/ GC-1 overlay
36-6-13-AC-1800	2064 Upper River Rd.	North portion: LR/ R-1-8/ (no overlay) Remainder: GC/ GC/ (no overlay)	North portion: GC/ (R-1-8)/ GC-1 overlay Remainder: no change
36-6-13-AD-2400	2028 SW 'G' St.	SE portion: MR/ GC/ R-2 overlay Remainder: MR/ R-1-8/ R-2 overlay	SE portion: GC/ (GC)/ no overlay Remainder: no change

I. PROPOSAL:

Minor map corrections to the Comprehensive Plan Map and Zoning Transition Overlay District Map amendments adopted in December 2014. **See Exhibit 1 to Planning Commission Staff Report.**

II. AUTHORITY AND CRITERIA:

The Comprehensive Plan and 1998 Intergovernmental Agreement authorize the Planning Commission to consider the request for the Comprehensive Plan map amendments and make a recommendation to the City Council, and authorize the City Council to make the final decision. The Comprehensive Plan map may be amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met.

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 for the Zoning Transition Overlay District map amendments 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.

III. APPEAL PROCEDURE:

Section 10.060 provides for the City Council's final decision to 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 date the notice of City Council's written decision is provided.

IV. BACKGROUND AND DISCUSSION:

In December 2014, as part of the urban growth management planning, the city adopted numerous efficiency measures, including amendments to the comprehensive plan map and designation of a zoning transition overlay district, which affected approximately 450 acres. Some properties that had existing split map designations were not correctly addressed in the map amendments, and one property was inadvertently omitted, leaving it as an unintended, isolated spot-zoned property. The proposed amendments would correct the maps to reflect the designations that should have originally occurred. The total for all properties includes approximately 1.34 acres. *Exhibit 2* provides additional information about the Zoning Transition Overlay District.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

The Planning Commission's findings of conformance with applicable criteria are provided in Section VII of their Findings of Fact (attached).

VI. RECOMMENDATION:

The Urban Area Planning Commission recommends that the City Council **APPROVE** the proposed amendments to the Comprehensive Plan map and Zoning Transition Overlay map as presented.

The vote was 7-0-0 with Commissioners Fitzgerald, Coulter, MacMillan, Arthur, McIntire, Kellenbeck, and McVay in favor. There is one vacancy on the Commission.

VII. CITY COUNCIL ACTION:

A. Positive Action: Approve the request:

1. as submitted and recommended by the Planning Commission.
2. as modified by the City Council (list):

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

C. Postponement: Continue item

1. indefinitely.
2. to a time certain.

NOTE: The application is not subject to the 120 day requirement per ORS 227.178.

VIII. INDEX TO EXHIBITS:

1. Planning Commission Findings of Fact and the Attached Record

A. Planning Commission Staff Report and Exhibits

1. Project Narrative and Map of Proposed Amendments
2. Information about the Zoning Transition Overlay District

B. Minutes of the May 13, 2015 Planning Commission Hearing

C. PowerPoint Presentation from May 13, 2015 Planning Commission Hearing

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

**CITY OF GRANTS PASS - 2015 MAP AMENDMENTS
FINDINGS OF FACT - URBAN AREA PLANNING COMMISSION RECOMMENDATION**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	15-40200002
Project Type:	Comprehensive Plan Map Amendments and Zoning Transition Overlay District Map Amendments
Applicant:	City of Grants Pass
Total Acreage:	1.34 acres
Map & Tax Lot:	36-5-21-CC-4600, 36-5-21-CD-1900, 36-6-13-AC-1800, 36-6-13-AD-2400
Address:	1550 Carnahan Drive, 1935 Rogue River Highway, 2064 Upper River Road, 2028 SW 'G' Street See Exhibit 1
Planner Assigned:	Tom Schauer
Application Received:	March 4, 2015
Application Complete:	March 13, 2015
Date of Staff Report:	May 6, 2015
Date of UAPC Hearing:	May 13, 2015
Date of UAPC Findings:	May 20, 2015
Existing and Proposed Map Designations:	See below

Tax Lot	Address	Current Plan, Zoning, and Overlay Designations	Proposed Plan, Zoning, and Overlay Designations
36-5-21-CC-4600	1550 Carnahan Dr.	MR/ R-2/ (no overlay)	HR/ (R-2)/ R-3-2 overlay
36-5-21-CD-1900	1935 Rogue River Hwy.	North half: GC/ GC/ (no overlay) South half: LR/ R-1-10/ (no overlay)	North half: no change South half: GC/ (R-1-10)/ GC-1 overlay
36-6-13-AC-1800	2064 Upper River Rd.	North portion: LR/ R-1-8/ (no overlay) Remainder: GC/ GC/ (no overlay)	North portion: GC/ (R-1-8)/ GC-1 overlay Remainder: no change
36-6-13-AD-2400	2028 SW 'G' St.	SE portion: MR/ GC/ R-2 overlay Remainder: MR/ R-1-8/ R-2 overlay	SE portion: GC/ (GC)/ no overlay Remainder: no change

I. PROPOSAL:

Minor map corrections to the Comprehensive Plan Map and Zoning Transition Overlay District Map amendments adopted in December 2014. **See Exhibit 1 to Planning Commission Staff Report.**

II. AUTHORITY AND CRITERIA:

The Comprehensive Plan and 1998 Intergovernmental Agreement authorize the Planning Commission to consider the request for the Comprehensive Plan map amendments and make a recommendation to the City Council, and authorize the City Council to make the final decision. The Comprehensive Plan map may be amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met.

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 for the Zoning Transition Overlay District map amendments 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.

III. APPEAL PROCEDURE:

Section 10.060 provides for the City Council's final decision to 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 date the notice of City Council's written decision is provided.

IV. PROCEDURE:

- A. The application was received on March 4, 2015 and deemed complete on March 13, 2015. The application was processed in accordance with Section 2.060 of the Development Code.
- B. Notice of the proposed amendment and the public hearings was sent to the Oregon Department of Land Conservation and Development on March 20, 2015 in accordance with ORS 197.610 and OAR Chapter 660, Division 18.
- C. Notice of the proposed amendment and the public hearings was sent to Josephine County on March 20, 2015 in accordance with the 1998 Intergovernmental Agreement.
- D. Notice of the proposed amendment and the public hearings was sent to the Oregon Department of Transportation and Josephine County Public Works on March 20, 2015.
- E. Notice of the proposed amendment and the May 13, 2015 public hearing was mailed on April 22, 2015.
- F. Public notice of the proposed amendment and the May 13, 2015 public hearing was published in the newspaper on May 6, 2015 in accordance with Sections 2.053 and 2.063 of the Development Code.
- G. The Planning Commission held a public hearing on May 13, 2015 to consider the proposal and make a recommendation to the City Council.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report and its exhibits attached as Exhibit "A" and incorporated herein.
 - 1. Project Narrative and Map of Proposed Amendments
 - 2. Information about the Zoning Transition Overlay District

- B. The minutes of the public hearing held by the Urban Area Planning Commission on May 13, 2015, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C. The PowerPoint presentation provided by staff at the May 13, 2015 public hearing is attached as Exhibit "C" and incorporated herein.

VI. GENERAL FINDINGS - BACKGROUND AND DISCUSSION:

In December 2014, as part of the urban growth management planning, the city adopted numerous efficiency measures, including amendments to the comprehensive plan map and designation of a zoning transition overlay district, which affected approximately 450 acres. Some properties that had existing split map designations were not correctly addressed in the map amendments, and one property was inadvertently omitted, leaving it as an unintended, isolated spot-zoned property. The proposed amendments would correct the maps to reflect the designations that should have originally occurred. The total for all properties includes approximately 1.34 acres. *Exhibit 2 to the Planning Commission Staff Report* provides additional information about the Zoning Transition Overlay District.

VII. FINDINGS OF CONFORMANCE WITH APPLICABLE CRITERIA:

For comprehensive plan map amendments, the applicable criteria are provided in Section 13.5.4 of the Comprehensive Plan.

CRITERION (a): consistency with other findings, goals and policies in the Comprehensive Plan.

Response: Satisfied. Consistent with the findings for the map amendments adopted in December 2014, these proposed map corrections are consistent with other findings, goals, and policies in the Comprehensive Plan. These corrections are consistent with the land use patterns adopted at that time, they total 1.34 acres, and they don't reflect a change in findings, goals or policies.

CRITERION (b): A change in circumstances, validated by and supported by the data base or proposed changes to the data base, which would necessitate a change in findings, goals and policies.

Response: Satisfied. Consistent with the findings for the map amendments adopted in December 2014, these proposed map corrections are validated by and supported by the changes to the database which necessitated the amendments. The update to the land needs documents reflected the map amendments, and these minor corrections are consistent with the identified change in circumstances and associated changes to the database.

CRITERION (c): Applicable planning goals and guidelines of the State of Oregon.

Response: Satisfied. Consistent with the findings for the map amendments adopted in December 2014, these proposed minor map corrections are consistent with applicable planning goals and guidelines of the State of Oregon.

CRITERION (d): Citizen review and comment.

Response: Satisfied. The major policy issues and considerations for the map amendments adopted in 2014 were considered through an extensive public process, and the public hearing process for the currently proposed minor map corrections also provides opportunity for citizen review and comment. In addition, letters with information about the proposed corrections were mailed to owners of the affected properties in advance of the formal public hearing notice.

CRITERION (e): Review and comment from affected governmental units and other agencies.

Response: Satisfied. Notice of the proposal was provided to affected governmental units and other agencies for review and comment.

CRITERION (f): A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

Response: Satisfied. The urban growth management planning was conducted based on the map amendments. The timing of the maps amendments provides for updates to public facilities master plans to account for these amendments together with the additional planned growth areas. The proposed map corrections are a minor adjustment to the more extensive map amendments adopted in December 2014.

CRITERION (g): Additional information as required by the review body.

Response: Satisfied. The Planning Commission had sufficient information to make a recommendation.

CRITERION (h): In lieu of item (b) above, demonstration that the Plan as originally adopted was in error.

Response: Satisfied. One of the original amendments in December 2014 inadvertently changed the map designation for an entire parcel which previously had a split map designation. A portion of that property should have retained part of its original designation, and the proposed amendment corrects that error. For the other parcels, the errors in the 2014 amendments were of omission, where the designations for the split-zoned portions of properties should have been changed consistent with the surrounding map designations, but were inadvertently omitted.

For zoning map amendments, the criteria are provided in Section 4.033 of the Development Code. There are no additional special criteria for amendments to the Zoning Transition Overlay District.

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

Response: Satisfied/Not Applicable. No specific use and development is proposed at this time in conjunction with the proposal for map amendments.

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

Response: Satisfied. The proposed zoning amendments are consistent with existing Comprehensive Plan land use map designations, or the proposal includes concurrent Comprehensive Plan map amendments, and the proposed zoning is consistent with the proposed Comprehensive Plan map amendments. The two-step approach to phase in implementation of the Zoning Transition Overlay District provides for consistency between the comprehensive plan map, base zoning map, and overlay zone map designations.

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.

Response: Satisfied. The proposed amendments include a two-phase approach that provides for continued use under current zoning, with additional use and intensity subject to additional analysis if more intensive use is proposed in accordance with the new overlay zoning while the master plans are updated. The final zoning amendment will be effective upon adoption of the updated transportation plan, allowing the future land use to be modeled and planned for.

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.

Response: Satisfied. The proposed amendments include a two-phase approach that provides for continued use under current zoning, with additional use and intensity subject to additional analysis if more intensive use is proposed in accordance with the new overlay zoning while the master plans are updated. The final zoning amendment will be effective upon adoption of the updated transportation plan, allowing the future land use to be modeled and planned for.

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

Response: Satisfied. The properties are relatively flat with gentle slope, conducive to the proposed designations.

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

Response: Satisfied. The properties are not located within the flood hazard, historic district, or medical overlay zones. The proposal would amend the designations of the Zoning Transitions Overlay District consistent with the Comprehensive Plan map designations. The properties can be developed in accordance with the standards of the overlay district.

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.

Response: Satisfied. These are not changes from rural to urban zoning, but rather, changes from one urban zoning district to another, which are served or can be

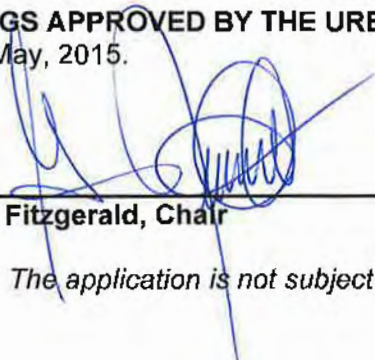
served with urban services. The timing allows for the public facilities plans updates to model and address, as needed, future land use based on the overlay zone changes. The changes have the effect of providing for efficient utilization of buildable lands within the UGB that reduces the extent for greater UGB expansion that would require further urban service extensions. Other lands in similar zoning districts can also be utilized with efficient provision of urban services.

VIII. RECOMMENDATION:

The Urban Area Planning Commission recommends that the City Council **APPROVE** the proposed amendments to the Comprehensive Plan map and Zoning Transition Overlay map as presented.

The vote was 7-0-0 with Commissioners Fitzgerald, Coulter, MacMillan, Arthur, McIntire, Kellenbeck, and McVay in favor. There is one vacancy on the Commission.

IX. FINDINGS APPROVED BY THE URBAN AREA PLANNING COMMISSION this ^{27th} ~~20th~~ day of May, 2015.



Gerard Fitzgerald, Chair

NOTE: *The application is not subject to the 120 day requirement per ORS 227.178.*

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

**CITY OF GRANTS PASS - 2015 MAP AMENDMENTS
STAFF REPORT - URBAN AREA PLANNING COMMISSION**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	15-40200002
Project Type:	Comprehensive Plan Map Amendments and Zoning Transition Overlay District Map Amendments
Applicant:	City of Grants Pass
Total Acreage:	1.34 acres
Map & Tax Lot:	36-5-21-CC-4600, 36-5-21-CD-1900, 36-6-13-AC-1800, 36-6-13-AD-2400
Address:	1550 Carnahan Drive, 1935 Rogue River Highway, 2064 Upper River Road, 2028 SW 'G' Street <i>See Exhibit 1</i>
Planner Assigned:	Tom Schauer
Application Received:	March 4, 2015
Application Complete:	March 13, 2015
Date of Staff Report:	May 6, 2015
Date of UAPC Hearing:	May 13, 2015
Existing and Proposed Map Designations:	<i>See below</i>

Tax Lot	Address	Current Plan, Zoning, and Overlay Designations	Proposed Plan, Zoning, and Overlay Designations
36-5-21-CC-4600	1550 Carnahan Dr.	MR/ R-2/ (no overlay)	HR/ (R-2)/ R-3-2 overlay
36-5-21-CD-1900	1935 Rogue River Hwy.	North half: GC/ GC/ (no overlay) South half: LR/ R-1-10/ (no overlay)	North half: no change South half: GC/ (R-1-10)/ GC-1 overlay
36-6-13-AC-1800	2064 Upper River Rd.	North portion: LR/ R-1-8/ (no overlay) Remainder: GC/ GC/ (no overlay)	North portion: GC/ (R-1-8)/ GC-1 overlay Remainder: no change
36-6-13-AD-2400	2028 SW 'G' St.	SE portion: MR/ GC/ R-2 overlay Remainder: MR/ R-1-8/ R-2 overlay	SE portion: GC/ (GC)/ no overlay Remainder: no change

I. PROPOSAL:

Minor map corrections to the Comprehensive Plan Map and Zoning Transition Overlay District Map amendments adopted in December 2014. *See Exhibit 1.*

II. AUTHORITY AND CRITERIA:

The Comprehensive Plan and 1998 Intergovernmental Agreement authorize the Planning Commission to consider the request for the Comprehensive Plan map amendments and make a recommendation to the City Council, and authorize the City Council to make the final decision. The Comprehensive Plan map may be amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met.

EXHIBIT A
TO UAPC FINDINGS

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 for the Zoning Transition Overlay District map amendments 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.

III. APPEAL PROCEDURE:

Section 10.060 provides for the City Council's final decision to 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 date the notice of City Council's written decision is provided.

IV. BACKGROUND AND DISCUSSION:

In December 2014, as part of the urban growth management planning, the city adopted numerous efficiency measures, including amendments to the comprehensive plan map and designation of a zoning transition overlay district, which affected approximately 450 acres. Some properties that had existing split map designations were not correctly addressed in the map amendments, and one property was inadvertently omitted, leaving it as an unintended, isolated spot-zoned property. The proposed amendments would correct the maps to reflect the designations that should have originally occurred. The total for all properties includes approximately 1.34 acres. *Exhibit 2* provides additional information about the Zoning Transition Overlay District.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

For comprehensive plan map amendments, the applicable criteria are provided in Section 13.5.4 of the Comprehensive Plan.

CRITERION (a): consistency with other findings, goals and policies in the Comprehensive Plan.

Response: Satisfied. Consistent with the findings for the map amendments adopted in December 2014, these proposed map corrections are consistent with other findings, goals, and policies in the Comprehensive Plan. These corrections are consistent with the land use patterns adopted at that time, they total 1.34 acres, and they don't reflect a change in findings, goals or policies.

CRITERION (b): A change in circumstances, validated by and supported by the data base or proposed changes to the data base, which would necessitate a change in findings, goals and policies.

Response: Satisfied. Consistent with the findings for the map amendments adopted in December 2014, these proposed map corrections are validated by and supported by the changes to the database which necessitated the amendments. The update to the land needs documents reflected the map amendments, and these minor corrections are consistent with the identified change in circumstances and associated changes to the database.

CRITERION (c): Applicable planning goals and guidelines of the State of Oregon.

Response: Satisfied. Consistent with the findings for the map amendments adopted in December 2014, these proposed minor map corrections are consistent with applicable planning goals and guidelines of the State of Oregon.

CRITERION (d): Citizen review and comment.

Response: Satisfied. The major policy issues and considerations for the map amendments adopted in 2014 were considered through an extensive public process, and the public hearing process for the currently proposed minor map corrections also provides opportunity for citizen review and comment. In addition, letters with information about the proposed corrections were mailed to owners of the affected properties in advance of the formal public hearing notice.

CRITERION (e): Review and comment from affected governmental units and other agencies.

Response: Satisfied. Notice of the proposal was provided to affected governmental units and other agencies for review and comment.

CRITERION (f): A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

Response: Satisfied. The urban growth management planning was conducted based on the map amendments. The timing of the maps amendments provides for updates to public facilities master plans to account for these amendments together with the additional planned growth areas. The proposed map corrections are a minor adjustment to the more extensive map amendments adopted in December 2014.

CRITERION (g): Additional information as required by the review body.

Response: Satisfied Contingent on Review Body Direction. Additional information can be provided if requested.

CRITERION (h): In lieu of item (b) above, demonstration that the Plan as originally adopted was in error.

Response: Satisfied. One of the original amendments in December 2014 inadvertently changed the map designation for an entire parcel which previously had a split map designation. A portion of that property should have retained part of its original designation, and the proposed amendment corrects that error. For the other parcels, the errors in the 2014 amendments were of omission, where the designations for the split-zoned portions of properties should have been changed consistent with the surrounding map designations, but were inadvertently omitted.

For zoning map amendments, the criteria are provided in Section 4.033 of the Development Code. There are no additional special criteria for amendments to the Zoning Transition Overlay District.

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

Response: Satisfied/Not Applicable. No specific use and development is proposed at this time in conjunction with the proposal for map amendments.

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

Response: Satisfied. The proposed zoning amendments are consistent with existing Comprehensive Plan land use map designations, or the proposal includes concurrent Comprehensive Plan map amendments, and the proposed zoning is consistent with the proposed Comprehensive Plan map amendments. The two-step approach to phase in implementation of the Zoning Transition Overlay District provides for consistency between the comprehensive plan map, base zoning map, and overlay zone map designations.

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.

Response: Satisfied. The proposed amendments include a two-phase approach that provides for continued use under current zoning, with additional use and intensity subject to additional analysis if more intensive use is proposed in accordance with the new overlay zoning while the master plans are updated. The final zoning amendment will be effective upon adoption of the updated transportation plan, allowing the future land use to be modeled and planned for.

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.

Response: Satisfied. The proposed amendments include a two-phase approach that provides for continued use under current zoning, with additional use and intensity subject to additional analysis if more intensive use is proposed in accordance with the new overlay zoning while the master plans are updated. The final zoning amendment will be effective upon adoption of the updated transportation plan, allowing the future land use to be modeled and planned for.

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

Response: Satisfied. The properties are relatively flat with gentle slope, conducive to the proposed designations.

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

Response: Satisfied. The properties are not located within the flood hazard, historic district, or medical overlay zones. The proposal would amend the designations of the Zoning Transitions Overlay District consistent with the Comprehensive Plan map designations. The properties can be developed in accordance with the standards of the overlay district.

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.

Response: Satisfied. These are not changes from rural to urban zoning, but rather, changes from one urban zoning district to another, which are served or can be served with urban services. The timing allows for the public facilities plans updates to model and address, as needed, future land use based on the overlay zone changes. The changes have the effect of providing for efficient utilization of buildable lands within the UGB that reduces the extent for greater UGB expansion that would require further urban service extensions. Other lands in similar zoning districts can also be utilized with efficient provision of urban services.

VI. RECOMMENDATION:

It is recommended that the Urban Area Planning Commission recommend that City Council **APPROVE** the proposed amendments to the Comprehensive Plan Map and the Zoning Transition Overlay District Map.

VII. PLANNING COMMISSION ACTION:

A. Positive Action: Recommend approval of the request:

1. as submitted.
2. as modified by the Planning Commission (list):

B. Negative Action: Recommend denial of the request for the following reasons (list):

C. Postponement: Continue item

1. indefinitely.
2. to a time certain.

NOTE: The application is not subject to the 120 day requirement per ORS 227.178.

VIII. INDEX TO EXHIBITS:

1. Project Narrative and Map of Proposed Amendments
2. Information about the Zoning Transition Overlay District

Corrections to Comprehensive Plan Map and Zoning Transition Overlay District Map

Purpose:

In December 2014, new Zoning Transition Overlay Zone code provisions were adopted and a corresponding Overlay Zone map was adopted. One parcel and part of another parcel (already split-zoned) were inadvertently omitted from the comprehensive plan map amendments and the overlay zone map amendments adopted in December 2014. Therefore, these parcels are now small islands without the intended overlay zoning. The proposed amendment would extend the adjacent comprehensive plan map and overlay zone boundaries to include these parcels.

The criteria of Section 13.5.4 of the Comprehensive Plan for the Comprehensive Plan Map amendment are still applicable, and the applicable criteria are still satisfied, except that Subsection (h) applies rather than Subsection (b), because the plan as originally adopted was in error, as applies to those properties.

The criteria of Article 4 of the Development Code for the Zoning Transition Overlay District Map are still applicable, and the applicable criteria are satisfied.

Subject Properties:

Tax Lot 36-5-21-CC-4600, 1550 Carnahan Drive

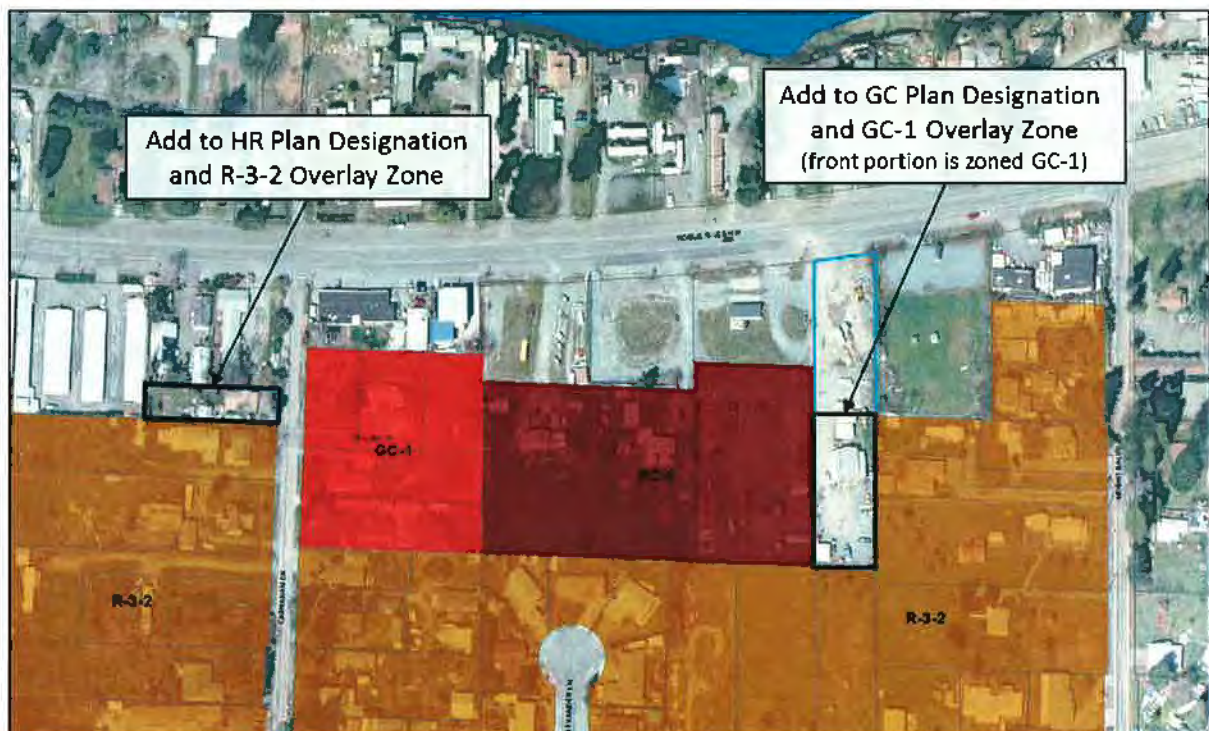
Current: MR Plan Designation, R-2 Zone

Proposed: HR Plan Designation, R-3-2 Overlay Zone

Tax Lot 36-5-21-CD-1900, 1935 Rogue River Highway

Current: Split GC/LR Plan Designation, Split GC-1/R-1-10 Zone

Proposed: North Half: No change. South Half: GC Plan Designation, GC-1 Overlay Zone



Additional Corrections:

Additional corrections for two additional properties are proposed as shown in the maps below. These properties had split map designations.

Subject Properties:

Tax Lot 36-6-13-AC-1800, 2064 Upper River Road

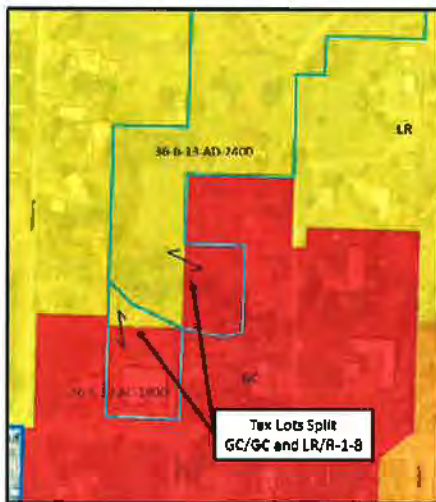
Current: Split GC/LR Plan Designation, Split GC/R-1-8 Base Zone, (No Overlay Zone)

Proposed: South Part: No change. North Part: GC Plan Designation, GC Overlay Zone, (Will Retain R-1-8 Base Zone in Interim)

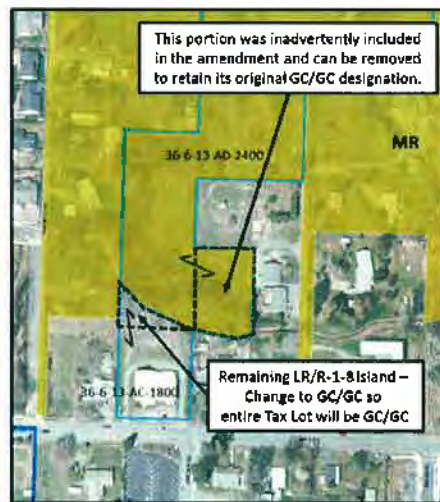
Tax Lot 36-6-13-AD-2400, 2028 SW 'G' Street

Current: MR Plan Designation, Split GC/R-1-8 Base Zone, R-2 Overlay Zone

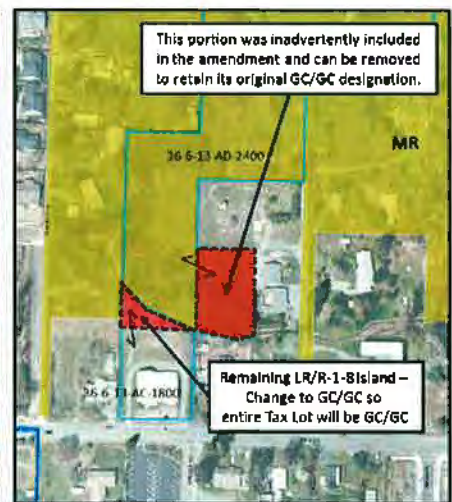
Proposed: North and West Part: No change (MR Plan Designation, R-1-8 Base Zone, R-2 Overlay Zone). East part: Change back to GC Plan Designation, GC Base Zone, (No Overlay Zone)



Comprehensive Plan Map Before



Comprehensive Plan Map Change and Zoning Transition Overlay District



Comprehensive Plan Map Change and Zoning Transition Overlay District

Urban Growth Management Planning

- Comprehensive Plan & Zoning Map Amendments in Current UGB -

As part of the growth management planning for the next 20 years, the work includes amendments to the Comprehensive Plan Map and Zoning Map for lands inside the current Urban Growth Boundary (UGB) to allow for greater use of properties, better balancing land use for the community as a whole. This item only applies to lands within the current UGB, not to properties outside the current UGB. This would amend the Comprehensive Plan Map and Zoning Map for approximately 591 tax lots totaling approximately 450 acres.

To comply with requirements of state law (the 'Transportation Planning Rule'), the map amendments will be implemented in two phases.

1. First Phase (Effective Upon Adoption).

- The Comprehensive Plan Map Designations will be amended at this time. (The Comprehensive Plan map is a more general map that guides zoning. Zoning must be consistent with the Comprehensive Plan).
- The subject properties will keep their current zoning and can still be used and developed in accordance with the current zoning and standards. In addition, an overlay zone will be created that provides additional options for the subject properties to develop in accordance with the new overlay zoning, subject to the following.
- If the traffic generation of a proposed use or development permitted by the new zoning would exceed the traffic generation that could occur under the current zoning, the applicant would need to conduct the same type of traffic analysis that would be required for the Comprehensive Plan Map Amendment and provide the same type of mitigation. Typically, traffic analysis and mitigation for a permitted use is based on 'opening day' of the use. Typically, traffic analysis and mitigation for a Comprehensive Plan Amendment must be based on 20-year future conditions.

2. Second Phase (Effective in Approximately 18 Months to 2 Years)

- As part of the growth management planning for the next 20-years, the Transportation System Plan (TSP) will be updated based on the land use planning. The plan will identify necessary transportation projects for the planning period based on future land use assumptions. That work may take between 18 months and 2 years, but could be completed in a shorter or longer time. Once the TSP has been adopted, the overlay zoning will become the new zoning for the subject properties, and the old zoning will be phased out.

Some changes will result in some different permitted uses and development standards. For example, a change from residential to commercial zoning could allow commercial use and development, but could limit some new residential uses if they aren't provided together with commercial use. Some of the changes won't affect development standards such as building height or setbacks; however, some changes will affect development standards. Typically, they will allow greater use of the property (e.g. reduced setback requirements, taller height limits). If there are changes that affect permitted uses, existing uses and development which continue remain 'grandfathered'.

- The traffic analysis that would be required after adoption of the TSP for the use and development permitted by the new zoning would only require 'opening day' traffic analysis and mitigation.

URBAN AREA PLANNING COMMISSION

MEETING MINUTES

May 13, 2015 – 6:00 P.M.

Council Chambers

1. ROLL CALL:

The Urban Area Planning Commission met in regular session on the above date with Chair Gerard Fitzgerald presiding. Vice Chair Jim Coulter and Commissioners Lois MacMillan, Loree Arthur, Blair McIntire, David Kellenbeck, and Dan McVay were present. There was one vacant position. Also present and representing the City was Parks & Community Development (hereafter: PCD) Director Lora Glover, Senior Planner Tom Schauer, Associate Planner Justin Gindlesperger, and Public Works Director Terry Haugen.

2. ITEMS FROM THE PUBLIC: None

3. CONSENT AGENDA:

- a. **MINUTES:** April 22, 2015
- b. **FINDINGS OF FACT:** 15-40200001 – Allcare Development, LLC Comprehensive Plan Map Amendment, Zoning Map Amendment, and Development Agreement.

MOTION/VOTE

Commissioner MacMillan moved and Commissioner Kellenbeck seconded the motion to approve the consent agenda as presented. The vote resulted as follows: "AYES": Chair Fitzgerald, Vice Chair Coulter and Commissioners MacMillan, Arthur, Kellenbeck, McVay, and McIntire. "NAYS": None. Abstain: None. Absent: None. The motion passed.

4. PUBLIC HEARINGS:

- b. **15-40500001 – Element 10 (Public Facilities) Comprehensive Plan Amendment**

Chair Fitzgerald stated, at this time I will open the public hearing to consider Application 15-40500001 the Element 10 (Public Facilities) Comprehensive Plan Amendment. We will begin the hearing with a staff report followed by a public comment and then the matter will be discussed and acted upon by the Commission. Objections to the jurisdiction - is there anyone

MOTION/VOTE

~~Commissioner MacMillan moved and Commissioner Kellenbeck seconded the motion to recommend City Council approve the major site plan review with the condition of adding the 5 years for phasing. The vote resulted as follows: "AYES": Chair Fitzgerald, Vice Chair Coulter and Commissioners MacMillan, Arthur, Kellenbeck, McVay, and McIntire. "NAYS": None. Abstain: None. Absent: None. The motion passed.~~

c. 15-40200002 – City of Grants Pass 2015 Map Amendments

Chair Fitzgerald stated, at this time I will open the public hearing to consider Application 15-40200002 the City of Grants Pass 2015 Map Amendments. Is there anyone present who wishes to challenge the authority of the Commission to consider this matter? Seeing none do any Commissioners wish to abstain from participating in this hearing or declare a potential conflict of interest? Seeing none are there any Commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding this application? Seeing none in this hearing the decision of the Commission will be based on specific criteria which are set forth in the development code. All testimony which apply in this case are noted in the staff report. If you would like a copy of the staff report please let us know and we will try and get you one. It is important to remember if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue you'll not be able to appeal to the Land Use Board of Appeals based on that issue. The hearing will now proceed with a report from staff.

Senior Planner Schauer stated, this is some map corrections to the comprehensive plan map and also in December of last year as part of the urban growth management work we also adopted what is called a zoning transition overlay map and so this will make amendments to that map as well. This map is part of that work. The comprehensive plan map was changed for quite a few properties. I think it was somewhere between 300-400 and some were a number of acres. As part of that we had a few properties that had split zoning and we had a couple small areas we intended to change or we changed and shouldn't have. These are minor to be corrected. We have a couple up on the northwest side of town that are split zoned properties noted here where we ended up with a little island where the plan designation was not changed and should've been changed. Properties with split zoning some were changed for only a portion of the property or the whole property in error. Out on Rogue River Hwy –

Commissioner Arthur asked, could you identify them a little more? They are too small to see.

Senior Planner Schauer stated, yes. Right near G Street and Upper River Road right across from Lincoln Road there is some property there. The frontage along the road is commercial and the rear part of the property the comprehensive plan map was changed from low to moderate density and we left a fragment in here that was low density so it left an island. On this piece, the little line with the end pieces, those are intended to show properties that are part of the same parcel. That one was commercial here and when we changed the rest of this irregularly shaped large parcel we changed it for the whole parcel. We should've left that commercial piece in tact as it was and so we are proposing to put that one back to the way it was. On this lot we need to change that sliver so the whole parcel is zoned commercial. Out on Rogue River Hwy, this is Carnahan here, there was a change for a large area here and we inadvertently left out one area leaving it with the only lot in there moderate density between the existing areas. This parcel was split zoned and we left a portion of that low density. We want to correct that and basically bring that whole parcel into commercial zoning.

This is subject to quasi-judicial hearing guidelines. To explain that, usually when we're processing an application that is permitted under the code that will be quasi-judicial. If we're changing the text of the code or the comprehensive plan that is always going to be legislative. When we're looking at map amendments it depends. If we're doing a very large area amendment those are typically legislative, but if we're looking at a small area or a small number of properties those would fall under quasi-judicial so we would error on the side of quasi-judicial review. The criteria for the comprehensive plan map amendment is found in 13.54 of the comprehensive plan. The criteria for the zoning map amendment, and this is what is called a zoning transition overlay that was newly created, is Section 4.033 of the development code. Again, the zoning transition overlay is something we created that would allow us to do this interim step of changing the comprehensive plan, putting in the zoning that would still keep the underlying zoning in place, but give the applicants or property owners the option of using the more intensive zoning until we get our transportation plan updated. Otherwise we are looking at a traffic impact analysis for all of these changes that would predate what we are going to do with our transportation plan. Once that plan is adopted this overlay zone becomes the regular zoning of the property. Most of that was completed in December. This is just trying to correct a few of those gaps we ended up with. We are recommending approval of these amendments to Council. As I mentioned, these are corrections so we don't end up with those spot-zoned

properties. No specific cost implications associated with these amendments are identified. There are a range of alternatives but we recommend you recommend approval to City Council as presented. While we are processing this quasi-judicial because it affects the comprehensive plan map it is not subject to the 120-day requirement. We sent notices out. Before we submitted the formal application we sent letters to the affected properties explaining what was proposed and why. We had one property the letter was returned on. It was a commercial owner from out of state, I believe. We are required to send notification to the address on file with the assessor's office but that came back. Otherwise we provided notice to the owners of surrounding properties and in the newspaper. That is all I have for you unless you have questions for me.

Chair Fitzgerald asked, are there any questions?

Commissioner Arthur asked, did our other favorite split zone get unsplit? Are these the only ones?

Chair Fitzgerald asked, are you talking about Bayless?

Commissioner Arthur stated, yes.

Chair Fitzgerald stated, I believe he is going to be in the urban growth boundary inclusion portion of that new part.

Senior Planner Schauer stated, it is not changed yet. All those properties that came into the urban growth boundary we changed the comprehensive plan map designation to urban but they still all retain rural zoning on those portions that were rurally zoned. Until we complete these infrastructure plan updates that would be the soonest we could look at rezoning those. For that parcel the part that was in the UGB before is still urban and the part that was out is still zoned RR5. It was previously split by the UGB and now the entire parcel is in the UGB.

Commissioner Kellenbeck asked, so are we doing legislative or quasi-judicial?

Senior Planner Schauer stated, quasi-judicial. The decision will be the same but the procedures are under quasi-judicial so if someone requested a continuance you'd be required to grant it and those types of things. It is still a recommendation to City Council.

Chair Fitzgerald stated, it is peculiar to have it quasi-judicial and have a recommendation. It seems like a contradiction of terms.

Senior Planner Schauer stated, any time we're looking at a one property map amendment usually those will be processed quasi-judicial.

MOTION/VOTE

Commissioner Kellenbeck moved and Commissioner MacMillan seconded the motion to recommend City Council approve the proposed amendments to the comprehensive plan map and the zoning transition overlay district map. The vote resulted as follows:

"AYES": Chair Fitzgerald, Vice Chair Coulter and Commissioners MacMillan, Arthur, Kellenbeck, McVay, and McIntire. "NAYS": None. Abstain: None. Absent: None.

The motion passed.

5. CITIZEN INVOLVEMENT COMMITTEE: None

a. Items from the Public

Commissioner Arthur stated, when we went to the training they brought up about all the wonderful citizen involvement committees we have and the yearly report you're supposed to give to the board.

Chair Fitzgerald stated, there has never been anyone here.

Commissioner Arthur asked, do we have to meet that requirement somehow?

Chair Fitzgerald stated, we don't have anybody so we can just tell them zero.

Senior Planner Schauer stated, I think one of the things that happens whether it's formal or informal is there is language in some of the State law that says your public involvement program should be appropriate to the type of work you are undertaking. For the types of applications you



Comprehensive Plan Amendment

15-40200002. Map Corrections

Urban Area Planning Commission Hearing
May 13, 2015

Tom Schauer, Senior Planner
Parks & Community Development Department



Subject and Summary

- Corrections to Comp. Plan Map & Zoning Transition Overlay Map adopted in December 2014

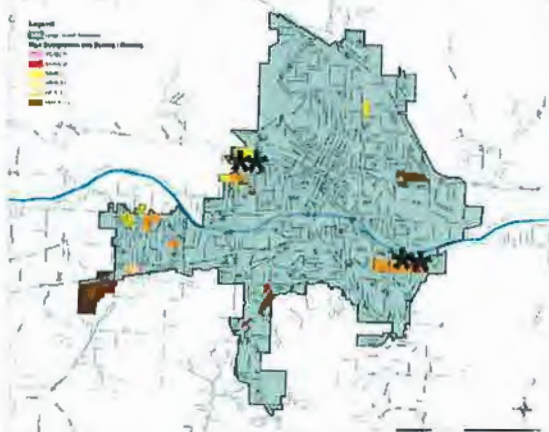


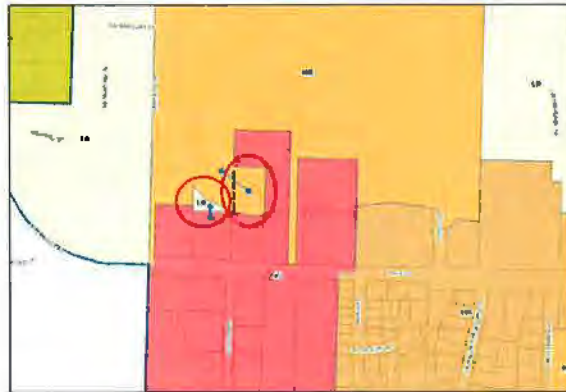
EXHIBIT 7
Comprehensive Plan Map
and Zoning Map
Amendments / Overlay
September 12, 2014





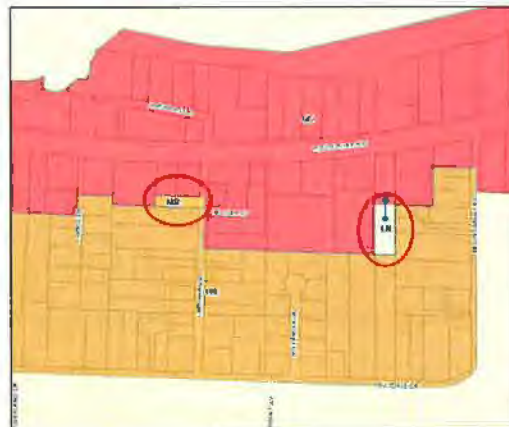
Subject and Summary

- Corrections to Comp. Plan Map & Zoning Transition Overlay Map adopted in December 2014



Subject and Summary

- Corrections to Comp. Plan Map & Zoning Transition Overlay Map adopted in December 2014





Subject and Summary

Procedures:

- Quasi-Judicial Hearing Guidelines (GPDC Article 8)

Criteria:

- Comp. Plan Map: 13.5.4 of Comprehensive Plan
- Zoning Transition Overlay Map: 4.033 of Development Code

Recommendation:

- Recommend approval of the amendments to City Council

Relationship to Council Goals:

- Facilitate Sustainable, Manageable Growth



Background

- The proposed amendments provide minor corrections to the Comprehensive Plan and Zoning Transition Overlay Map amendments adopted in December 2014.





Cost Implication

- No specific cost implications identified



Call to Action

Alternatives

- Recommend approval as presented
- Recommend approval as modified by the UAPC
- Recommend denial

Decision Deadline

- This includes an amendment to the Comprehensive Plan map and is not subject to the 120-day requirement





Conclusion

- Clarifying Questions for Staff?
- Public Testimony
- Close Hearing
- Deliberation and Recommendation



The Council of the City of Grants Pass met in regular session on the above date with Mayor Fowler presiding. The following Councilors were present: DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker. Also present and representing the City were City Manager Cubic, City Attorney Bartholomew, Assistant City Manager Reeves, Finance Director Meredith, Public Safety Director Landis, Senior Planner Schauer, Public Works Director Haugen, and City Recorder Frerk. Absent: Councilor Morgan, Councilor Roler, Parks & Community Development Director Glover.

Mayor Fowler opened the meeting and Councilor Gatlin led the invocation followed by the Pledge of Allegiance.

Proclamations: Fireworks Safety Week

1. PUBLIC COMMENT:

2. PUBLIC HEARING:

Quasi-judicial Hearing

- a. Ordinance amending the Comprehensive Plan Map and Zoning Transition Overlay District Map.

Councilor DeYoung moved and Councilor Hannum seconded to continue the hearing and the vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker. "Nays": None. Abstain: None. Absent: Morgan and Roler. Continued hearing to July 15, 2015.

Legislative Hearing

- b. Ordinance adopting Addendum 1 to the Public Facilities Element of the Comprehensive Plan.

Councilor DeYoung moved and Councilor Hannum seconded to continue the hearing and the vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker. "Nays": None. Abstain: None. Absent: Morgan and Roler. Continued hearing to July 15, 2015.

3. CONSENT AGENDA: (Items included are of such routine nature or without controversy so that they may be approved with a single action).

- a. Resolution authorizing the City Manager to enter into a contract for the Morrison/Reinhart Pedestrian Paths; Project No. LB6190.

RESOLUTION NO. 15-6337

The Council of the City of Grants Pass met in regular session on the above date with Mayor Fowler presiding. The following Councilors were present: DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker, Roler. Also present and representing the City were City Manager Cubic, City Attorney Bartholomew, Finance Director Meredith, Public Safety Director Landis, Parks & Community Development Director Glover, Senior Planner Schauer, Public Works Director Haugen, and City Recorder Frerk. Absent: Councilor Morgan and Assistant City Manager Reeves.

Mayor Fowler opened the meeting and Councilor Gatlin led the invocation followed by the Pledge of Allegiance.

Swearing in Police Officers Jason McGinnis and Shane Corley

1. PUBLIC COMMENT:

2. PUBLIC HEARING:

Item 4a moved to beginning of hearing.

Quasi-judicial Hearing

- a. Ordinance amending the Comprehensive Plan Map and Zoning Transition Overlay District Map.

ORDINANCE NO. 15-5651

Councilor Riker moved that the ordinance be read for the first reading, title only. The motion was seconded by Councilor Lindsay. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler. "Nays": None. Abstain: None. Absent: Morgan. The motion passed. The ordinance is read.

Councilor Gatlin moved that the ordinance be read by title only, second reading. The motion was seconded by Councilor Riker. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler. "Nays": None. Abstain: None. Absent: Morgan. The motion passed. The ordinance is read.

Councilor Lindsay moved that the ordinance be adopted. The motion was seconded by Councilor Hannum. Mayor Fowler asked if the ordinance should be adopted, signified by roll call vote as follows: DeYoung – yes, Gatlin – yes, Goodwin – yes, Hannum – yes, Lindsay – yes, Morgan – absent, Riker – yes, Roler – yes. The ordinance was adopted.

Legislative Hearing

b. Ordinance adopting Addendum 1 to the Public Facilities Element of the Comprehensive Plan.

Councilor Lindsay moved that the ordinance be read for the first reading, title only. The motion was seconded by Councilor Gatlin. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler. "Nays": None. Abstain: None. Absent: Morgan. The motion passed. The ordinance is read.

Councilor Riker moved that the ordinance be read for the second reading, title only. The motion was seconded by Councilor DeYoung. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Lindsay, Riker and Roler. "Nays": None. Abstain: Hannum. Absent: Morgan.

Continued hearing to August 5, 2015.

c. Ordinance vacating the common property lines between Tax Lots 1200 and 1300 of Map Number 36-06-24-DB.

ORDINANCE 15-5652

Councilor Riker moved that the ordinance be read for the first reading, title only. The motion was seconded by Councilor Hannum. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler. "Nays": None. Abstain: None. Absent: Morgan. The motion passed. The ordinance is read.

Councilor Lindsay moved that the ordinance be read by title only, second reading. The motion was seconded by Councilor Riker. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler. "Nays": None. Abstain: None. Absent: Morgan. The motion passed. The ordinance is read.

Councilor Gatlin moved that the ordinance be adopted. The motion was seconded by Councilor Lindsay. Mayor Fowler asked if the ordinance should be adopted, signified by roll call vote as follows: DeYoung – yes, Gatlin – yes, Goodwin – yes, Hannum – yes, Lindsay – yes, Morgan – absent, Riker – yes, Roler – yes. The ordinance was adopted.

d. Ordinance rescinding the vacation of the cul-de-sac bulb (Ordinance No. 5570) on Industry Drive adjacent to TL 105, Assessor's Map 36-05-21-A0.

ORDINANCE 15-5653

Councilor Lindsay moved that the ordinance be read for the first reading, title only. The motion was seconded by Councilor Hannum. The vote resulted as follows: "Ayes": DeYoung, Gatlin, Goodwin, Hannum, Lindsay, Riker and Roler. "Nays": None. Abstain: None. Absent: Morgan. The motion passed. The ordinance is read.

Councilor Lindsay moved that the ordinance be read by title only, second reading.



Comprehensive Plan Amendment

15-40200002. Map Corrections

City Council Public Hearing
July 15, 2015

Tom Schauer, Senior Planner
Parks & Community Development Department



EXHIBIT
C
7/15/15



Subject and Summary

- **Corrections to Comp. Plan Map & Zoning Transition Overlay Map adopted in December 2014**

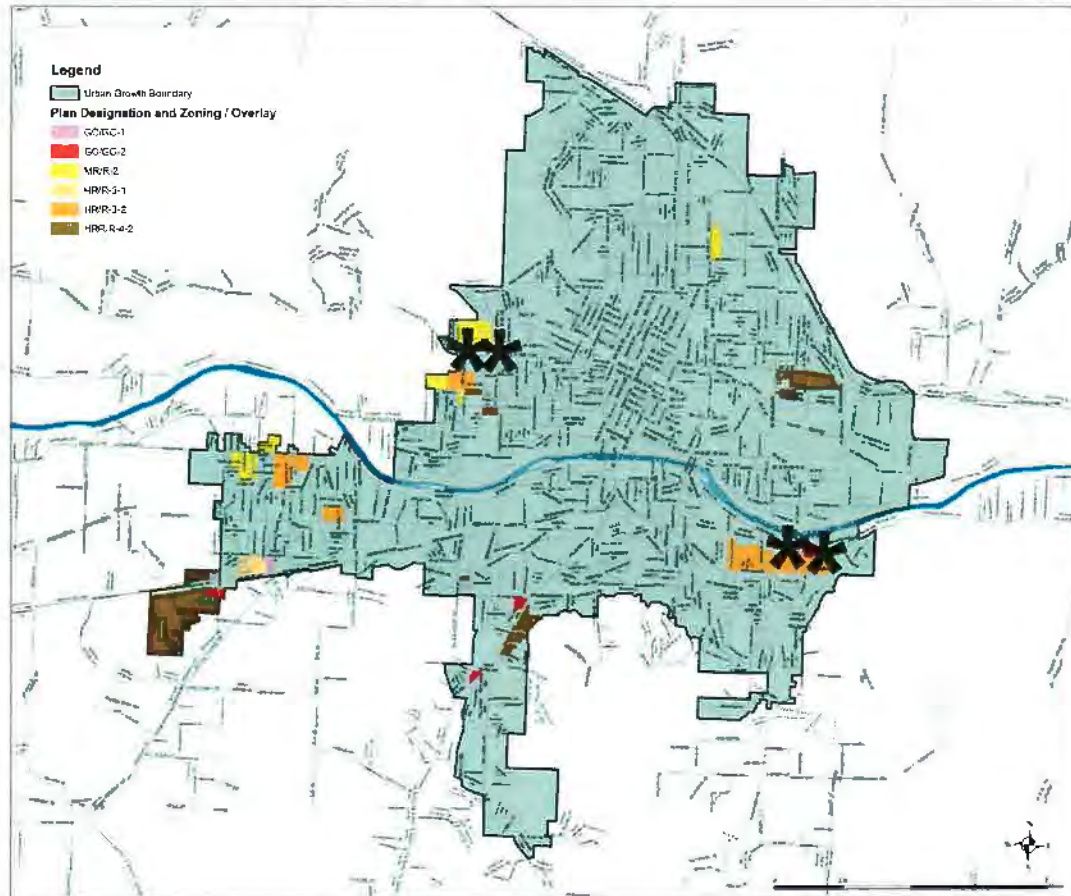


EXHIBIT 7
Comprehensive Plan Map
and Zoning Map
Amendments / Overlay

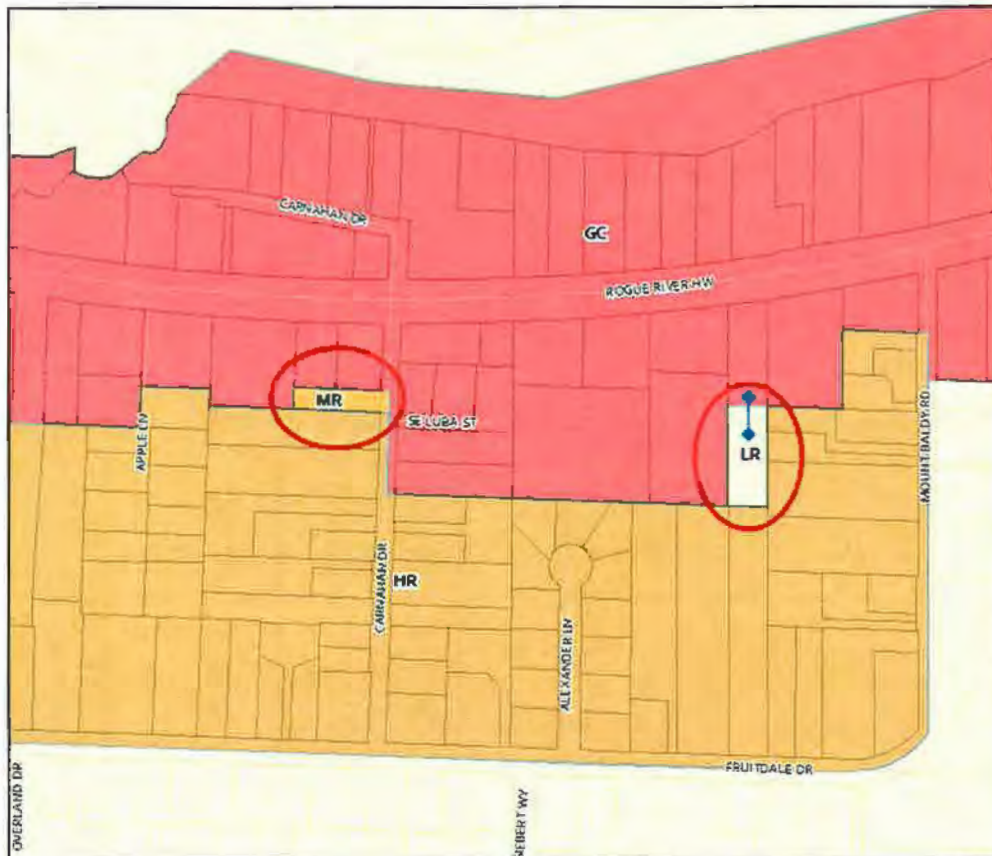
November 12, 2014





Subject and Summary

- Corrections to Comp. Plan Map & Zoning Transition Overlay Map adopted in December 2014



HR/(R-2)/R-3-2

GC/(R-1-10)/GC-1





Subject and Summary

Procedures:

- Quasi-Judicial Hearing Guidelines (GPDC Article 8)

Criteria:

- Comp. Plan Map: 13.5.4 of Comprehensive Plan
- Zoning Transition Overlay Map: 4.033 of Development Code

Recommendation:

- Approve the amendments as recommended by the Planning Commission

Relationship to Council Goals:

- Facilitate Sustainable, Manageable Growth





Background

- The proposed amendments provide minor corrections to the Comprehensive Plan and Zoning Transition Overlay Map amendments adopted in December 2014.





Cost Implication

- No specific cost implications identified





Call to Action

Alternatives

- Approve as recommended/presented in ordinance
- Approve with modifications
- Deny

Decision Deadline

- This includes an amendment to the Comprehensive Plan map and is not subject to the 120-day requirement





Conclusion

- Clarifying Questions for Staff?
- Public Testimony
- Close Hearing
- Deliberation and Recommendation

