



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



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

Date: April 29, 2016
Jurisdiction: City of Grants Pass
Local file no.: 405-00005-15
DLCD file no.: 002-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/26/2016. 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.: 002-16 {24214}
Received: 4/26/2016

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.: **405-00005-15**

Date of adoption: 4/6/16

Date sent: 4/26/2016

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): 12/23/15

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): Joe Slaughter, Senior Planner

Phone: 541-450-6061

E-mail: jslaughter@grantspassoregon.gov

Street address: 101 NW 'A' Street

City: Grants Pass

Zip: 97526-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

Article 13: Special Purpose Districts
Article 18: PUD & Alternative Development Options

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, Slope Hazard District

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. 16-5675

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING ARTICLE 13 AND ARTICLE 18 REGARDING DEVELOPMENT IN THE STEEP SLOPE HAZARD DISTRICT.

WHEREAS:

1. The Grants Pass and Urbanizing Area Comprehensive Community Development Plan was adopted December 15, 1982; and
2. The ordinance amends Article 13 regarding the Slope Hazard District and also amends Article 18 regarding Planned Unit Development; 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 13: Clarifying that the Slope Hazard District includes all properties, or portions of properties that have slopes exceeding 15%; requiring existing lots and parcels within the Slope Hazard District to provide a Steep Slope Development Report if one was not provided when the lot or parcel was created; reorganizing Section 13.140(5) to clarify the requirements for erosion control measures; and completing general housekeeping of Article 13 to ensure the formatting is consistent throughout the Development Code, and the amendment to Article 18: Clarifying that a PUD in the Slope Hazard District, like subdivisions and land partitions, must meet the Slope Hazard District requirements of Article 13 as set forth in Exhibit "A" is hereby adopted.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 6th day April, 2016, with the following specific roll call vote:

AYES: Bouteller, DeYoung, Goodwin, Hannum, Lindsay, Lovelace, Riker, Roler.

NAYS: None

ABSTAIN: None

ABSENT: None

SUBMITTED to and approved by the Mayor of the City of Grants Pass, Oregon, this 11 day of April, 2016.

Darin Fowler, Mayor

ATTEST:

Karen Frerk, City Recorder

Date submitted to Mayor: 4/8/16

Approved as to Form, Mark Bartholomew, City Attorney

Exhibit A

~~*** These marks indicate missing text. Only the portions of the Development Code that were changed by the adopted Development Code Text amendment are included in the following text. The *** marks show where unchanged portions of text were left out.~~

Article 13: Special Purpose Districts

¹13.010 Purpose

The special purpose districts are intended to accommodate development within areas with specific natural, historical, or locational features. The standards herein are intended to mitigate natural hazards, to protect natural or historical features, and/or to mitigate land use conflicts. The special district standards apply in addition to the standards of the underlying zoning district.

²13.020 General Provisions

The Special Purpose Districts shall encompass land areas that:

- (1) Have slopes exceeding 15%;
- (2) Are located within the boundaries of the 100 year flood plain;
- (3) Are located in proximity to hospitals and that are appropriate for medical uses; or
- (4) Are recognized as historically significant.

³13.025 Special Purpose District Overlay Map. There shall be an overlay map to the Zoning Map that depicts boundaries of the Flood Hazard District, the Medical Overlay District, and the Historic District . These maps are incorporated into this Section by reference. The special purpose district maps may be amended as provided in Article 4 of this Code. The maps are general in nature. There is no adopted overlay map for the Slope Hazard District. Staff will use topographic data to assist in identifying areas where slope likely exceeds 15%. The applicant for a development shall verify the grades on lands or portions of lands that are the subject of any specific application.

13.100 Slope Hazard District

^{4,30}13.110 Purpose. The purpose of the Slope Hazard District is to designate and provide standards within the hillside of Grants Pass to allow for reasonable development while balancing issues such as tree removal and replacement, soil stability, erosion control, storm water runoff, grading, wildland interface areas and general aesthetics. It is recognized the hillsides are sensitive areas that require a distinct

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set of regulations. The following guidelines are established in order to development in the slope hazard area.

13.111 Applicable Areas. A slope hazard area contains slopes of at least fifteen 15% . Slope hazards shall be divided in two classes of slope steepness as follows:

- (1) Class A, 15% to 25%
- (2) Class B, greater than 25%

13.120 Submittal Requirements for Development of Partitions, Subdivisions and Planned Unit Developments

The applicant shall meet the submittal requirements of the request (see Section 17.311 for Partition submittal; see Section 17.411 for Subdivision submittal; see Section 18.050 for Planned Unit Development Preliminary Plan submittal) in addition to the submittal requirements below:

13.121 Plans and Reports

The following plans and reports shall be submitted with the land use application: Reports for Class A Slopes shall be submitted and stamped by an engineer licensed to practice by the State of Oregon. Reports for Class B slopes shall be submitted and stamped by a Geo-Technical Engineer or Certified Engineering Geologist.

- (1) Steep Slope Development Report. A written and illustrated report containing all of the following information:
 - (a) Soils Analysis. The analysis shall include data regarding the nature, distribution and properties of existing soils, techniques grading and erosion control procedures, design criteria for corrective measures, and information covering the capacity of the sites to be developed in a manner imposing the minimum variance from the natural condition. Data and recommendations from the Soil Survey of Josephine County, Oregon may be included in the analysis.
 - (b) Geology Analysis. The analysis shall include a description of the geology of the site, information regarding the effect of geologic conditions on the proposed development, and how to best develop the sites being reviewed. Data and recommendations from the Soil Survey of Josephine County, Oregon may be included in the analysis.

- (c) Hydrology Analysis. The analysis shall include a description of the hydrology of the site and surrounding area, including movement of soil moisture, groundwater (subsurface), surface flow and the drainage network of the site before and after construction and guidelines on how to properly handle existing and new surface/underground water if the development proceeds.
- (2) Grading and Erosion Control Plans. A plan shall be stamped by an Oregon licensed Engineer or Certified Engineering Geologist and shall include all of the following:
 - (a) Existing and proposed contours.
 - (b) Details of site and area drainage for proposed lots including elevations of proposed house pads, driveways, adjacent lots and streets.
 - (c) Direction of surface drainage flow and the approximate grade of drainage ways.
 - (d) Limiting dimensions, elevations, or finish contours to be achieved by the grading, including per cent grades for all cut and fill slopes, proposed drainage ways and related construction.
 - (e) Type of erosion control measures to be established prior to grading, during construction and post construction.

13.130 Submittal requirements for a Building Permit on an Existing Lot or Parcel

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- (1) A Steep Slope Development Report. The report shall contain the information required in Section 13.121(1). The Steep Slope Development Report is not required if the lot or parcel was included in a Steep Slope Development Report at the time of subdivision, land partition, or PUD approval.
- (2) Grading and Erosion Control Plans. The plan stamped by an Oregon licensed Engineer or Certified Engineering Geologist and shall include all of the following:
 - (a) Existing and proposed contours.
 - (b) Details of site and area drainage for proposed lots including elevations of proposed house pads, driveways, adjacent lots and streets.

- (c) Direction of surface drainage flow and the approximate grade of drainage ways.
 - (d) Limiting dimensions, elevations, or finish contours to be achieved by the grading, including percent grades for all cut and fill slopes, proposed drainage ways and related construction.
 - (e) Type of erosion control measures to be established prior to grading, during construction and post construction.
- (3) Retention Plan.
- (a) Location of existing trees or groups of trees to be removed or retained.
 - (b) If trees are retained, indication of how the tree or group of trees will be protected out to the drip line.
 - (c) A tree planting plan identifying general locations of where new trees will be planted. The plan shall include the number, height, caliper, and species of trees to be planted. The plan shall identify the vision clearance area at driveways and street intersections.

13.140 General Provisions for construction in the Steep Slope Hazard Area.

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- (1) Tree Removal. The removal of trees in areas proposed to be impacted by new roadways or other infrastructure shall occur first. Trees located within proposed lots shall be protected during construction and remain until the construction of the home to the extent possible.
- (2) Front Yard Setback. The front yard setback for the new home can be reduced to ten (10) feet. Typically, the entrance for the garage/carport shall remain at the required twenty (20) foot setback. However, the minimum setback for a side-loaded garage may be reduced to ten (10) feet.
- (3) Timeframe for Construction. All construction work disturbing the soil or affecting the natural drainage and runoff shall be scheduled to begin not earlier than April 15 and shall terminate not later than October 15. The Director may extend starting and completion dates by no more than thirty (30) days based on the weather conditions prevailing at the time of the extension.
- (4) Retaining Walls. No cuts or fills may include retaining walls greater than 15 feet in height in a single wall from the finish grade or create any unretained slopes which are greater than 100%. No filling may result in a retaining wall within the required setback from a property not included in

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the development plan greater than 6 feet in height from the finish grade or create any slopes which are greater than 100%. Retaining walls shall also comply with the applicable standards of Article 23 of this Code.

(5) Erosion Control Measures.

- (a) All construction work shall be planned to minimize the amount of time the soil is exposed and unprotected. All access points shall be protected with gravel or crushed rock.
- (b) Erosion control measures, determined by the approved Grading and Erosion Control Plan, shall remain in place throughout the entire length of the construction.
- (c) Since construction must be stopped during the winter months, re-vegetation and temporary erosion control measures shall be put in place to protect the site, surrounding properties, streams and storm drain system from erosion through the winter months. Re-vegetation and all other temporary erosion control measures shall be fully in place and established by October 15 and shall be maintained after storms and at other regular intervals according to the approved plan. The City Engineer may mandate, based on adverse weather conditions, any reseeded installed after September 15 be installed in the form of a mat.

13.150 Appeals

Appeals to the interpretations of this Article shall be undertaken as provided in Section 10.030 of this Code.

13.332 Criteria for Approval.

- (2) Where the property abuts an underlying residential zone that is not within the overlay district, a type D-1 or D-2 buffer shall be provided in accordance with Section 23.034, Schedule 23-4. The review body may modify this requirement where an existing structure would not meet the required setbacks.

³³13.631 Expedited Industrial Site Plan Review, Eligibility.

- (1) An applicant for a new industrial use or the expansion of an existing industrial use located within a regionally significant industrial area may request that an application for a land use permit be reviewed as an application for an expedited industrial land use permit under this section if the proposed use does not require:
 - (a) An exception taken under ORS 197.732 (Goal Exceptions) to a statewide land use planning goal;
 - (b) A change to the acknowledged comprehensive plan or land use regulations of the local government within whose land use jurisdiction the new or expanded industrial use would occur; or
 - (c) A federal environmental impact statement under the National Environmental Policy Act.

If the applicant makes a request that complies with section 13.610, the local government shall review the applications for land use permits for the proposed industrial use by applying the standards and criteria that otherwise apply to the review and by using the procedures set forth for review of an expedited land division in ORS 197.365 (Application for Expedited Land Division) and ORS 197.370 (Failure of Local Government to Approve or Deny Application within Specified Time).

Article 18: Planned Unit Development (PUD) & Alternative Development Options

18.050 Submittal Requirements - Preliminary Plan

³18.051 **Preliminary Plan.** The Preliminary Plan shall contain the following information:

- (1) **Contour Map and Natural Features Map**
 - (a) Existing contour and natural features map at 2, 5, or 10 foot intervals, as appropriate, drainage, irrigation, 100 year flood plain (showing floodway channel and floodway fringe, as applicable) and other water courses; prominent landforms including slope description at the following intervals:
 - 0% - 15%
 - 35% - 60%
 - 60% +

- (b) If the property is located within the Slope Hazard District see Section 13.120 for additional submittal requirements.
 - (c) Existing vegetation, showing specific locations of riparian habitats, forest cover, and significant size trees.
 - (d) Significant size trees to be protected and remain during and after construction.
- (2) Buildings and Structures. Location and floor area, size of all existing and proposed structures, and other features including maximum heights, types of dwelling units, and non-residential structures; renderings and elevations of typical structures.
- (3) Public Areas. The location and approximate size of all areas to be dedicated for public ownership and use, including streets, parks and schools.
- (4) Open Space: Public, Private and Common. The location and size of all areas for use as outdoor open space. The map shall delineate limits of individually owned lots (private), patio-garden areas for individual unit use (private easement) and all remaining areas to be commonly owned and maintained (public and common).
- (5) Circulation - Access. The location, widths and material of all areas proposed for vehicle, pedestrian, and bicycle circulation. Statement as to private or public street ownership, and areas proposed for on-street parking, if any.
- (6) Off-Street Parking. Location and number of required parking spaces.
- (7) Utilities. Existing and proposed utility systems, including sanitary sewer, storm drains and storm water detention areas, water, fire hydrants, electricity, gas, telephone lines, and cable T.V. Any required public or private easements to be shown on Final Plan.
- (8) Landscape Plan. A general landscape plan indicating location and amounts of areas to be landscaped, and general landscape material to be used. A specific landscape plan shall be submitted for review and approval prior to issuance of a building permit.
- (9) Surrounding Land Use. Indicate the relationship between the proposed PUD and the existing and proposed adjacent land uses; provide information showing existing zoning and land and uses within a 250 foot radius from the PUD's perimeter.

- (10) PUD Perimeter Buffering. Show proposed treatment of the PUD perimeter, including screens, fences, setbacks, windows and walls.
- (11) Grading Plan. A tentative grading plan indicating cuts, fills, retaining walls and resulting slope steepness.
- (12) Phasing. If phased development is proposed, the Plan shall show the limits of each phase. Phasing shown on the Plan shall be consistent with the development schedule.
- (13) Statement of Proposed Financing. A general statement showing commitment of lenders or applicant's ability to finance the project through to completion.
- ⁴(14) Solar Standards. Documentation shall be provided indicating that the planned unit development either complies with Solar Setback requirements of Section 22.620 of this Code and the Solar Lot Design Standards of Section 22.630 of this Code, or that applicant proposes to vary these standards through the Planned Unit Development process.
- ⁵(15) The City Engineer may require a traffic analysis, as per Section 27.121(3), for any new development to determine the development's potential impact on the existing transportation system. At a minimum, the impact of development on transportation facility performance shall be mitigated to the standards set forth in Section 27.121(2).

**CITY OF GRANTS PASS
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**DEVELOPMENT CODE TEXT AMENDMENT
SLOPE HAZARD DISTRICT
ARTICLE 13 ~ SPECIAL PURPOSE DISTRICTS
ARTICLE 18 ~ PUD & ALTERNATIVE DEVELOPMENT OPTIONS**

FINDINGS OF FACT – CITY COUNCIL DECISION

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00005-15
Project Type:	Development Code Text Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Joe Slaughter
Application Received:	December 30, 2015
Application Complete:	January 8, 2016
Date of Staff Report:	February 16, 2016
Date of UAPC Hearing:	February 24, 2016
Date of UAPC Findings:	February 24, 2016
Date of Council Staff Report:	March 29, 2016
Date of Council Hearing:	April 6, 2016
Date of City Council Findings:	April 20, 2016

I. PROPOSAL:

A Development Code Text Amendment

To Article 13:

- Clarifying that the Slope Hazard District includes all properties, or portions of properties that have slopes exceeding 15%;
- Requiring existing lots and parcels within the Slope Hazard District to provide a Steep Slope Development Report if one was not provided when the lot or parcel was created;
- Reorganizing Section 13.140(5) to clarify the requirements for erosion control measures; and
- Completing general housekeeping of Article 13 to insure the formatting is consistent throughout the Development Code.

To Article 18:

- Making clear that PUD development in the Slope Hazard District, like subdivisions and land partitions, must meet the Slope Hazard District requirements of Article 13.
(See Exhibit 'A' to Ordinance for final, adopted version)

II. AUTHORITY AND CRITERIA:

Section 4.102 of the City of Grants Pass Development Code provides that the Director, Planning Commission or City Council may initiate a text amendment. The amendment has been initiated by the Director.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorize the City Council to make a final decision on an application for a Development Code Text Amendment, pursuant to the requirements of a Type IV procedure.

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

III. APPEAL PROCEDURE:

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

IV. PROCEDURE:

- A. The application was received on December 30, 2015 and deemed complete on January 8, 2016. The application was processed in accordance with Section 2.062 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 January 10, 2016 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 January 10, 2016 in accordance with the 1998 Intergovernmental Agreement.
- D. Public notice of the February 24, 2016 Planning Commission public hearing was published in the newspaper on February 17, 2016 in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. The Planning Commission held a public hearing on February 24, 2016 to consider the proposal and make a recommendation to the City Council.
- F. Public notice of the proposal and the April 6, 2016 City Council public hearing was posted on March 30, 2016.
- G. The City Council held a public hearing on April 6, 2016 to consider the proposal and recommendation and make a decision. The vote on the first and second readings of the Ordinance were unanimous (8-0), in favor, and the ordinance was approved at the April 6, 2016 meeting.

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. Updated mark-up text for:
 - a. Sections 13.010-13.150,13.332 & 13.631
 - b. Sections 18.050-18.051
 - 2. Planning Commission Findings of Fact and the Attached Record
 - a. Planning Commission Staff Report and Exhibits
 - i. Mark-up Sections 13.010-13.150, 13.631, &18.050-18.051
 - b. Minutes of the February 24, 2016 Planning Commission Hearing
 - c. PowerPoint Presentation from February 24, 2016 Planning Commission Hearing
- B. The minutes of the public hearing held by the City Council on April 6, 2016, 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 April 6, 2016 public hearing is attached as Exhibit "C" and incorporated herein.

VI. GENERAL FINDINGS:

Article 13 – Special Purpose Districts – provides standards that facilitate development within areas with specific natural, historical, or locational features while helping to mitigate natural hazards, protect natural and historical features, and mitigate land use conflict. The Slope Hazard District is one of the Special Purpose Districts in Article 13. As currently written, the Development Code defines the Slope Hazard District as properties, or portions of properties, that contain slopes of at least 15% and depicted as Slope Hazard on the Special Purpose District Map. There is no adopted overlay map for the Slope Hazard District. Rather, staff uses available topographic information to determine areas where slopes likely exceed 15%. This portion of the proposed text amendment would cause the Development Code language to match existing procedures in the absence of an adopted Slope Hazard District overlay map.

To help mitigate hazards and negative effects associated with development, development within the Slope Hazard District requires a two-step process:

- 1. A Steep Slope Development Report; and
- 2. Grading and Erosion Control Plans

As the Development Code is currently written, only the grading and erosion control plans are required for building permits on existing lots and parcels. There is no consideration for whether a steep slope development report has been submitted for these existing lots

or parcels. In order to insure that hazards associated with steep slopes development have been adequately considered and addressed, it is important that a steep slopes development report is submitted and reviewed for all lots and parcels in the Slope Hazard District.

The remainder of the proposed changes to Article 13 can be described as housekeeping in nature. These changes are being made to insure that formatting is consistent throughout the Development Code.

The purposed text amendments also include a small change to Article 18 – Planned Unit Development (PUD) & Alternative Development Options. Subdivisions and land partitions that include properties in the Slope Hazard District are required to address the development standards of Article 13. It is not clear currently, whether PUD development is required to address those same standards. This portion of the purposed text amendment would make it clear that PUD development in the Slope Hazard District must meet all of the same standards.

VII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:

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

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

Response: Satisfied. The purpose of Article 13 – Special Purpose Districts – is to provide standards that facilitate development within areas with specific natural, historical, or locational features while helping to mitigate natural hazards, protect natural and historical features, and mitigate land use conflict. Without the proposed changes to Article 13 the Slope Hazard District will not function as intended to protect natural features and mitigate natural hazards. The purposed changes will cause the Slope Hazard District to be administered in a manner consistent with the stated purpose of Article 13. The purposed changes will also help to insure that the standards of the Slope Hazard District are uniformly applied to all types of development.

CRITERION 2: The proposed amendment is consistent with other provisions of this code.

Response: Satisfied. The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with other Special Purpose Districts. They will also insure that the standards of the Slope Hazard District are uniformly applied to all types of development.

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

Response: Satisfied. The proposed changes are consistent with Element 4– Environmental Resources Quality, Element 5–Natural Hazards, and Element 13–Land Use, of the Comprehensive Plan. Without the proposed changes to Article 13, the Slope

Hazard District will not function as intended to protect natural features and mitigate natural hazards. The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with the Comprehensive Plan. The proposed amendments will cause the standards of the Slope Hazard District to be applied uniformly to all types of development and will clear up any ambiguity concerning development in the Slope Hazard District.

Most Effective Alternative

The alternative to approving the proposal is to adopt a Slope Hazard District overlay map. The adoption of an up-to-date, official Slope Hazard District map is the best long-term course of action for defining and administering the Slope Hazard District. However, the creation and adoption of this map will take time. In the meantime the proposed text amendment will allow the City to continue to administer the Slope Hazard District in a manner consistent with the Comprehensive Plan and the Development Code in the absence of an adopted Slope Hazard District overlay map.

CRITERION 4: 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 amendment is not expected to affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

VIII. DECISION AND SUMMARY:

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

The vote was 8-0 with Councilors Bouteller, DeYoung, Goodwin, Hannum, Lindsay, Lovelace, Riker and Roler in favor.

IX. FINDINGS APPROVED AND DECISION ADOPTED BY THE GRANTS PASS CITY COUNCIL this 20th day of April, 2016.



Darin Fowler, Mayor

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