CITY OF GRANTS PASS
COUNCIL REVISED AGENDA
September 21, 2016
6 p.m. City Council Meeting
Council Chambers - 101 N.W. "A" Street

MAYOR: Darin Fowler

CITY COUNCIL MEMBERS:

Ward 1	***Ward 2***	***Ward 3***	***Ward 4***
Dan DeYoung	Valerie Lovelace	Ken Hannum	Vacant
Roy Lindsay	Rick Riker	Dennis Roler	Vacant

Invocation

Flag Salute

Roll Call

1. PUBLIC COMMENT This is a courtesy the Chair provides for citizens to address the Council regarding any item or issue that is not on tonight's agenda. The intent is to provide information that is pertinent to the City's jurisdiction. Each speaker will be given three minutes to address the Council as one body, not to individuals. Council may consider items brought up during this time later in our agenda during Matters from Mayor, Council and Staff.

   This meeting will proceed in an effective and courteous manner. Citizens and Council members will be allowed to state their positions in an atmosphere free from slander, threats, or other personal attacks. Signs or placards, outbursts of applause, campaigning for public office, or other disruptive behavior will not be tolerated.

   If you have a question regarding any government provided service or a current City policy, please contact the City Manager's office in an attempt to resolve the matter.

2. PUBLIC HEARINGS

Legislative

   a. Ordinance adopting Addendum 2 to the Public Facilities Element of the Comprehensive Plan. **Pgs. 1-62**

   b. Ordinance amending Articles 2, 10 and 19 of the Development Code. **Pgs. 63-212**

3. CONSENT AGENDA (Items included are of such routine nature or without controversy so that they may be approved with a single action).
   Indicates short Staff presentation and Council comment.

a. Resolution authorizing the City Manager to create an Accounts Payable Specialist position in the Finance Department and amend the Classification Plan. **Pgs. 213-218**

b. Resolution authorizing the closure of "D" Street between 6th and 7th Streets for the River Valley Fall Family Festival. **Pgs. 219-234**

c. Resolution authorizing the City Manager to enter into a contract for the Hefley Street Storm Drain, a local government improvement project; Project No. TR1050. **Pgs. 235-238**

d. Resolution authorizing the City Manager to execute Amendment 01 to an existing traffic signal maintenance agreement. **Pgs. 239-246**

e. Resolution authorizing the City Manager to adjust the salary schedules for non-bargaining employees. **Pgs. 247-254**

f. Motion approving the minutes of the City Council Meeting of September 7, 2016. **Pgs. 255-260**

g. Motion acknowledging the minutes of the Historical Buildings and Sites Commission meeting of May 19, 2016. **Pgs. 261-268**

h. Motion acknowledging the minutes of the Budget Committee meeting of May 3, 2016. **Pgs. 269-272**

i. Motion acknowledging the minutes of the Budget Committee meeting of May 10, 2016. **Pgs. 273-276**

j. Motion acknowledging the minutes of the Budget Committee meeting of May 12, 2016. **Pgs. 277-278**

k. Motion acknowledging the minutes of the Budget Committee meeting of May 17, 2016. **Pgs. 279-282**

l. Motion acknowledging the minutes of the Urban Tree Advisory Committee meeting of August 8, 2016. **Pgs. 283-284**

m. Motion acknowledging the minutes of the Parks Advisory Board meeting of August 11, 2016. **Pgs. 285-288**

4. <u>APPOINTMENTS</u>

a. Appoint four members to the Urban Tree Advisory Committee. **Pgs. 289-306**

5. MATTERS FROM MAYOR, COUNCIL AND STAFF

   a. Review Mayor/Council emails. None.

   b. Committee Liaison reports.

   c. Committee Motions. **Pgs. 307**

6. COUNCIL ACTION

   a. Motion allowing the sale and consumption of alcohol in association with the Art Along the Rogue event. **Pgs. 309-310**

7. EXECUTIVE SESSION 192.660 (2) (Executive session is held to discuss one of the following subjects: (a) Employment of Public Officers, (b) Dismissal or discipline of Public Officers/Employees, (c) Public Medical Staff, (d) Labor negotiations (news media not allowed without specific permission), (e) Real property transactions-negotiations, (f) To consider information or records that are exempt by law from public inspection, (h) With city attorney re: rights/duties, current-likely litigation, (i) Performance Evaluations of Public Officers, (j) Public Investments…)

   Yes
   (h) With city attorney re: rights/duties, current-likely litigation

8. ADJOURN

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate person with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations at least 48 business hours prior to the meeting. To request these arrangements, please contact Karen Frerk, City Recorder at (541) 450.6000.

Item: Ordinance adopting Addendum 2 to the Public Facilities Element of the Comprehensive Plan. Date: September 21, 2016

SUBJECT AND SUMMARY:

The proposal would incorporate the Addendum 2 to Element 10 of the Comprehensive Plan (Public Facilities) to incorporate updates for the Wastewater Collection Master Plan, the Water Distribution System Master Plan and the Storm Water Master Plan into the Comprehensive Plan in the manner specified by state law.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council's goal to facilitate **SUSTAINABLE, MANAGEABLE GROWTH**.

CALL TO ACTION SCHEDULE:

Call to action schedule: N/A.

BACKGROUND:

In 2008, the City Council adopted Ordinance No. 5460, which updated Element 10 of the Comprehensive Plan to reflect updates to several of the public facility plan documents. In 2015, the City Council adopted Ordinance No. 15-5655, which updated Element 10, by adopting the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014; and 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.

The proposed amendment will incorporate the Wastewater Collection, Water Distribution System and the Storm Water Master plans and adopt the Capital Improvement Programs identified in Tables 2-1, 2-2, 2-3 and 2-4 of Addendum 2 to Element 10 of the Comprehensive Plan.

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."

ITEM: 2.a. ORDINANCE ADOPTING ADDENDUM 2 TO THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN.

Staff Report (continued):

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 full plans are not attached to this staff report, but the full copies are available electronically on the City's website.

The Urban Area Planning Commission (UAPC) initially heard the matter on May 25, 2016, and continued the matter until June 6, 2016 for additional time to review the proposed master plans. The Urban Area Planning Commission recommended approval of the amendment at their June 6, 2016 hearing. The Findings of Fact were signed on June 22, 2016. Following the UAPC's recommendation, the City Council chose to review the three master plans individually. The City Council adopted the Collection System Master Plan (Resolution No. 16-6455) on July 20, 2016, the Water Distribution System Master Plan (Resolution No. 16-6461) on August 3, 2016, and the Storm Water Master Plan (Resolution No. 16-6464) on September 7, 2016.

COST IMPLICATION:

Revenue Source: Projects will be prioritized by importance to the overall system. All costs for implementation of the Plans will be paid by water, wastewater, and storm water revenues. Funds will be allocated each fiscal year as projects are required and as monies are available.

ALTERNATIVES:

(1) Approve the proposal attached to the Ordinance as Exhibits '1 & 2';
(2) Approve the proposal as originally submitted and recommended by the UAPC;
(3) Deny the request;
(4) Postpone the item indefinitely; or
(5) Postpone the item to a time certain.

RECOMMENDED ACTION:

The Urban Area Planning Commission recommends approval of the amendment attached as Exhibits '1 & 2' to the Ordinance.

POTENTIAL MOTION:

I move to approve the ordinance adopting Addendum 2 to the Public Facilities Element of the Comprehensive Plan as presented.

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

ELEMENT 10 (PUBLIC FACILITIES) COMPREHENSIVE PLAN AMENDMENT
FINDINGS OF FACT - URBAN AREA PLANNING COMMISSION

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00102-16
Project Type:	Comprehensive Plan Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Lora Glover
Application Received:	April 6, 2018
Application Complete:	April 8, 2016
Date of Staff Report:	May 18, 2016
Date of UAPC Hearing:	June 8, 2016, continued from May 25, 2016
Date of Findings:	June 22, 2016

I. PROPOSAL:

Amendment adopting Addendum 2 to Element 10 of the Comprehensive Plan (Public Facilities) to incorporate updates for the Wastewater Collection Master Plan, the Water Distribution System Master Plan and the Stormwater Master Plan.

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 April 6, 2016 and deemed complete on April 8, 2016. The application was processed in accordance with Section 2.060 of the Development Code, and Sections III and V of the 1998 Intergovernmental Agreement.

B. Notice of the proposed amendments was mailed to the Oregon Department of Land Conservation and Development (DLCD) on April 10, 2016, in accordance with ORS 197.610 and OAR Chapter 660-Division 18.

C. Notice of the proposed amendments was mailed to Josephine County on April 10, 2016, in accordance with the 1998 Intergovernmental Agreement.

D. Notice of the proposed amendment for the May 25, 2016 Planning Commission hearing was published in the newspaper on May 11, 2016 through May 18, 2016 in accordance with Sections 2.053 and 2.063 of the Development Code.

E. A public hearing was held by the Planning Commission on May 25, 2016, to consider the proposal and make a recommendation to City Council. The Planning Commission continued the matter under June 8, 2016.

F. A second public hearing was held by the Planning Commission on June 8, 2016. The Planning Commission made a recommendation of approval to the City Council.

V. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the May 25, 2016/June 8, 2016 UAPC staff report and its exhibits, which are attached as Exhibit "A" and incorporated herein.

B. The minutes of the public hearing held by the UAPC on May 25, 2016 & June 8, 2016, which are attached as Exhibit "B," summarize the oral testimony presented and are hereby adopted and incorporated herein.

C. The PowerPoint presentation given by staff at the May 25, 2016/June 8, 2016 UAPC 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 2015, the City Council adopted Ordinance 15-5655 which updated Element 10, by adopting the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014; and 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.

The proposed amendment will incorporate the Wastewater Collection, Water Distribution System and the Stormwater Master Plans and adopt the Capital Improvement Programs identified in Tables 2-1, 2-2, 2-3 and 2-4 of Addendum 2 to Element 10 of the Comprehensive Plan.

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 addendum is attached as *Exhibit 1*. The full plans are referenced as *Exhibit 2*; they are not attached to this staff report, but the full copies are available electronically on the City website.

VII. FINDINGS IN 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.

Planning Commission Response: Satisfied. The proposed amendments are consistent with the Water Service Policies in Section 10.2 of the Comprehensive Plan Policies, the Sanitary Sewer Service Policies in Section 10.3 of the Comprehensive Plan Policies, and the Storm Drainage Services Policies in Section 10.4. These plans address the needs for treatment capacity and requirements for the Water Treatment Plant, Water Distribution and Stormwater Management.

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.

Planning Commission Response: Satisfied. In addition to structural, functional, regulatory, and other issues, the facility plans address 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.

Planning Commission 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.

Planning Commission Response: Satisfied. The public hearing process for the proposed amendments to Element 10 of the Comprehensive Plan provides for citizen review and comment during at least two public hearings.

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

Planning Commission Response: Satisfied. The Water Distribution System Master Plan was prepared by Murray, Smith & Associates and included consultation and coordination with affected agencies, including the Oregon Health Authority Drinking Water Program. The Stormwater Master Plan was prepared by Keller

Associates, and included consultation and coordination with affected agencies including Josephine County and the Grants Pass Irrigation District (GPID). The Wastewater Collection System Master Plan was prepared by Carollo, and included consultation and coordination with affected agencies including Department of Environmental Quality (DEQ).

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.

Planning Commission 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.

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

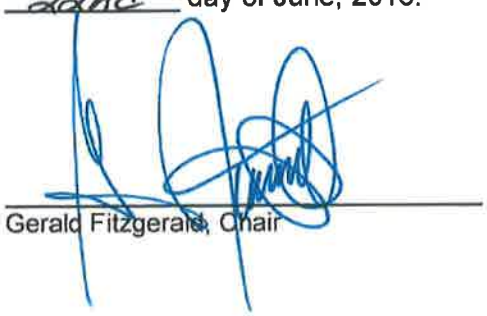
CRITERION (h): In lieu of item (b) above, demonstration that the Plan as originally adopted was in error.

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

VIII. RECOMMENDATION:

The Urban Area Planning Commission found the applicable criteria satisfied and recommended the proposed amendments to the Comprehensive Plan.

IX. FINDINGS APPROVED BY THE URBAN AREA PLANNING COMMISSION this 22nd day of June, 2016.



Gerald Fitzgerald, Chair

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

ELEMENT 10 (PUBLIC FACILITIES) COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT - URBAN AREA PLANNING COMMISSION

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00102-16
Project Type:	Comprehensive Plan Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Lora Glover
Application Received:	April 6, 2018
Application Complete:	April 8, 2016
Date of Staff Report:	May 18, 2016
Date of UAPC Hearing:	May 25, 2016

I. PROPOSAL:

Amendment adopting Addendum 2 to Element 10 of the Comprehensive Plan (Public Facilities) to incorporate updates for the Wastewater Collection Master Plan, the Water Distribution System Master Plan and the Stormwater Master Plan (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 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. 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 2015, the City Council adopted Ordinance 15-5655 which updated Element 10, by adopting the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014; and 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.

The proposed amendment will incorporate the Wastewater Collection, Water Distribution System and the Stormwater Master Plans and adopt the Capital Improvement Programs

EXHIBIT A

identified in Tables 2-1, 2-2, 2-3 and 2-4 of Addendum 2 to Element 10 of the Comprehensive Plan.

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 addendum is attached as ***Exhibit 1***. The full plans are referenced as ***Exhibit 2***; they are not attached to this staff report, but the full copies are available electronically on the City website.

V. 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, the Sanitary Sewer Service Policies in Section 10.3 of the Comprehensive Plan Policies, and the Storm Drainage Services Policies in Section 10.4. These plans address the needs for treatment capacity and requirements for the Water Treatment Plant, Water Distribution and Stormwater Management.

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 plans address 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. The public hearing process for the proposed amendments to Element 10 of the Comprehensive Plan provides for citizen review and comment during at least two public hearings.

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

Response: Satisfied. The Water Distribution System Master Plan was prepared by Murray, Smith & Associates and included consultation and coordination with affected agencies, including the Oregon Health Authority Drinking Water Program. The Stormwater Master Plan was prepared by Keller Associates, and included consultation and coordination with affected agencies including Josephine County and the Grants Pass Irrigation District (GPID). The Wastewater Collection System Master Plan was prepared by Carollo, and included consultation and coordination with affected agencies including Department of Environmental Quality (DEQ).

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

VI. RECOMMENDATION:

It is recommended that the Urban Area Planning Commission recommend that City Council **APPROVE** the proposed amendments to the Comprehensive Plan.

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 amendment is legislative and is not subject to the 120 day requirement.

VIII. INDEX TO EXHIBITS:

1. Proposed Addendum 2 to Element 10 of the Comprehensive Plan (Public Facilities and Services)
2. Full copies of the Water Distribution System Master Plan, Wastewater Collection System Master Plan and the Stormwater Master Plan. *These plans are not attached. They are available electronically on the City web site and at the Parks & Community Development Department.*

Grants Pass and Urbanizing Area Community Comprehensive Plan
Element 10: Public Facilities

Addendum 2: 2016 Update

This addendum updates the following sections of the Public Facilities Element:

- 10.20. Water Services
- 10.30. Sanitary Sewer Services
- 10.40. Storm Drainage Services

Background

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 2015, the City Council adopted Ordinance 15-5655 which updated Element 10, by adopting the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014; and 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, this addendum recognizes these 2015 updates as part of the City's Public Facilities Plan, as support documents to the Comprehensive Plan. This addendum also adopts certain elements of these plans as part of the comprehensive plan, as specified in OAR 660-011-0045.

Section 1. Plans Adopted Part of the Public Facility Plan as Part of a Supporting Document to the Comprehensive Plan

The February 2016 Stormwater Master Plan, February 2016 Water Distribution System Master Plan and the March 2016 Wastewater Collection System Master Plan are adopted as part of the Public Facilities Plan as a supporting document to the Comprehensive Plan.

Some of the information and provisions in the plans referenced in this addendum supersede materials in Section 10.20 pertaining to water services, Section 10.30 pertaining to sanitary sewer services and Section 10.40 pertaining to storm drainage services.

Section 2. Sections Adopted as Part of Comprehensive Plan

1. The parts of the February 2016 Stormwater Master Plan, February 2016 Water Distribution System Master Plan and the March 2016 Wastewater Collection System Master Plan identified in Tables 2-1, 2-2, 2-3 and 2-4 are hereby adopted and incorporated as part of the comprehensive plan.

2. In accordance with OAR 660-011-0045(2), certain public facility plan project descriptions, location, or service area designations will necessarily change as a result of subsequent design studies, capital improvement programs, environmental impact studies, and changes in potential sources of funding. It is not the intent of this section to:

   a. Either prohibit projects not included in the public facility plans for which unanticipated funding has been obtained;

   b. Preclude projects specification and location decisions made according to the National Environmental Policy Act; or

   c. Subject administrative and technical changes to the facility plan to ORS 197.610(1) and (2) or 197.835(4).

3. In accordance with OAR 660-011-0045(3), the public facility plan may allow for the following modifications to projects without amendment to the public facility plan:

   a. Administrative changes are those modifications to a public facility project which are minor in nature and do not significantly impact the project's general description, location, sizing, capacity, or other general characteristic of the project.

   b. Technical and environmental changes are those modifications to a public facility project which are made pursuant to "final engineering" on a project or those that result from the findings of an Environmental Assessment or Environmental Impact Statement conducted under regulations implementing the procedural provisions of the National Environmental Policy Act of 1969 (40 CFR Parts 1500-1508) or any federal or State of Oregon agency project development regulations consistent with the Act and its regulations.

   c. Public facility project changes made pursuant to subsection (3b) are subject to the administrative procedures and review and appeal provisions of the regulations controlling the study (40 CFR Parts 1500-1508 or similar regulations) and are not subject to the administrative procedures or review or appeal provisions of ORS Chapter 197, or OAR Chapter 660 Division 18.

4. Land use amendments are those modifications or amendments to the list, location or provider of, public facility projects, which significantly impact a public facility project identified in the comprehensive plan and which do not qualify under subsection (3)(a) or (b). Amendments made pursuant to this subsection are subject to the administrative procedures and review and appeal provisions accorded "land use decisions" in ORS Chapter 197 and those set forth in OAR Chapter 660 Division 18.

Table 2-1. Water Distribution Capital Improvement Program

Table 5-4
Capital Improvement Program (CIP) Summary

Improvement Category	CIP No.	Project Description	CIP Schedule and Project Cost Summary				Preliminary Cost % to Growth
			5-year thru 2021	10-year 2022-2026	20-year 2027-2036	Estimated Project Cost	
Storage Reservoirs	R-13	0.7 MG Ausland Reservoir - Zone 4 Reservoir No. 13 replacement	$ 2,100,000			$ 2,100,000	40%
	R-14	0.5 MG Laurel Ridge Reservoir			$ 1,500,000	$ 1,500,000	40%
	R-16	1.3 MG Meadow Wood Reservoir		$ 3,900,000		$ 3,900,000	69%
	R-17	1.2 MG New Hope (Cathedral Hills) Reservoir		$ 3,600,000		$ 3,600,000	42%
	R-19	1.2 MG Pearce Park Reservoir - Zone 2 Spalding Industrial Park			$ 3,600,000	$ 3,600,000	100%
		Capital Maintenance	$ 75,000			$ 75,000	52%
		Subtotal	$ 2,175,000	$ 7,500,000	$ 5,100,000	$ 14,775,000	$ 9,282,000
Pump Stations	P-1	Meadow Wood P.S. high (Zone 3MW) - fire flow capacity upgrade	$ 250,000			$ 250,000	52%
	P-2	Panoramic P.S. - fire flow capcity upgrade	$ 400,000			$ 400,000	52%
	P-3	Ausland P.S. supplying proposed Ausland Reservoir (R-13)	$ 500,000			$ 500,000	52%
	P-4	Zone 4N P.S. - constant pressure			$ 1,200,000	$ 1,200,000	100%
	P-5	North Valley P.S. replacement		$ 1,000,000		$ 1,000,000	79%
		Capital Maintenance	$ 125,000			$ 125,000	52%
		Subtotal	$ 1,275,000	$ 1,000,000	$ 1,200,000	$ 3,475,000	$ 2,654,145
PRVs	V-1	Spalding Industrial Area - Ament Rd PRV			$ 150,000	$ 150,000	100%
	V-2	Zone 4N Highland Ave PRV			$ 150,000	$ 150,000	100%
	V-3	Blue Gulch PRV			$ 150,000	$ 150,000	100%
	V-4	Overland PRV			$ 150,000	$ 150,000	100%
	V-5	10th Street PRV	$ 150,000			$ 150,000	52%
	V-6	NW B Street PRV			$ 150,000	$ 150,000	100%
	V-7	Zone 2A PRV replacements (Capital Maintenance)	$ 250,000			$ 250,000	52%
		Subtotal	$ 400,000	$	$ 750,000	$ 1,150,000	$ 958,000

Distribution Mains	M-1, 2, 3, 9, 10	Piping improvements for fire flow	$ 683,000			$ 683,000	52%
	M-4 to 8	Zone 2A - Hwy 99, Savage, Manzanita Loop	$ 758,000			$ 758,000	52%
	M-11, 12	Proposed Zone 2H - connect Harbeck and Hilltop			$ 532,000	$ 532,000	100%
	M-13 to 22	Spalding Industrial Area - Zone 2 expansion			$ 3,181,000	$ 3,181,000	100%
	M-24, 25, 26	Zone 3 Granite Hill to Scoville Loop			$ 1,415,000	$ 1,415,000	100%
	M-27 to 30	Zone 3 Scoville to Spring Moutain Loop			$ 1,107,000	$ 1,107,000	100%
	M-31 to 33, 42	Zone 3 I-5 crossing at Cedar Loop, Spring Moutain to Hillcrest Loop			$ 1,396,000	$ 1,396,000	100%
	M-34 to 41, 52	Proposed Ausland P.S. (P-3) and Reservoir (R-13) mains	$ 2,897,000			$ 2,897,000	52%
	M-43, 44	Zone 3 I-5 crossing at Humane Society			$ 570,000	$ 570,000	100%
	M-45, 46	Zone 3 Vine Street Loop - Highland to Hawthorne			$ 996,000	$ 996,000	52%
	M-47 to 51	Zone 4N mains			$ 1,996,000	$ 1,996,000	100%
	M-53 to M-57	Zone 1 Spalding Industrial Area loop			$ 1,362,000	$ 1,362,000	100%
	M-58 to 62	Meadow Wood future mains		$ 1,173,000		$ 1,173,000	100%
	M-63 to 68	New Hope future mains		$ 2,532,000		$ 2,532,000	100%
	M-69 to 75	Laurel Ridge and Blue Gulch future mains			$ 1,870,000	$ 1,870,000	100%
	M-76, 77, 81, 82, 83	Zone 1 Fruitdale future mains			$ 2,087,000	$ 2,087,000	100%
	M-78, 79, 80	Zone 1 Looping- Cloverlawn & Grandview		$ 639,000		$ 639,000	52%
	M-84 to 87	Zone 1 Lincoln Road Loop		$ 814,000		$ 814,000	52%
		Routine Main Replacement Program (Capital Maint.)	$ 8,000,000	$ 8,000,000	$ 16,000,000	$ 32,000,000	52%
		Subtotal	**$12,338,000**	**$13,158,000**	**$ 32,512,000**	**$ 58,008,000**	**$ 39,390,240**
Planning		Seismic Resilience Study	$ 100,000			$ 100,000	52%
		Water Management & Conservation Plan update		$ 50,000		$ 50,000	52%
		Water Distribution System Master Plan update			$ 150,000	$ 150,000	52%
		Unidirectional Flushing (UDF) Program Development	$TBD			$ -	52%
		Distribution Piping Corrosion Study	$ 100,000			$ 100,000	52%
		Subtotal	**$ 200,000**	**$ 50,000**	**$ 150,000**	**$ 400,000**	**$ 208,000**
Capital Improvement Program (CIP) Total			**$16,388,000**	**$21,708,000**	**$ 39,712,000**	**$ 77,808,000**	**$ 52,492,385**
			Annual Average CIP Cost				
			$3,277,600 5-year	**$3,809,600 10-year**	**$3,890,400 20-year**		

Table 2-2. Wastewater Collection System Master Plan CIP (Table 6.12)

Table 6.12 Detailed Capital Improvement Plan
Wastewater Collection System Master Plan
City of Grants Pass

Project Description				Project Size and Cost				Total CIP	Total CIP Cost ($) - Project Phasing		
Improv. ID	Improv. Type	Project Purpose	Address Description	Existing Size	Proposed Size	Replace/ New	Length (ft)	Total Capital Improvement Cost($)	Phase 1 (2016-2020)	Phase 2 (2021-2025)	Phase 3 (2026-2035)
Project 1 - SW Western Street / SW Spruce Street											
P-1A	Gravity	Capacity and R&R	Along SW Western Ave between I St and K St	8	12	Upsize	581	$184,000	$184,000		
P-1B	Gravity	Capacity and R&R	Along SW Western Ave between K St and SW Bridge St	10	15	Upsize	546	$195,000	$195,000		
P-1C	Gravity	Capacity and R&R	Along SW Spruce St between SW Bridge St and Webster Rd	8	18	Upsize	1,998	$791,000	$791,000		
P-1D	Gravity	Capacity and R&R	Along SW Bridge St between SW Western Ave and SW Westhorn Ave	10	18	Upsize	481	$190,000	$190,000		
P-1E	Diversion	Capacity	Diversion to east Bridge St	10	-	Plug	-	-	-		
Total Project 1 - SW Western / SW Spruce Street								**$1,360,000**	**$1,360,000**	**$0**	**$0**
Project 2-1 - NW Highland Street											
P-2A	Gravity	Capacity	Along NW Highland Ave between 300 ft north of NW Parker Dr and NW Midland Ave	8	12	Upsize	939	$296,000	$296,000		
Total Project 2-1 - NW Highland Street								**$296,000**	**$296,000**	**$0**	**$0**
Project 2-2 - NW Prospect Street											
P-2B	Gravity	Capacity and R&R	Along NW Midland Ave between NW Highland Ave and NW Prospect Ave	8	12	Upsize	623	$196,000		$196,000	
P-2C	Gravity	Capacity and R&R	Along NW Prospect Ave between NW Midland Ave and 150 feet south of NW Sandy Dr	10	15	Upsize	834	$298,000		$298,000	
Total Project 2-2 - NW Prospect Street								**$494,000**	**$0**	**$494,000**	**$0**
Project 3 - NW Midland Avenue											
P-3A	Gravity	Capacity	Along Midland Ave between NW 6th St and NW Washington Blvd	-	12	New	710	$224,000	$224,000		
Total Project 3 - NW Midland Avenue								**$224,000**	**$224,000**	**$0**	**$0**
Project 4 - NE A Street											
P-4A	Gravity	Capacity and R&R	Along NE A St between NE 9th St and NE 7th St	12	18	Upsize	844	$334,000	$334,000		
Total Project 4 - NE A Street								**$334,000**	**$334,000**	**$0**	**$0**
Project 5 - NE Savage Street / NE 9th Street											
P-5A	Gravity	Capacity and R&R	Along NE Savage St between NE 10th St and NE 9th St and along NE 9th St between NE Savage St and NE Josephine St	8	12	Upsize	3,431	$1,084,000	$1,084,000		
Total Project 5 - NE Savage Street / NE 9th Street								**$1,084,000**	**$1,084,000**	**$0**	**$0**
Project 6 - SE Mill Street / SE Rogue View Lane											
P-6A	Gravity	Capacity and R&R	Along SE Mill St between NE D St and SE M St	12	18	Upsize	3,755	$1,486,000	$1,486,000		
P-6B	Gravity	Capacity and R&R	Along SE M St between SE Mill St and SE 12th St	12	21	Upsize	907	$395,000	$395,000		
P-6C	Gravity	Capacity and R&R	Along SE M St between SE 12th St and SE 7th St	-	21	New	2,177	$946,000	$946,000		
Total Project 6 - SE Mill Street / SE Rogue View Lane								**$2,827,000**	**$2,827,000**	**$0**	**$0**
Project 7 -Annabelle Lane											
P-7A	Gravity	Capacity	RSSD Interceptor between Wineteer Ln To Leonard Rd	15	21	Upsize	1,948	$848,000		$848,000	
Total Project 7 - Annabelle Lane								**$848,000**	**$0**	**$848,000**	**$0**
Project 8 -Leonard Road											
P-8A	Gravity	Capacity	Along Leonard Rd between Redwood Ave to south of Mesman Dr	8	12	Upsize	888	$281,000	$281,000		
P-8B	Gravity	Capacity	Along Leonard Rd between south of Mesman Dr and intersection of Leonard Rd with Mesman Dr	8	15	Upsize	384	$138,000	$138,000		
Total Project 8 - Leonard Road								**$419,000**	**$419,000**	**$0**	**$0**

Project 9 - Gilbert Creek Park											
P-9A	Gravity	Capacity	Along Gilbert Creek Park 500 ft north of NW Parker Dr and west of NW Hawthorne Ave	8	12	Upsize	451	$143,000			$143,000
Total Project 9 - Gilbert Creek Park								**$143,000**	**$0**	**$0**	**$143,000**
Project 10-1 - Rogue Drive / SE Blue Bird Drive											
P-10A	Gravity	Capacity and R&R	Along Rogue Dr between SE N St and SE Blue Bird Dr	15	18	Upsize	1,831	$725,000		$725,000	
P-10B	Gravity	Capacity and R&R	Through properties on north bank of river, south of Waterman Ln and Lela Ln to Blue Bird Dr	12	15	Upsize	1,890	$675,000		$675,000	
Total Project 10-1 - Rogue River / SE Blue Bird Drive								**$1,400,000**	**$0**	**$1,400,000**	**$0**
Project 10-2 - West SE Blue Bird Drive											
P-10C	Gravity	Capacity and R&R	Through properties on north bank of river, from Blue Bird Dr to just upstream of pipe split under Rogue River	18	24	Upsize	2,208	$1,051,000			$1,051,000
Total Project 10-2 - Rogue River / SE Blue Bird Drive								**$1,051,000**	**$0**	**$0**	**$1,051,000**
Project 11 - Park Street											
P-11A	Gravity	Capacity and R&R	Through properties on south bank of the river between Mystic Dr and Gold River Ln	18	27	Upsize	20 2	$108,000		$108,000	
P-11B	Gravity	Capacity and R&R	Through properties on south bank of the river between Gold River Dr and SE Acacia Ln	24	27	Upsize	795	$426,000		$426,000	
Total Project 11 - Park Street								**$534,000**	**$0**	**$534,000**	**$0**

Table 6.12 Detailed Capital Improvement Plan
Wastewater Collection System Master Plan
City of Grants Pass

Project Description				Project Size and Cost				Total CIP	Total CIP Cost ($) - Project Phasing		
Improv. ID	Improv. Type	Project Purpose	Address Description	Existing Size	Proposed Size	Replace/ New	Length (ft)	Total Capital Improvement Cost($)	Phase 1 (2016-2020)	Phase 2 (2021-2026)	Phase 3 (2026-2036)
Project 12 - Darneille Lane											
P-12A	Gravity	Capacity	Along Darneille Ln between the intersection of Darneille Ln with SW Harvest Dr and Darneille PS	12	18	Upsize	1,551	$614,000			$614,000
Total Project 12 - Darneille Lane								**$614,000**	**$0**	**$0**	**$614,000**
Project 13 - Mesman Drive to Coutant Lane											
P-13A	Gravity	Capacity	RSSD Interceptor between Mesman Dr and Schroeder Ln	18	21	Upsize	2,047	$890,000			$890,000
P-13B	Gravity	Capacity	RSSD Interceptor between Schroeder Ln and Coutant Ln	18	24	Upsize	1,282	$610,000			$610,000
Total Project 13 - Mesman Drive to Coutant Lane								**$1,500,000**	**$0**	**$0**	**$1,500,000**
Project 14 - NE 7th Street											
P-14A	Gravity	Capacity and R&R	Along NE 7th Street between NE A St and NW F St	12	18	Upsize	1,531	$606,000	$606,000		
Total Project 14 - NE 7th Street								**$606,000**	**$606,000**	**$0**	**$0**
Project 15 - NE Dean Drive / NE D Street											
P-15A	Gravity	Capacity	Along NE Dean Dr and NE D St from NE A St to SE Mill St	-	18	New	2,009	$795,000	$795,000		
Total Project 15 - NE Dean Drive / NE D Street								**$795,000**	**$795,000**	**$0**	**$0**
Project 16 - NW Evelyn Avenue											
P-16A	Gravity	Capacity	Along Evelyn Ave between Washington Boulevard and NW 2nd St	-	8	New	727	$190,000	$190,000		
Total Project 16 - NE Evelyn Avenue								**$190,000**	**$190,000**	**$0**	**$0**
Project 17 - NW Morgan Lane											
P-17A	Gravity	Capacity	Along Morgan Ln between NW 6th St and NW Washington Blvd	-	12	New	208	$66,000		$66,000	
Total Project 17 - NW Morgan Lane								**$66,000**	**$0**	**$66,000**	**$0**

Project 18 - NW Washington Boulevard											
P-18A	Gravity	Capacity and R&R	Along NW Washington Blvd between NW Midland Ave and NW Manzanita Ave	8	12	Upsize	2,239	$708,000			$708,000
P-18B	Gravity	Capacity and R&R	Along NW Washington Blvd between NW Manzanita Ave and NW Evelyn Ave	10	12	Upsize	727	$230,000			$230,000
Total Project 18 - NW Washington Boulevard								**$938,000**	**$0**	**$0**	**$938,000**
Project 19 - Darnellie Pump Station											
PS-19A	Pump Station	Capacity and R&R	Alternatives Analysis Study	-	-	Study	1	$75,000	$75,000		
PS-19B	Pump Station	Capacity and R&R	Darnellie PS	4.2	7.8	Upsize	1	$5,038,000	$5,038,000		
Total Project 19 - Darnellie Pump Station								**$5,113,000**	**$5,113,000**	**$0**	**$0**
Project 20 - Webster No.1 Lift Station											
PS-20A	Pump Station	Capacity and R&R	Webster No. 1 PS	0	0.66	Upsize	1	$614,000	$614,000		
Total Project 20 - Webster No. 1 Pump Station								**$614,000**	**$614,000**	**$0**	**$0**
Project 21 - Webster No.2 Lift Station											
PS-21A	Pump Station	Capacity and R&R	Webster No 2 PS	0	0.23	Upsize	1	$998,000		$998,000	
Total Project 21 - Webster No. 2 Pump Station								**$998,000**	**$0**	**$998,000**	**$0**
Project 22 - Spalding Area Development Expansion											
PS-22A	Pump Station	Expansion	SE Portola Dr	-	0.16	New	1	$986,000		$986,000	
P-22B	Force Main	Expansion	From Spalding PS to NE Portola Dr	-	6	New	1,227	$351,000		$351,000	
P-22C	Gravity	Expansion	In Spalding Area	-	8	New	4,779	$1,249,000		$1,249,000	
P-22D	Gravity	Expansion	In Spalding Area	-	8	New	8,461	$2,211,000			$2,211,000
P-22E	Casing	Expansion	Railroad crossing	-	12/24	New	200	$385,000		$385,000	
Total Project 22 - Spalding Area Development Expansion								**$5,182,000**	**$0**	**$2,971,000**	**$2,211,000**
Project 23 - North I-5 Area Development Expansion											
PS-23A	Pump Station	Expansion	Monument Dr and I-5	-	0.14	Upsize	1	$813,000			$813,000
P-23B	Force Main	Expansion	From I-5 PS to pipe on Pony Ln and NW Highland Ave	-	6	New	5,622	$1,611,000			$1,611,000
P-23C	Gravity	Expansion	In I-5 North Area	-	8	New	31,251	$8,166,000			$8,166,000
P-23D	Casing	Expansion	I-5 Crossings (3)	-	12/24	New	750	$1,445,000			$1,445,000
Total Project 23 - North I-5 Area Development Expansion								**$12,036,000**	**$0**	**$0**	**$12,036,000**
Project 24 - South Highway Development Expansion											
P-24A	Gravity	Expansion	In South Highway Area	-	8	New	11,377	$2,973,000			$2,973,000
Total Project 24 - South Highway Development Expansion								**$2,973,000**	**$0**	**$0**	**$2,973,000**
Project 25 - Bridge Street Pump Station											
PS-25A	Pump Station	R&R	Bridge Street	0.94	0.94	Upgrade	1	$25,000	$25,000		
Total Project 25 - Bridge Street Pump Station								**$25,000**	**$25,000**	**$0**	**$0**

Table 6.12 Detailed Capital Improvement Plan
Wastewater Collection System Master Plan
City of Grants Pass

Project Description				Project Size and Cost				Total CIP	Total CIP Cost ($) - Project Phasing		
Improv. ID	Improv. Type	Project Purpose	Address Description	Existing Size	Proposed Size	Replace/ New	Length (ft)	Total Capital Improvement Cost($)	Phase 1 (2015-2020)	Phase 2 (2021-2025)	Phase 3 (2026-2035)
Project 26 - Condition Only Projects - Phase 1 North of Rogue River											
P-26A	Gravity	R&R	North of Rogue River	8 and less	8	Replace	48,231	$12,603,000	$12,603,000		
P-26B	Gravity	R&R	North of Rogue River	10	10	Replace	5,262	$1,509,000	$1,509,000		
P-26C	Gravity	R&R	North of Rogue River	12	12	Replace	2,060	$651,000	$651,000		
P-26D	Gravity	R&R	North of Rogue River	15	15	Replace	104	$38,000	$38,000		
P-26E	Gravity	R&R	North of Rogue River	18	18	Replace	923	$365,000	$365,000		
P-26F	Gravity	R&R	North of Rogue River	21	21	Replace	1,928	$838,000	$838,000		
P-26G	Gravity	R&R	North of Rogue River	24	24	Replace	492	$234,000	$234,000		
Total Project 26 - Condition Only Projects - Phase 1 North of Rogue River								**$16,238,000**	**$16,238,000**	**$0**	**$0**
Project 27 - Condition Only Projects - Phase 1 South of Rogue River											
P-27A	Gravity	R&R	South of Rogue River	8 and less	8	Replace	60	$15,000	$15,000		
P-27B	Gravity	R&R	South of Rogue River	10	10	Replace	462	$133,000	$133,000		
P-27C	Gravity	R&R	South of Rogue River	15	15	Replace	378	$135,000	$135,000		
Total Project 27 - Condition Only Projects - Phase 1 South of Rogue River								**$283,000**	**$283,000**	**$0**	**$0**
Project 28 - Condition Only Projects - Phase 2 North of Rogue River											
P-28A	Gravity	R&R	North of Rogue River	8 and less	8	Replace	38,468	$10,051,000		$10,051,000	
P-28B	Gravity	R&R	North of Rogue River	10	10	Replace	8,581	$2,460,000		$2,460,000	
P-28C	Gravity	R&R	North of Rogue River	12	12	Replace	6,618	$2,090,000		$2,090,000	
P-28D	Gravity	R&R	North of Rogue River	18	18	Replace	1,278	$506,000		$506,000	
P-28E	Gravity	R&R	North of Rogue River	21	21	Replace	385	$168,000		$168,000	
Total Project 28 - Condition Only Projects - Phase 2 North of Rogue River								**$15,275,000**	**$0**	**$15,275,000**	**$0**
Project 29 - Condition Only Projects - Phase 2 South of Rogue River											
P-29A	Gravity	R&R	South of Rogue River	8 and less	8	Replace	1,402	$366,000		$366,000	
P-29B	Gravity	R&R	South of Rogue River	10	10	Replace	76	$21,000		$21,000	
P-29C	Gravity	R&R	South of Rogue River	15	15	Replace	417	$149,000		$149,000	
P-29D	Gravity	R&R	South of Rogue River	30	30	Replace	542	$319,000		$319,000	
Total Project 29 - Condition Only Projects - Phase 2 South of Rogue River								**$855,000**	**$0**	**$855,000**	**$0**

Project 30 - Condition Only Projects - Phase 3 North of Rogue River											
P-30A	Gravity	R&R	North of Rogue River	8 and less	8	Replace	59,905	$15,653,000			$15,653,000
P-30B	Gravity	R&R	North of Rogue River	10	10	Replace	6,181	$1,773,000			$1,773,000
P-30C	Gravity	R&R	North of Rogue River	12	12	Replace	2,760	$871,000			$871,000
P-30D	Gravity	R&R	North of Rogue River	15	15	Replace	433	$155,000			$155,000
P-30E	Gravity	R&R	North of Rogue River	18	18	Replace	217	$86,000			$86,000
P-30F	Gravity	R&R	North of Rogue River	21	21	Replace	243	$106,000			$106,000
P-30G	Gravity	R&R	North of Rogue River	24	24	Replace	914	$435,000			$435,000
P-30H	Gravity	R&R	North of Rogue River	48	48	Replace	22	$16,000			$16,000
Total Project 30 - Condition Only Projects - Phase 3 North of Rogue River								$19,095,000	$0	$0	$19,095,000
Project 31 - Condition Only Projects - Phase 3 South of Rogue River											
P-31A	Gravity	R&R	South of Rogue River	8 and less	8	Replace	19,049	$4,978,000			$4,978,000
P-31B	Gravity	R&R	South of Rogue River	10	10	Replace	3,525	$1,010,000			$1,010,000
P-31C	Gravity	R&R	South of Rogue River	12	12	Replace	4,499	$1,421,000			$1,421,000
P-31D	Gravity	R&R	South of Rogue River	15	15	Replace	2,556	$913,000			$913,000
P-31E	Gravity	R&R	South of Rogue River	18	18	Replace	1,228	$486,000			$486,000
P-31F	Gravity	R&R	South of Rogue River	24	24	Replace	1,164	$554,000			$554,000
P-31G	Gravity	R&R	South of Rogue River	27	27	Replace	5,276	$2,624,000			$2,624,000
P-31H	Gravity	R&R	South of Rogue River	30	30	Replace	1,624	$898,000			$898,000
Total Project 31 - Condition Only Projects - Phase 3 South of Rogue River								$13,084,000	$0	$0	$13,084,000
Project 32 - General Projects											
G-1	General	General	Asset Management Program	-	-	-	1	$150,000	$150,000		
G-2A	General	General	Master Plan Updates (2021)	-	-	-	1	$300,000		$300,000	
G-2B	General	General	Master Plan Updates (2031)	-	-	-	1	$300,000			$300,000
Total Project 32 - General Projects								$750,000	$150,000	$300,000	$300,000
Total CIP ($)								$108,243,000	$30,558,000	$23,741,000	$53,944,000
Total CIP (%)									28.2%	21.9%	49.8%

Notes:

(1) ENR CCI = 10,037 (20-City Average, July 2015).

(2) Capital Improvement Cost includes a 20% construction contingency applied to the Baseline Construction Cost to account for unforeseen events and unknown conditions, a 30% allied cost applied to the Estimated Construction Cost to account for engineering services, construction management, and project administration, and a 25% planning contingency applied to the Total Allied Project Costs.

Table 2-3. Stormwater Master Plan CIP (Table 6-1: Priority 1A Improvements)

Table 6-1: Priority 1A Improvements

ID#	Priority	Item	Total Estimated Cost (2015)
Priority 1A Improvements (0-15 years)			
Allen Fruitdale			
AF-1	1A	Golf Course	$ 371,000
AF-2	1A	South Highline Canal near Allen Creek	$ 1,211,000
AF-3	1A	Harbeck Road, Nebraska Avenue	$ 200,000
AF-4	1A	Pond Near Calvary Chapel off Harbeck Road	$ 629,000
AF-5	1A	Grandview Avenue and the Hospital	$ 611,000
AF-7	1A	Lower Parkdale Drive/Highway 199 Trunkline	$ 1,590,000
AF-11	1A	Sugar Beet Line, East Park Street	$ 1,330,000
AF-12	1A	Sunset Way and Tributary Pipes	$ 2,226,000
AF-13	1A	Harbeck Road and Southridge Way	$ 1,082,000
AF-14	1A	Highway 238	$ 661,000
AF-15	1A	Main Gravity Canal Spills and Central Parkdale Drive Trunkline	$ 889,000
AF-16	1A	Upper Parkdale Drive Trunkline and South Highland Canal Spill	$ 601,000
AF-17	1A	Highways 238/199/99 Intersection Detention	$ 959,000
AF-18	1A	Union Avenue	$ 646,000
AF-19	1A	Meadow Glen	$ 236,000
AF-20	1A	Liberty Drive	$ 473,000
Gilbert			
G-1	1A	5th Street, 6th Street	$ 1,656,000
G-3	1A	G Street, I Street, Alder Street, L Street	$ 795,000
G-4	1A	Demoray Canal Spills- Southwest	$ 127,000
G-5	1A	Demoray Canal Spills- Central West	$ 29,000
G-6	1A	Hilcrest Drive, 6th Street, 7th Street	$ 1,664,000
G-7	1A	Demoray Spill-South East	$ 106,000
G-8	1A	Demoray Canal Spills- North Central	$ 810,000
G-9	1A	Demoray Canal Spills- Northwest	$ 460,000
G-10	1A	Demoray Canal Spills- Northeast	$ 438,000
Sand			
S-1	1A	Trunkline from South Main Canal to River along Dowell Road	$ 3,817,000
S-2	1A	Flow-split Kellenback Avenue to Dowell Road	$ 691,000
S-3	1A	Expansion of South Main Canal	$ 583,000
S-6	1A	Leonard Road to Ditch	$ 926,000
S-7	1A	Willow Lane to Ditch	$ 975,000
S-8	1A	Willow Court, Estates Lane	$ 696,000
S-10	1A	Kokanee Lane, Leonard Road	$ 1,613,000
S-12	1A	Rainwood Lane to Leonard Road	$ 141,000
S-13	1A	ODOT Pond South of Redwood Highway	$ 1,353,000
S-14	1A	New Flow Diversion to Sand Creek at I-5	$ 168,000
S-15	1A	Yellowtail Lane to Mary Lynn Lane	$ 392,000
S-16	1A	Darnelle Lane	$ 1,138,000
Skunk Jones			
SJ-10	1A	Channel Northwest of Dewey Drive and 10th Street	$ 3,000
		Total Priority 1A Improvements	$ 31,891,000

Table 2-4. Stormwater Master Plan CIP (Table 6-2: Priority 1B, 2A, & 2B Improvements)

Table 6-2: Priority 1B, 2A, & 2B Improvements

ID#	Priority	Item	Total Estimated Cost (2015)
Priority 1B Improvements (15-20 years)			
Allen Fruitdale			
Af-6	1B	West Park Street, Josephine County Yard, Tussing Park	$ 407,000
Sand			
S-4	1B	Redwood Circle to River	$ 650,000
Skunk Jones			
SJ-1	1B	F Street	$ 1,829,000
SJ-8	1B	Spill Northwest of I-5 and Hilcrest Drive to 7th Street	$ 386,000
SJ-11	1B	Rogue Drive Trunkline	$ 2,938,000
SJ-12	1B	M Street	$ 759,000
SJ-13	1B	A Street-West	$ 1,126,000
		Total Priority 1B Improvements	**$ 8,095,000**
Priority 2A Improvements (20-25 years)			
Gilbert			
G-2	2A	9th Street	$ 457,000
Skunk Jones			
SJ-7	2A	Demoray Canal	$ 61,000
		Total Priority 2A Improvements	**$ 518,000**
Priority 2B Improvements (20-25 years)			
Skunk Jones			
SJ-2	2B	D Street	$ 2,181,000
		Total Priority 2B Improvements	**$ 2,181,000**

CITY OF GRANTS PASS

WASTEWATER COLLECTION SYSTEM MASTER PLAN

March 2016

DRAFT REVIEW

carollo

Exhibit 2

February 2016

City of Grants Pass, Oregon
Stormwater Master Plan
Final

KELLER associates

KELLER associates

Keller Associates
707 13th St SE Suite 280
Salem, OR 97301

212047/5/S15-013

REGISTERED PROFESSIONAL ENGINEER
11/5/16
83510PE
OREGON
NOV. 10, 2009
PETER OLSEN
EXPIRES: 12/31/16

Signed by:
Peter Olsen, P.E.
Project Manager

Exhibit 2

WATER DISTRIBUTION SYSTEM MASTER PLAN

FOR

CITY OF GRANTS PASS

FEBRUARY 2016

DRAFT

MURRAY, SMITH & ASSOCIATES, INC.
121 SW Salmon, Suite 900
Portland, OR 97204
503.225.9010

Exhibit 2

URBAN AREA PLANNING COMMISSION

MEETING MINUTES

June 8, 2016 – 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 Loree Arthur, David Kellenbeck, Robert Wiegand , Blair McIntire, and Dan McVay were present. Commissioner Lois MacMillan was absent. Also present and representing the City was Parks & Community Development (hereafter: PCD) Director Lora Glover and City Council Liaison Rick Riker.

2. **ITEMS FROM THE PUBLIC:** None.

3. **CONSENT AGENDA:**
   a. **MINUTES: No minutes recorded**

4. **PUBLIC HEARINGS:**
   a. **Continuation of hearing for: 405-00102-16: Comprehensive Plan Amendment ~Water Distribution Master Plan, Stormwater Master Plan, & Wastewater Collection Master Plan.**

- Jason walked the Commission through the highlights of the three plans.
- Commissioner Coulter asked if the master plans have been at for a shelf life. Have the ground water levels been looked at as part of the study and does the plan account for climate change? Jason let the commission know that in the future they would like to do the update the plans in 8-10 years. This would be more frequent than the 12 years that the last plan took to be updated. Updates on a more frequent basis will accommodate for changes in regulations. The city tries to look at every aspect, the demands on the river and future limitations. They looked at the number of citizens in the downtown core that are still relying on well water and made a note to be able to meet the demands of those citizens as the wells that they currently rely on start to fail.
- Commissioner Fitzgerald asked if the revenue streams include a number for the storm water utility fee. Jason let him know that the rate study that we are currently hiring a

consultant for will look at the overall maintenance costs and how aggressive we want to be on deficiency replacement. City Council will set that as we move forward.

- Commissioner Fitzgerald asked if the City will be looking at a similar idea where there was a matrix for impervious surface. Jason said that it is highly probable that that will come under the storm water management plan. Commissioner Fitzgerald said that previously in this plan the matrix was put out and it was driven by impervious surface. It seems disingenuous to require impervious surface and then charge the public for using it. We wanted to test this, how are we going to apply this to a 5000 sq ft complex, who owns the ditch, the fence? Insurance companies do not like detention basins by a house and possibly will not cover the home owner. What was done at Redwood will not work at a subdivision. Where does the bio swell go? Jason let the commission know that they are hoping the design standards as they implement the storm water plan will address it. In ground detention is a possibility for the future and they will look at that in the management plan.
- It was asked if there are any plans on capturing the storm water runoff. LA gathers flood water to percolate back into aquafer to replenish what the city then feeds off. Does ours just go back into the river? Are you planning for the extreme case that none of the water will be absorbed by the ground? Jason let the commission know that currently the water does drain back into the river. It is possible that we will look at other options in the future, however there will likely never be the same plans set in LA here as there isn't enough property available to replicate what they have done in California. They will also be operating under the assumption that there will not be ground absorption and making plans to accommodate that.
- Commissioner McVay asked if you get flooded up against Sand Creek is there someone you can reach out to for help with sandbags and to keep your house from flooding? Jason will look into that.
- Commissioner Coulter asked if the plans will address anything as far as health safety. Mosquito abatement, micro-organisms? Jason let the commission know that the management plan will include provisions for standing water.

The floor was opened for public comment, seeing none the Commission started discussion of the three plans separately.

- Commissioner Arthur asked about item 7.3 discussing cleaning storm water grates, it says that the open detention facilities should be cleaned regularly. Why shouldn't it be dredged for the intake? Jason said that they made the assumption that the inflow will keep it clear, however the verbiage can be changed to reflect keeping it clear on the inlet piping as well.
- Commissioner Arthur would like to see the list of the twenty detention facilities and would like to know if her detention pond ever made it to the list. Jason isn't sure and will look into it.
- Commissioner Arthur asked about item 6-7 project G9 on the Demaray Canal. There have been complaints on flooding ion the area. Jason let them know that the engineer on the project suggested raising banks to prevent that in the future.
- The Commission brought up several complaints about drainage ditches flooding at multiple locations. Jason let the commission know that they intend to divert water to gilbert creek sooner, to avoid keeping water in drainage ditches.

MOTION/VOTE

Commissioner Coulter moved and Commissioner Kellenbeck seconded the motion to recommend approval of the Stormwater Master Plan to City Council. The vote resulted as follows: "AYES": Chair Fitzgerald and Vice Chair Coulter and Commissioners Wiegand, Arthur, Kellenbeck, McIntire and McVay. "NAYS": None. Abstain: None. Absent: MacMillan.

The motion passed.

- Commissioner Fitzgerald asked if we are at capacity for the wastewater pipes. Jason let the commission know that the capacity is in the plan. The river crossings are the weak link in the system and were therefore looked at very carefully. We do have capacity in those locations.
- Commissioner Fitzgerald asked about the Redwood area pipe. There was a study somewhere saying we don't need the swinging bridge. Jason let Commissioner Fitzgerald know that there were several routes that could have been explored; this one was just much less expensive than trying to bore a hole under the river.
- Commissioner Arthur asked about item 4.3, there were three incidents on one day on 2ndSt. It shows you will be diverting 6th St sewage down this route. If it wasn't able to

handle the volume then what has changed to allow it to divert this way? Jason let the commission know that all of those pipes were upsized and now have far more capacity.

MOTION/VOTE

Commissioner Kellenbeck moved and Commissioner McIntire seconded the motion to recommend approval of the Wastewater Collection Master Plan to City Council. The vote resulted as follows: "AYES": Chair Fitzgerald and Vice Chair Coulter and Commissioners Wiegand, Arthur, Kellenbeck, McIntire and McVay. "NAYS": None. Abstain: None. Absent: MacMillan.

The motion passed.

- Commissioner Coulter asked about the viability of the other plans for the new water treatment plan. The commission had to approve the plans retroactively as Council approved it before it went to UAPC. He wanted to know why options one and two couldn't have worked. Jason let him know that option one would have only just gotten the building up to par. You have to look at if it was a good idea risk wise to continue to spend the rate payer's money on an 85 year old building.
- Jason let the Commission know that this plan stands on its own behalf – it only deals with how much, how fast at what pressure, and what service level and is not impacted by the new facility.
- Commissioner Fitzgerald asked if this plan accounts for the costs of the new plant and where the water and new piping will need to be directed. Jason let the commission know that those costs were built into the plan for the new facility not into this plan.
- Commissioner Coulter asked if on alternative plan one that retrofits the current facility, why is it not financially feasible? Jason let him know that it was determined that it was financially feasible, however it will still be an old building that is prone to breakage, the walls are too thin, rebar is failing. Commissioner Coulter feels that alternative one needed further consideration. Jason requested that Commissioner Coulter come with him to the water plant so that he could show him what they were discussing and talk with him about it in further depth. The rest of the commission requested that Commissioner Coulter take photos for the whole commission to be on the same page.
- City staff let the commission know that if City Council changed the plan or any changes are made it will need to go back through the full process and go back to UAPC.

- Commissioner Arthur would like an explanation on the map shown at 2.1. Jason let her know that the plan is to put in a zone 2 reservoir and to continue to serve the upper zone with the pumps.
- The large pink sections are individual parcels that are served by wells.
- RCC is technically in zone 1, but if they ever come online they will need a reservoir to service as they are so far out from the rest of the zone.

MOTION/VOTE

Commissioner Kellenbeck moved and Commissioner McIntire seconded the motion to recommend approval of the Water Distribution Master Plan to City Council. The vote resulted as follows: "AYES": Chair Fitzgerald and Vice Chair Coulter and Commissioners Wiegand, Arthur, Kellenbeck, McIntire and McVay. "NAYS": None. Abstain: None. Absent: MacMillan.

The motion passed.

MOTION/VOTE

Commissioner McIntire moved and Commissioner Kellenbeck seconded the motion adopt addendum two to element ten to the comprehensive plan. The vote resulted as follows: "AYES": Chair Fitzgerald and Vice Chair Coulter and Commissioners Wiegand, Arthur, Kellenbeck, McIntire and McVay. "NAYS": None. Abstain: None. Absent: MacMillan.

The motion passed.

5. OTHER ITEMS/STAFF DISCUSSION:

- Lora let the Commission know that City staff will reach out in the future with council workshops on items that will come to them in the future. Lessons were learned from the meeting that UAPC had to retroactively approve the new plant plans. Lora will reach out the UAPC earlier to prepare them ahead of time.
- Lora will get the plans for a possible urban renewal district to the commission ahead of time.
- Lora will get the draft of a possible economic development plan to the commission as soon as the plans are available to city council.
- There was a discussion of cancelling or moving dates in the third and fourth quarter if it falls on a holiday.

6. **ITEMS FROM COMMISSIONERS:**

- Commissioner Kellenbeck would like to say thank you Jason for taking care of the Dollar General "pond".
- Commissioner Arthur will be leaving and will be gone for at least three meetings. Lora asked her to please email Jayme this info.
- Commissioner Fitzgerald also wants to say thank you to Jason.

7. **ADJOURNMENT:**

Chair Fitzgerald adjourned the meeting at 8:32 P.M.

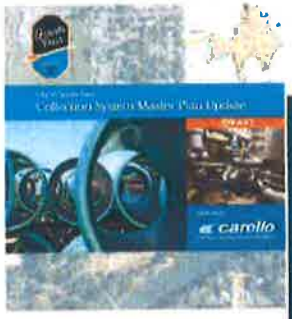
Next Meeting: June 22, 2016

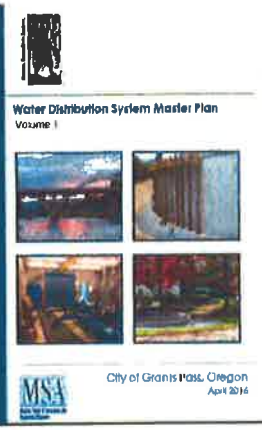
Gerard Fitzgerald, Chair
Urban Area Planning Commission

June 22, 2016
Date

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.

Public Works
Utilities Master Plans Update





Jason M. Canady, Public Works Director

June 8, 2016

Public Works
Utilities Master Plans Update

- Relationship to Council Goals:
  - Maintain, Operate and Expand our Infrastructure to Meet Community Needs: Plan and develop infrastructure

EXHIBIT C
TO UAPC FOF

Public Works
Utilities Master Plans Update

- Agenda:
  - Water Distribution System Master Plan (WDMP)
  - Collection System Master Plan (CSMP)
  - Stormwater Master Plan (SWMP)

WDMP Background

- The WDMP is the primary planning document for the water distribution sytem and is required per OAR 333-061-0061.(2).(b).(F)
  - Plan must follow prescribed format and cover key planning areas:
    - Current and future deficiencies, level of service goals, projected growth, financial capabilities (covered in a separate study), Capital Improvement Plan (CIP), conservation element (covered under the Water Conservation Management Plan)
- Provides the City with information needed to inform short and long-term water infrastructure decisions

WDMP Background

- The update to the 2001 Plan was launched in January, 2015 with primary goals of:
  - Documenting the existing system
  - Estimating future water requirements (consistent with WMCP)
    - Expansion areas related to UGB
  - Identify current and future deficiencies and recommend improvements
  - Update the City's Capital Improvement Plan
  - Comply with water system master planning requirements in accordance with OAR 333-061-0061

Why Update the WDMP?

- The most recent plan was completed & adopted in 2001 and is 15 years old!
  - This plan has served as the primary guiding document for majority of water projects
  - Identified ~$22M in projects in a 20+ year planning window
  - Many of the identified projects have been completed PLUS more...
    - Four new pump stations: Meadow Wood, Laurel Ridge, Panoramic Loop, Williams Crossing
    - Development driven growth added 47 miles of water mains in this period
    - Reservoir 3 was replaced due to structural issues identified during a minor upgrade to roof hatches

Why Update the WDMP?

- UGB expansion added several areas that require extensive study
- Changes in Fire Flow requirements for large facilities/schools
  - City's exemplary ISO rating in large part to our robust water system
  - Fire flow requirements have increased since 2001
    - Can we provide additional flow where it is required?

What is in the WDMP?

- Service levels including:
  - Pressure/flow requirements
  - Storage volumes
  - Pump station capacity/redundancy
- The entire system is then compared to these criteria to find current and future deficiencies
  - These deficiencies are then developed into Capital Improvement Plan (CIP)
- CIP becomes one facet of the City's financial requirement that will be studied in an upcoming rate study

CSMP Background

- The CSMP is the primary planning document and complies with the State of Oregon's Goal 11, Public Facilities Planning (OAR 660-011)
  - Plan includes the following Goal 11 compliance components:
    - An inventory and general assessment of the condition of the system, list of projects to support land uses designated in the City's Comprehensive Plan, cost estimates of the projects, maps, and estimates of when the facilities will be needed
- Provides the City with information needed to inform short and long-term sewer infrastructure decisions

Why Update the CSMP

- The most recent CSMP was completed & adopted in 2004 and is 12 years old
  - This plan has served as the primary guiding document for all wastewater collection system projects
  - Identified ~$18M in projects in a 20+ year planning window
  - Many of the identified projects have been completed
- UGB expansion has added several areas that required extensive study

CSMP Update Objectives

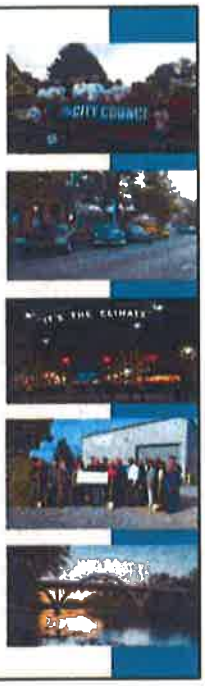
- An update to the 2004 CSMP was launched in February, 2015 with primary goals of:
  - Document existing system condition
  - Evaluate system capacity under existing and projected growth conditions
  - Develop feasible alternatives to correct deficiencies
  - Plan infrastructure improvements needed to extend sewer service to new growth areas, and provide adequate service for infill
  - Estimate capital costs of proposed sewer improvements

What is in the CSMP?

- Policies and Criteria
  - Policies for ownership, operations, and maintenance
  - Criteria for evaluating collection system
- Flow projections
  - Reviews historical wastewater flows and presents the methodology for flow projections (20 year planning period).
- Collection System Condition Assessment
  - What needs to be repaired/replaced or added

What is in the CSMP?

- Collection System Analysis
  - Presents the hydraulic evaluation of the collection system
  - Proposes projects that correct current and future capacity deficiencies.
- Capital Improvement Projects
  - Recommends CIP based on the criteria to address current and future deficiencies
  - Presents cost estimates and schedule for CIP.
  - This chapter is organized to assist the City in making financial decisions.

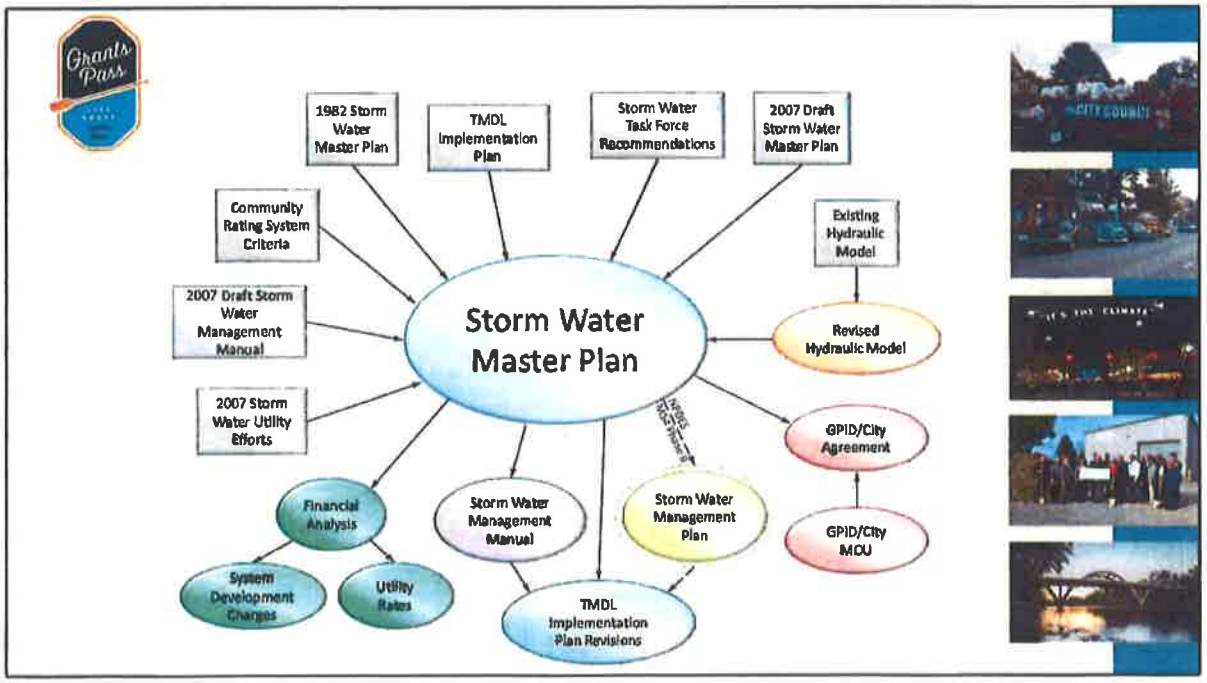


Background

- Current Stormwater Master Plan was adopted in May of 1982.
  - Has served as the basis of stormwater planning for the past 34 years
- In preparation for more stringent stormwater management rules a group was formed to draft a new SWMP.
  - Plan was completed in 2007
  - For various reasons the plan was not adopted

SWMP Background

- In 2012 Grants Pass was included in a newly designated Urbanized Area (based on 2010 census)
- One of triggers requiring City to apply for MS4 NPDES Phase II Permit
- In 2014 SWMP update was started
  - Built upon work completed in 2007
  - Collaboration process between the City, County and GPID
  - SWMP evaluated the stormwater system including:
    - Existing capacity limitations, jurisdiction (City, GPID, County), maintenance requirements, capital improvements



Stormwater Master Plan

- Phase I: (complete)
  - Review of all available documents
    - 1982 SWMP, 2007 SWMP, 2007 Draft Stormwater Management Plan, TMDL Implementation Plan, many others
  - Review of 2007 stormwater model
  - Interviews of GPID, County, and City staff

Stormwater Master Plan

- Phase II (complete)
  - Establish basis of evaluation and design criteria
  - Data collection:
    - Surveying of City and GPID systems
  - Update the model (included adding irrigation segments to the model)
- Phase III (incomplete)
  - MOU/IGA between City and GPID
    - Ongoing – staff are making good progress; working collaboratively with GPID

Stormwater Master Plan

- Phase IV: Stormwater Utility (incomplete)
  - The stormwater utility is needed to provide funding in order to perform the work required by an NPDES MS4 Phase II Permit
    - Stormwater is included in our upcoming rate study
    - Adoption of stormwater utility to be considered by Council
- Phase V: Stormwater Master Plan (complete)
  - Identifies problem areas and best apparent solutions
  - Solutions include both capital improvements and operational changes
  - Recommends preliminary maintenance changes
    - Additional operational and maintenance recommendations to be addressed in the stormwater management plan

Cost Implication

- Projects have been and will continue to be prioritized by importance to the overall system
  - Deficiencies will be addressed based on need and development
  - Other projects will be moved ahead or back based on development, urgency and ability to fund
- All costs for implementation of the Plans will be paid by water, wastewater, stormwater revenues,
- Funds will be allocated each fiscal year as projects are required and as monies are available

Conclusion

- Each plan is in compliance with State planning requirements and provides Staff and Council with planning level estimates of work needed to ensure the City can reliably provide water, wastewater and stormwater services to its citizens. The plans help minimize risk of failures and increase our ability to provide adequate service under changing regulatory environments.

Questions?

Cost Implication

Project Type	Phase 1 (2015 – 20)	Phase 2 (2021 – 25)	Phase 3 (2026 – 35)	Total Capital Cost
Capacity	$1,924,000	$914,000	$2,257,000	$5,095,000
Repair & Replace	$16,977,000	$16,130,000	$32,179,000	$65,286,000
Capacity & R/R	$11,211,000	$4,032,000	$1989,000	$17,232,000
Expansion	$-	$2,971,000	$17,220,000	$20,373,000
General	$150,000	$300,000	$300,000	$750,000
Total	**$30,262,000**	**$24,529,000**	**$53,945,000**	**$108,736,000**
Annual Total	$5,044,000	$4,906,000	$5,395,000	**$5,178,000**

Cost Implication

Capital Improvement Plan

Improvement Category	CIP Schedule and Project Cost Summary				Preliminary Cost % to Growth
	5-year thru 2021	10-year 2022-2026	20-year 2027-2036	Estimated Project Cost	
Storage Reservoirs	$ 2,175,000	$ 7,500,000	$ 5,100,000	$ 14,775,000	$ 9,282,000
Pump Stations	$ 1,275,000	$ 1,000,000	$ 1,200,000	$ 3,475,000	$ 2,654,145
PRVs	$ 400,000	$ -	$ 750,000	$ 1,150,000	$ 958,000
Distribution Mains	$ 12,834,000	$ 13,869,000	$ 32,532,000	$ 59,235,000	$ 40,028,280
Planning	$ 280,000	$ 50,000	$ 150,000	$ 480,000	$ 249,600
CIP Total	$ 16,964,000	$ 22,419,000	$ 39,732,000	$ 79,115,000	$ 53,172,025

Annual Average CIP Cost		
$3,392,800 5-year	$3,938,300 10-year	$3,955,750 20-year

Stormwater Master Plan

Summary of Costs by Priority

ID#	Total Estimated Cost (2015)
Priority 1A Improvements (0-15 years)	
Allen Fruitdale	$ 13,715,000
Gilbert	$ 6,085,000
Sand	$ 12,088,000
Skunk Jones	$ 3,000
Total Priority 1A Improvements	**$ 31,891,000**
Priority 1B Improvements (15-20 years)	
Allen Fruitdale	$ 407,000
Sand	$ 650,000
Skunk Jones	$ 7,038,000
Total Priority 1B Improvements	**$ 8,095,000**
Priority 2A Improvements (20-25 years)	
Gilbert	$ 457,000
Skunk Jones	$ 61,000
Total Priority 2A Improvements	**$ 518,000**

ID#	Total Estimated Cost (2015)
Priority 2B Improvements (20-25 years)	
Skunk Jones	$ 2,181,000
Total Priority 2B Improvements	**$ 2,181,000**
Priority 3A Improvements (25-30 years)	
Allen Fruitdale	$ 309,000
Sand	$ 776,000
Skunk Jones	$ 448,000
Total Priority 3A Improvements	**$ 1,533,000**
Priority 3B Improvements (25-30 years)	
Skunk Jones	$ 1,157,000
Total Priority 3B Improvements	**$ 1,157,000**
Priority 3C Improvements (25-30 years)	
Skunk Jones	$ 795,000
Total Priority 3C Improvements	**$ 795,000**
Priority 4 Improvements (30-35years)	
Allen Fruitdale	$ 280,000
Total Priority 4 Improvements	**$ 280,000**

Stormwater Master Plan

- Prioritized Capital Improvement
- City can use list for budgeting and implementing improvements

ID#	Priority	Item	Total Estimated Cost (2015)
Priority 1B Improvements (15-20 years)			
Allen Fruitdale			
AF-6	1B	West Park Street, Josephine County Yard, Tussing Park	$ 407,000
Sand			
S-4	1B	Redwood Circle to River	$ 650,000
Skunk Jones			
SJ-1	1B	F Street	$ 1,829,000
SJ-8	1B	Spill Northwest of I-5 and Hillcrest Drive to 7th Street	$ 386,000
SJ-11	1B	Rogue Drive Trunkline	$ 2,938,000
SJ-12	1B	M Street	$ 759,000
SJ-13	1B	A Street-West	$ 1,126,000
		Total Priority 1B Improvements	**$ 8,095,000**
Priority 2A Improvements (20-25 years)			
Gilbert			
G-2	2A	9th Street	$ 457,000
Skunk Jones			
SJ-7	2A	Demoray Canal	$ 61,000
		Total Priority 2A Improvements	**$ 518,000**

CITY OF GRANTS PASS PARKS & COMMUNITY DEVELOPMENT DEPARTMENT

ELEMENT 10 (PUBLIC FACILITIES) COMPREHENSIVE PLAN AMENDMENT STAFF REPORT – CITY COUNCIL

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00102-16
Project Type:	Comprehensive Plan Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Lora Glover
Application Received:	April 6, 2018
Application Complete:	April 8, 2016
Date of UAPC Hearing:	June 8, 2016, continued from May 25, 2016
Date of UAPC Findings of Fact:	June 15, 2016
Date of City Council Staff Report:	September 13, 2016
Date of City Council Hearing:	September 21, 2016

I. PROPOSAL:

Amendment adopting Addendum 2 to Element 10 of the Comprehensive Plan (Public Facilities) to incorporate updates for the Wastewater Collection Master Plan, the Water Distribution System Master Plan and the Stormwater Master Plan. The UAPC recommended approval of adoption of the proposed amendment. Their recommendation and findings are attached as ***Exhibit A***.

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. 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 2015, the City Council adopted Ordinance 15-5655 which updated Element 10, by adopting the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014; and 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.

The proposed amendment will incorporate the Wastewater Collection, Water Distribution System and the Stormwater Master Plans and adopt the Capital Improvement Programs identified in Tables 2-1, 2-2, 2-3 and 2-4 of Addendum 2 to Element 10 of the Comprehensive Plan.

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 full plans are not attached to this staff report, but the full copies are available electronically on the City website.

The Urban Area Planning Commission (UAPC) initially heard the matter on May 25, 2016, and continued the matter until June 6, 2016 for additional time to review the proposed master plans. The Urban Area Planning Commission recommended approval of the amendment at their June 6, 2016 hearing. The Findings of Fact were signed on June 22, 2016. Following the UAPC's recommendation, the City Council chose to review the three master plans individually. The City Council adopted the Collection System Master Plan (Resolution 16-6455) on July 20, 2016, the Water Distribution System Master Plan (Resolution 16-6461) on August 3, 2016, and the Storm Water Master Plan (Resolution 16-6464) on September 7, 2016.

V. 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, the Sanitary Sewer Service Policies in Section 10.3 of the Comprehensive Plan Policies, and the Storm Drainage Services Policies in Section 10.4. These plans address the needs for treatment capacity and requirements for the Water Treatment Plant, Water Distribution and Stormwater Management.

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 plans address 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. The public hearing process for the proposed amendments to Element 10 of the Comprehensive Plan provides for citizen review and comment during at least two public hearings.

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

Response: Satisfied. The Water Distribution System Master Plan was prepared by Murray, Smith & Associates and included consultation and coordination with affected agencies, including the Oregon Health Authority Drinking Water Program. The Stormwater Master Plan was prepared by Keller Associates, and included consultation and coordination with affected agencies including Josephine County and the Grants Pass Irrigation District (GPID). The Wastewater Collection System Master Plan was prepared by Carollo, and included consultation and coordination with affected agencies including Department of Environmental Quality (DEQ).

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

VI. RECOMMENDATION:

It is recommended that the City Council **APPROVE** the proposed amendments to the Comprehensive Plan.

VII. CITY COUNCIL ACTION:

A. Positive Action: approve of the request:
   1. as submitted.
   2. as modified by the City Council (list):

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

C. Postponement: Continue item
   1. indefinitely.
   2. to a time certain.

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

VIII. INDEX TO EXHIBITS:

Exhibit A ~ UAPC Findings of Fact with Exhibits:

UAPC Staff Report ~ Exhibit A
Ex 1 ~ Proposed Addendum 2 to Element 10 of the Comprehensive Plan (Public Facilities and Services)
Ex 2 ~ Full copies of the Water Distribution System Master Plan, Wastewater Collection System Master Plan and the Stormwater Master Plan.

These plans are not attached. They are available electronically on the City web site and at the Parks & Community Development Department.

UAPC Minutes ~ Exhibit B
UAPC PowerPoint Presentation ~ Exhibit C

ORDINANCE NO.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS ADOPTING ADDENDUM 2 TO THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN.

WHEREAS:

1. The Grants Pass and Urbanizing Area Community Comprehensive Plan was adopted December 15, 1982; and
2. The City Council adopted the Collection System Master Plan (Resolution 16-6455) on July 20, 2016, the Water Distribution System Master Plan (Resolution 16-6461) on August 3, 2016, and the Storm Water Master Plan (Resolution 16-6464) on September 7, 2016; and
3. Statewide Planning Goal 11 (Public Facilities and Services) and Oregon Administrative Rules (OAR) 660 Division 11 address public facilities planning and specify how public facility plans are to be addressed in the Comprehensive Plan; and
4. Addendum 2 to the Public Facilities Element of the Comprehensive Plan satisfies the applicable requirements; and
5. The applicable criteria of the Comprehensive Plan are satisfied for the amendment, 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. Addendum 2 to the Public Facilities Element (Element 10) of the Comprehensive Plan is hereby adopted, and the Comprehensive Plan is hereby amended as described in Exhibit '1' and Exhibit '2'. Full copies of the February 2016 Water Distribution System Master Plan, March 2016 Wastewater Collection System Master Plan and the February 2016 Stormwater Master Plan are incorporated herein by reference.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day of September, 2016, with the following specific roll call vote:

AYES:

NAYS: **ABSTAIN:** **ABSENT:**

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon, this ____ day of September, 2016.

_____
Darin Fowler, Mayor

ATTEST:

_____
Karen Frerk, City Recorder

Date submitted to Mayor: _____

Approved as to Form, Mark Bartholomew, City Attorney _____

Grants Pass and Urbanizing Area Community Comprehensive Plan
Element 10: Public Facilities

Addendum 2: 2016 Update

This addendum updates the following sections of the Public Facilities Element:

- 10.20. Water Services
- 10.30. Sanitary Sewer Services
- 10.40. Storm Drainage Services

Background

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 2015, the City Council adopted Ordinance 15-5655 which updated Element 10, by adopting the Water Treatment Facility Plan Update prepared by Murray, Smith & Associates in association with MWH Americas, Inc. dated January 2014; and 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, this addendum recognizes these 2015 updates as part of the City's Public Facilities Plan, as support documents to the Comprehensive Plan. This addendum also adopts certain elements of these plans as part of the comprehensive plan, as specified in OAR 660-011-0045.

Section 1. Plans Adopted Part of the Public Facility Plan as Part of a Supporting Document to the Comprehensive Plan

The February 2016 Stormwater Master Plan, February 2016 Water Distribution System Master Plan and the March 2016 Wastewater Collection System Master Plan are adopted as part of the Public Facilities Plan as a supporting document to the Comprehensive Plan.

Some of the information and provisions in the plans referenced in this addendum supersede materials in Section 10.20 pertaining to water services, Section 10.30 pertaining to sanitary sewer services and Section 10.40 pertaining to storm drainage services.

Section 2. Sections Adopted as Part of Comprehensive Plan

1. The parts of the February 2016 Stormwater Master Plan, February 2016 Water Distribution System Master Plan and the March 2016 Wastewater Collection System Master Plan identified in Tables 2-1, 2-2, 2-3 and 2-4 are hereby adopted and incorporated as part of the comprehensive plan.

2. In accordance with OAR 660-011-0045(2), certain public facility plan project descriptions, location, or service area designations will necessarily change as a result of subsequent design studies, capital improvement programs, environmental impact studies, and changes in potential sources of funding. It is not the intent of this section to:

    a. Either prohibit projects not included in the public facility plans for which unanticipated funding has been obtained;

    b. Preclude projects specification and location decisions made according to the National Environmental Policy Act; or

    c. Subject administrative and technical changes to the facility plan to ORS 197.610(1) and (2) or 197.835(4).

3. In accordance with OAR 660-011-0045(3), the public facility plan may allow for the following modifications to projects without amendment to the public facility plan:

    a. Administrative changes are those modifications to a public facility project which are minor in nature and do not significantly impact the project's general description, location, sizing, capacity, or other general characteristic of the project.

    b. Technical and environmental changes are those modifications to a public facility project which are made pursuant to "final engineering" on a project or those that result from the findings of an Environmental Assessment or Environmental Impact Statement conducted under regulations implementing the procedural provisions of the National Environmental Policy Act of 1969 (40 CFR Parts 1500-1508) or any federal or State of Oregon agency project development regulations consistent with the Act and its regulations.

    c. Public facility project changes made pursuant to subsection (3b) are subject to the administrative procedures and review and appeal provisions of the regulations controlling the study (40 CFR Parts 1500-1508 or similar regulations) and are not subject to the administrative procedures or review or appeal provisions of ORS Chapter 197, or OAR Chapter 660 Division 18.

4. Land use amendments are those modifications or amendments to the list, location or provider of, public facility projects, which significantly impact a public facility project identified in the comprehensive plan and which do not qualify under subsection (3)(a) or (b). Amendments made pursuant to this subsection are subject to the administrative procedures and review and appeal provisions accorded "land use decisions" in ORS Chapter 197 and those set forth in OAR Chapter 660 Division 18.

Table 2-1. Water Distribution Capital Improvement Program

Table 5-4
Capital Improvement Program (CIP) Summary

Improvement Category	CIP No.	Project Description	CIP Schedule and Project Cost Summary				Preliminary Cost % to Growth
			5-year thru 2021	10-year 2022-2026	20-year 2027-2036	Estimated Project Cost	
Storage Reservoirs	R-13	0.7 MG Ausland Reservoir - Zone 4 Reservoir No. 13 replacement	$ 2,100,000			$ 2,100,000	40%
	R-14	0.5 MG Laurel Ridge Reservoir			$ 1,500,000	$ 1,500,000	40%
	R-16	1.3 MG Meadow Wood Reservoir		$ 3,900,000		$ 3,900,000	69%
	R-17	1.2 MG New Hope (Cathedral Hills) Reservoir		$ 3,600,000		$ 3,600,000	42%
	R-19	1.2 MG Pearce Park Reservoir - Zone 2 Spalding Industrial Park			$ 3,600,000	$ 3,600,000	100%
		Capital Maintenance	$ 75,000			$ 75,000	52%
		Subtotal	$ 2,175,000	$ 7,500,000	$ 5,100,000	$ 14,775,000	$ 9,282,000
Pump Stations	P-1	Meadow Wood P.S. high (Zone 3MW) - fire flow capacity upgrade	$ 250,000			$ 250,000	52%
	P-2	Panoramic P.S. - fire flow capcity upgrade	$ 400,000			$ 400,000	52%
	P-3	Ausland P.S. supplying proposed Ausland Reservoir (R-13)	$ 500,000			$ 500,000	52%
	P-4	Zone 4N P.S. - constant pressure			$ 1,200,000	$ 1,200,000	100%
	P-5	North Valley P.S. replacement		$ 1,000,000		$ 1,000,000	79%
		Capital Maintenance	$ 125,000			$ 125,000	52%
		Subtotal	$ 1,275,000	$ 1,000,000	$ 1,200,000	$ 3,475,000	$ 2,654,145
PRVs	V-1	Spalding Industrial Area - Ament Rd PRV			$ 150,000	$ 150,000	100%
	V-2	Zone 4N Highland Ave PRV			$ 150,000	$ 150,000	100%
	V-3	Blue Gulch PRV			$ 150,000	$ 150,000	100%
	V-4	Overland PRV			$ 150,000	$ 150,000	100%
	V-5	10th Street PRV	$ 150,000			$ 150,000	52%
	V-6	NW B Street PRV			$ 150,000	$ 150,000	100%
	V-7	Zone 2A PRV replacements (Capital Maintenance)	$ 250,000			$ 250,000	52%
		Subtotal	$ 400,000	$ -	$ 750,000	$ 1,150,000	$ 958,000

Distribution Mains	M-1, 2, 3, 9, 10	Piping improvements for fire flow	$ 683,000			$ 683,000	52%
	M-4 to 8	Zone 2A - Hwy 99, Savage, Manzanita Loop	$ 758,000			$ 758,000	52%
	M-11, 12	Proposed Zone 2H - connect Harbeck and Hilltop			$ 532,000	$ 532,000	100%
	M-13 to 22	Spalding Industrial Area - Zone 2 expansion			$ 3,181,000	$ 3,181,000	100%
	M-24, 25, 26	Zone 3 Granite Hill to Scoville Loop			$ 1,415,000	$ 1,415,000	100%
	M-27 to 30	Zone 3 Scoville to Spring Moutain Loop			$ 1,107,000	$ 1,107,000	100%
	M-31 to 33, 42	Zone 3 I-5 crossing at Cedar Loop, Spring Moutain to Hillcrest Loop			$ 1,396,000	$ 1,396,000	100%
	M-34 to 41, 52	Proposed Ausland P.S. (P-3) and Reservoir (R-13) mains	$ 2,897,000			$ 2,897,000	52%
	M-43, 44	Zone 3 I-5 crossing at Humane Society			$ 570,000	$ 570,000	100%
	M-45, 46	Zone 3 Vine Street Loop - Highland to Hawthorne			$ 996,000	$ 996,000	52%
	M-47 to 51	Zone 4N mains			$ 1,996,000	$ 1,996,000	100%
	M-53 to M-57	Zone 1 Spalding Industrial Area loop			$ 1,362,000	$ 1,362,000	100%
	M-58 to 62	Meadow Wood future mains		$ 1,173,000		$ 1,173,000	100%
	M-63 to 68	New Hope future mains		$ 2,532,000		$ 2,532,000	100%
	M-69 to 75	Laurel Ridge and Blue Gulch future mains			$ 1,870,000	$ 1,870,000	100%
	M-76, 77, 81, 82, 83	Zone 1 Fruitdale future mains			$ 2,087,000	$ 2,087,000	100%
	M-78, 79, 80	Zone 1 Looping- Cloverlawn & Grandview		$ 639,000		$ 639,000	52%
	M-84 to 87	Zone 1 Lincoln Road Loop		$ 814,000		$ 814,000	52%
		Routine Main Replacement Program (Capital Maint.)	$ 8,000,000	$ 8,000,000	$ 16,000,000	$ 32,000,000	52%
		Subtotal	**$12,338,000**	**$13,158,000**	**$ 32,512,000**	**$ 58,008,000**	**$ 39,390,240**
Planning		Seismic Resilience Study	$ 100,000			$ 100,000	52%
		Water Management & Conservation Plan update		$ 50,000		$ 50,000	52%
		Water Distribution System Master Plan update			$ 150,000	$ 150,000	52%
		Unidirectional Flushing (UDF) Program Development	$TBD			$ -	52%
		Distribution Piping Corrosion Study	$ 100,000			$ 100,000	52%
		Subtotal	$ 200,000	$ 50,000	$ 150,000	$ 400,000	$ 208,000
Capital Improvement Program (CIP) Total			**$16,388,000**	**$21,708,000**	**$ 39,712,000**	**$ 77,808,000**	**$ 52,492,385**
			Annual Average CIP Cost				
			$3,277,600 5-year	**$3,809,600 10-year**	**$3,890,400 20-year**		

Table 2-2. Wastewater Collection System Master Plan CIP (Table 6.12)

Table 6.12 Detailed Capital Improvement Plan
Wastewater Collection System Master Plan
City of Grants Pass

Project Description				Project Size and Cost				Total CIP	Total CIP Cost ($) - Project Phasing		
Improv. ID	Improv. Type	Project Purpose	Address Description	Existing Size	Proposed Size	Replace/ New	Length (ft)	Total Capital Improvement Cost($)	Phase 1 (2015-2020)	Phase 2 (2021-2025)	Phase 3 (2026-2035)
Project 1 - SW Western Street / SW Spruce Street											
P-1A	Gravity	Capacity and R&R	Along SW Western Ave between I St and K St	8	12	Upsize	581	$184,000	$184,000		
P-1B	Gravity	Capacity and R&R	Along SW Western Ave between K St and SW Bridge St	10	15	Upsize	546	$195,000	$195,000		
P-1C	Gravity	Capacity and R&R	Along SW Spruce St between SW Bridge St and Webster Rd	8	18	Upsize	1,998	$791,000	$791,000		
P-1D	Gravity	Capacity and R&R	Along SW Bridge St between SW Western Ave and SW Westhom Ave	10	18	Upsize	481	$190,000	$190,000		
P-1E	Diversion	Capacity	Diversion to east Bridge St	10	-	Plug	-	-	-		
Total Project 1 - SW Western / SW Spruce Street								**$1,360,000**	**$1,360,000**	**$0**	**$0**
Project 2-1 - NW Highland Street											
P-2A	Gravity	Capacity	Along NW Highland Ave between 300 ft north of NW Parker Dr and NW Midland Ave	8	12	Upsize	939	$296,000	$296,000		
Total Project 2-1 - NW Highland Street								**$296,000**	**$296,000**	**$0**	**$0**
Project 2-2 - NW Prospect Street											
P-2B	Gravity	Capacity and R&R	Along NW Midland Ave between NW Highland Ave and NW Prospect Ave	8	12	Upsize	623	$196,000		$196,000	
P-2C	Gravity	Capacity and R&R	Along NW Prospect Ave between NW Midland Ave and 150 feet south of NW Sandy Dr	10	15	Upsize	834	$298,000		$298,000	
Total Project 2-2 - NW Prospect Street								**$494,000**	**$0**	**$494,000**	**$0**
Project 3 - NW Midland Avenue											
P-3A	Gravity	Capacity	Along Midland Ave between NW 6th St and NW Washington Blvd	-	12	New	710	$224,000	$224,000		
Total Project 3 - NW Midland Avenue								**$224,000**	**$224,000**	**$0**	**$0**
Project 4 - NE A Street											
P-4A	Gravity	Capacity and R&R	Along NE A St between NE 9th St and NE 7th St	12	18	Upsize	844	$334,000	$334,000		
Total Project 4 - NE A Street								**$334,000**	**$334,000**	**$0**	**$0**
Project 5 - NE Savage Street / NE 9th Street											
P-5A	Gravity	Capacity and R&R	Along NE Savage St between NE 10th St and NE 9th St and along NE 9th St between NE Savage St and NE Josephine St	8	12	Upsize	3,431	$1,084,000	$1,084,000		
Total Project 5 - NE Savage Street / NE 9th Street								**$1,084,000**	**$1,084,000**	**$0**	**$0**
Project 6 - SE Mill Street / SE Rogue View Lane											
P-6A	Gravity	Capacity and R&R	Along SE Mill St between NE D St and SE M St	12	18	Upsize	3,755	$1,486,000	$1,486,000		
P-6B	Gravity	Capacity and R&R	Along SE M St between SE Mill St and SE 12th St	12	21	Upsize	907	$395,000	$395,000		
P-6C	Gravity	Capacity and R&R	Along SE M St between SE 12th St and SE 7th St	-	21	New	2,177	$946,000	$946,000		
Total Project 6 - SE Mill Street / SE Rogue View Lane								**$2,827,000**	**$2,827,000**	**$0**	**$0**
Project 7 -Annabelle Lane											
P-7A	Gravity	Capacity	RSSD Interceptor between Wineteer Ln To Leonard Rd	15	21	Upsize	1,948	$848,000		$848,000	
Total Project 7 - Annabelle Lane								**$848,000**	**$0**	**$848,000**	**$0**
Project 8 -Leonard Road											
P-8A	Gravity	Capacity	Along Leonard Rd between Redwood Ave to south of Mesman Dr	8	12	Upsize	888	$281,000	$281,000		
P-8B	Gravity	Capacity	Along Leonard Rd between south of Mesman Dr and intersection of Leonard Rd with Mesman Dr	8	15	Upsize	384	$138,000	$138,000		
Total Project 8 - Leonard Road								**$419,000**	**$419,000**	**$0**	**$0**

Project 9 - Gilbert Creek Park											
P-9A	Gravity	Capacity	Along Gilbert Creek Park 500 ft north of NW Parker Dr and west of NW Hawthorne Ave	8	12	Upsize	451	$143,000			$143,000
Total Project 9 - Gilbert Creek Park								**$143,000**	**$0**	**$0**	**$143,000**
Project 10-1 - Rogue Drive / SE Blue Bird Drive											
P-10A	Gravity	Capacity and R&R	Along Rogue Dr between SE N St and SE Blue Bird Dr	15	18	Upsize	1,831	$725,000		$725,000	
P-10B	Gravity	Capacity and R&R	Through properties on north bank of river, south of Waterman Ln and Lela Ln to Blue Bird Dr	12	15	Upsize	1,890	$675,000		$675,000	
Total Project 10-1 - Rogue River / SE Blue Bird Drive								**$1,400,000**	**$0**	**$1,400,000**	**$0**
Project 10-2 - West SE Blue Bird Drive											
P-10C	Gravity	Capacity and R&R	Through properties on north bank of river, from Blue Bird Dr to just upstream of pipe split under Rogue River	18	24	Upsize	2,208	$1,051,000			$1,051,000
Total Project 10-2 - Rogue River / SE Blue Bird Drive								**$1,051,000**	**$0**	**$0**	**$1,051,000**
Project 11 - Park Street											
P-11A	Gravity	Capacity and R&R	Through properties on south bank of the river between Mystic Dr and Gold River Ln	18	27	Upsize	202	$108,000		$108,000	
P-11B	Gravity	Capacity and R&R	Through properties on south bank of the river between Gold River Dr and SE Acacia Ln	24	27	Upsize	795	$426,000		$426,000	
Total Project 11 - Park Street								**$534,000**	**$0**	**$534,000**	**$0**

Table 6.12 Detailed Capital Improvement Plan
Wastewater Collection System Master Plan
City of Grants Pass

Project Description				Project Size and Cost				Total CIP	Total CIP Cost ($) - Project Phasing		
Improv. ID	Improv. Type	Project Purpose	Address Description	Existing Size	Proposed Size	Replace/ New	Length (ft)	Total Capital Improvement Cost($)	Phase 1 (2015-2020)	Phase 2 (2021-2025)	Phase 3 (2026-2035)
Project 12 - Darneille Lane											
P-12A	Gravity	Capacity	Along Darneille Ln between the intersection of Darneille Ln with SW Harvest Dr and Darneille PS	12	18	Upsize	1,551	$614,000			$614,000
Total Project 12 - Darneille Lane								**$614,000**	**$0**	**$0**	**$614,000**
Project 13 - Mesman Drive to Coutant Lane											
P-13A	Gravity	Capacity	RSSD Interceptor between Mesman Dr and Schroeder Ln	18	21	Upsize	2,047	$890,000			$890,000
P-13B	Gravity	Capacity	RSSD Interceptor between Schroeder Ln and Coutant Ln	18	24	Upsize	1,282	$610,000			$610,000
Total Project 13 - Mesman Drive to Coutant Lane								**$1,500,000**	**$0**	**$0**	**$1,500,000**
Project 14 - NE 7th Street											
P-14A	Gravity	Capacity and R&R	Along NE 7th Street between NE A St and NW F St	12	18	Upsize	1,531	$606,000	$606,000		
Total Project 14 - NE 7th Street								**$606,000**	**$606,000**	**$0**	**$0**
Project 15 - NE Dean Drive / NE D Street											
P-15A	Gravity	Capacity	Along NE Dean Dr and NE D St from NE A St to SE Mill St	-	18	New	2,009	$795,000	$795,000		
Total Project 15 - NE Dean Drive / NE D Street								**$795,000**	**$795,000**	**$0**	**$0**
Project 16 - NW Evelyn Avenue											
P-16A	Gravity	Capacity	Along Evelyn Ave between Washington Boulevard and NW 2nd St	-	8	New	727	$190,000	$190,000		
Total Project 16 - NE Evelyn Avenue								**$190,000**	**$190,000**	**$0**	**$0**
Project 17 - NW Morgan Lane											
P-17A	Gravity	Capacity	Along Morgan Ln between NW 6th St and NW Washington Blvd	-	12	New	208	$66,000		$66,000	
Total Project 17 - NW Morgan Lane								**$66,000**	**$0**	**$66,000**	**$0**

Project 18 - NW Washington Boulevard											
P-18A	Gravity	Capacity and R&R	Along NW Washington Blvd between NW Midland Ave and NW Manzanita Ave	8	12	Upsize	2,239	$708,000			$708,000
P-18B	Gravity	Capacity and R&R	Along NW Washington Blvd between NW Manzanita Ave and NW Evelyn Ave	10	12	Upsize	727	$230,000			$230,000
Total Project 18 - NW Washington Boulevard								**$938,000**	**$0**	**$0**	**$938,000**
Project 19 - Darneille Pump Station											
PS-19A	Pump Station	Capacity and R&R	Alternatives Analysis Study	-	-	Study	1	$75,000	$75,000		
PS-19B	Pump Station	Capacity and R&R	Darneille PS	4.2	7.8	Upsize	1	$5,038,000	$5,038,000		
Total Project 19 - Darneille Pump Station								**$5,113,000**	**$5,113,000**	**$0**	**$0**
Project 20 - Webster No 1 Lift Station											
PS-20A	Pump Station	Capacity and R&R	Webster No. 1 PS	0	0.66	Upsize	1	$614,000	$614,000		
Total Project 20 - Webster No. 1 Pump Station								**$614,000**	**$614,000**	**$0**	**$0**
Project 21 - Webster No 2 Lift Station											
PS-21A	Pump Station	Capacity and R&R	Webster No. 2 PS	0	0.23	Upsize	1	$998,000		$998,000	
Total Project 21 - Webster No. 2 Pump Station								**$998,000**	**$0**	**$998,000**	**$0**
Project 22 - Spalding Area Development Expansion											
PS-22A	Pump Station	Expansion	SE Portola Dr	-	0.16	New	1	$986,000		$986,000	
P-22B	Force Main	Expansion	From Spalding PS to NE Portola Dr	-	6	New	1,227	$351,000		$351,000	
P-22C	Gravity	Expansion	In Spalding Area	-	8	New	4,779	$1,249,000		$1,249,000	
P-22D	Gravity	Expansion	In Spalding Area	-	8	New	8,461	$2,211,000			$2,211,000
P-22E	Casing	Expansion	Railroad crossing	-	12/24	New	200	$385,000		$385,000	
Total Project 22 - Spalding Area Development Expansion								**$5,182,000**	**$0**	**$2,971,000**	**$2,211,000**
Project 23 - North I-5 Area Development Expansion											
PS-23A	Pump Station	Expansion	Monument Dr and I-5	-	0.14	Upsize	1	$813,000			$813,000
P-23B	Force Main	Expansion	From I-5 PS to pipe on Pony Ln and NW Highland Ave	-	6	New	5,622	$1,611,000			$1,611,000
P-23C	Gravity	Expansion	In I-5 North Area	-	8	New	31,251	$8,166,000			$8,166,000
P-23D	Casing	Expansion	I-5 Crossings (3)	-	12/24	New	750	$1,445,000			$1,445,000
Total Project 23 - North I-5 Area Development Expansion								**$12,036,000**	**$0**	**$0**	**$12,036,000**
Project 24 - South Highway Development Expansion											
P-24A	Gravity	Expansion	In South Highway Area	-	8	New	11,377	$2,973,000			$2,973,000
Total Project 24 - South Highway Development Expansion								**$2,973,000**	**$0**	**$0**	**$2,973,000**
Project 25 - Bridge Street Pump Station											
PS-25A	Pump Station	R&R	Bridge Street	0.94	0.94	Upgrade	1	$25,000	$25,000		
Total Project 25 - Bridge Street Pump Station								**$25,000**	**$25,000**	**$0**	**$0**

Table 6.12 Detailed Capital Improvement Plan
Wastewater Collection System Master Plan
City of Grants Pass

Project Description				Project Size and Cost				Total CIP	Total CIP Cost ($) - Project Phasing		
Improv. ID	Improv. Type	Project Purpose	Address Description	Existing Size	Proposed Size	Replace/ New	Length (ft)	Total Capital Improvement Cost($)	Phase 1 (2015-2020)	Phase 2 (2021-2025)	Phase 3 (2026-2035)
Project 26 - Condition Only Projects - Phase 1 North of Rogue River											
P-26A	Gravity	R&R	North of Rogue River	8 and less	8	Replace	48,231	$12,603,000	$12,603,000		
P-26B	Gravity	R&R	North of Rogue River	10	10	Replace	5,262	$1,509,000	$1,509,000		
P-26C	Gravity	R&R	North of Rogue River	12	12	Replace	2,060	$651,000	$651,000		
P-26D	Gravity	R&R	North of Rogue River	15	15	Replace	104	$38,000	$38,000		
P-26E	Gravity	R&R	North of Rogue River	18	18	Replace	923	$365,000	$365,000		
P-26F	Gravity	R&R	North of Rogue River	21	21	Replace	1,926	$838,000	$838,000		
P-26G	Gravity	R&R	North of Rogue River	24	24	Replace	492	$234,000	$234,000		
Total Project 26 - Condition Only Projects - Phase 1 North of Rogue River								**$16,238,000**	**$16,238,000**	**$0**	**$0**
Project 27 - Condition Only Projects - Phase 1 South of Rogue River											
P-27A	Gravity	R&R	South of Rogue River	8 and less	8	Replace	60	$15,000	$15,000		
P-27B	Gravity	R&R	South of Rogue River	10	10	Replace	462	$133,000	$133,000		
P-27C	Gravity	R&R	South of Rogue River	15	15	Replace	378	$135,000	$135,000		
Total Project 27 - Condition Only Projects - Phase 1 South of Rogue River								**$283,000**	**$283,000**	**$0**	**$0**
Project 28 - Condition Only Projects - Phase 2 North of Rogue River											
P-28A	Gravity	R&R	North of Rogue River	8 and less	8	Replace	38,468	$10,051,000		$10,051,000	
P-28B	Gravity	R&R	North of Rogue River	10	10	Replace	8,581	$2,460,000		$2,460,000	
P-28C	Gravity	R&R	North of Rogue River	12	12	Replace	6,818	$2,090,000		$2,090,000	
P-28D	Gravity	R&R	North of Rogue River	18	18	Replace	1,278	$508,000		$508,000	
P-28E	Gravity	R&R	North of Rogue River	21	21	Replace	385	$168,000		$168,000	
Total Project 28 - Condition Only Projects - Phase 2 North of Rogue River								**$15,276,000**	**$0**	**$15,276,000**	**$0**
Project 29 - Condition Only Projects - Phase 2 South of Rogue River											
P-29A	Gravity	R&R	South of Rogue River	8 and less	8	Replace	1,402	$366,000		$366,000	
P-29B	Gravity	R&R	South of Rogue River	10	10	Replace	76	$21,000		$21,000	
P-29C	Gravity	R&R	South of Rogue River	15	15	Replace	417	$149,000		$149,000	
P-29D	Gravity	R&R	South of Rogue River	30	30	Replace	542	$319,000		$319,000	
Total Project 29 - Condition Only Projects - Phase 2 South of Rogue River								**$855,000**	**$0**	**$855,000**	**$0**

Project 30 - Condition Only Projects - Phase 3 North of Rogue River											
P-30A	Gravity	R&R	North of Rogue River	8 and less	8	Replace	59,905	$15,653,000			$15,653,000
P-30B	Gravity	R&R	North of Rogue River	10	10	Replace	6,181	$1,773,000			$1,773,000
P-30C	Gravity	R&R	North of Rogue River	12	12	Replace	2,760	$871,000			$871,000
P-30D	Gravity	R&R	North of Rogue River	15	15	Replace	433	$155,000			$155,000
P-30E	Gravity	R&R	North of Rogue River	18	18	Replace	217	$86,000			$86,000
P-30F	Gravity	R&R	North of Rogue River	21	21	Replace	243	$106,000			$106,000
P-30G	Gravity	R&R	North of Rogue River	24	24	Replace	914	$435,000			$435,000
P-30H	Gravity	R&R	North of Rogue River	48	48	Replace	22	$16,000			$16,000
Total Project 30 - Condition Only Projects - Phase 3 North of Rogue River								$19,095,000	$0	$0	$19,095,000
Project 31 - Condition Only Projects - Phase 3 South of Rogue River											
P-31A	Gravity	R&R	South of Rogue River	8 and less	8	Replace	19,049	$4,978,000			$4,978,000
P-31B	Gravity	R&R	South of Rogue River	10	10	Replace	3,525	$1,010,000			$1,010,000
P-31C	Gravity	R&R	South of Rogue River	12	12	Replace	4,499	$1,421,000			$1,421,000
P-31D	Gravity	R&R	South of Rogue River	15	15	Replace	2,556	$913,000			$913,000
P-31E	Gravity	R&R	South of Rogue River	18	18	Replace	1,228	$486,000			$486,000
P-31F	Gravity	R&R	South of Rogue River	24	24	Replace	1,164	$554,000			$554,000
P-31G	Gravity	R&R	South of Rogue River	27	27	Replace	5,276	$2,824,000			$2,824,000
P-31H	Gravity	R&R	South of Rogue River	30	30	Replace	1,524	$898,000			$898,000
Total Project 31 - Condition Only Projects - Phase 3 South of Rogue River								$13,084,000	$0	$0	$13,084,000
Project 32 - General Projects											
G-1	General	General	Asset Management Program	-	-	-	1	$150,000	$150,000		
G-2A	General	General	Master Plan Updates (2021)	-	-	-	1	$300,000		$300,000	
G-2B	General	General	Master Plan Updates (2031)	-	-	-	1	$300,000			$300,000
Total Project 32 - General Projects								$750,000	$150,000	$300,000	$300,000
Total CIP ($)								$108,243,000	$30,558,000	$23,241,000	$53,944,000
Total CIP (%)									28.2%	21.5%	49.8%

Notes:

(1) ENR CCI = 10,037 (20-City Average, July 2015).

(2) Capital Improvement Cost includes a 20% construction contingency applied to the Baseline Construction Cost to account for unforeseen events and unknown conditions, a 30% allied cost applied to the Estimated Construction Cost to account for engineering services, construction management, and project administration, and a 25% planning contingency applied to the Total Allied Project Costs.

Table 2-3. Stormwater Master Plan CIP (Table 6-1: Priority 1A Improvements)

Table 6-1: Priority 1A Improvements

ID#	Priority	Item	Total Estimated Cost (2015)
Priority 1A Improvements (0-15 years)			
Allen Fruitdale			
AF-1	1A	Golf Course	$ 371,000
AF-2	1A	South Highline Canal near Allen Creek	$ 1,211,000
AF-3	1A	Harbeck Road, Nebraska Avenue	$ 200,000
AF-4	1A	Pond Near Calvary Chapel off Harbeck Road	$ 629,000
AF-5	1A	Grandview Avenue and the Hospital	$ 611,000
AF-7	1A	Lower Parkdale Drive/Highway 199 Trunkline	$ 1,590,000
AF-11	1A	Sugar Beet Line, East Park Street	$ 1,330,000
AF-12	1A	Sunset Way and Tributary Pipes	$ 2,226,000
AF-13	1A	Harbeck Road and Southridge Way	$ 1,082,000
AF-14	1A	Highway 238	$ 661,000
AF-15	1A	Main Gravity Canal Spills and Central Parkdale Drive Trunkline	$ 889,000
AF-16	1A	Upper Parkdale Drive Trunkline and South Highland Canal Spill	$ 601,000
AF-17	1A	Highways 238/199/99 Intersection Detention	$ 959,000
AF-18	1A	Union Avenue	$ 646,000
AF-19	1A	Meadow Glen	$ 236,000
AF-20	1A	Liberty Drive	$ 473,000
Gilbert			
G-1	1A	5th Street, 6th Street	$ 1,656,000
G-3	1A	G Street, I Street, Alder Street, L Street	$ 795,000
G-4	1A	Demoray Canal Spills- Southwest	$ 127,000
G-5	1A	Demoray Canal Spills- Central West	$ 29,000
G-6	1A	Hilcrest Drive, 6th Street, 7th Street	$ 1,664,000
G-7	1A	Demoray Spill-South East	$ 106,000
G-8	1A	Demoray Canal Spills- North Central	$ 810,000
G-9	1A	Demoray Canal Spills- Northwest	$ 460,000
G-10	1A	Demoray Canal Spills- Northeast	$ 438,000
Sand			
S-1	1A	Trunkline from South Main Canal to River along Dowell Road	$ 3,412,000
S-2	1A	Flow-split Kellenback Avenue to Dowell Road	$ 691,000
S-3	1A	Expansion of South Main Canal	$ 583,000
S-6	1A	Leonard Road to Ditch	$ 926,000
S-7	1A	Willow Lane to Ditch	$ 975,000
S-8	1A	Willow Court, Estates Lane	$ 696,000
S-10	1A	Kokanee Lane, Leonard Road	$ 1,613,000
S-12	1A	Rainwood Lane to Leonard Road	$ 141,000
S-13	1A	ODOT Pond South of Redwood Highway	$ 1,353,000
S-14	1A	New Flow Diversion to Sand Creek at I-5	$ 168,000
S-15	1A	Yellowtail Lane to Mary Lynn Lane	$ 392,000
S-16	1A	Darnelle Lane	$ 1,138,000
Skunk Jones			
SJ-10	1A	Channel Northwest of Dewey Drive and 10th Street	$ 3,000
		Total Priority 1A Improvements	$ 31,891,000

Table 2-4. Stormwater Master Plan CIP (Table 6-2: Priority 1B, 2A, & 2B Improvements)

Table 6-2: Priority 1B, 2A, & 2B Improvements

ID#	Priority	Item	Total Estimated Cost (2015)
Priority 1B Improvements (15-20 years)			
Allen Fruitdale			
AF-6	1B	West Park Street, Josephine County Yard, Fussing Park	$ 407,000
Sand			
S-4	1B	Redwood Circle to River	$ 650,000
Skunk Jones			
SJ-1	1B	I Street	$ 1,829,000
SJ-8	1B	Spill Northwest of I-5 and Hilcrest Drive to 7th Street	$ 386,000
SJ-11	1B	Rogue Drive Trunkline	$ 2,938,000
SJ-12	1B	M Street	$ 759,000
SJ-13	1B	A Street-West	$ 1,126,000
		Total Priority 1B Improvements	**$ 8,095,000**
Priority 2A Improvements (20-25 years)			
Gilbert			
G-2	2A	9th Street	$ 457,000
Skunk Jones			
SJ-7	2A	Demoray Canal	$ 61,000
		Total Priority 2A Improvements	**$ 518,000**
Priority 2B Improvements (20-25 years)			
Skunk Jones			
SJ-2	2B	D Street	$ 2,181,000
		Total Priority 2B Improvements	**$ 2,181,000**

Full copies of the February 2016 Water Distribution System Master Plan, March 2016 Wastewater Collection System Master Plan and the February 2016 Stormwater Master Plan are incorporated herein by reference.

WATER DISTRIBUTION SYSTEM MASTER PLAN

FOR

CITY OF GRANTS PASS

FEBRUARY 2016

DRAFT

MURRAY, SMITH & ASSOCIATES, INC.
121 SW Salmon, Suite 900
Portland, OR 97204
503.225.9010

Exhibit 2

Full copies of the February 2016 Water Distribution System Master Plan, March 2016 Wastewater Collection System Master Plan and the February 2016 Stormwater Master Plan are incorporated herein by reference.

City of Grants Pass, Oregon
Stormwater Master Plan
Final

KELLER associates

KELLER associates

Keller Associates
707 13th St. SE Suite 280
Salem, OR 97301

212047/5/S15-013

REGISTERED PROFESSIONAL ENGINEER
83510PE
OREGON
NOV. 10, 2009
PETER OLSEN
EXPIRES: 12/31/16

Signed by:
Peter Olsen, P.E.
Project Manager

Exhibit 2

Full copies of the February 2016 Water Distribution System Master Plan, March 2016 Wastewater Collection System Master Plan and the February 2016 Stormwater Master Plan are incorporated herein by reference.

CITY OF GRANTS PASS

WASTEWATER COLLECTION SYSTEM MASTER PLAN

March 2016

DRAFT REVIEW

carollo

Exhibit 2

Item: Ordinance amending Articles 2, 10 and 19 of the Development Code. Date: September 21, 2016

SUBJECT AND SUMMARY:

The proposal is an ordinance that would amend Articles 2, 10 and 19 of the Development Code by: correcting indices and outlines within Articles 2 and 10; amending Section 2.038 with appropriate statute language; amending Section 10.051(1) language to allow appropriate noticing time for an appeal; amending Section 10.036 language to correspond with Article 2, Section 2.038 appeal language; and amending Section 19.030 Note to reflect correct Section reference number.

RELATIONSHIP TO COUNCIL GOALS:

This supports Council's goal to **FACILITATE SUSTAINABLE, MANAGEABLE GROWTH**.

CALL TO ACTION SCHEDULE:

Call to action schedule: N/A.

BACKGROUND:

Development Code (Articles 2, 10 and 19)

Correct indices and outlines for Articles 2 and 10 of the Development Code.

Amend Article 2, Schedule 2-1 #25 adding language for Site Plan Review for within a Regionally Significant Industrial Area (RSIA).

Amend Article 2, Section 2.038, Type I-D to reflect appropriate statute language for Expedited Industrial Site Plan Review within a RSIA.

Amend Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer Decision, and 2.045(2).

Amend Article 2, Sections 2.053(3)(c) adding Type I-D RSIA application language and 2.053(4)(e).

Staff Report (continued):

Amend Article 2, Sections 2.055(3) and 2.055(4) language regarding the effective date of the Planning Commission Type III decision.

Amend Article 2, Section 2.064(2)(b) language regarding notice of Planning Commission recommendation in Type IV proceedings.

Amend Article 2, Section 2.065(1) language regarding action hearing before City Council.

Amend Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1) and (d),10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1) (a) and (c) procedure language regarding filing an appeal of final action by Planning Commission on Type III decision, and 10.051(5).

Minor changes to timeframes within Article 10 allowing the Director sufficient review time of appeal applications.

Amend Section 19.030 Note to reflect the correct Section reference number.

COST IMPLICATION:

None.

ALTERNATIVES:

(1) Approve the proposal attached to the Ordinance as Exhibit '1', '2', '3';
(2) Approve the proposal as recommended by the UAPC;
(3) Deny the request;
(4) Postpone the item indefinitely; or
(5) Postpone the item to a time certain.

RECOMMENDED ACTION:

It is recommended the Council approve the attached ordinance.

POTENTIAL MOTION:

I move to approve the Ordinance amending Articles 2, 10 and 19 of the Development Code.

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

DEVELOPMENT CODE TEXT AMENDMENTS
ARTICLES 2, 10 AND 19
CITY COUNCIL STAFF REPORT-TYPE IV

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00103-16
Project Type:	Development Code Text Amendments
Applicant:	Director of Parks and Community Development
Planner Assigned:	Lora Glover
Application Received:	4/29/16
Application Complete:	4/29/16
Date of Planning Commission Staff Report:	July 20, 2016
Date of Planning Commission Hearing:	July 27, 2016
Date of Planning Commission Findings of Fact:	August 10, 2016
Date of City Council Staff Report:	September 13, 2016
Date of City Council Hearing:	September 21, 2016

I. PROPOSAL:

The proposal is to amend Articles 2, 10 and 19 of the Development Code as follows:

1) Amending indices and outlines in Article 2 and 10 to conform to other indices and outlines within the Code.
2) Article 2, Schedule 2-1 #25 adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA);
3) Article 2, Section 2.038, revising language for a Director's decision with a Type I-D application;
4) Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer Decision, and 2.045(2);
5) Article 2, Sections 2.053(3)(c) adding Type I-D RSIA application language and 2.053(4)(e);
6) Article 2, Sections 2.055(3) and 2.055(4) language regarding the effective date of the Planning Commission Type III decision;
7) Article 2, Section 2.064(2)(b) language regarding notice of Planning Commission recommendation in Type IV proceedings;
8) Article 2, Section 2.065(1) language regarding action hearing before City Council;
9) Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1) and (d),10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1) (a) and (c) procedure language regarding filing an appeal of final action by Planning Commission on Type III decision, and 10.051(5);

10) Minor changes to timeframes within Article 10 allowing the Director sufficient review time of appeal applications;
11) Article 19, Section 19.030 Note language.
Copies of the proposed amendments are attached as Exhibits 1-3.

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. These amendments have been initiated by the Director of Parks and Community Development.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorizes 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. BACKGROUND AND DISCUSSION:

Periodic reviews and housekeeping of the Comprehensive Plan and Development Code is necessary to assure the Plan and Code is up to date and conforms to current Oregon laws. The following amendments to the Development Code are as follows:

1. Correcting the Indices and outlines to Article 2 and 10 to conform to other indices and outlines within the Code.
2. Amending Article 2, Schedule 2-1 #25 by adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA).
3. Amending Article 2, Section 2.038 by revising the language for a Director's decision with a Type I-D application to be more consistent with statute.
4. Amending Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer decision as some hearings are quasi-judicial in nature and statute requires the public have an opportunity to request a continuance of a hearing and 2.045(2).
5. Amending Article 2, Sections 2.053(3)(c) by adding RSIA language and 2.053(4)(e).
6. Amending Article 2, Sections 2.055(3) and 2.055(4) by revising the effective date of the Planning Commission Type III decision to be 12 calendar days from the date the written decision is mailed and not 7 days as currently.
7. Amending Article 2, Section 2.064(2)(b) by revising the recommendation of the Planning Commission in Type IV proceedings to not send notices of the final recommendation within 10 days of the hearing, but incorporate that recommendation language within the City Council hearing notice which is mailed

within 14 days of the Planning Commission hearing, thereby eliminating duplicate noticing and avoiding conflict with two notices crossing in the mail.

8. Amending Article 2, Section 2.065(1) by changing calendar days to 14 days to coincide with changes in number 7 above and changing oral to final recommendation to coincide with other proposed changes.
9. Amending Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1)and (d), 10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1)(a) and (c) revising procedures for filing an appeal of final action by the Planning Commission on Type III decisions by having the appeal filed *within 12 days from the date the written decision is mailed*, thus allowing sufficient noticing time and to be consistent with statue language and 10.051(5).
10. Minor changes to timeframes within Article 10 to allow the Director sufficient review time of appeal applications and other minor changes to Articles 2 and 10 language to be consistent with other Articles within the Code.
11. Revising Article 19, Section 19.030 Note language to reflect the correct Section number.

V. APPLICABLE CRITERIA:

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

SECTION 4.103:

CRITERION 1: The proposed amendments are consistent with the purpose of the subject sections and articles.

Planning Commission Response: Satisfied. The proposed amendments are consistent with both the purpose and intent of the articles. The purposes of the Code remain intact.

CRITERION 2: The proposed amendments are consistent with other provisions of this code.

Planning Commission Response: Satisfied. The proposed amendments are in harmony with other provisions in the code.

CRITERION 3: The proposed amendments are consistent with the goals and policies of the Comprehensive Plan and most effectively carry out those goals and policies of all alternatives considered.

Planning Commission Response: Satisfied. The proposed changes are consistent with Element 13, Land Use, of the Comprehensive Plan. The proposed changes assure the Development Code and Comprehensive Plan is in agreement and consistent.

CRITERION 4: The proposed amendments are consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Planning Commission Response: Not Applicable. The proposed amendments do not affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

VI. RECOMMENDATION:

The Planning Commission **RECOMMENDS APPROVAL** of the proposed amendments to the City Council as presented in **Exhibits 1-3 to the Ordinance.**

VII. CITY COUNCIL ACTION:

A. Positive Action: Recommend the City Council approve the request:
   1. As submitted; or,
   2. With revisions recommended by the City Council (list):

B. Negative Action: Recommend the City Council deny the request for the following reasons (list):

C. Postponement: Continue item
   1. Indefinitely; or,
   2. To a certain time.

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

VIII. INDEX TO EXHIBITS

Exhibit A ~ UAPC Findings of Fact
UAPC Staff Report (Ex A)
UAPC Minutes (Ex B)
PowerPoint Presentation (Ex C)

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

DEVELOPMENT CODE TEXT AMENDMENTS
ARTICLES 2, 10 AND 19
PLANNING COMMISSION FINDINGS OF FACT-TYPE IV

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00103-16
Project Type:	Development Code Text Amendments
Applicant:	Director of Parks and Community Development
Planner Assigned:	Lora Glover
Application Received:	4/29/16
Application Complete:	4/29/16
Date of Planning Commission Staff Report:	July 20, 2016 Due: 7/20/16
Date of Planning Commission Hearing:	July 27, 2016
Date of Planning Commission Findings of Fact:	August 10, 2016

I. PROPOSAL:

The proposal is to amend Articles 2, 10 and 19 of the Development Code as follows:

1) Amending indices and outlines in Article 2 and 10 to conform to other indices and outlines within the Code.
2) Article 2, Schedule 2-1 #25 adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA);
3) Article 2, Section 2.038, revising language for a Director's decision with a Type I-D application;
4) Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer Decision, and 2.045(2);
5) Article 2, Sections 2.053(3)(c) adding Type I-D RSIA application language and 2.053(4)(e);
6) Article 2, Sections 2.055(3) and 2.055(4) language regarding the effective date of the Planning Commission Type III decision;
7) Article 2, Section 2.064(2)(b) language regarding notice of Planning Commission recommendation in Type IV proceedings;
8) Article 2, Section 2.065(1) language regarding action hearing before City Council;
9) Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1) and (d),10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1) (a) and (c) procedure language regarding filing an appeal of final action by Planning Commission on Type III decision, and 10.051(5) ;
10) Minor changes to timeframes within Article 10 allowing the Director sufficient review time of appeal applications;
11) Article 19, Section 19.030 Note language.

EXHIBIT A
To Council Staff Report

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. These amendments have been initiated by the Director of Parks and Community Development.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorizes 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 submitted and deemed complete on April 29, 2016. The application was processed in accordance with Section 2.060 of the Development Code, and Sections III and V of the 1998 Intergovernmental Agreement.

B. Notice of the proposed amendments was mailed to the Oregon Department of Land Conservation and Development (DLCD) on May 8, 2016, in accordance with ORS 197.610 and OAR Chapter 660-Division 18.

C. Notice of the proposed amendments were mailed to Josephine County on May 8, 2016, in accordance with the 1998 Intergovernmental Agreement.

D. Notice of the proposed amendment for the July 27, 2016 Planning Commission hearing was published in the newspaper on July 20, 2016, in accordance with Section 2.053(2) of the Development Code.

E. A public hearing was held by the Planning Commission on July 27, 2016, to consider the proposal and make a recommendation to City Council. The Planning Commission made a recommendation to the City Council.

V. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the July 27, 2016 staff report and its exhibits, which are attached as Exhibit "A" and incorporated herein.

B. The minutes of the public hearings held by the Planning Commission on July 27, 2016 summarize the oral testimony presented and are attached as Exhibit "B" and are hereby adopted and incorporated herein.

C. The PowerPoint presentation given by staff at the July 27, 2016 Planning Commission hearing is attached as Exhibit "C" and incorporated herein.

VI. GENERAL FINDINGS AND DISCUSSION:

Periodic reviews and housekeeping of the Development Code is necessary to assure the Plan and Code is up to date and conforms to current Oregon laws. The following proposed amendments to the Development Code are:

1. Correcting the Indices and outlines to Article 2 and 10 to conform to other indices and outlines within the Code.

2. Amending Article 2, Schedule 2-1 #25 by adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA).

3. Amending Article 2, Section 2.038 by revising the language for a Director's decision with a Type I-D application to be more consistent with statute.

4. Amending Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer decision as some hearings are quasi-judicial in nature and statute requires the public have an opportunity to request a continuance of a hearing and 2.045(2).

5. Amending Article 2, Sections 2.053(3)(c) by adding RSIA language and 2.053(4)(e).

6. Amending Article 2, Sections 2.055(3) and 2.055(4) by revising the effective date of the Planning Commission Type III decision to be 12 calendar days from the date the written decision is mailed and not 7 days as currently.

7. Amending Article 2, Section 2.064(2)(b) by revising the recommendation of the Planning Commission in Type IV proceedings to not send notices of the final recommendation within 10 days of the hearing, but incorporate that recommendation language within the City Council hearing notice which is mailed within 14 days of the Planning Commission hearing, thereby eliminating duplicate noticing and avoiding conflict with two notices crossing in the mail.

8. Amending Article 2, Section 2.065(1) by changing calendar days to 14 days to coincide with changes in number 7 above and changing oral to final recommendation to coincide with other proposed changes.

9. Amending Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1)and (d), 10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1)(a) and (c) revising procedures for filing an appeal of final action by the Planning Commission on Type III decisions by having the appeal filed *within 12 days from the date the written decision is mailed*, thus allowing sufficient noticing time and to be consistent with statue language and 10.051(5).

10. Minor changes to timeframes within Article 10 to allow the Director sufficient review time of appeal applications and other minor changes to Articles 2 and 10 language to be consistent with other Articles within the Code.

11. Revising Article 19, Section 19.030 Note language to reflect the correct Section number.

VII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:

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

SECTION 4.103:

CRITERION 1: The proposed amendments are consistent with the purpose of the subject sections and articles.

Planning Commission Response: Satisfied. The proposed amendments are consistent with both the purpose and intent of the articles. The purposes of the Code remain intact.

CRITERION 2: The proposed amendments are consistent with other provisions of this code.

Planning Commission Response: Satisfied. The proposed amendments are in harmony with other provisions in the code.

CRITERION 3: The proposed amendments are consistent with the goals and policies of the Comprehensive Plan and most effectively carry out those goals and policies of all alternatives considered.

Planning Commission Response: Satisfied. The proposed changes are consistent with Element 13, Land Use, of the Comprehensive Plan. The proposed changes assure the Development Code and Comprehensive Plan is in agreement and consistent.

CRITERION 4: The proposed amendments are consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Planning Commission Response: Not Applicable. The proposed amendments do not affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

VIII. RECOMMENDATION:

The Planning Commission found that the applicable criteria are satisfied and recommended that the proposed amendment Articles 2, 10 & 19 of the Development Code as set forth in Exhibit 1 of the Staff Report, be forwarded to the City Council for adoption. The vote was 5-0, with Commissioners Fitzgerald, Coulter, Arthur, Kellenbeck and McVay in favor. Commissioners MacMillan, McIntire and Wiegand were absent.

IX. FINDINGS APPROVED BY THE URBAN AREA PLANNING COMMISSION this 10th day of August, 2016.

Gerard Fitzgerald, Chair

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

DEVELOPMENT CODE TEXT AMENDMENTS
ARTICLES 2, 10 AND 19
PLANNING COMMISSION STAFF REPORT-TYPE IV

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00103-16
Project Type:	Development Code Text Amendments
Applicant:	Director of Parks and Community Development
Planner Assigned:	Lora Glover
Application Received:	4/29/16
Application Complete:	4/29/16
Date of Planning Commission Staff Report:	July 20, 2016 Due: 7/20/16
Date of Planning Commission Hearing:	July 27, 2016

I. PROPOSAL:

The proposal is to amend Articles 2, 10 and 19 of the Development Code as follows:

1) Amending indices and outlines in Article 2 and 10 to conform to other indices and outlines within the Code.
2) Article 2, Schedule 2-1 #25 adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA);
3) Article 2, Section 2.038, revising language for a Director's decision with a Type I-D application;
4) Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer Decision, and 2.045(2);
5) Article 2, Sections 2.053(3)(c) adding Type I-D RSIA application language and 2.053(4)(e);
6) Article 2, Sections 2.055(3) and 2.055(4) language regarding the effective date of the Planning Commission Type III decision;
7) Article 2, Section 2.064(2)(b) language regarding notice of Planning Commission recommendation in Type IV proceedings;
8) Article 2, Section 2.065(1) language regarding action hearing before City Council;
9) Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1) and (d),10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1) (a) and (c) procedure language regarding filing an appeal of final action by Planning Commission on Type III decision, and 10.051(5) ;
10) Minor changes to timeframes within Article 10 allowing the Director sufficient review time of appeal applications;
11) Article 19, Section 19.030 Note language.

See Exhibits 1-3 for mark-up text of the proposed amendments to the existing sections.

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. These amendments have been initiated by the Director of Parks and Community Development.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorizes 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. BACKGROUND AND DISCUSSION:

Periodic reviews and housekeeping of the Development Code is necessary to assure the Plan and Code is up to date and conforms to current Oregon laws. The following proposed amendments to the Development Code are:

1. Correcting the Indices and outlines to Article 2 and 10 to conform to other indices and outlines within the Code.

2. Amending Article 2, Schedule 2-1 #25 by adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA).

3. Amending Article 2, Section 2.038 by revising the language for a Director's decision with a Type I-D application to be more consistent with statute.

4. Amending Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer decision as some hearings are quasi-judicial in nature and statute requires the public have an opportunity to request a continuance of a hearing and 2.045(2).

5. Amending Article 2, Sections 2.053(3)(c) by adding RSIA language and 2.053(4)(e).

6. Amending Article 2, Sections 2.055(3) and 2.055(4) by revising the effective date of the Planning Commission Type III decision to be 12 calendar days from the date the written decision is mailed and not 7 days as currently.

7. Amending Article 2, Section 2.064(2)(b) by revising the recommendation of the Planning Commission in Type IV proceedings to not send notices of the final recommendation within 10 days of the hearing, but incorporate that recommendation language within the City Council hearing notice which is mailed within 14 days of the Planning Commission hearing, thereby eliminating duplicate noticing and avoiding conflict with two notices crossing in the mail.

8. Amending Article 2, Section 2.065(1) by changing calendar days to 14 days to coincide with changes in number 7 above and changing oral to final recommendation to coincide with other proposed changes.

9. Amending Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1)and (d), 10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1)(a) and (c) revising procedures for filing an appeal of final action by the Planning Commission on Type III decisions by having the appeal filed *within 12 days from the date the written decision is mailed*, thus allowing sufficient noticing time and to be consistent with statue language and 10.051(5).

10. Minor changes to timeframes within Article 10 to allow the Director sufficient review time of appeal applications and other minor changes to Articles 2 and 10 language to be consistent with other Articles within the Code.

11. Revising Article 19, Section 19.030 Note language to reflect the correct Section number.

V. APPLICABLE CRITERIA:

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

SECTION 4.103:

CRITERION 1: The proposed amendments are consistent with the purpose of the subject sections and articles.

Staff Response: Satisfied. The proposed amendments are consistent with both the purpose and intent of the articles. The purposes of the Code remain intact.

CRITERION 2: The proposed amendments are consistent with other provisions of this code.

Staff Response: Satisfied. The proposed amendments are in harmony with other provisions in the code.

CRITERION 3: The proposed amendments are consistent with the goals and policies of the Comprehensive Plan and most effectively carry out those goals and policies of all alternatives considered.

Staff Response: Satisfied. The proposed changes are consistent with Element 13, Land Use, of the Comprehensive Plan. The proposed changes assure the Development Code and Comprehensive Plan is in agreement and consistent.

CRITERION 4: The proposed amendments are consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Staff Response: Not Applicable. The proposed amendments do not affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

VI. RECOMMENDATION:

Staff recommends the Planning Commission **RECOMMEND APPROVAL** of the proposed amendments to the City Council, as presented in **Exhibits 1-3.**

VII. PLANNING COMMISSION ACTION:

A. Positive Action: Recommend the City Council approve the request:
   1. As submitted; or,
   2. With revisions recommended by the Planning Commission (list):

B. Negative Action: Recommend the City Council deny the request for the following reasons (list):

C. Postponement: Continue item
   1. Indefinitely; or,
   2. To a certain time.

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

VIII. INDEX TO EXHIBITS

1. Mark up text for Article 2 ~ Development Code Amendment
2. Mark up text for Article 10~ Development Code Amendment
3. Mark up text for Article 19 ~ Development Code Amendment

Article 2: Procedure Types 2-1

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2.020 Procedure Types 2-1

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2.036 Type I-B Decision Without Public Comment Period 2-8
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2.066 Final Decision by City Council ..... 2-~~28~~29
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2.070 Type V ~~Procedure~~Procedures ..... 2-~~29~~30
2.071 Appeal ..... 2-~~29~~30

EXHIBIT 1

2.080 Deadline for Decision ..... 2-~~29~~30

2.085 Coordinated Review for Transportation Facilities ..... 2-~~29~~31

2.090 Noticing Requirements for Certain Proposed Administrative Rules ..... 2-~~29~~31

2.095 Noticing Requirements for Certain Comprehensive Plan and Ordinance Amendments that Rezone Property ..... 2-~~32~~34

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Article 2: Procedure Types

2.010 Purpose

The purposes of this section are:

(1) To establish land use review procedures;

(2) To stratify land use review procedures according to the degree of discretionary judgment required and the extent of public participation appropriate; and

(3) To relate the type of the procedure to the degree of impact of the proposed development.

2.020 Procedure Types

(1) For purpose of administering the provisions of this Code, and other ordinances and policies of the City pertaining to land use and development, there are hereby established five types of basic procedures for processing all land use applications.

(2) Applications shall be processed in accordance with the procedures specified in Schedule 2-1. Consolidated procedures shall be processed in accordance with Section 3.044(3) of this Code.

(3) The Director may modify the procedure types as provided in this Code as follows. The Director may:

(a) Refer a Type I-B or I-C application to a Type II or Type III review as provided in Sections 2.036 and 2.037.

(b) Refer a Type II application to a Type III review as provided in Section 2.042(2).

(c) Refer a Type III application to a Type II review as provided in Section 2.052.

(d) In special cases where there is a compelling public interest, refer any Type I, II, or III application to a Type IV-A or IV-B review.

Schedule 2-1. Application Procedures

Application Type	Development Code Section	Procedure Type										
		Type I-EX	Type I-AU	Type I-A	Type I-B	Type I-C	Type I-D	Type II	Type III	Type IV-A	Type IV-B	Type V
1. Urban Growth Boundary Amendment	Comp. Plan Section 13.6											✓-p
2. Comprehensive Plan Map Amendment (1)	Comp. Plan Section 13.5										✓-p	
3. Comprehensive Plan Text Amendment (1)	Comp. Plan Section 13.5										✓-p	
4. Zoning Map Amendment (1) -Base Zone District -Special Purpose Districts ---Slope Hazard ---Flood Hazard ---Historic (See 'Historic Designation, Amendment, or Recision below) -Medical Overlay District	Sections: -4.030 -4.040 ---4.043 ---4.044 --- -4.050										✓-p	
5. Development Code Text Amendment (1)	4.100										✓-p	
6. Annexation	Article 5									✓-p		
7. Minor Variance	Article 6							✓				
8. Major Variance	Article 6								✓			
9. Historic Designation, Amendment, or Recision	Sections 4.045 – 047 & 13.430										✓-p	
10. Nonconforming Use and Development	Article 15			See Schedule 15-1								
11. Property Line Vacation	17.100									✓		
12. Property Line Adjustment	17.200				✓							
13. Partition	17.300					✓						
14. Subdivision	Article 17											
a. Tentative Plan (<= 9 lots)	17.410							✓-p				
b. Tentative Plan (>= 10 lots)	17.410								✓-p			
c. Final Plat	17.420	✓										
15. Final Plat	17.422											
a. Major Modification	17.422						Same as for Tentative					
b. Minor Modification	17.422					✓						
16. Lot Authorization	17.534							✓				
17. Future Development Plan	17.540						Submitted with Tentative Plan					
18. Revision of Future Development Plan	17.547					✓						

Application Type	Development Code Section	Type I-EX	Type I-AU	Type I-A	Type I-B	Type I-C	Type I-D	Type II	Type III	Type IV-A	Type IV-B	Type V
19. Future Street Plan (local streets only)	17.550					Same as for Land Division						
20. Future Street Plan (arterials and collectors)	17.550										✓	
21. Planned Unit Development	Article 18											
a. Preliminary Plan in Residential Zone	Article 18								✓-p			
b. Preliminary Plan in Commercial or Industrial Zone	Article 18							✓-p				
c. Final Plan	Article 18	✓										
22. Modification to Planned Unit Development Final Plan	18.063											
a. Major Modification	18.063						Same as for Tentative					
b. Minor Modification	18.063					✓						
23. Planned Unit Development Modification or Termination	Article 18								✓			
24. Expedited Industrial Site Plan Review	Article 19						✓					
25. Site Plan Review (Minor or Major) ***NOTE: Applicant can request an Expedited Industrial Site Plan Review Procedure for property within a Regionally Significant Industrial Area (RSIA).***	Article 19 Section 2.038	Based on use, activity, zoning, adjacent zoning, and overlay zoning (-p) -See Schedule 12-2 (-p) -See Schedule 12-3 for procedures for RTC District (-p) -See Schedule 13-1 for procedures for medical uses within Medical Overlay Zone -See Schedule 13-2 for procedures for Historic Review (-p) [9]-See Section 20.210 for alternate review procedures for commercial site plan review										
26. Conditional Use Permit	Article 16						See Schedule 12-2 (-p)					
27. Solar Access Permit	22.640							✓				
28. Removal of noxious vegetation & replacement with riparian vegetation within stream corridor	24.343	✓										
29. Allowed Activities in Conservation Class Wetlands	24.551	✓										
30. Conditionally Permitted Activities in Conservation Class Wetlands	24.552					✓						
31. Allowed activities in Protection Class Wetlands	24.561	✓										
32. Performance Parking	25.050					✓						

Table Legend

I-EX = Type I Procedure, Exempt from Development Permit Review, Section 2.033

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I-AU = Type I Procedure, Administrative Use Permit Review Only, Section 2.034
I-A = Type I Procedure, Building Permit Serves as Development Permit, Section 2.035
I-B = Type I Procedure, Director's Decision without Comment Period, Section 2.036
I-C = Type I Procedure, Director's Decision with Comment Period, Section 2.037
I-D = Type I Procedure, Director's Decision ~~with Comment Period~~for Expedited Industrial Site Plan Review w/in RSIA with Public Comment Period, Section 2.038
II = Type II Procedure, Hearings Officer's Decision, Section 2.040
III = Type III Procedure, Planning Commission's Decision (or Historic Buildings and Sites Commission's Decision), Section 2.050
IV-A = Type IV Procedure, City Council Decision without Planning Commission Recommendation, Section 2.060
IV-B = Type IV Procedure, City Council Decision with Planning Commission Recommendation, Section 2.060
V = Type V Procedure, Joint Board of County Commissioners & City Council Decision with Planning Commission Recommendation, Section 2.070

✓ = Specifies the required procedure for the application type, using the procedure specified at the top of the column in which the check mark is located.
-p = In accordance with Section 3.041, a pre-application is required unless the Director finds a conference is not needed.

Notes
(1) = The 1998 Intergovernmental Agreement gives the City decision-making authority for these items within the Urbanizing Area, and gives the County automatic party status.

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2.030 Type I Procedures

2.031 Purpose. The purpose of the Type I procedure is to provide a method for the Director to make decisions on applications under land use standards either which do not require interpretation or the exercise of policy or legal judgment, or which require only limited discretion in applying land use standards.

2.032 Type I Procedure Subcategories. This Code identifies numerous developments and activities that require a Type I review. The Type I designation includes several subcategories that have different procedural requirements.

Section 3.050 of this Code provides an option where the applicant may choose to have an application that requires a Type I-EX, I-AU, or I-A procedure reviewed through a Type I-B procedure, which provides a land use decision.

(1) Type I-EX. Exempt from the requirements for a Development Permit. Processed in accordance with Section 2.033.

(2) Type I-AU. Do not require a Development Permit, but do require a use permit issued in accordance with the provisions of this Code. Processed in accordance with Section 2.034.

(3) Type I-A. Building Permit serves as Development Permit. Processed in accordance with Section 2.035.

(4) Type I-B. Director's Decision without a public hearing, which does not require a public comment period. Processed in accordance with Section 2.036.

(5) Type I-C. Director's Decision without a public hearing, which requires a public comment period. Processed in accordance with Section 2.037.

(6) Type I-D. Director's Decision without a public hearing, which requires a public comment period. Processed in accordance with Section 2.038 those specific procedures consistent with Expedited Industrial Site Plan Review statutes and available only for application types authorized by statute.

2.033 Type I-EX. Exempt. The permitted development and activities listed as Type I-EX in Schedules 2-1 and 12-2, and the following activities regardless of use, are exempt from the requirements for a Development Permit, but are nonetheless subject to the provisions of this Code:

(1) Landscaping, irrigation, maintenance or other treatment or use of the land not involving a structure EXCEPT:

(a) grading which requires a permit under the Uniform Building Code or other applicable regulations.

(b) grading in any of the following areas, where grading shall only occur as allowed by the applicable section, and in accordance with the procedure required by the applicable section:

(~~1~~i) a slope hazard area, which shall be processed in accordance with Section 13.100,

(~~2~~ii) a flood hazard area, which shall be processed in accordance with Section 13.200,

(~~3~~iii) a stream corridor setback, which shall be processed in accordance with Section 24.340

(~~4~~iv) a wetland or wetland buffer, which shall be processed in accordance with Section 24.500.

(2) Construction or improvement of parking areas of less than 1,000 square feet.

(3) Paving an existing driveway in a manner that complies with the current standards, access provisions, and landscaping provisions of this Code, subject to an encroachment permit for any work within the right-of-way.

(4) An emergency measure necessary for the safety or protection of property when authorized by the City Manager.

(5) Structures not requiring a building permit.

(6) Maintenance of a building for which a building permit is not required.

(7) Interior remodel of a building for which a building permit is not required provided it does not result in any of the items listed in Section 2.035(6).

(8) Roofing or siding of a building for which a building permit is not required, unless the property is an Historic Landmark or within a district that requires review for the work, such as the Historic District or Riverfront Tourist Commercial District.

(9) Fences meeting the requirements of Section 23.037 that do not require a building permit.

2.034 Type I-AU. Administrative Use Permit. The permitted uses, development and activities listed as Type I-AU in Schedules 2-1 and 12-2 do not require a Development Permit, but do require issuance of a use permit issued in accordance with the applicable Sections of this Code for the stated use.

2.035 Type I-A. Building Permit as Development Permit. The permitted uses, development and activities listed as Type I-A in Schedules 2-1 and 12-2, and the following activities regardless of use, may use the Building Permit as the Development Permit, provided the provisions of this Code are met:

(1) Fences meeting the requirements of Section 23.037 that require a building permit.

(2) Required strengthening of non-conforming building or structure as provided in Section 15.090.

(3) Maintenance of a building for which a building permit is required.

(4) Roofing or siding of a building for which a building permit is required, unless the property is an Historic Landmark or within a district that requires review for the work, such as the Historic District or Riverfront Tourist Commercial District.

(5) Expansions of 400 square feet floor area or less which comprise less than 25 percent of the existing floor area of the building, provided the expansion would meet the requirements for a Minor Modification in Section 19.058 and the requirements of Subsection (6) below.

(6) A change of use, interior remodel, or change internal to a building or other structure, provided all of the following are satisfied. If the change would create a noncompliant situation, it shall not be permitted. For all other situations below, review shall be through the applicable review procedure for site plan review, rather than the Type I-A Procedure where building permit acts as development permit.

Noncompliant Situation Created

(a) the change does not convert the existing use to a non-permitted use, either based on zoning or proximity to other land uses, such as an Adult Business as provided in Article 14.

(b) there is no change to the characteristics of the existing use that would make it noncompliant with this Code, such as the standards for a Home Occupation, Bed and Breakfast Inn, or Adult Business, as provided in Article 14.

(c) the change does not violate conditions of approval of a land use decision or Development Agreement, such as those designed to protect public facilities or adjoining properties.

Site Plan Review Required

(d) the change would not result in a use that requires review through a higher Procedure Type than the existing use, such as to convert a single-family dwelling to two units, or to convert a residential accessory use structure to a dwelling, in a zone where a Type II review is required for two units.

(e) the change does not require more parking than is already present for the existing use on-site or through existing parking agreements.

(f) the change does not generate more than 20 additional PM Peak Hour vehicle trips or 500 additional Average Daily Weekday Trips vehicle trips, based on the 6th Edition ITE Trip Generation Manual, or otherwise generate additional traffic that creates a transportation deficiency or hazard.

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(g) the change does not use the property in a manner substantially different than the original approval, such that a different decision or additional mitigation requirements at the time of the original approval would have been required.

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Examples include:

-converting an area approved for outdoor retail to a parking lot when the area does not have the required parking lot landscaping

-installing windows in a commercial structure at a location that would have required screening or privacy considerations for adjacent residential development

-change to a noise intensive use adjacent to residential development that could have required conditions to limit noise or hours of operation

(h) the change does not add a drive-through window.

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(i) the change would not convert a use from one "land use category" listed in Schedule 12-2 to a different land use category, unless the Director determines that they have substantially the same operating characteristics or impacts on adjoining properties and public facilities. The land use categories are summarized below:

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(1) Agriculture
(2) Residential Dwelling Unit
(3) Trade
(4) Services
(5) Recreation
(6) Public
(7) Industrial
(8) Temporary Use

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For example, the following would require site plan review: conversion of a residence to an office or retail building; conversion of an industrial warehouse to a retail use.

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2.036 Type I-B. Type I Decision without Public Comment Period. The permitted uses, development and activities listed as Type I-B in Schedules 2-1 and 12-2 shall be processed by the Director in accordance with the requirements of this Section. At the Director's discretion, an application requiring a Type I-B review may be referred directly to the Hearings Officer for review through a Type II review or the Planning Commission for review through a Type III review.

(1) Director's Decision.

(a) Action and Criteria. Within 20 working days of the date of determination that an application is complete, the Director shall make a decision by approving, conditionally approving, or denying the application based upon compliance with the provisions of this Code.

(b) Conditions. Conditions may be applied to the approval of any application when such conditions are required to comply with the relevant Sections of the Code.

(2) Notice of Decision. Upon reaching a final decision on the application, the Director shall provide notice in accordance with this Section.

(a) Notice Area. The Director shall mail notice of the decision to:

(i) The applicant.

(ii) Owners of property within 100 feet of the entire contiguous site for which the application is made. The list shall be compiled from the most recent property tax assessment roll.

(iii) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(iv) If requested by the applicant in writing at the time of application, the Director shall also provide notice to the Department of Land Conservation and Development.

(v) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for applications which affect private access to roads.

(b) Notice Content. The notice shall:

(i) Explain the nature of the application and the proposed use or uses which could be authorized.

(ii) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(iii) Set forth the street address or other easily understood geographical reference to the subject property.

(iv) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(v) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(vi) Describe the nature of the decision.

(vii) State that any person who is adversely affected or aggrieved or who is entitled to written notice under paragraph (a) of this Subsection may appeal the decision by filing a written appeal in a manner provided in this Code within 12 calendar days of the date the written notice is mailed.

(viii) State the place, date and time that the appeal is due.

(ix) State that the decision will not become final until the period for filing a local appeal has expired.

(x) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(3) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the notice of decision is mailed, unless appealed, in which case the effective date shall as provided for the Type III decision.

(4) Appeal. A final decision may be appealed to the Planning Commission as provided in Section 10.020 of this Code.

(5) Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.037 Type I-C, Type I Decision with Public Comment Period. The permitted uses, development and activities listed as Type I-C in Schedules 2-1 and 12-2, shall be processed by the Director in accordance with the requirements of this Section. At the Director's discretion, an application requiring a Type I-C review may be referred directly to the Hearings Officer for review through a Type II review or the Planning Commission for review through a Type III review.

(1) Public Comment Period Required. The Director shall provide a 14 day period for submission of written comments prior to making a decision on any application requiring a Type I-C procedure.

(2) Notice of Public Comment Period. The Director shall mail public notice within 10 working days of receiving a complete application pursuant to Section 3.050 of this Code.

(3) Notice Area. The Director shall mail notice of the public comment period to the following:

(a) The applicant.

(b) Owners of property within 100 feet of the entire contiguous site for which the application is made. The list shall be compiled from the most recent property tax assessment roll.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for all partitions, and other applications which affect private access to roads.

(4) Notice of Comment Period Content. The notice shall:

(a) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

[Note: The above language is required by ORS 197.195 for Limited Land Use Decisions, even though the procedures herein provide for appeal of a Type I-C decision to be heard by the Planning Commission through a 'de novo' hearing, which allows new issues to be raised and allows introduction of new evidence. The 'notice of comment period' and 'notice of decision' language below is slightly different than the statutory language to reflect the fact that this code allows for local appeal].

(b) Explain the nature of the application and the proposed use or uses which could be authorized.

(c) Briefly summarize the local decision making process for the decision being made.

(d) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(e) Set forth the street addresses or other easily understood geographical reference to the subject property.

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, all evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, and anyone who provides written comments during the comment period may appeal the decision by filing a written appeal in a manner provided in this Code within 12 calendar days of the date the written notice of decision is mailed.

(i) State the place, date and time that comments are due.

(j) State that the decision will not become final until the period for filing a local appeal has expired.

(k) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(5) Director's Decision.

(a) Action and Criteria. Within [8]10 working days of the end of the public comment period, the Director shall make a decision by approving, conditionally approving, or denying the application based upon compliance with the provisions of this Code.

(b) Conditions. Conditions may be applied to the approval of any application when such conditions are required to comply with the relevant Sections of the Code.

(6) Notice of Decision. Upon reaching a final decision on the application, the Director shall mail a copy of the decision to the applicant and any person who submits comments during the public comment period.

The Director shall also mail notice of the decision in writing to parties who were notified of the comment period in Subsection (3) of this Section.

(7) Notice of Decision Content. The content of the notice of the decision shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized.

(b) Briefly summarize the local decision making process for the decision being made.

(c) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(d) Set forth the street addresses or other easily understood geographical reference to the subject property.

(e) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(f) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, applicable criteria, and all evidence relied upon by the decision-maker are available for inspection at no cost and will be provided at reasonable cost.

(g) Describe the nature of the decision.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, or anyone who provided testimony for the record may appeal the decision by filing a written appeal in a manner provided in this Code within 12 calendar days of the date the written notice of decision is mailed.

(i) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

(j) State the place, date, and time the appeal is due.

(k) State that the decision will not become final until the period for filing a local appeal has expired.

(l) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(8) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the notice of decision is mailed, unless appealed, in which case the effective date shall as provided for the Type III decision.

(9) Appeal. A final decision may be appealed to the Planning Commission as provided in Section 10.030 of this Code.

(10) Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.038 Type I-D. Type I Decision for Expedited Industrial Site Plan Review within Regionally Significant Industrial Area (RSIA) with Public Comment Period.

Purpose. Consistent with ORS 197.724, this Section provides procedures for an Expedited Industrial Land Use Permit for properties within a Regionally Significant Industrial Area (RSIA) designated by the Economic Recovery Review Council (ERRC).

An applicant for a new industrial use or the expansion of an existing industrial use located within a RSIA may request an application for a land use permit be reviewed as an application for an Expedited Industrial Land Use Permit and the local government shall review the application 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).

The permitted uses, development and activities listed as Type I-D in Schedules 2-1 and 12-2, shall be processed by the Director in accordance with the requirements of this Section. ~~At the Director's discretion, an application requiring a Type I-D review may be referred directly to the Hearings Officer for review through a Type II review or the Planning Commission for review through a Type III review.~~

(1) Public Comment Period Required. The Director shall provide a 14 day period for submission of written comments prior to making a decision on any application requiring a Type I-D procedure.

(2) Notice of Public Comment Period. The Director shall mail public notice within 10 working days of receiving a complete application pursuant to Section 3.050 of this Code.

(3) Notice Area. The Director shall mail notice of the public comment period to the following:

(a) The applicant.

(b) Owners of property within 100 feet of the entire contiguous site for which the application is made. The list shall be compiled from the most recent property tax assessment roll.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) ~~Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for all partitions, and other applications which affect private access to roads.~~ Any state agencies, local governments or special districts responsible for providing public facilities or services to the development.

(4) Notice of Comment Period Content. The notice shall:

(a) State the deadline for submitting written comments, and that issues which may provide the basis for an appeal to the referee shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

[Note: The above language is required by ORS 197.365 for Expedited Land Divisions, even though the procedures herein provide for appeal of a Type I-D decision to be heard by referee under ORS 197.375. The 'notice of comment period' and 'notice of decision' language below is slightly different than the statutory language to reflect the fact that this code allows for local appeal].

(b) Explain the nature of the application and the proposed use or uses which could be authorized.

(c) Briefly summarize the local decision making process for the decision being made.

(d) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(e) Set forth the street addresses or other easily understood geographical reference to the subject property.

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, all evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, and anyone who provides written comments during the comment period may appeal the decision by filing a written appeal ~~in a manner provided in this Code~~ within ~~12 calendar~~ 14 days of the date the written notice of decision is mailed.

(i) State the place, date and time that comments are due.

(j) State that the decision will not become final until the period for filing a local appeal has expired.

(k) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(5) Director's Decision.

Comment [AI1]: Article 3.065 – should Type I-D be included?

(a) Action and Criteria. Within [8] ~~10 working days of the end of the public comment period,~~ 63 days of receiving a completed application, the Director shall make a decision by approving, conditionally approving, or denying the application based upon compliance with the provisions of this Code. For applications subject to this section, the local government:

(i) Shall not hold a hearing on the application; **and**

(ii) Shall issue a written determination of compliance or non-compliance with applicable land use regulations that include a summary statement explaining the determination.

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(b) Conditions. Conditions may be applied to the approval of any application when such conditions are required to comply with the relevant Sections of the Code.

(6) Notice of Decision. Upon reaching a final decision on the application, the Director shall mail a copy of the decision to the applicant and any person who ~~submits comments during the public comment period.~~

~~The Director shall also mail notice of the decision in writing to parties who were~~received notice under ~~notified of the comment period in~~ Subsection (3) of this Section within 63 days of the date of a completed application and any person who submitted comments during the public comment period.

(7) Notice of Decision Content. The content of the notice of the decision shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized.

(b) Briefly summarize the local decision making process for the decision being made.

(c) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(d) Set forth the street addresses or other easily understood geographical reference to the subject property.

(e) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(f) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, applicable criteria, and all evidence relied upon by the decision-maker are available for inspection at no cost and will be provided at reasonable cost.

(g) ~~Describe the nature of the decision.~~ Describe the nature of the decision in a summary statement.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, or anyone who provided testimony for the record may appeal the decision by filing a written appeal in a manner provided in this Code within 14 calendar days of the date the written notice of decision is mailed.

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(i) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

(j) State the place, date, and time the appeal is due.

(k) State that the decision will not become final until the period for filing a local appeal has expired.

(l) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(8) Effective Date. The effective date of the final decision shall be 14 calendar days following the date the notice of decision is mailed, unless appealed, in which case the effective date shall be ~~as provided for the Type III decision.~~ in accordance with ORS 197.375 (Appeal of Decision on Application for Expedited Land Division) or ORS 197.726 (Jurisdiction on Appeal).

(9) Appeal. A final decision shall be in accordance with ORS 197.375 (Appeal of Decision on Application for Expedited Land Division) or ORS 197.726 (Jurisdiction on Appeal).

(10) Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

(11) Review, Eligibility.

(a) 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:

(i) An exception taken under ORS 197.732 (Goal Exceptions) to a statewide land use planning goal;

(ii) 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

(iii) A federal environmental impact statement under the National Environmental Policy Act.

(b) If the applicant makes a request that complies with section 2.038, 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).

(12) Jurisdiction on Appeal; Standing. Jurisdiction for appeal of a local decision for an Expedited Industrial Site Plan within a RSIA shall be in accordance with ORS 197.726 (Jurisdiction on Appeal). See also ORS 197.375 (Appeal of Decision on Application for Expedited Land Division).

(a) The Land Use Board of Appeals does not have jurisdiction to consider decisions, aspects of decisions or actions taken under ORS 197.722 (Definitions for ORS 197.722 to 197.728) to ORS 197.728 (Rules). See also ORS 197.360 (Expedited Land Division Defined) to ORS 197.380 (Application Fees for Expedited Land Division).

(b) An appeal of a decision on an application for an Expedited Industrial Land Use Permit made under ORS 197.724 (Review of Application for Land Use Permit within Regionally Significant Industrial Area) may be made in the manner set forth in ORS 197.375 (Appeal of Decision on Application for Expedited Land Division) for appeal of a decision on an expedited land division. Notwithstanding ORS 197.375 (Appeal of Decision on Application for Expedited Land Division);

(i) The applicant and a person who filed written comments in the time period established under ORS 197.365 (Application for Expedited Land Division) may file an appeal;

(ii) If an appeal is filed, the referee shall hold a hearing on the appeal; and

(iii) The referee shall issue a written decision within 42 days (ORS 197.375(4)(b) or 56 days (ORS 197.726(2)(c) after the appeal was filed.

(c) A party to a proceeding before a referee under this Section may seek judicial review of the referee's decision in the manner provided for review of final orders of the Land Use Board of Appeals under ORS 197.850 (Judicial Review of Board Order) and 197.855 (Deadline for Final Court Order). The Court of Appeals shall review decisions of the referee in the manner provided for review of final orders of the Land Use Board of Appeals in ORS 197.850 (Judicial Review of Board Order) and 197.855 (Deadline for Final Court Order). However, notwithstanding ORS 197.850 (Judicial Review of Board Order) (9) or any other provision of law, the court shall reverse or remand the decision only if the court finds that:

(i) The local government's decision clearly does not concern an application for an expedited industrial land use permit as described in ORS 197.360 (Expedited Land Division Defined) or ORS 197.724 (Review of Application for Land Use Permit within Regionally Significant Industrial Area) and the appellant raised this issue in proceedings before the referee;

~~(i)~~(ii) There is a basis to vacate the decision as described in ORS 36.705 (Vacating Award)(1)(a) to (d), or a basis for modification or correction of an award as described in ORS 36.710 (Modification or Correction of Award)(ORS 197.375(8)(b);

~~(ii)~~(iii) The referee's decision contains a clear, material error of fact based on the record, and the Appellant raised the issue in proceedings before the referee;

~~(iii)~~(iv) The referee's decision contains a clear, material error of law, giving deference to any interpretations of law by the referee, and the Appellant raised the issue in proceedings before the referee; or

~~(iv)~~(v) The decision of the local government or the referee is unconstitutional.

2.040 Type II Procedure

2.041 Purpose. The purpose of the Type II procedure is to hold a meeting between the applicant and surrounding property owners, in which the opportunity is given to resolve any potential conflict between the applicant and affected parties in an informal setting, and reach an acceptable decision regarding the proposal. The decisions involved in development review are to be objective in nature, and require only moderate discretion in the application of the requirements of this Code.

2.042 Processing.

(1) Except as provided in Section 2.042(2), a Type II application shall be processed by the Hearings Officer through a publicly held and noticed mediation hearing.

(2) Hearing Option. At the Director's discretion, a Type II review may be referred directly to the Planning Commission for review and approval, using the Type III procedure as provided in Section 2.050.

(3) Upon verification of a complete application pursuant to Section 3.050 of this Code, the Director shall provide for a public mediation meeting within 35 calendar days, as provided in Section 2.043 through 2.044 following, and shall cause review of the application as required by this Code to proceed.

(4) A staff report on the application shall be prepared and shall be available to the applicant and any other interested parties at least seven calendar days prior to the meeting.

2.043 Notice of Mediation Hearing

(1) Notice Area. The Director shall mail notice not less than [8]20 calendar days prior to the mediation hearing to the following:

(a) The applicant.

(b) Owners of record of property on the most recent property tax assessment roll where such property is located within 250 feet of the property which is the subject of the notice.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for all subdivisions, and other applications which affect private access to roads.

(2) Notice Content. The notice shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized.

(b) List the applicable criteria from this Code and the Comprehensive Plan that apply to the application at issue.

(c) Set forth the street address or range of addresses, Assessor's map reference, or other easily understood geographical reference to the subject property.

(d) State the date, time and location of the meeting.

(e) ~~State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue may preclude~~

~~appeal based on that issue.~~State that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue may preclude an appeal to the board based on that issue.

[Note: ORS 197.763 requires the language "...precludes appeal to the board on that issue." The procedures herein provide for local appeal of a Type II decision to be heard by the Planning Commission and City Council prior to an appeal to the Land Use Board of Appeals. The procedures also allow for the possibility of a 'de novo' hearing, which allows new issues to be raised and allows introduction of new evidence].

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection and will be provided at a reasonable cost.

(h) State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost.

(i) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

2.044 Mediation Hearing.

(1) Purpose. The mediation hearing is a face-to-face meeting of those persons directly involved, whose purpose is to determine design and development conditions that may mitigate the impacts of the proposed development. The Hearings Officer shall take the role of mediator, and shall encourage a design solution meeting the needs and concerns of both the applicant and objecting property owners.

(2) The Mediation Hearing shall be held by the Hearings Officer on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-Judicial Hearing Rules.

(~~2~~3) Orderly Conduct. The Hearings Officer shall chair the mediation hearing, and shall provide for the orderly conduct of the hearing in an informal but fair and open manner. Participants will conduct themselves in a reasonable and orderly manner, and may be excused from the meeting by the Hearings Officer for disruptive conduct.

(~~3~~4) At the commencement of the hearing, a statement shall be made to those in attendance that:

(a) Lists the applicable criteria by which a decision will be made.

(b) States that testimony, evidence, and arguments, must be directed toward these criteria or other criteria contained in this Code or the Comprehensive Plan which the person believes to apply to that decision.

(c) States that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue may preclude appeal based on that issue.

[Note: ORS 197.763 requires the language "...precludes appeal to the board on that issue". The procedures herein provide for local appeal of a Type II decision to be heard by the Planning Commission and City Council prior to an appeal to the Land Use Board of Appeals. The procedures also allow for the possibility of a 'de novo' hearing, which allows new issues to be raised and allows introduction of new evidence].

~~(4) If a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven calendar days after the meeting.~~

2.045 Hearings Officer's Decision.

(1) Action and Criteria. The Hearings Officer shall review the application, written comments, mediation hearing testimony, if any, and the requirements of this Code, and shall make a decision on the application by approving, conditionally approving, or denying the application. The criteria for reaching a decision under a Type II procedure shall be based on compliance with the provisions of the Code.

(2) Conditions. Conditions may be applied to the approval of any application under a Type II procedure when such conditions are required to comply with the applicable provisions of this code. ~~Conditions in excess of the requirements of this Code may be made, but only if agreed to in writing by the applicant, and made at this option in order that the project may go forward speedily.~~

(3) Final Decision and Notice. At the conclusion of the mediation hearing, or within 10 calendar days of the mediation hearing, the Hearings Officer shall reach a final decision, and shall mail notice in writing of the final decision to the applicant, all affected parties participating in the mediation meeting, and all

affected parties submitting written comment prior to the mediation meeting requesting such notice. The content of the notice of final decision shall be as provided in Section 2.037(7) of this Code, and shall state the right of appeal of the final decision as provided in this Code.

(4) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the written notice of decision is mailed, unless appealed, in which case the effective date shall be as provided for the Type III decision.

2.046 Appeal. The final decision of the Hearings Officer under the Type II procedure may be appealed to the Planning Commission as provided in Section 10.040 of this Code.

2.047 Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.050 Type III Procedure

2.051 Purpose. The purpose of the Type III procedure is to provide for quasi-judicial review of designated land use actions by the Planning Commission at a public hearing. Such actions may be complex and discretionary in nature, requiring the exercise of judgment in applying the policies of the Comprehensive Plan and the requirements of this Code.

2.052 Processing.

(1) A Type III application shall be reviewed at a public hearing before the Planning Commission. At the Director's discretion, a Type III review may be referred to the Hearings Officer, in which case the application shall be reviewed using the Type II procedure. The Director shall only refer a Type III decision to the Hearings Officer when unusual circumstances apply, and the amount of discretion is not substantially greater than applications reviewed through a Type II procedure.

(2) Upon verification of a complete application pursuant to Section 3.050 of this Code, the Director shall schedule a public hearing within 55 calendar days, as provided in Sections 2.053 through 2.054 following, and shall cause review of the application as required by this Code to proceed.

2.053 Notice of Public Hearing

(1) Notice shall be mailed not less than 20 calendar days prior to the hearing, or, if there are two or more evidentiary hearings, notice shall be mailed not less than 10 days before the first hearing. Notice shall be mailed to the following:

(a) The applicant.

(b) Owners of record of property on the most recent property tax assessment roll where such property is located within 250 feet of the property which is the subject of the notice.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

[7](d) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT).

(2) If the hearing is a Planning Commission recommendation hearing or City Council action hearing for a Type IV procedure, the following notice shall also be provided:

(a) For Development Code text amendments and Comprehensive Plan amendments, notice shall be provided in a newspaper of general circulation 4 to 10 days prior to the hearing.

(b) If the application would change the zone of property which includes all or part of a manufactured home park, notice shall be mailed to each existing mailing address for tenants of the manufactured home park at least 20 calendar days and not more than 40 calendar days prior to the hearing.

(c) For Development Code amendments and Comprehensive Plan amendments that "rezone" property as defined in Section 2.095, mailed notice shall be provided in Section 2.095.

(3) On an appeal from the Type I or II procedures, the Director shall mail notice to parties specified in Section 10.022, 10.032, 10.036, or 10.042, provided below for reference:

(a) Type I-B. The applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously mailed written notice of the decision.

(b) Type I-C. The applicant, the appellant, any adversely affected or aggrieved party requesting notice and writing, and all persons previously noticed as part of the process leading to the Director's final action.

(c) Type I-D. The applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Director's final action.

(ed) Type II. The applicant, the appellant, any adversely affected or aggrieved person requesting notice in writing, and all person's previously noticed leading to the Hearings Officer's written decision.

(4) Notice Content. The notice shall:

(a) Explain the nature of the application and the proposed use of uses which could be authorized.

(b) List the applicable criteria from this Code and the Comprehensive Plan that apply to the application at issue.

(c) Set forth the street address or range of addresses, Assessor's map reference, or other easily understood geographical reference to the subject property.

(d) State the date, time and location of the meeting.

(e) ~~State the failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or other evidence to afford the decision maker an opportunity to respond to the issue may preclude appeal of the Planning Commission's decision based on that issue, and precludes appeal of a City Council decision to the Land Use Board of Appeals based on that issue.~~State that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue may preclude appeal of the Planning Commission's decision based on that issue and may preclude an appeal of the City Council's decision to the Land Use Board of Appeals based on that issue.

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection and will be provided at a reasonable cost.

(h) State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost.

(i) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

2.054 Public Hearing. A public hearing shall be held by the Hearing Officer or the Planning Commission on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-judicial Hearing Rules.

2.055 Final Decision

(1) Action and Criteria. The review body shall review the application, together with staff review, written comment received prior to or during the hearing, and testimony made at the hearing, and shall make a decision on the application by approving, approving with conditions or denying the application. The criteria for reaching a decision under a Type III procedure, including decisions made under appeal, shall be based upon compliance with the provisions of this Code.

(2) Conditions. Conditions may be applied to the approval of any application under a Type III procedure, when such conditions are required to comply with the applicable Sections of this Code.

(3) Findings and Notice of Final Decision. The initial action by the Planning Commission shall be known as the oral decision, as provided in Section 8.038. ~~and 9.037.~~

(a) A final decision by the Planning Commission incorporating the oral decision shall be adopted by the next regularly scheduled meeting of the Commission, and shall include findings which address the applicable criteria when required by this Code.

(b) Notice of the final decision shall be mailed to the applicant, and other affected parties requesting such notice in writing, within 10 calendar days of the rendering of the final decision by the Planning Commission, and shall state the right of appeal of the final decision as provided in this Code.

(4) Effective Date. The effective date of the final decision shall be ~~7~~ 12 calendar days following the ~~final decision by the Planning Commission~~ date the written notice of decision is mailed, unless appealed, in which case the effective date shall be as provided for the Type IV decision.

2.056 Appeal. The final decision of the review body under the Type III procedure may be appealed to the City Council as provided in Section 10.050 of this Code.

2.057 Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.060 Type IV Procedure

2.061 Purpose. The purpose of the Type IV procedure is to provide for quasi-judicial and legislative review of designated land use actions by the City Council at a public hearing. Such actions are complex and discretionary in nature, and require the exercise of judgment in applying the policies of the Comprehensive Plan and the requirements of this Code.

2.062 Processing.

(1) A Type IV application may be reviewed at a public hearing before the Planning Commission for a recommendation, unless otherwise stipulated by this Code, and shall be reviewed at a public hearing before the City Council for action on the matter.

(2) Upon verification of a complete application pursuant to Section 3.050 of this Code, the Director shall schedule a public hearing before the Planning Commission within 55 calendar days, as provided in Sections 2.063 through 2.064 following, and shall cause review of the application required by this Code to proceed.

(3) As specified in this Code, certain land use actions processed under the Type IV procedure may require review by the City Council only, all other particulars of the review process under the Type IV procedure remaining the same. These actions are designated as Type "IV-A" in Schedule 2-1. Unless specifically stated otherwise in this Code, the Type IV procedure shall include consideration by the Planning Commission. These actions are designated as Type "IV-B" in Schedule 2-1.

2.063 Recommendation Hearing Before Planning Commission.

(1) Notice. When an application is scheduled for the recommendation hearing by the Planning Commission, notice area, method and content shall be as provided in Section 2.053 of this Code.

(2) Public Hearing. A public hearing shall be held by the Planning Commission on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-Judicial Hearing Rules or Article 9, Legislative Hearing Guidelines, as appropriate.

2.064 Recommendation Hearing by the Planning Commission

(1) Action, Criteria and Conditions. The Planning Commission shall review the application and make a recommendation to the City Council, either for approval, approval with conditions or denial of the proposal. The criteria for reaching a decision under the Type IV procedure shall be in compliance with the Comprehensive Plan, including but not limited to the Master Transportation Plan, and the provisions of this Code.

(2) Findings and Notice of Recommendation Decision. The initial action by the Planning Commission at the Recommendation Hearing shall be known as the oral recommendation.

(a) A final recommendation embodying the oral recommendation by the Planning Commission shall be adopted at the next regularly scheduled meeting of the Commission, and shall include findings which address the applicable criteria of this Code.

(b) Notice of the final recommendation shall be incorporated within the City Council's ~~mailed to the applicant, and to other affected parties requesting such notice in writing,~~ public hearing notice indicating the hearing date the City Council will review the recommendation. ~~within 10 calendar days of the rendering of the final recommendation by the Planning Commission, and shall indicate the tentative date of the scheduled before the City Council on the matter.~~

2.065 Action Hearing Before City Council.

(1) Schedule. Within ~~12~~14 calendar days of the ~~oral~~ final recommendation by the Planning Commission, the Director shall ~~tentatively~~ schedule the action hearing on the application before the City Council.

(2) Notice of Public Hearing. Notice shall be as provided in Section 2.053 of this Code, except that mailed notice shall also include those affected parties who testified either in person or in writing at the recommendation hearing before the Planning Commission.

(3) Public Hearing. A public hearing by the City Council shall be held on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-Judicial Hearing Rules, or Article 9, Legislative Hearing Guidelines, as appropriate.

2.066 Final Decision by City Council

(1) Action and Criteria. The City Council shall review the application, together with the staff review, findings and final recommendation of the Planning Commission, evidence received prior to and during both the Planning

Commission and City Council hearings, and shall make a decision on the application by approving, conditionally approving or denying the application. The criteria for reaching a decision under the Type IV procedure shall be in compliance with the Comprehensive Plan and the provisions of this Code.

(2) Conditions. Conditions may be applied to the approval of any application under Type IV procedure, when such conditions are in accord with the applicable Sections of this Code.

(3) Findings and Notice of Final Decision. The initial action by the City Council shall be known as the oral decision.

(a) A final decision embodying the oral decision shall be adopted by the City Council by the second regularly scheduled meeting of the Council following the oral decision by Council.

(b) Notice of the final action shall be mailed to the applicant, and to other affected parties requesting such notice in writing, within 10 calendar days of the rendering of the final decision, and shall include the adopted findings of Council, and shall state the right of appeal under state statute.

(4) Effective Date. The decision of the Council shall be final upon signing of the findings of fact.

2.067 Appeal. The final decision of the City Council under the Type IV procedure may be appealed to the Oregon Land Use Board of Appeals as provided in Section 10.060.

2.068 Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.070 Type V Procedure. Type V procedure providing for joint City Council and Board of County Commissioners review shall be as provided in the Joint Urban Area Services Management Agreement.

2.071 Appeal. The final decision of the City Council and Board of County Commissioners under the Type V procedure may be appealed to the Oregon Land Use Board of Appeals as provided in Section 10.060.

2.080 Deadline for Decision

The review body shall take final action on any application including resolution of all appeals as provided in Section 3.050.

2.085 Coordinated Review for Transportation Facilities

All land use decisions involving transportation facilities, corridors and sites shall include as part of the record, and consider the findings of, any relevant Environmental Impact Statements and Environmental Assessments completed by the Oregon Department of Transportation (ODOT).

2.090 Noticing Requirements for Certain Proposed Administrative Rules and New State Statutes and Administrative Rules

The purpose of this Section is to comply with noticing procedures required by ORS 197.047.

(1) Applicability. The provisions of this Section apply to all statutes and administrative rules of the Land Conservation and Development Commission that limit or prohibit otherwise permissible uses or cause a local government to rezone property.

(2) 'Rezoned' Defined. For purposes of this section, property is rezoned when the statute or administrative rule causes the City to:

(a) Change the base zoning classification of property; or

(b) Adopt or amend an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(3) 'Owner' Defined. As used in this section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll.

(4) Notice Requirement for Proposed LCDC Administrative Rule That Rezones Property. When the City receives notice under ORS 197.047(2) of a proposed new or amended administrative rule of the Land Conservation and Development Commission, it shall cause the notice set forth in Subsection (5) of this Section to be mailed to every property owner that will be rezoned as a result of the proposed rule. Notice to an owner under this subsection must be mailed at least 45 days prior to the final public hearing on the proposed rule.

(5) Notice Content for Proposed LCDC Administrative Rule That Rezones Property. The notice required in Subsection (4) of this Section must:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

This is to notify you that the Land Conservation and Development Commission has proposed a new or amended administrative rule that, if adopted, may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"On (date of public hearing), the Land Conservation and Development Commission will hold a public hearing regarding adoption of proposed (new or amended) rule (number). Adoption of this rule may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

Rule (number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of the proposed rule (number) also is available for purchase at a cost of $____.

For additional information, contact the Department of Land Conservation and Development at (phone number)."

(6) Notice Requirement for Adopted Statute or LCDC Administrative Rule That Rezones Property. When the City receives notice under ORS 197.047(6) of an adopted new or amended statute or administrative rule of the Land Conservation and Development Commission, it shall cause the notice set forth in Subsection (7) of this Section to be mailed to every property owner that will be rezoned as a result of adoption of the rule or enactment of the statute, unless notice was provided pursuant to Subsection (4) of this Section.

The City shall mail the notice to an owner under this subsection at least 45 days prior to the effective date of the rule or statute unless the rule or statute is effective within 90 days of enactment or adoption, in which case the City shall mail the notice to an owner under this subsection not later than 30 days after the City receives notice under ORS 197.047(6).

(7) Notice Content for Adopted Statute or LCDC Administrative Rule That Rezones Property. The notice required in Subsection (6) of this notice must:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

"(Check on the appropriate line:)

_____This is to notify you that the Land Conservation and Development Commission has adopted an administrative rule that may affect the permissible uses of your property and other properties; or

_____This is to notify you that the Legislative Assembly has enacted a land use planning statute that may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"(Check on the appropriate line:)

____On (date of rule or adoption), the Land Conservation and Development Commission adopted administrative rule (number). The rule may affect the permissible uses of your property, and other properties in the affected zone, any may change the value of your property.

Rule (number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of the rule (number) also is available for purchase at a cost of $_____.

For additional information, contact the Department of Land Conservation and Development at (phone number); or

_____On (date of enactment), the Legislative Assembly enacted (House/Senate bill number). The Department of Land Conservation and Development has determined that enactment of (House/Senate bill number) may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

A copy of the (House/Senate bill number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of (House/Senate bill number) also is available for purchase at a cost of $_____.

For additional information, contact the Department of Land Conservation and Development at (telephone number).

(8) DLCD Reimbursement to City. The Department of Land Conservation and Development shall reimburse the City for:

(a) The actual costs incurred responding to questions from the public related to a proposed new or amended administrative rule of the Land

Conservation and Development Commission and to notice of the proposed rule; and

(b) All usual and reasonable costs of providing notices required under subsection (4) or (8) of this section.

2.095 Noticing Requirements for Certain Comprehensive Plan and Ordinance Amendments that Rezone Property

The purpose of this Section is to comply with noticing procedures required by ORS 227.186.

(1) 'Rezoned' Defined. For purposes of this Section, property is rezoned when the City:

(a) Changes the base zoning classification of the property; or

(b) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(2) 'Owner' Defined. As used in this Section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the latest available complete tax assessment roll.

(3) Legislative Acts by Ordinance. All legislative acts relating to comprehensive plans, land use planning or zoning adopted by the City shall be by ordinance.

(4) Additional Notice Requirement for Proposed Ordinance Amending Comprehensive Plan That Would Require Rezoning of Property to Comply with Plan. The noticing requirement in this Section is in addition to the applicable notice requirements contained elsewhere within this Article.

Except as provided in Subsection (7) of this Section, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof, or to adopt a new comprehensive plan, a city shall cause written individual notice of a land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

(5) Additional Notice Requirement for Proposed Ordinance That Rezones Property. The noticing requirement in this Section is in addition to the applicable notice requirements contained elsewhere within this Article.

At least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, the City shall cause a written individual notice of a land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

(6) Notice Content for Proposed Ordinance Described in Subsection (4) or (5). An additional individual notice of land use change required by Subsection (4) or (5) of this Section shall be approved by the City and shall describe in detail how the proposed ordinance would affect the use of the property. The notice shall:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

"This is to notify you that the City of Grants Pass has proposed a land use regulation that may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"On (date of public hearing), the City of Grants Pass will hold a public hearing regarding the adoption of Ordinance Number _____. The City of Grants Pass has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, any may change the value of your property.

Ordinance Number _____ is available for inspection at the Grants Pass City Hall located at 101 NW 'A' Street. A copy of Ordinance Number _____ also is available for purchase at a cost of $_____.

For additional information concerning Ordinance Number _____, you may call the City of Grants Pass Planning Division at 474-6355."

(7) Notice Requirement for Adoption of Ordinance Amending Comprehensive Plan or Land Use Regulation for Periodic Review. At least 30 days prior to the adoption or amendment of a comprehensive plan or land use regulation by a city pursuant to the requirements of periodic review of the comprehensive plan under ORS 197.628, 197.633 and 197.636, the City shall cause a written individual notice of the land use change to be mailed to the owner of each lot or parcel that will be rezoned as a result of the adoption or enactment. The notice shall describe in detail how the ordinance or plan amendment may affect the use of property. The notice also shall:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

"This is to notify you that the City of Grants Pass has proposed a land use regulation that may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"As a result of an order of the Land Conservation and Development Commission, the City of Grants Pass has proposed Ordinance Number _____. The City of Grants Pass has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

Ordinance Number _____ will become effective on (date).

Ordinance Number _____ is available for inspection at the Grants Pass City Hall located at 101 NW 'A' Street. A copy of Ordinance Number _____ also is available for purchase at a cost of _____.

For additional information concerning Ordinance Number _____, you may call the City of Grants Pass Planning Division at 474-6355.

(8) Combined Mailing Option. Notice provided under this Section may be included with the tax statement required under ORS 311.250.

(9) Method of Mailing. Notwithstanding Subsection (8) of this Section, a city may provide notice of a hearing at any time provided notice is mailed by first class mail or bulk mail to all persons for whom notice is required under Subsections (4) and (5) of this Section.

(10) Relationship to Section 2.090. The provisions of this Section do not apply to legislative acts of the City Council resulting from action of the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under Section 2.090 or resulting from an order of a court of competent jurisdiction.

(11) Notice Not Required to Duplicate Ownerships. The City Council is not required to provide more than one notice under this Section to a person who owns more than one lot or parcel affected by a change to the comprehensive plan or land use regulation.

(12) DLCD Reimbursement to City. The Department of Land Conservation and Development shall reimburse the City for all usual and reasonable costs to provide notice required under Subsection (7) of this Section.

REVISIONS	
DATE	ORD #
10/7/92	4747
11/15/95	4843
9/4/02	5152
4/20/05	5285
1/18/16	5333
6/7/06	5359
4/16/08	5442
5/20/09	5489
3/5/14	5598
12/3/14	5632

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EXHIBIT 2

[1]**Article 10: Appeals**

10.010 Purpose

The purpose of this Article is to provide appeal procedures for the review of decisions on land use and development matters by the Director, Hearings Officer, Planning Commission, Historic Buildings and Sites Commission, and City Council.

[3]10.015 Appeal Procedures and Hearing Types

The appeal procedures are summarized in Schedule 10-1, 'Summary of Appeal Procedures.' The detailed procedural requirements for each appeal type are contained in the following Sections of this Article.

An appeal hearing shall be 'de novo,' 'limited to issues,' or 'on the record' as specified in this Article.

Each of the hearing types is summarized below.

(1) de novo: Anyone may testify. Issues are not limited to those raised in the appeal. New evidence and argument may be presented.

(2) limited to issues: Anyone may testify. Issues are limited to those raised in the appeal. New evidence and argument may be presented, but it must only be used to consider the issues raised in the appeal.

Rather than hold a de novo hearing to consider issues not raised in the appeal, the review body may hold a hearing to consider an expanded scope of issues. In this case, the review body may consider issues raised on appeal plus additional issues specified by the review body. Prior to, or at the outset of the hearing, the review body shall specify which additional issues can be considered. New evidence and argument may be presented, but it must only be used to consider the issues raised in the appeal and the additional issues specified by the review body.

(3) on the record:

(a) Anyone may testify. Issues are limited to those raised in the appeal. New evidence may not be presented. New argument may be presented.

(b) The Council may admit additional testimony and other evidence without holding a de novo hearing if it is satisfied that the testimony or other evidence could not have been presented at the initial hearing. In deciding such admission, the Council shall consider:

(~~1~~i) Prejudice to parties

(~~2~~ii) Convenience of locating the evidence at the time of initial hearing.

(~~3~~iii) Surprise to opposing parties.

(4iv) When notice was given to the other party as to the attempt to admit.

(~~5~~v) The competency and relevancy of the proposed testimony.

(c) If additional evidence is admitted, then upon request, any other party may submit additional rebuttal evidence at that time, or for a period of 7 calendar days thereafter, and may also require that the decision of the review body be delayed for a period of not less than 14 calendar days to allow for consideration of the rebuttal evidence. The submission of additional evidence that results in a delay shall constitute a 30 day waiver of the 120 day decision making time frame, both by the party submitting the new evidence and by the party submitting the rebuttal evidence.

[4]SEE Section 10.036 for appeal procedures for Expedited Industrial Site Plan Review.

Schedule 10-1. Summary of Appeal Procedures

Type I-B	Type I-C	[1]Type I-D	Type II	Type III	Type IV & V
Initial Decision by Director (no hearing, no comment period, notice of decision is mailed) ↓	**Initial Decision by Director** (no hearing, comment period, notice of decision is mailed) ↓	**Initial Decision by Director** (no hearing, comment period, notice of decision is mailed) ↓	**Initial Decision by Hearings Officer** (de novo hearing)		
Director's Decision is Appealed to Planning Commission ***Who may appeal?*** Any person who is adversely affected or aggrieved or anyone entitled to written notice of decision ***What type of Planning Commission hearing?*** De novo hearing required ↓	**Director's Decision is Appealed to Planning Commission** ***Who may appeal?*** Any person who is adversely affected or aggrieved, anyone entitled to written notice of decision, or anyone who provided written comments during the comment period ***What type of Planning Commission hearing?*** De novo hearing required ↓	**Director's Decision is Appealed to Referee** ***Who may appeal?*** The Applicant or anyone who provided written comments during the comment period ***What type of Review?*** The referee appointed by the local government may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument **Cannot be appealed to LUBA**	**Hearings Officer's Decision is Appealed to Planning Commission** ***Who may appeal?*** Anyone who provided written or oral testimony in the record for the initial decision ***What type of Planning Commission hearing?*** De novo hearing, unless, at the outset of the hearing, the Commission specifies that it will be: -limited to issues, or -on the record ↓	**Initial Decision by Planning Commission** (de novo hearing) ↓	Type IV-A **(No Planning Commission Recommendation)** Type IV-B **Recommendation by Planning Commission** (de novo hearing) Type V **Recommendation by Planning Commission** (de novo hearing)
Planning Commission's Decision is Appealed to City Council ***Who may appeal the Planning Commission's decision to City Council?*** Anyone who previously provided written or oral testimony in the record, whether for the initial decision or for the Planning Commission hearing on appeal. ***What type of City Council hearing?*** De novo hearing, unless, at the outset of the hearing, the Council specifies that it will be: -limited to issues, or -on the record ↓					Type IV-A, IV-B **Initial Decision by City Council** (de novo hearing) Type V **Initial Decision by City Council and Board of County Commissioners** (de novo hearing) ↓
City Council's Decision is Appealed to LUBA, or City Council/Board of County Commissioners Decision is Appealed to LUBA In accordance with ORS 197.805-860.					

10.020 Appeal of Final Action by the Director on Type I-B Decision (without Public Comment Period).

10.021 Appeal. A final action of the Director on a Type I-B decision (without public comment period) may be appealed to the Planning Commission, provided that the procedures of this Section are followed.

10.022 Procedures.

[3](1) Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision may appeal the decision by filing a written appeal. The appeal must be filed with the Director within 12 calendar days from the date the written notice of decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Planning Commission, and the date of the decision.

(b) The name, address, and phone number of the appellant.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than 482 business days ~~hours~~ after receiving an appeal, the Director shall make a determination whether or not the appeal is and whether or not it has been filed on time. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Director's decision shall become final and is not subject to local appeal.

(3) Notice of the appeal hearing shall be mailed to the applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously mailed written notice of the decision. The manner and content of notice shall be as provided in Section 2.053.

(4) The appeal shall be reviewed by the Planning Commission under the Type III procedure as provided in Section 2.050.

[3]10.023 Planning Commission Action

(1) Review. The hearing shall be "de novo" as required by ORS 227.175(10)(a)(D). The de novo hearing shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. At the de novo hearing:

(a) The applicant and other parties shall have the same opportunity to present testimony, arguments, and evidence as they would have had in a hearing before the decision was issued.

(b) The presentation of testimony, arguments, and evidence shall not be limited to the issues raised in a notice of appeal; and

(2) The Planning Commission shall consider the record, all relevant testimony, arguments, and evidence that are accepted at the hearing.

(3) Commission Action. The Planning Commission may affirm, amend, or reverse the final action of the Director.

10.024 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.025 Appeal. Any appeal of the Planning Commission's decision on the appeal shall follow the procedures for appeal of a Type III decision.

10.030 Appeal of Final Action by the Director on Type I-C Decision (with Public Comment Period).

10.031 Appeal. A final action of the Director on a Type I-C decision (with public comment period) may be appealed to the Planning Commission, provided that the procedures of this Section are followed.

10.032 Procedures.

(1) Any person who is adversely affected or aggrieved, anyone who is entitled to written notice of the decision, or anyone who provided written comments during the comment period may appeal the decision by filing a written appeal. The appeal must be filed with the Director within 12 calendar days from the date the written notice of decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Planning Commission, and the date of the decision.

(b) The name, address, and phone number of the appellant.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than 482 business days ~~hours~~ after receiving an appeal, the Director shall make a determination whether or not the appeal is complete and whether or not it has been filed on time. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Director's decision shall become final and is not subject to local appeal.

(3) Notice of the appeal hearing shall be mailed to the applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Director's final action. The manner and content of notice shall be as provided in Section 2.053.

(4) The appeal shall be reviewed by the Planning Commission under the Type III procedure as provided in Section 2.050.

10.033 Planning Commission Action

(1) ~~Review.~~ Review. The hearing shall be "de novo" as required by ORS 227.175(10)(a)(D). The de novo hearing shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. At the de novo hearing:

~~The hearing shall be "de novo." At the de novo hearing:~~

Comment [AI1]: Type I-B language should be same as Type I-C. Appeal is 'de novo' for this as well

(a) The applicant and other parties shall have the same opportunity to present testimony, arguments, and evidence as they would have had in a hearing before the decision was issued.

(b) The presentation of testimony, arguments, and evidence shall not be limited to the issues raised in a notice of appeal; and

(2) The Planning Commission shall consider the record, all relevant testimony, arguments, and evidence that are accepted at the hearing.

(3) Commission Action. The Planning Commission may affirm, amend, or reverse the final action of the Director.

10.034 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all partics who appeared, either orally or in writing, before the hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.035 Appeal. Any appeal of the Planning Commission's decision on the appeal shall follow the procedures for appeal of a Type III decision.

[4]10.036 Appeal of Regionally Significant Industrial Area (RSIA) ~~Overlay~~Review.

10.037 Appeal. A final action of the Director on a Type I-D decision (with public comment period) may be appealed to a local government appointed referee in accordance with the statutory procedures for an Expedited Industrial Site Plan Review (ORS 197.375) which are only available for application types authorized by statute (Expedited Industrial Site Plan Review). If the application for a land use permit does not meet the criteria for review under an Expedited Industrial Site Plan Review and is processed in accordance with ORS 197.724 (Review of land use permit within a Regionally Significant Industrial Area (RSIA)), then an appeal to a local government appointed referee for a land use permit shall follow the statutory procedures as outlined in ORS 197.726.

Comment [AI2]: ORS 197.375 and ORS 197.724 contain separate language for deadline times for an appeal and type of hearing process

10.038 Procedures.

(1) The applicant or any person or organization who files written comments in the time period established under ORS 197.365 (Application for Expedited Land Division) or ORS 197.724 (Application for Land Use Permit within a Regionally Significant Industrial Area (RSIA)) may appeal the decision by filing a written appeal and paying the applicable deposit for costs. The appeal must be filed with the Director within 14 calendar days from the date the written notice of decision is mailed on a form provided by the Director. The appeal shall be based solely on allegations:

Comment [AI3]: ORS 197.375(1)(a) states fee of $300. Include?

(a) Of violation of the substantive provisions of the applicable land use regulations;

(b) Of unconstitutionality of the decision;

(c) That the application is not eligible for review under ORS 197.360 (Expedited Land Division Defined) to 197.380 (Application fees for Expedited Land Division) and should be reviewed as a land use decision or limited land use decision; or

(d) That the ~~parties~~ parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.

(2) The local government shall appoint a referee to decide the appeal of a decision made under ORS 197.360 (Expedited Land Division Defined) and ORS 197.365 (Application for Expedited Land Division). The referee shall not be an employee or official of the local government. However, the local government which has a designated hearings officer under ORS 215.406 (Planning and Zoning Hearings Officers) or 227.165 (Planning and Zoning Hearings Officers) may designate the hearings officer as the referee for appeals of a decision made under ORS 197.360 (Expedited Land Division Defined) and ORS 197.365 (Application for Expedited Land Division).

(3) The referee shall, within seven (7) days of being appointed, notify the applicant, the local government, the appellant if other than the applicant, any person or organization entitled to notice under ORS 197.365 (2) (Application for Expedited Land Division) that provided written comments to the local government and all providers of public facilities and services entitled to notice under ORS 197.365 (2) (Application for Expedited Land Division) and advise them of the manner in which they may participate in the appeal. A person or organization who provided written comments but did not file an appeal may participate only with respect to the issues raised in the written comments submitted by that person or organization. The referee may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument. ORS 197.375(3). See ORS 197.726(2) for applications that do not meet the criteria for an expedited land use permit. The referee shall provide the local government an opportunity to explain its decision, but is not limited to reviewing the local government decision and may consider information not presented to the local government.

Comment [AI4]: ORS 197.375(3)

Comment [AI5]: ORS 197.726(2)(b) states referee shall hold a hrg

Comment [AI6]: ORS 197.365(4)(b)(A) states referee shall not hold a hrg

(4) (a) The referee shall apply substantive requirements of the local government's land use regulations and ORS 197.360 (Expedited Land Division Defined). If the referee determines the application does not qualify as an Expedited Land Division as described in ORS 197.360 (Expedited Land Division Defined), the referee shall remand the application for consideration as a land use decision or limited land use decision. In all other cases, the referee shall seek to identify means by which the application can satisfy the applicable requirements.

(b) The referee may not reduce the density of the land division application. The referee shall make a written decision approving or denying the application or approving it with conditions designed to ensure that the application satisfies the land use regulations, within 42 days (ORS 197.375(4)(b)) or within 56 days (ORS 197.726(2)(c)) of the filing of the appeal. The referee may not remand the application to the local government for any reason other than as set forth in this subsection.

Comment [AI7]: ORS 197.375(4)(b) states 42 days; ORS 197.726(2)(c) states w/in 56 days

(5) Unless the governing body of the local government finds exigent circumstances, a referee who fails to issue a written decision with 42 days (ORS 197.375(5) or within 56 days (ORS 197.726(2)(c)) of the filing of an appeal shall receive no compensation for services as referee in the appeal.

Comment [AI8]: Above comment

(6) Notwithstanding any other provision of law, the referee shall order the local government to refund the deposit for costs to an appellant who materially improves his or her position from the decision of the local government. The referee shall assess the cost of the appeal in excess of the deposit for costs, up to a maximum of $500, including the initial deposit, against an appellant who does not materially improve his or her position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the

compensation paid the referee and costs incurred by the local government, but not the costs of other parties.

(7) The Land Use Board of Appeals (LUBA) does not have jurisdiction to consider any decision, aspects of decisions or action made under ORS 197.360 (Expedited Land Division Defined) to 197.380 (Application fees for Expedited Land Division) or ORS 197.722 (Definitions for ORS 197.722 to 197.728) to ORS 197.728 (Rules).

(8) Any party to a proceeding before a referee under this Section may seek judicial review of the referee's decision in the manner provided for review of final orders of the Land Use Board of Appeals under ORS 197.850 (Judicial Review of Board Order) and 197.855 (Deadline for Final Court Order). The Court of Appeals shall review the decision of the referee in the same manner as provided for review of final orders of the Land Use Board of Appeals in those statutes. However, notwithstanding ORS 197.850 (Judicial Review of Board Order)(9) or any other provision of law, the court shall reverse or remand the decision only if the court finds:

(a) That the decision does not concern an expedited land division as described in ORS 197.360 (Expedited Land Division Defined) or ORS 197.722 (Definitions for ORS 197.722 to 197.728) and the appellant raised this issue in proceedings before the referee;

(b) That there is a basis to vacate the decision as described in ORS 36.705 (Vacating Award)(1)(a) to (d), or a basis for modification or correction of an award as described in ORS 36.710 (Modification or Correction of Award) (ORS 197.375(8)(b));

(c) That the referee's decision contains a clear, material error of fact based on the record, and the appellant raised the issue in proceedings before the referee (ORS 197.726(3)(b) – *use only for those applications for land use permit within Regionally Significant Industrial Area that do not meet the criteria in ORS 197.365 (Application for expedited land division)*;

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(b)(d) That the referee's decision contains a clear, material error of law, giving deference to any interpretations of law by the referee, and the appellant raised the issue in proceedings before the referee (ORS 197.726(3)(c) – *use only for those applications for land use permit within Regionally Significant Industrial Area that do not meet the criteria in ORS 197.365 (Application for expedited land division)*; or

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(c)(e) That the decision is unconstitutional.

10.040 Appeal of Final Action by the Hearings Officer on Type II Decision.

10.041 Appeal. A final action of the Hearings Officer on a Type II decision may be appealed to the Planning Commission, provided that the procedures of this Section are followed.

10.042 Procedures.

(1) Any adversely affected or aggrieved person who provided written or oral testimony in the record may appeal the decision by filing a written appeal.

The appeal must be filed with the Director within 12 calendar days from the date the written decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Planning Commission, and the date of the decision.

(b) The name, address, and phone number of the appellant, and a statement showing that the appellant was a party to the proceedings.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than **482 business days** ~~hours~~ after receiving an appeal, the Director shall make a determination whether or not the appeal is complete, whether or not it has been filed on time, and whether or not the appellant was a party to the proceedings. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Hearings Officer's decision shall become final and is not subject to local appeal.

(3) Notice of the appeal hearing shall be mailed to the applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Hearings Officer's written decision. The manner and content of notice shall be as provided in Section 2.053.

(4) The appeal shall be reviewed by the Planning Commission under the Type III procedure as provided in Section 2.050.

[3]10.043 Planning Commission Action

(1) Review.

The hearing shall be "de novo", unless prior to or at the outset of the hearing, the Planning Commission specifies that the hearing will be a "limited to issues" hearing or an "on the record" hearing, as described in Section 10.015. This decision will govern who may testify, whether the hearing is limited to issues raised in the appeal, and whether new evidence will be permitted.

(2) The Planning Commission shall review the appeal and consider the record, all relevant evidence and arguments that are accepted at the hearing, or that are already in the record if the hearing is limited to the record.

(3) Commission Action. The Planning Commission may affirm, amend, or reverse the final action of the Hearings Officer.

10.044 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.045 Appeal. Any appeal of the Planning Commission's decision on the appeal shall follow the procedures for appeal of a Type III decision.

10.050 Appeal of Final Action by the Planning Commission on Type III Decision.

A final action of the Planning Commission on a Type III decision may be appealed to the City Council provided that the procedures of this section are followed.

[2]10.051 Procedures

(1) Filing an Appeal. Any adversely affected or aggrieved person who provided written or oral testimony in the record may appeal the decision by filing a written appeal.

The appeal must be filed with the Director within 12 calendar days ~~of the Planning Commission's oral decision~~from the date the written notice of decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Council, and the date of the ~~oral~~written decision.

(b) The name, address, and phone number of the appellant, and a statement showing that the appellant was a party to the proceedings.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(ed) The required appeal fee.

(2) Not later than 482 business days ~~hours~~ after receiving an appeal, the Director shall make a determination whether or not the appeal is complete, whether or not it has been filed on time, and whether or not the appellant was a party to the proceedings. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Planning Commission's decision shall become final and is not subject to local appeal.

~~(3)Filing a Statement of Grounds for Appeal. Within 7 calendar days of the review body's written decision, the appellant shall file a statement specifying the grounds relied upon for the appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied. If no statement of grounds for appeal has been received within the time frame given, the Planning Commission's decision shall become final and is not subject to local appeal.~~

(34) Notice. Notice of the appeal hearing shall be mailed to the applicant, appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Planning Commission's written decision. The manner and content of notice shall be as provided in Section 2.053.

(45) Procedure Type. The appeal shall be reviewed by the City Council using the "Action Hearing before City Council" portion of the Type IV procedure as provided in Section 2.060.

[3](56) Review Request by City Council.

Any final action of the Planning Commission may be reviewed by the City Council on its own motion, which motion shall be made no later than 12 calendar days from the Planning Commission's written decision. ~~No separate prior action is required within 12 days of the oral decision. The motion initiating review of the Planning Commission's decision does not include a statement of grounds for appeal.~~

City Council review of the Planning Commission's decision initiated by the City Council on its own motion shall be reviewed using the same notice and hearing procedures in Subsection (34) and (45) of this Section.

10.052 City Council Action.

(1) Review.

The Council shall hear the appeal "de novo," unless, prior to or at the commencement of the hearing, the Council specifies that the hearing will be a

"limited to issues" hearing or an "on the record" hearing, as described in Section 10.015. This decision will govern who may testify, whether the hearing is limited to issues raised in the appeal, and whether new evidence will be permitted.

(2) ~~Review.~~ The City Council shall review the appeal and consider the record, all relevant evidence and arguments that are accepted at the hearing, or that are already in the record if the hearing is limited to the record.

(3) City Council Action. The City Council may affirm, amend, or reverse the Planning Commission's decision under appeal.

10.053 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing or provided oral or written testimony in the record leading up to the appeal hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.054 Appeal. Any appeal shall follow the procedures for appeal of a Type IV decision.

10.060 Appeal of Final Action on Type IV Decision or Type V Decision

A final action of the City Council on a Type IV decision or a final action of the City Council and Board of Commissioners on a Type V decision may be appealed to the Oregon Land Use Board of Appeals within 21 days of the written decision as provided in ORS 197.830.

10.070 Waiver of Right to Appeal

If all parties to a decision waive in writing their right to appeal, the appeal period shall terminate immediately and the written decision of the review body shall be the City's final decision.

10.080. County Automatic Party Status.

The County shall be deemed to have automatic party status for quasi-judicial proceedings within the Urbanizing Area and for legislative proceedings, as specified in the 1998 Intergovernmental Agreement. The County may appeal a decision in accordance with the appeal provisions of this Article.

10.090. City Council Initiation of Review.

Prior to expiration of the appeal period of a Type I or Type II decision, the City Council on its own motion may require that the Planning Commission review the decision of the previous review body. The motion initiating review of the decision does not include a statement of grounds for appeal, but shall summarize the general

reasons for sending the decision to the Planning Commission for review. The review shall be processed in accordance with a Type III procedure.

This authority shall have the same purpose as the City Council review of a Planning Commission decision provided in Section 10.051(6) of this Code, but shall allow for a decision of a lower review body to be considered by the Planning Commission first, rather than directly by the City Council. The City Council then has the opportunity to review the decision of the Planning Commission in accordance with Section 10.051(6). The City Council shall not initiate said review on behalf of a party to the proceedings who has standing to file an appeal, but shall reserve this authority for situations where further review may be necessary to ensure a decision adequately represents the public interest.

[3]10.100. Final Action Following LUBA Remand.

(1) Final Action Required Within 90 Days. Pursuant to a final order of the Land Use Board of Appeals under ORS 197.830 remanding a decision to a city, the City Council shall take final action on an application within 90 days of the effective date of the final order issued by the board. For purposes of this subsection, the effective date of the final order is the last day for filing a petition for judicial review of a final order of the board under ORS 197.850(3). If judicial review of a final order of the board is sought under ORS 197.830, the 90-day period established under this subsection shall not begin until final resolution of the judicial review.

(2) 90-day Period Begins upon Written Request by Applicant. In addition to the requirements of subsection (1) of this section, the 90-day period established under subsection (1) of this section shall not begin until the applicant requests in writing that the city proceed with the application on remand.

The 90-day period may be extended for a reasonable period of time at the request of the applicant.

(3) The 90-day period established under subsection (1) of this section applies only to decisions wholly within the authority and control of the City Council.

(4) Subsection (1) of this section does not apply to a remand proceeding concerning an amendment to an acknowledged comprehensive plan or land use regulation or the adoption of a new land use regulation that was forwarded to the Director of the Department of Land Conservation and Development under ORS 197.610.

(5) Procedures.

(a) The City Council may use any procedure permitted by law to consider the issues on remand. Where LUBA's remand does not require an

evidentiary hearing, the City Council is not required to conduct an evidentiary hearing, but may choose to do so.

(b) Absent instructions from LUBA, the City Council may limit the scope of the remand proceedings to correcting the deficiencies that were the basis for LUBA's remand, although it may also choose to expand the scope of remand proceedings beyond the scope of LUBA's remand.

If the City Council chooses to limit the scope of the remand proceedings to correcting the deficiencies that were the basis for LUBA's remand, the Council may also limit testimony to those parties who participated in the LUBA proceedings, including the petitioner, respondent, their authorized agents, and intervenors who spoke on behalf of a party to the LUBA proceedings.

(c) The City Council shall provide notice consistent with the nature of the proceeding. If the City Council provides an evidentiary hearing, prior to or at the outset of the hearing, the City Council shall specify the scope of issues to be considered and the parties who will be permitted to provide testimony.

[1] Revised 2-16-94
[2] Revised 11-15-95
[3] Revised 4-20-05
[4] Revised 12/3/14, Ordinance 5632

(f) Director, Field Operations

(g) Director, Utilities

19.030 Procedures

Prior to the issuance of a development permit, the applicant shall secure site plan approval in accordance with this Article, following the procedure type specified in Article 12, Schedule 12-2 or 12-3 as applicable.

[15]NOTE: SEE Section 12.0272 – Applicant can request Expedited Industrial Site Plan Review Procedure for property located within a Regionally Significant Industrial Area (RSIA) Overlay.

Comment [AI1]: 12.027 renumbered with Ord 5630 dated 11/12/14 but Ord 5632 dated 12/3/14 had incorrect section number

19.031 Pre-application Conference. Prior to submitting an application for review, the applicant shall request a pre-application conference with the Director as provided in Section 3.041 of this Code.

[1]19.032 Minor and Major Site Plans.

(1) Minor Site Plans are:

(a) Residential: Request for development permit for one or two family dwellings on lot of record.

(b) For Commercial and Industrial, involving only Change of Use, and minor expansions less than 25% of existing square footage of building.

(2) Major Site Plans are all other Land Use requests.

19.033 Appeals. The Final Action of the review body may be appealed as provided in Article 10 of this Code.

[12]19.034 Expiration. The land use decision shall expire in accordance with the provisions of Section 3.075 of this Code. The development permit shall expire in accordance with the provisions of Section 3.092 of this Code.

19.040 Minor Site Plan Review

19.041 Complete Submittal. Prior to review of the request, a complete application shall be prepared, submitted to the Director in accordance with the minimum submittal requirements contained in Section 19.072 of this Code.

19.042 Criteria for Approval. The Director shall approve, approve with conditions, or deny the request based upon the following criteria:

EXHIBIT 3

URBAN AREA PLANNING COMMISSION
MEETING MINUTES
July 27, 2016 – 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 Loree Arthur, David Kellenbeck, and Dan McVay were present. Commissioners Lois MacMillan, Blair McIntire, and Robert Wiegand were absent. Also present and representing the City was Parks & Community Development (hereafter: PCD) Lora Glover and Justin Gindlesperger and City Council Liaison Rick Riker.

2. **ITEMS FROM THE PUBLIC:** None.

3. **CONSENT AGENDA:**
   a. **MINUTES: July 13, 2016** **Pg. 1-10**
   b. **FINDINGS OF FACT: 402-00100-16 – Stutzman – Dowell Road Comprehensive Plan Map Amendment** **Pg. 11-22**

MOTION/VOTE

Commissioner Coulter moved and Commissioner Arthur seconded the motion to approve the minutes from June 8, 2016 as amended. The vote resulted as follows: "AYES": Chair Fitzgerald, Vice Chair Coulter, and Commissioner McVay. "NAYS": None. Abstain: Arthur and Kellenbeck. Absent: Commissioners MacMillan, McIntire, and Wiegand.

The motion passed.

4. **PUBLIC HEARINGS:**
   a. **104-00102-16 – Blackberry Lane Subdivision Tentative Plan – Staff Report** **Pg. 23-74**

- Chair Fitzgerald stated, at this time I will open the public hearing to consider Application 104-00102-16 – Blackberry Lane Subdivision Tentative Plan. We will begin the hearing with a staff report followed by a presentation by the applicant, statements by persons in favor of the application, statements by

persons in opposition to the application, and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed and the matter will be discussed and acted upon by the Commission. 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.

- Justin gave the staff report.
- Commissioner Fitzgerald noted that the application is for 38 lots rather than 37 lots and asked if that would make a difference. Justin let him know that it would not. Commissioner Fitzgerald would like that corrected in the application.
- Commissioner Kellenbeck asked if there was on street parking on Leonard Rd and if there will be on street parking on Raydean. Justin said he wasn't sure on Leonard but there will be on Raydean and Blackberry.
- Commissioner Kellenbeck asked if there was any future plan for Raydean to be continued. Justin said that it would dead end at the adjacent property. Lora clarified that due to existing property it is not on the master plan to continue but that could change in the future if the surrounding properties were to be redeveloped. Commissioner Kellenbeck asked if there was a reason that the street didn't end in a cul-de-sac after receiving this information. He is also concerned about parking in the area.
- Commissioner Fitzgerald would like to know about the ownership of the detention ponds and how they will be maintained.

- Justin Gerlitz – Gerlitz Engineering Consultants – Mr. Gerlitz let the commission know that they have worked diligently with the City to get this plan moving forward. The plan is for a 38 lot development with the extra piece for future development. The homes will be three bedroom, two bath with 2 car garages.
- They worked with the fire marshal on parking and to keep the area fire safe they are creating three parking spots for each lot that fronts on the private street and a dedicated fire lane.
- There will be additional parking on Raydean and Blackberry but not on Leonard as it has a different classification. It will however be striped and signed to County specifications.
- Mr. Gerlitz clarified that the street being stubbed out was at the City's request to be at a better advantage in case of possible development and continuation of the road in the future.
- Commissioner Fitzgerald asked if the storm drain system would be maintained through an HOA. Mr. Gerlitz let the commission know that in past development projects Steve Scrivner has requested that they develop the drains and the landscaping and the City will take over maintenance from there. Lora clarified that Public Works would need to review the plans before they took over maintenance for the drains but more than likely this will be the case. In the case of the plan not being accepted by Public Works the developed can either form an HOA for maintenance or file for a modification.
- Commissioner Kellenbeck let Mr. Gerlitz know that he likes the plan. He asked if there would be a better way to make a turnaround in the future development on Ray Dean. Mr. Gerlitz bulb it out to serve lots off of it. Connection to willow lane would be nice. Sturgeon is lower classification street. Lora – allow dead end streets in cases where they might have furture development, with a culdesac you get into limited length. Believes the example was under County code.
- Angela Despie – 2681 Mist Circle – Ms. Despie brought up concerns about foot traffic in the area being increased. She would like to know if sidewalks to Redwood Elementary will be continued to accommodate additional foot traffic for potential children living at the new subdivision. She is also concerned about the street parking on both sides of the street causing the roadway to be too narrow for through traffic in the area. She would like to know if traffic increases are being taken into consideration. Ms. Despie would also like clarification on if the

area will be annexed into the City as she has concerns about the increased population in the area increasing crime. She would also like clarification on where the drainage will be going.

- Commissioner Fitzgerald clarified that the drainage is for storm drainage.
- Ms. Despie let the commission know that they are already having issues with storm waters and flooding in the area. She is concerned that the problem will only be aggravated by adding in additional properties.
- Tony Riojas - 225 Penny Lane – Mr. Riojas has a rental on Rainwood Lane. The previous neighbors had livestock and left tool on his rental property and built a fence that is about 3ft into their property. He would like to know if the developer is planning to fence the three lots on the NW Corner. He would also like to know if they will be removing the pile of dirt.
- Ronald Nunn – 3853 Leonard Rd – Mr. Nunn owns an adjoining property and is very much in favor of the project.
- Mr. Gerlitz let it be known that they understand the traffic concerns and that they did do a traffic study. There will be connections to existing subdivisions that should help with safety for pedestrian foot traffic. In the long range the city does plan to improve Leonard Rd but it hasn't come up yet.
- Drainage wise the City requires that the water detain to the existing conditions. No additional water will come off the property compared to the current drainage.
- There will be all new vinyl fencing up on each property. As for the dirt pile Mr. Riojas referenced it should be able to be accommodated.
- The area prone to flooding that was referenced by Ms. Despie will not be within the area the developers will be working in. They will not be addressing it but they will also not be making it worse. Mr. Gerlitz recommended that Josephine County Public Works be contacted about that matter.
- Justin clarified that there is a storm drain in the area that Mr. Riojas referenced that will limit what the developer is able to do in that location.
- Anthony Riojas – 225 Penny Lane – Anthony Riojas is Tony Riojas' son. He clarified that the main concern is that the previous owners were infringing on his father's property. They would like to know who is responsible for cleaning up the equipment and trash that was left on his property near the property line.

- Mr. Gerlitz wanted to reassure Mr. Riojas and Mr. Riojas that they will have a survey done and they should be able to come to some sort of agreement to resolve their concerns.
- Commissioner Kellenbeck is satisfied with the additional information and will recommend approval. He feels staff answered his questions adequately to ease his concerns.
- Commissioner Coulter would like to know if commissioner McVay is satisfied with the fire access on Raydean.
- Commissioner McVay is satisfied with the fire access but does have concerns about the sidewalks and safety for the children in the area.
- Commissioner Arthur asked for clarification on the half street and if there could be additional parking at the end of it as she had seen with other projects. Commissioner Fitzgerald clarified that the other cases were a different type of street where that would be permissible.

MOTION/VOTE

Commissioner Coulter moved and Commissioner Kellenbeck seconded the motion to approve application 104-00102-16 – Blackberry Lane Subdivision Tentative Plan be approved with the amendment to remove condition 2c and the statement to remove a turnaround. The vote resulted as follows: "AYES": Chair Fitzgerald, Vice Chair Coulter, and Commissioners McVay, Arthur, and Kellenbeck. "NAYS": None. Abstain: None. Absent: Commissioners MacMillan, McIntire, and Wiegand.

The motion passed.

b. 405-00103-16 – Development Code Text Amendments Article 2, 10, and 19 Planning Commission Staff Report – Type IV Pg. 75-134

- Chair Fitzgerald stated, at this time I will open the public hearing to consider 405-00103-16 – Development Code Text Amendments Article 2, 10, and 19 Planning Commission Staff Report – Type IV. Is there anyone present who wishes to challenge the authority of the Commission to consider this matter? In this hearing the decision of the Commission will be based upon specific criteria. All testimony and evidence must be directed toward those criteria. The criteria which apply in this case are noted in the staff report. The hearing will now proceed with a report from staff.
- Lora gave the staff report.

- Commissioner Coulter made reference to 2.038 – pg. 94 – third paragraph with the stricken out sentence about removing part of the decision process. The text amendment will allow type 1D to be made with a Director's decision. The portion of the text that is being removed would allow additional options for the decision process. He would like to see that portion of the text stay to allow for more choices in the City's toolbox. He made reference that the City would not need to use it but he would like to it remain as an option.
- Commissioner Kellenbeck disagreed and felt that this streamlined the process.
- Commissioner Fitzgerald mentioned a concern about not having an avenue for verbal public input if this level of review is removed.
- Commissioner Coulter requested that the rest of the commissioners give an up or down vote on whether or not to request an amendment to commissioner Kellenbeck's motion. The rest of the Commissioners agreed to not amend the motion.
- Commissioner Fitzgerald noted his concern about the amendment appearing to removal all public testimony.

MOTION/VOTE

Commissioner Kellenback moved and Commissioner McVay seconded the motion to recommend approval of application 405-00103-16 – Development Code Text Amendments Article 2, 10, and 19 Planning Commission Staff Report – Type IV. The vote resulted as follows: "AYES": Chair Fitzgerald, and Commissioners McVay, Arthur, and Kellenbeck. "NAYS": Vice Chair Coulter. Abstain: None. Absent: Commissioners MacMillan, McIntire, and Wiegand.

The motion passed.

- Lora will bring this to the City Attorney to confirm that he feels the process will adequately cover the citizen's rights for public comment. She will report back to the commission.

5. OTHER ITEMS/STAFF DISCUSSION:

- Lora is trying to keep UAPC updated on what City Council is doing and hopes that this is working for the Commissioners.
- Council will review Stutzman on August 3, 2016.

- For the August 10, 2016 meeting there will be findings that night, but as of today there isn't anything in addition. Staff can give a quarterly report.
- The August 24, 2016 meeting will review the Pinnacles Estate Subdivision and the Lincoln/Lower River Rd Subdivision.
- On September 7, 2016 Council will review this amendment.
- On the September 14, 2016 meeting there will be findings and any possible applications that come forward in the meantime.
- The commission will be reviewing Valley Lights for the fourth time.
- Council will be having a second reading of the Urban Renewal plan on the August 3, 2016 meeting.
- Stephen M R Covey will be here on September 16, 2016 from 6:00pm to 9:00pm. Tickets are available if the commissioners would like to attend.
- Hampton Inn would like to modify their landscaping up along the freeway. What they didn't point out is that they have a retaining wall. The commission is fine with Lora working on that with them and getting a copy to the commission at a later meeting.
- Lora let the Commission know that they brought the Allen Creek plans to Council; they will be holding another open house.

6. **ITEMS FROM COMMISSIONERS:**
   - None.

7. **ADJOURNMENT:**

Chair Fitzgerald adjourned the meeting at 8:37 P.M.

Next Meeting: August 10, 2016

Gerard Fitzgerald, Chair
Urban Area Planning Commission

8/12 2016
Date

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.

Development Code Text Amendment
Articles 2, 10 & 19

Lora Glover, Director
Parks & Community Development
July 27, 2016

Proposed Amendment

Periodic reviews and housekeeping of the Development Code is necessary to assure the Plan and Code is up to date and conforms to current Oregon laws. The following proposed amendments to the Development Code are:

- Correcting the indices and outlines to Article 2 and 10 to conform to other indices and outlines within the Code.
- Amending Article 2, Schedule 2-1 #25 by adding language for Site Plan Reviews in Regionally Significant Industrial Areas (RSIA).
- Amending Article 2, Section 2.038 by revising the language for a Director's decision with a Type I-D application to be more consistent with statute.

Proposed Amendment

- Amending Article 2, Sections 2.043(2)(e), 2.044(2) adding quasi-judicial language for a Hearings Officer decision as some hearings are quasi-judicial in nature and statute requires the public have an opportunity to request a continuance of a hearing and 2.045(2).
- Amending Article 2, Sections 2.053(3)(c) by adding RSIA language and 2.053(4)(e).
- Amending Article 2, Sections 2.055(3) and 2.055(4) by revising the effective date of the Planning Commission Type III decision to be 12 calendar days from the date the written decision is mailed and not 7 days as currently.

Proposed Amendment

- Amending Article 2, Section 2.064(2)(b) by revising the recommendation of the Planning Commission in Type IV proceedings to not send notices of the final recommendation within 10 days of the hearing, but incorporate that recommendation language within the City Council hearing notice which is mailed within 14 days of the Planning Commission hearing, thereby eliminating duplicate noticing and avoiding conflict with two notices crossing in the mail.
- Amending Article 2, Section 2.065(1) by changing calendar days to 14 days to coincide with changes in number 7 above and changing oral to final recommendation to coincide with other proposed changes.

EXHIBIT C 1
TO UAPC FOF

Proposed Amendment

- Amending Article 10, Sections 10.033(1), 10.036, 10.037, 10.038(1)and (d), 10.038(3), 10.038(4)(b), 10.038(5), 10.038(7), 10.038(8)(a-d), 10.051(1)(a) and (c):
  - Revising procedures for filing an appeal of final action by the Planning Commission on Type III decisions by having the appeal filed ***within 12 days from the date the written decision is mailed***, thus allowing sufficient noticing time and to be consistent with statue language and 10.051(5).
  - Current language states that an appeal must be filed within 12 calendar days of the Urban Area Planning Commission's oral decision. Participants do not receive a decision notice until ***after the appeal period has expired***.

Proposed Amendment

- Minor changes to timeframes within Article 10 to allow the Director sufficient review time of appeal applications and other minor changes to Articles 2 and 10 language to be consistent with other Articles within the Code.
- Revising Article 19, Section 19.030 Note language to reflect the correct Section number.

Criteria

SECTION 4.103:

- As reflected in the staff report, the criteria for the amendment are satisfied.
  - The proposed amendments are consistent with the purpose and intent of the subject articles;
  - The proposed amendments are in harmony with other provisions in the code
  - The proposed are consistent with Element 13, Land Use, of the Comprehensive Plan.
  - The proposed amendments do not affect the MTP.

Call to Action

- Recommended Motion to the City Council:
  - I make a motion that the Urban Area Planning Commission Recommend approval of the proposed text amendments to Articles 2, 10 & 19 as reflected in the staff report.

ORDINANCE NO.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING ARTICLES 2, 10 AND 19 OF THE DEVELOPMENT CODE.

WHEREAS:

1. The Grants Pass and Urbanizing Area Comprehensive Community Development Plan was adopted December 15, 1982; and

2. The ordinance amends Articles 2, 10 and 19 of the Development Code; 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 amendments to Articles 2, 10 and 19 of the Development Code as set forth in Exhibit '1', '2', and '3' are hereby adopted.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day September, 2016, with the following specific roll call vote:

AYES:

NAYS: **ABSTAIN:** **ABSENT:**

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon, this _____ day of September, 2016.

_____
Darin Fowler, Mayor

ATTEST:

_____ Date submitted to Mayor: _____
Karen Frerk, City Recorder

Approved as to Form, Mark Bartholomew, City Attorney _____

EXHIBIT 1

Article 2: Procedure Types 2-1

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2.020 Procedure Types 2-1

2.030 Type I Procedures 2-4
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2.032 Type I Procedure Subcategories 2-4
2.033 Type I-EX Exempt 2-5
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2.035 Type I-A Building Permit As Development Permit 2-6
2.036 Type I-B Decision Without Public Comment Period 2-8
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2.038 Type I-D Decision for Expedited Industrial Site Plan Review within Regionally Significant Industrial Area (RSIA) with Public Comment Period 2-14

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2.041 Purpose 2-20
2.042 Processing 2-20
2.043 Notice of Mediation Hearing 2-21
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2.052 Processing 2-24
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2.060 Type IV Procedures 2-27
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2.063 Recommendation Hearing Before Planning Commission 2-28
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2.067 Appeal 2-30
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2.070 Type V Procedures 2-30
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2.080 Deadline for Decision 2-30

2.085 Coordinated Review for Transportation Facilities 2-30

2.090 Noticing Requirements for Certain Proposed Administrative Rules 2-30

2.095 Noticing Requirements for Certain Comprehensive Plan and Ordinance Amendments that Rezone Property 2-33

Article 2: Procedure Types

2.010 Purpose

The purposes of this section are:

(1) To establish land use review procedures;

(2) To stratify land use review procedures according to the degree of discretionary judgment required and the extent of public participation appropriate; and

(3) To relate the type of the procedure to the degree of impact of the proposed development.

2.020 Procedure Types

(1) For purpose of administering the provisions of this Code, and other ordinances and policies of the City pertaining to land use and development, there are hereby established five types of basic procedures for processing all land use applications.

(2) Applications shall be processed in accordance with the procedures specified in Schedule 2-1. Consolidated procedures shall be processed in accordance with Section 3.044(3) of this Code.

(3) The Director may modify the procedure types as provided in this Code as follows. The Director may:

(a) Refer a Type I-B or I-C application to a Type II or Type III review as provided in Sections 2.036 and 2.037.

(b) Refer a Type II application to a Type III review as provided in Section 2.042(2).

(c) Refer a Type III application to a Type II review as provided in Section 2.052.

(d) In special cases where there is a compelling public interest, refer any Type I, II, or III application to a Type IV-A or IV-B review.

Schedule 2-1. Application Procedures

Application Type	Development Code Section	Procedure Type										
		Type I-EX	Type I-AU	Type I-A	Type I-B	Type I-C	Type I-D	Type II	Type III	Type IV-A	Type IV-B	Type V
1. Urban Growth Boundary Amendment	Comp. Plan Section 13.6											✓-p
2. Comprehensive Plan Map Amendment (1)	Comp. Plan Section 13.5										✓-p	
3. Comprehensive Plan Text Amendment (1)	Comp. Plan Section 13.5										✓-p	
4. Zoning Map Amendment (1) -Base Zone District -Special Purpose Districts ---Slope Hazard ---Flood Hazard ---Historic (See 'Historic Designation, Amendment, or Recision below) -Medical Overlay District	Sections: -4.030 -4.040 ---4.043 ---4.044 --- -4.050										✓-p	
5. Development Code Text Amendment (1)	4.100										✓-p	
6. Annexation	Article 5									✓-p		
7. Minor Variance	Article 6							✓				
8. Major Variance	Article 6								✓			
9. Historic Designation, Amendment, or Recision	Sections 4.045 – 047 & 13.430										✓-p	
10. Nonconforming Use and Development	Article 15			See Schedule 15-1								
11. Property Line Vacation	17.100									✓		
12. Property Line Adjustment	17.200				✓							
13. Partition	17.300					✓						
14. Subdivision	**Article 17**											
a. Tentative Plan (<= 9 lots)	17.410							✓-p				
b. Tentative Plan (>= 10 lots)	17.410								✓-p			
c. Final Plat	17.420	✓										
15. Final Plat	17.422											
a. Major Modification	17.422						Same as for Tentative					
b. Minor Modification	17.422					✓						
16. Lot Authorization	17.534							✓				
17. Future Development Plan	17.540						Submitted with Tentative Plan					
18. Revision of Future Development Plan	17.547					✓						

Application Type	Development Code Section	Type I-EX	Type I-AU	Type I-A	Type I-B	Type I-C	Type I-D	Type II	Type III	Type IV-A	Type IV-B	Type V
19. Future Street Plan (local streets only)	17.550					Same as for Land Division						
20. Future Street Plan (arterials and collectors)	17.550										✓	
21. Planned Unit Development	Article 18											
a. Preliminary Plan in Residential Zone	Article 18								✓-p			
b. Preliminary Plan in Commercial or Industrial Zone	Article 18							✓-p				
c. Final Plan	Article 18	✓										
22. Modification to Planned Unit Development Final Plan	18.063											
a. Major Modification	18.063						Same as for Tentative					
b. Minor Modification	18.063					✓						
23. Planned Unit Development Modification or Termination	Article 18								✓			
24. Expedited Industrial Site Plan Review	Article 19						✓					
25. Site Plan Review (Minor or Major) **NOTE**: *Applicant can request an Expedited Industrial Site Plan Review Procedure for property within a Regionally Significant Industrial Area (RSIA).*	Article 19 Section 2.038	Based on use, activity, zoning, adjacent zoning, and overlay zoning (-p) -See Schedule 12-2 (-p) -See Schedule 12-3 for procedures for RTC District (-p) -See Schedule 13-1 for procedures for medical uses within Medical Overlay Zone -See Schedule 13-2 for procedures for Historic Review (-p) [9]-See Section 20.210 for alternate review procedures for commercial site plan review										
26. Conditional Use Permit	Article 16						See Schedule 12-2 (-p)					
27. Solar Access Permit	22.640							✓				
28. Removal of noxious vegetation & replacement with riparian vegetation within stream corridor	24.343	✓										
29. Allowed Activities in Conservation Class Wetlands	24.551	✓										
30. Conditionally Permitted Activities in Conservation Class Wetlands	24.552					✓						
31. Allowed activities in Protection Class Wetlands	24.561	✓										
32. Performance Parking	25.050					✓						

Table Legend

I-EX = Type I Procedure, Exempt from Development Permit Review, Section 2.033

I-AU = Type I Procedure, Administrative Use Permit Review Only, Section 2.034
I-A = Type I Procedure, Building Permit Serves as Development Permit, Section 2.035
I-B = Type I Procedure, Director's Decision without Comment Period, Section 2.036
I-C = Type I Procedure, Director's Decision with Comment Period, Section 2.037
I-D = Type I Procedure, Director's Decision for Expedited Industrial Site Plan Review w/in RSIA with Public Comment Period, Section 2.038
II = Type II Procedure, Hearings Officer's Decision, Section 2.040
III = Type III Procedure, Planning Commission's Decision (or Historic Buildings and Sites Commission's Decision), Section 2.050
IV-A = Type IV Procedure, City Council Decision without Planning Commission Recommendation, Section 2.060
IV-B = Type IV Procedure, City Council Decision with Planning Commission Recommendation, Section 2.060
V = Type V Procedure, Joint Board of County Commissioners & City Council Decision with Planning Commission Recommendation, Section 2.070
✓ = Specifies the required procedure for the application type, using the procedure specified at the top of the column in which the check mark is located.
-p = In accordance with Section 3.041, a pre-application is required unless the Director finds a conference is not needed.

Notes
(1) = The 1998 Intergovernmental Agreement gives the City decision-making authority for these items within the Urbanizing Area, and gives the County automatic party status.

2.030 Type I Procedures

2.031 Purpose. The purpose of the Type I procedure is to provide a method for the Director to make decisions on applications under land use standards either which do not require interpretation or the exercise of policy or legal judgment, or which require only limited discretion in applying land use standards.

2.032 Type I Procedure Subcategories. This Code identifies numerous developments and activities that require a Type I review. The Type I designation includes several subcategories that have different procedural requirements.

Section 3.050 of this Code provides an option where the applicant may choose to have an application that requires a Type I-EX, I-AU, or I-A procedure reviewed through a Type I-B procedure, which provides a land use decision.

(1) Type I-EX. Exempt from the requirements for a Development Permit. Processed in accordance with Section 2.033.

(2) Type I-AU. Do not require a Development Permit, but do require a use permit issued in accordance with the provisions of this Code. Processed in accordance with Section 2.034.

(3) Type I-A. Building Permit serves as Development Permit. Processed in accordance with Section 2.035.

(4) Type I-B. Director's Decision without a public hearing, which does not require a public comment period. Processed in accordance with Section 2.036.

(5) Type I-C. Director's Decision without a public hearing, which requires a public comment period. Processed in accordance with Section 2.037.

(6) Type I-D. Director's Decision without a public hearing, which requires a public comment period. Processed in accordance with Section 2.038 those specific procedures consistent with Expedited Industrial Site Plan Review statutes and available only for application types authorized by statute.

2.033 Type I-EX. Exempt. The permitted development and activities listed as Type I-EX in Schedules 2-1 and 12-2, and the following activities regardless of use, are exempt from the requirements for a Development Permit, but are nonetheless subject to the provisions of this Code:

(1) Landscaping, irrigation, maintenance or other treatment or use of the land not involving a structure EXCEPT:

(a) grading which requires a permit under the Uniform Building Code or other applicable regulations.

(b) grading in any of the following areas, where grading shall only occur as allowed by the applicable section, and in accordance with the procedure required by the applicable section:

(i) a slope hazard area, which shall be processed in accordance with Section 13.100,

(ii) a flood hazard area, which shall be processed in accordance with Section 13.200,

(iii) a stream corridor setback, which shall be processed in accordance with Section 24.340

(iv) a wetland or wetland buffer, which shall be processed in accordance with Section 24.500.

(2) Construction or improvement of parking areas of less than 1,000 square feet.

(3) Paving an existing driveway in a manner that complies with the current standards, access provisions, and landscaping provisions of this Code, subject to an encroachment permit for any work within the right-of-way.

(4) An emergency measure necessary for the safety or protection of property when authorized by the City Manager.

(5) Structures not requiring a building permit.

(6) Maintenance of a building for which a building permit is not required.

(7) Interior remodel of a building for which a building permit is not required provided it does not result in any of the items listed in Section 2.035(6).

(8) Roofing or siding of a building for which a building permit is not required, unless the property is an Historic Landmark or within a district that requires review for the work, such as the Historic District or Riverfront Tourist Commercial District.

(9) Fences meeting the requirements of Section 23.037 that do not require a building permit.

2.034 Type I-AU. Administrative Use Permit. The permitted uses, development and activities listed as Type I-AU in Schedules 2-1 and 12-2 do not require a Development Permit, but do require issuance of a use permit issued in accordance with the applicable Sections of this Code for the stated use.

2.035 Type I-A. Building Permit as Development Permit. The permitted uses, development and activities listed as Type I-A in Schedules 2-1 and 12-2, and the following activities regardless of use, may use the Building Permit as the Development Permit, provided the provisions of this Code are met:

(1) Fences meeting the requirements of Section 23.037 that require a building permit.

(2) Required strengthening of non-conforming building or structure as provided in Section 15.090.

(3) Maintenance of a building for which a building permit is required.

(4) Roofing or siding of a building for which a building permit is required, unless the property is an Historic Landmark or within a district that requires review for the work, such as the Historic District or Riverfront Tourist Commercial District.

(5) Expansions of 400 square feet floor area or less which comprise less than 25 percent of the existing floor area of the building provided the expansion would meet the requirements for a Minor Modification in Section 19.058 and the requirements of Subsection (6) below.

(6) A change of use, interior remodel, or change internal to a building or other structure, provided all of the following are satisfied. If the change would create a noncompliant situation, it shall not be permitted. For all other situations below, review shall be through the applicable review procedure for site plan review, rather than the Type I-A Procedure where building permit acts as development permit.

Noncompliant Situation Created

(a) the change does not convert the existing use to a non-permitted use, either based on zoning or proximity to other land uses, such as an Adult Business as provided in Article 14.

(b) there is no change to the characteristics of the existing use that would make it noncompliant with this Code, such as the standards for a Home Occupation, Bed and Breakfast Inn, or Adult Business, as provided in Article 14.

(c) the change does not violate conditions of approval of a land use decision or Development Agreement, such as those designed to protect public facilities or adjoining properties.

Site Plan Review Required

(d) the change would not result in a use that requires review through a higher Procedure Type than the existing use, such as to convert a single-family dwelling to two units, or to convert a residential accessory use structure to a dwelling, in a zone where a Type II review is required for two units.

(e) the change does not require more parking than is already present for the existing use on-site or through existing parking agreements.

(f) the change does not generate more than 20 additional PM Peak Hour vehicle trips or 500 additional Average Daily Weekday Trips vehicle trips, based on the 6th Edition ITE Trip Generation Manual, or otherwise generate additional traffic that creates a transportation deficiency or hazard.

(g) the change does not use the property in a manner substantially different than the original approval, such that a different decision or additional mitigation requirements at the time of the original approval would have been required.

Examples include:

-converting an area approved for outdoor retail to a parking lot when the area does not have the required parking lot landscaping

-installing windows in a commercial structure at a location that would have required screening or privacy considerations for adjacent residential development

-change to a noise intensive use adjacent to residential development that could have required conditions to limit noise or hours of operation

(h) the change does not add a drive-through window.

(i) the change would not convert a use from one "land use category" listed in Schedule 12-2 to a different land use category, unless the Director determines that they have substantially the same operating characteristics or impacts on adjoining properties and public facilities. The land use categories are summarized below:

(1) Agriculture
(2) Residential Dwelling Unit
(3) Trade
(4) Services
(5) Recreation
(6) Public
(7) Industrial
(8) Temporary Use

For example, the following would require site plan review: conversion of a residence to an office or retail building; conversion of an industrial warehouse to a retail use.

2.036 Type I-B. Type I Decision without Public Comment Period. The permitted uses, development and activities listed as Type I-B in Schedules 2-1 and 12-2 shall be processed by the Director in accordance with the requirements of this Section. At the Director's discretion, an application requiring a Type I-B review may be referred directly to the Hearings Officer for review through a Type II review or the Planning Commission for review through a Type III review.

(1) Director's Decision.

(a) Action and Criteria. Within 20 working days of the date of determination that an application is complete, the Director shall make a decision by approving, conditionally approving, or denying the application based upon compliance with the provisions of this Code.

(b) Conditions. Conditions may be applied to the approval of any application when such conditions are required to comply with the relevant Sections of the Code.

(2) Notice of Decision. Upon reaching a final decision on the application, the Director shall provide notice in accordance with this Section.

(a) Notice Area. The Director shall mail notice of the decision to:

(i) The applicant.

(ii) Owners of property within 100 feet of the entire contiguous site for which the application is made. The list shall be compiled from the most recent property tax assessment roll.

(iii) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(iv) If requested by the applicant in writing at the time of application, the Director shall also provide notice to the Department of Land Conservation and Development.

(v) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for applications which affect private access to roads.

(b) Notice Content. The notice shall:

(i) Explain the nature of the application and the proposed use or uses which could be authorized.

(ii) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(iii) Set forth the street address or other easily understood geographical reference to the subject property.

(iv) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(v) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(vi) Describe the nature of the decision.

(vii) State that any person who is adversely affected or aggrieved or who is entitled to written notice under paragraph (a) of this Subsection may appeal the decision by filing a written appeal in a manner provided in this Code within 12 calendar days of the date the written notice is mailed.

(viii) State the place, date and time that the appeal is due.

(ix) State that the decision will not become final until the period for filing a local appeal has expired.

(x) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(3) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the notice of decision is mailed, unless appealed, in which case the effective date shall as provided for the Type III decision.

(4) Appeal. A final decision may be appealed to the Planning Commission as provided in Section 10.020 of this Code.

(5) Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.037 Type I-C. Type I Decision with Public Comment Period. The permitted uses, development and activities listed as Type I-C in Schedules 2-1 and 12-2, shall be processed by the Director in accordance with the requirements of this Section. At the Director's discretion, an application requiring a Type I-C review may be referred directly to the Hearings Officer for review through a Type II review or the Planning Commission for review through a Type III review.

(1) Public Comment Period Required. The Director shall provide a 14 day period for submission of written comments prior to making a decision on any application requiring a Type I-C procedure.

(2) Notice of Public Comment Period. The Director shall mail public notice within 10 working days of receiving a complete application pursuant to Section 3.050 of this Code.

(3) Notice Area. The Director shall mail notice of the public comment period to the following:

(a) The applicant.

(b) Owners of property within 100 feet of the entire contiguous site for which the application is made. The list shall be compiled from the most recent property tax assessment roll.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for all partitions, and other applications which affect private access to roads.

(4) Notice of Comment Period Content. The notice shall:

(a) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

[Note: The above language is required by ORS 197.195 for Limited Land Use Decisions, even though the procedures herein provide for appeal of a Type I-C decision to be heard by the Planning Commission through a 'de novo' hearing, which allows new issues to be raised and allows introduction of new evidence. The 'notice of comment period' and 'notice of decision' language below is slightly different than the statutory language to reflect the fact that this code allows for local appeal].

(b) Explain the nature of the application and the proposed use or uses which could be authorized.

(c) Briefly summarize the local decision making process for the decision being made.

(d) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(e) Set forth the street addresses or other easily understood geographical reference to the subject property.

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, all evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, and anyone who provides written comments during the comment period may appeal the decision by filing a written appeal in a manner provided in this Code within 12 calendar days of the date the written notice of decision is mailed.

(i) State the place, date and time that comments are due.

(j) State that the decision will not become final until the period for filing a local appeal has expired.

(k) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(5) Director's Decision.

(a) Action and Criteria. Within [8]10 working days of the end of the public comment period, the Director shall make a decision by approving, conditionally approving, or denying the application based upon compliance with the provisions of this Code.

(b) Conditions. Conditions may be applied to the approval of any application when such conditions are required to comply with the relevant Sections of the Code.

(6) Notice of Decision. Upon reaching a final decision on the application, the Director shall mail a copy of the decision to the applicant and any person who submits comments during the public comment period.

The Director shall also mail notice of the decision in writing to parties who were notified of the comment period in Subsection (3) of this Section.

(7) Notice of Decision Content. The content of the notice of the decision shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized.

(b) Briefly summarize the local decision making process for the decision being made.

(c) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(d) Set forth the street addresses or other easily understood geographical reference to the subject property.

(e) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(f) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, applicable criteria, and all evidence relied upon by the decision-maker are available for inspection at no cost and will be provided at reasonable cost.

(g) Describe the nature of the decision.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, or anyone who provided testimony for the record may appeal the decision by filing a written appeal in a manner provided in this Code within 12 calendar days of the date the written notice of decision is mailed.

(i) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

(j) State the place, date, and time the appeal is due.

(k) State that the decision will not become final until the period for filing a local appeal has expired.

(l) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(8) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the notice of decision is mailed, unless appealed, in which case the effective date shall as provided for the Type III decision.

(9) Appeal. A final decision may be appealed to the Planning Commission as provided in Section 10.030 of this Code.

(10) Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.038 Type I-D. Type I Decision for Expedited Industrial Site Plan Review within Regionally Significant Industrial Area (RSIA) with Public Comment Period.

Purpose. Consistent with ORS 197.724, this Section provides procedures for an Expedited Industrial Land Use Permit for properties within a Regionally Significant Industrial Area (RSIA) designated by the Economic Recovery Review Council (ERRC).

An applicant for a new industrial use or the expansion of an existing industrial use located within a RSIA may request an application for a land use permit be reviewed as an application for an Expedited Industrial Land Use Permit and the local government shall review the application 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).

The permitted uses, development and activities listed as Type I-D in Schedules 2-1 and 12-2, shall be processed by the Director in accordance with the requirements of this Section.

(1) Public Comment Period Required. The Director shall provide a 14 day period for submission of written comments prior to making a decision on any application requiring a Type I-D procedure.

(2) Notice of Public Comment Period. The Director shall mail public notice within 10 working days of receiving a complete application pursuant to Section 3.050 of this Code.

(3) Notice Area. The Director shall mail notice of the public comment period to the following:

(a) The applicant.

(b) Owners of property within 100 feet of the entire contiguous site for which the application is made. The list shall be compiled from the most recent property tax assessment roll.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) Any state agencies, local governments or special districts responsible for providing public facilities or services to the development.

(4) Notice of Comment Period Content. The notice shall:

(a) State the deadline for submitting written comments, and that issues which may provide the basis for an appeal to the referee shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

[Note: The above language is required by ORS 197.365 for Expedited Land Divisions, even though the procedures herein provide for appeal of a Type I-D decision to be heard by referee under ORS 197.375. The 'notice of comment period' and 'notice of decision' language below is slightly different than the statutory language to reflect the fact that this code allows for local appeal].

(b) Explain the nature of the application and the proposed use or uses which could be authorized.

(c) Briefly summarize the local decision making process for the decision being made.

(d) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(e) Set forth the street addresses or other easily understood geographical reference to the subject property.

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, all evidence relied upon by

the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, and anyone who provides written comments during the comment period may appeal the decision by filing a written appeal within 14 days of the date the written notice of decision is mailed.

(i) State the place, date and time that comments are due.

(j) State that the decision will not become final until the period for filing a local appeal has expired.

(k) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(5) Director's Decision.

(a) Action and Criteria. Within 63 days of receiving a completed application, the Director shall make a decision by approving, conditionally approving, or denying the application based upon compliance with the provisions of this Code. For applications subject to this section, the local government:

(i) Shall not hold a hearing on the application; **and**

(ii) Shall issue a written determination of compliance or non-compliance with applicable land use regulations that include a summary statement explaining the determination.

(b) Conditions. Conditions may be applied to the approval of any application when such conditions are required to comply with the relevant Sections of the Code.

(6) Notice of Decision. Upon reaching a final decision on the application, the Director shall mail a copy of the decision to the applicant and any person who received notice under Subsection (3) of this Section within 63 days of the date of a completed application and any person who submitted comments during the public comment period.

(7) Notice of Decision Content. The content of the notice of the decision shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized.

(b) Briefly summarize the local decision making process for the decision being made.

(c) List, by commonly used citation, the applicable criteria from the ordinance and the plan that apply to the application at issue.

(d) Set forth the street addresses or other easily understood geographical reference to the subject property.

(e) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(f) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, applicable criteria, and all evidence relied upon by the decision-maker are available for inspection at no cost and will be provided at reasonable cost.

(g) Describe the nature of the decision in a summary statement.

(h) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice under paragraph (3) of this Subsection, or anyone who provided testimony for the record may appeal the decision by filing a written appeal in a manner provided in this Code within 14 calendar days of the date the written notice of decision is mailed.

(i) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

(j) State the place, date, and time the appeal is due.

(k) State that the decision will not become final until the period for filing a local appeal has expired.

(l) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(8) Effective Date. The effective date of the final decision shall be 14 calendar days following the date the notice of decision is mailed, unless appealed, in which case the effective date shall be in accordance with ORS 197.375 (Appeal

of Decision on Application for Expedited Land Division) or ORS 197.726 (Jurisdiction on Appeal).

(9) Appeal. A final decision shall be in accordance with ORS 197.375 (Appeal of Decision on Application for Expedited Land Division) or ORS 197.726 (Jurisdiction on Appeal).

(10) Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

(11) Review, Eligibility.

(a) 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:

(i) An exception taken under ORS 197.732 (Goal Exceptions) to a statewide land use planning goal;

(ii) 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

(iii) A federal environmental impact statement under the National Environmental Policy Act.

(b) If the applicant makes a request that complies with section 2.038, 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).

(12) Jurisdiction on Appeal; Standing. Jurisdiction for appeal of a local decision for an Expedited Industrial Site Plan within a RSIA shall be in accordance with ORS 197.726 (Jurisdiction on Appeal). See also ORS 197.375 (Appeal of Decision on Application for Expedited Land Division).

(a) The Land Use Board of Appeals does not have jurisdiction to consider decisions, aspects of decisions or actions taken under ORS 197.722 (Definitions for ORS 197.722 to 197.728) to ORS 197.728 (Rules). See

also ORS 197.360 (Expedited Land Division Defined) to ORS 197.380 (Application Fees for Expedited Land Division).

(b) An appeal of a decision on an application for an Expedited Industrial Land Use Permit made under ORS 197.724 (Review of Application for Land Use Permit within Regionally Significant Industrial Area) may be made in the manner set forth in ORS 197.375 (Appeal of Decision on Application for Expedited Land Division) for appeal of a decision on an expedited land division. Notwithstanding ORS 197.375 (Appeal of Decision on Application for Expedited Land Division);

(i) The applicant and a person who filed written comments in the time period established under ORS 197.365 (Application for Expedited Land Division) may file an appeal;

(ii) If an appeal is filed, the referee shall hold a hearing on the appeal; and

(iii) The referee shall issue a written decision within 42 days (ORS 197.375(4)(b) or 56 days (ORS 197.726(2)(c) after the appeal was filed.

(c) A party to a proceeding before a referee under this Section may seek judicial review of the referee's decision in the manner provided for review of final orders of the Land Use Board of Appeals under ORS 197.850 (Judicial Review of Board Order) and 197.855 (Deadline for Final Court Order). The Court of Appeals shall review decisions of the referee in the manner provided for review of final orders of the Land Use Board of Appeals in ORS 197.850 (Judicial Review of Board Order) and 197.855 (Deadline for Final Court Order). However, notwithstanding ORS 197.850 (Judicial Review of Board Order) (9) or any other provision of law, the court shall reverse or remand the decision only if the court finds that:

(i) The local government's decision clearly does not concern an application for an expedited industrial land use permit as described in ORS 197.360 (Expedited Land Division Defined) or ORS 197.724 (Review of Application for Land Use Permit within Regionally Significant Industrial Area) and the appellant raised this issue in proceedings before the referee;

(ii) There is a basis to vacate the decision as described in ORS 36.705 (Vacating Award)(1)(a) to (d), or a basis for modification or correction of an award as described in ORS

36.710 (Modification or Correction of Award)(ORS 197.375(8)(b);

(iii) The referee's decision contains a clear, material error of fact based on the record, and the Appellant raised the issue in proceedings before the referee;

(iv) The referee's decision contains a clear, material error of law, giving deference to any interpretations of law by the referee, and the Appellant raised the issue in proceedings before the referee; or

(v) The decision of the local government or the referee is unconstitutional.

2.040 Type II Procedure

2.041 Purpose. The purpose of the Type II procedure is to hold a meeting between the applicant and surrounding property owners, in which the opportunity is given to resolve any potential conflict between the applicant and affected parties in an informal setting, and reach an acceptable decision regarding the proposal. The decisions involved in development review are to be objective in nature, and require only moderate discretion in the application of the requirements of this Code.

2.042 Processing.

(1) Except as provided in Section 2.042(2), a Type II application shall be processed by the Hearings Officer through a publicly held and noticed mediation hearing.

(2) Hearing Option. At the Director's discretion, a Type II review may be referred directly to the Planning Commission for review and approval, using the Type III procedure as provided in Section 2.050.

(3) Upon verification of a complete application pursuant to Section 3.050 of this Code, the Director shall provide for a public mediation meeting within 35 calendar days, as provided in Section 2.043 through 2.044 following, and shall cause review of the application as required by this Code to proceed.

(4) A staff report on the application shall be prepared and shall be available to the applicant and any other interested parties at least seven calendar days prior to the meeting.

2.043 Notice of Mediation Hearing

(1) Notice Area. The Director shall mail notice not less than [8]20 calendar days prior to the mediation hearing to the following:

(a) The applicant.

(b) Owners of record of property on the most recent property tax assessment roll where such property is located within 250 feet of the property which is the subject of the notice.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT), for all subdivisions, and other applications which affect private access to roads.

(2) Notice Content. The notice shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized.

(b) List the applicable criteria from this Code and the Comprehensive Plan that apply to the application at issue.

(c) Set forth the street address or range of addresses, Assessor's map reference, or other easily understood geographical reference to the subject property.

(d) State the date, time and location of the meeting.

(e) State that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue may preclude an appeal to the board based on that issue.

[Note: ORS 197.763 requires the language "...precludes appeal to the board on that issue." The procedures herein provide for local appeal of a Type II decision to be heard by the Planning Commission and City Council prior to an appeal to the Land Use Board of Appeals. The procedures also allow for the possibility of a 'de novo' hearing, which allows new issues to be raised and allows introduction of new evidence].

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection and will be provided at a reasonable cost.

(h) State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost.

(i) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

2.044 Mediation Hearing.

(1) Purpose. The mediation hearing is a face-to-face meeting of those persons directly involved, whose purpose is to determine design and development conditions that may mitigate the impacts of the proposed development. The Hearings Officer shall take the role of mediator, and shall encourage a design solution meeting the needs and concerns of both the applicant and objecting property owners.

(2) The Mediation Hearing shall be held by the Hearings Officer on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-Judicial Hearing Rules.

(3) Orderly Conduct. The Hearings Officer shall chair the mediation hearing, and shall provide for the orderly conduct of the hearing in an informal but fair and open manner. Participants will conduct themselves in a reasonable and orderly manner, and may be excused from the meeting by the Hearings Officer for disruptive conduct.

(4) At the commencement of the hearing, a statement shall be made to those in attendance that:

(a) Lists the applicable criteria by which a decision will be made.

(b) States that testimony, evidence, and arguments, must be directed toward these criteria or other criteria contained in this Code or the Comprehensive Plan which the person believes to apply to that decision.

(c) States that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an

opportunity to respond to the issue may preclude appeal based on that issue.

[Note: ORS 197.763 requires the language "...precludes appeal to the board on that issue.". The procedures herein provide for local appeal of a Type II decision to be heard by the Planning Commission and City Council prior to an appeal to the Land Use Board of Appeals. The procedures also allow for the possibility of a 'de novo' hearing, which allows new issues to be raised and allows introduction of new evidence].

2.045 Hearings Officer's Decision.

(1) Action and Criteria. The Hearings Officer shall review the application, written comments, mediation hearing testimony, if any, and the requirements of this Code, and shall make a decision on the application by approving, conditionally approving, or denying the application. The criteria for reaching a decision under a Type II procedure shall be based on compliance with the provisions of the Code.

(2) Conditions. Conditions may be applied to the approval of any application under a Type II procedure when such conditions are required to comply with the applicable provisions of this code.

(3) Final Decision and Notice. At the conclusion of the mediation hearing, or within 10 calendar days of the mediation hearing, the Hearings Officer shall reach a final decision, and shall mail notice in writing of the final decision to the applicant, all affected parties participating in the mediation meeting, and all affected parties submitting written comment prior to the mediation meeting requesting such notice. The content of the notice of final decision shall be as provided in Section 2.037(7) of this Code, and shall state the right of appeal of the final decision as provided in this Code.

(4) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the written notice of decision is mailed, unless appealed, in which case the effective date shall be as provided for the Type III decision.

2.046 Appeal. The final decision of the Hearings Officer under the Type II procedure may be appealed to the Planning Commission as provided in Section 10.040 of this Code.

2.047 Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.050 Type III Procedure

2.051 Purpose. The purpose of the Type III procedure is to provide for quasi-judicial review of designated land use actions by the Planning Commission at a public hearing. Such actions may be complex and discretionary in nature, requiring the exercise of judgment in applying the policies of the Comprehensive Plan and the requirements of this Code.

2.052 Processing.

(1) A Type III application shall be reviewed at a public hearing before the Planning Commission. At the Director's discretion, a Type III review may be referred to the Hearings Officer, in which case the application shall be reviewed using the Type II procedure. The Director shall only refer a Type III decision to the Hearings Officer when unusual circumstances apply, and the amount of discretion is not substantially greater than applications reviewed through a Type II procedure.

(2) Upon verification of a complete application pursuant to Section 3.050 of this Code, the Director shall schedule a public hearing within 55 calendar days, as provided in Sections 2.053 through 2.054 following, and shall cause review of the application as required by this Code to proceed.

2.053 Notice of Public Hearing

(1) Notice shall be mailed not less than 20 calendar days prior to the hearing, or, if there are two or more evidentiary hearings, notice shall be mailed not less than 10 days before the first hearing. Notice shall be mailed to the following:

(a) The applicant.

(b) Owners of record of property on the most recent property tax assessment roll where such property is located within 250 feet of the property which is the subject of the notice.

(c) Any neighborhood or community organization whose boundaries include the site and who is listed by the City on a public notice registry.

(d) Public agencies which provide transportation facilities and services, such as Josephine County and the Oregon Department of Transportation (ODOT).

(2) If the hearing is a Planning Commission recommendation hearing or City Council action hearing for a Type IV procedure, the following notice shall also be provided:

(a) For Development Code text amendments and Comprehensive Plan amendments, notice shall be provided in a newspaper of general circulation 4 to 10 days prior to the hearing.

(b) If the application would change the zone of property which includes all or part of a manufactured home park, notice shall be mailed to each existing mailing address for tenants of the manufactured home park at least 20 calendar days and not more than 40 calendar days prior to the hearing.

(c) For Development Code amendments and Comprehensive Plan amendments that "rezone" property as defined in Section 2.095, mailed notice shall be provided in Section 2.095.

(3) On an appeal from the Type I or II procedures, the Director shall mail notice to parties specified in Section 10.022, 10.032, 10.036, or 10.042, provided below for reference:

(a) Type I-B. The applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously mailed written notice of the decision.

(b) Type I-C. The applicant, the appellant, any adversely affected or aggrieved party requesting notice and writing, and all persons previously noticed as part of the process leading to the Director's final action.

(c) Type I-D. The applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Director's final action.

(d) Type II. The applicant, the appellant, any adversely affected or aggrieved person requesting notice in writing, and all person's previously noticed leading to the Hearings Officer's written decision.

(4) Notice Content. The notice shall:

(a) Explain the nature of the application and the proposed use of uses which could be authorized.

(b) List the applicable criteria from this Code and the Comprehensive Plan that apply to the application at issue.

(c) Set forth the street address or range of addresses, Assessor's map reference, or other easily understood geographical reference to the subject property.

(d) State the date, time and location of the meeting.

(e) State that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue may preclude appeal of the Planning Commission's decision based on that issue and may preclude an appeal of the City Council's decision to the Land Use Board of Appeals based on that issue.

(f) Include the name of a City representative to contact and the telephone number where additional information may be obtained.

(g) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection and will be provided at a reasonable cost.

(h) State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost.

(i) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

2.054 Public Hearing. A public hearing shall be held by the Hearing Officer or the Planning Commission on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-judicial Hearing Rules.

2.055 Final Decision

(1) Action and Criteria. The review body shall review the application, together with staff review, written comment received prior to or during the hearing, and testimony made at the hearing, and shall make a decision on the application by approving, approving with conditions or denying the application. The criteria for reaching a decision under a Type III procedure, including decisions made under appeal, shall be based upon compliance with the provisions of this Code.

(2) Conditions. Conditions may be applied to the approval of any application under a Type III procedure, when such conditions are required to comply with the applicable Sections of this Code.

(3) Findings and Notice of Final Decision. The initial action by the Planning Commission shall be known as the oral decision, as provided in Section 8.038.

(a) A final decision by the Planning Commission incorporating the oral decision shall be adopted by the next regularly scheduled meeting of the Commission, and shall include findings which address the applicable criteria when required by this Code.

(b) Notice of the final decision shall be mailed to the applicant, and other affected parties requesting such notice in writing, within 10 calendar days of the rendering of the final decision by the Planning Commission, and shall state the right of appeal of the final decision as provided in this Code.

(4) Effective Date. The effective date of the final decision shall be 12 calendar days following the date the written notice of decision is mailed, unless appealed, in which case the effective date shall be as provided for the Type IV decision.

2.056 Appeal. The final decision of the review body under the Type III procedure may be appealed to the City Council as provided in Section 10.050 of this Code.

2.057 Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.060 Type IV Procedure

2.061 Purpose. The purpose of the Type IV procedure is to provide for quasi-judicial and legislative review of designated land use actions by the City Council at a public hearing. Such actions are complex and discretionary in nature, and require the exercise of judgment in applying the policies of the Comprehensive Plan and the requirements of this Code.

2.062 Processing.

(1) A Type IV application may be reviewed at a public hearing before the Planning Commission for a recommendation, unless otherwise stipulated by this Code, and shall be reviewed at a public hearing before the City Council for action on the matter.

(2) Upon verification of a complete application pursuant to Section 3.050 of this Code, the Director shall schedule a public hearing before the Planning Commission within 55 calendar days, as provided in Sections 2.063 through 2.064 following, and shall cause review of the application required by this Code to proceed.

(3) As specified in this Code, certain land use actions processed under the Type IV procedure may require review by the City Council only, all other particulars of the review process under the Type IV procedure remaining the same. These actions are designated as Type "IV-A" in Schedule 2-1. Unless specifically stated otherwise in this Code, the Type IV procedure shall include consideration by the Planning Commission. These actions are designated as Type "IV-B" in Schedule 2-1.

2.063 Recommendation Hearing Before Planning Commission.

(1) Notice. When an application is scheduled for the recommendation hearing by the Planning Commission, notice area, method and content shall be as provided in Section 2.053 of this Code.

(2) Public Hearing. A public hearing shall be held by the Planning Commission on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-Judicial Hearing Rules or Article 9, Legislative Hearing Guidelines, as appropriate.

2.064 Recommendation Hearing by the Planning Commission

(1) Action, Criteria and Conditions. The Planning Commission shall review the application and make a recommendation to the City Council, either for approval, approval with conditions or denial of the proposal. The criteria for reaching a decision under the Type IV procedure shall be in compliance with the Comprehensive Plan, including but not limited to the Master Transportation Plan, and the provisions of this Code.

(2) Findings and Notice of Recommendation Decision. The initial action by the Planning Commission at the Recommendation Hearing shall be known as the oral recommendation.

(a) A final recommendation embodying the oral recommendation by the Planning Commission shall be adopted at the next regularly scheduled meeting of the Commission, and shall include findings which address the applicable criteria of this Code.

(b) Notice of the final recommendation shall be incorporated within the City Council's public hearing notice indicating the hearing date the City Council will review the recommendation.

2.065 Action Hearing Before City Council.

(1) Schedule. Within 14 calendar days of the final recommendation by the Planning Commission, the Director shall schedule the action hearing on the application before the City Council.

(2) Notice of Public Hearing. Notice shall be as provided in Section 2.053 of this Code, except that mailed notice shall also include those affected parties who testified either in person or in writing at the recommendation hearing before the Planning Commission.

(3) Public Hearing. A public hearing by the City Council shall be held on the date noticed by the Director. The conduct of the hearing shall be as provided in Article 8, Quasi-Judicial Hearing Rules, or Article 9, Legislative Hearing Guidelines, as appropriate.

2.066 Final Decision by City Council

(1) Action and Criteria. The City Council shall review the application, together with the staff review, findings and final recommendation of the Planning Commission, evidence received prior to and during both the Planning Commission and City Council hearings, and shall make a decision on the application by approving, conditionally approving or denying the application. The criteria for reaching a decision under the Type IV procedure shall be in compliance with the Comprehensive Plan and the provisions of this Code.

(2) Conditions. Conditions may be applied to the approval of any application under Type IV procedure, when such conditions are in accord with the applicable Sections of this Code.

(3) Findings and Notice of Final Decision. The initial action by the City Council shall be known as the oral decision.

(a) A final decision embodying the oral decision shall be adopted by the City Council by the second regularly scheduled meeting of the Council following the oral decision by Council.

(b) Notice of the final action shall be mailed to the applicant, and to other affected parties requesting such notice in writing, within 10 calendar days of the rendering of the final decision, and shall include the adopted findings of Council, and shall state the right of appeal under state statute.

(4) Effective Date. The decision of the Council shall be final upon signing of the findings of fact.

2.067 Appeal. The final decision of the City Council under the Type IV procedure may be appealed to the Oregon Land Use Board of Appeals as provided in Section 10.060.

2.068 Resubmittal. A denied application may be resubmitted as provided in Section 3.080 of this Code.

2.070 Type V Procedure. Type V procedure providing for joint City Council and Board of County Commissioners review shall be as provided in the Joint Urban Area Services Management Agreement.

2.071 Appeal. The final decision of the City Council and Board of County Commissioners under the Type V procedure may be appealed to the Oregon Land Use Board of Appeals as provided in Section 10.060.

2.080 Deadline for Decision

The review body shall take final action on any application including resolution of all appeals as provided in Section 3.050.

2.085 Coordinated Review for Transportation Facilities

All land use decisions involving transportation facilities, corridors and sites shall include as part of the record, and consider the findings of, any relevant Environmental Impact Statements and Environmental Assessments completed by the Oregon Department of Transportation (ODOT).

2.090 Noticing Requirements for Certain Proposed Administrative Rules and New State Statutes and Administrative Rules

The purpose of this Section is to comply with noticing procedures required by ORS 197.047.

(1) Applicability. The provisions of this Section apply to all statutes and administrative rules of the Land Conservation and Development Commission that limit or prohibit otherwise permissible uses or cause a local government to rezone property.

(2) 'Rezoned' Defined. For purposes of this section, property is rezoned when the statute or administrative rule causes the City to:

(a) Change the base zoning classification of property; or

(b) Adopt or amend an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(3) 'Owner' Defined. As used in this section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll.

(4) Notice Requirement for Proposed LCDC Administrative Rule That Rezones Property. When the City receives notice under ORS 197.047(2) of a proposed new or amended administrative rule of the Land Conservation and Development Commission, it shall cause the notice set forth in Subsection (5) of this Section to be mailed to every property owner that will be rezoned as a result of the proposed rule. Notice to an owner under this subsection must be mailed at least 45 days prior to the final public hearing on the proposed rule.

(5) Notice Content for Proposed LCDC Administrative Rule That Rezones Property. The notice required in Subsection (4) of this Section must:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

This is to notify you that the Land Conservation and Development Commission has proposed a new or amended administrative rule that, if adopted, may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"On (date of public hearing), the Land Conservation and Development Commission will hold a public hearing regarding adoption of proposed (new or amended) rule (number). Adoption of this rule may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

Rule (number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of the proposed rule (number) also is available for purchase at a cost of $_____.

For additional information, contact the Department of Land Conservation and Development at (phone number)."

(6) Notice Requirement for Adopted Statute or LCDC Administrative Rule That Rezones Property. When the City receives notice under ORS 197.047(6) of an adopted new or amended statute or administrative rule of the Land Conservation and Development Commission, it shall cause the notice set forth

in Subsection (7) of this Section to be mailed to every property owner that will be rezoned as a result of adoption of the rule or enactment of the statute, unless notice was provided pursuant to Subsection (4) of this Section.

The City shall mail the notice to an owner under this subsection at least 45 days prior to the effective date of the rule or statute unless the rule or statute is effective within 90 days of enactment or adoption, in which case the City shall mail the notice to an owner under this subsection not later than 30 days after the City receives notice under ORS 197.047(6).

(7) Notice Content for Adopted Statute or LCDC Administrative Rule That Rezones Property. The notice required in Subsection (6) of this notice must:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

"(Check on the appropriate line:)

_____This is to notify you that the Land Conservation and Development Commission has adopted an administrative rule that may affect the permissible uses of your property and other properties; or

_____This is to notify you that the Legislative Assembly has enacted a land use planning statute that may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"(Check on the appropriate line:)

____On (date of rule or adoption), the Land Conservation and Development Commission adopted administrative rule (number). The rule may affect the permissible uses of your property, and other properties in the affected zone, any may change the value of your property.

Rule (number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of the rule (number) also is available for purchase at a cost of $_____.

For additional information, contact the Department of Land Conservation and Development at (phone number); or

_____On (date of enactment), the Legislative Assembly enacted (House/Senate bill number). The Department of Land Conservation and Development has determined that enactment of (House/Senate bill number) may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

A copy of the (House/Senate bill number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of (House/Senate bill number) also is available for purchase at a cost of $_____.

For additional information, contact the Department of Land Conservation and Development at (telephone number).

(8) DLCD Reimbursement to City. The Department of Land Conservation and Development shall reimburse the City for:

(a) The actual costs incurred responding to questions from the public related to a proposed new or amended administrative rule of the Land Conservation and Development Commission and to notice of the proposed rule; and

(b) All usual and reasonable costs of providing notices required under subsection (4) or (8) of this section.

2.095 Noticing Requirements for Certain Comprehensive Plan and Ordinance Amendments that Rezone Property

The purpose of this Section is to comply with noticing procedures required by ORS 227.186.

(1) 'Rezoned' Defined. For purposes of this Section, property is rezoned when the City:

(a) Changes the base zoning classification of the property; or

(b) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(2) 'Owner' Defined. As used in this Section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the latest available complete tax assessment roll.

(3) Legislative Acts by Ordinance. All legislative acts relating to comprehensive plans, land use planning or zoning adopted by the City shall be by ordinance.

(4) Additional Notice Requirement for Proposed Ordinance Amending Comprehensive Plan That Would Require Rezoning of Property to Comply with Plan. The noticing requirement in this Section is in addition to the applicable notice requirements contained elsewhere within this Article.

Except as provided in Subsection (7) of this Section, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof, or to adopt a new comprehensive plan, a city shall cause written individual notice of a land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

(5) Additional Notice Requirement for Proposed Ordinance That Rezones Property. The noticing requirement in this Section is in addition to the applicable notice requirements contained elsewhere within this Article.

At least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, the City shall cause a written individual notice of a land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

(6) Notice Content for Proposed Ordinance Described in Subsection (4) or (5). An additional individual notice of land use change required by Subsection (4) or (5) of this Section shall be approved by the City and shall describe in detail how the proposed ordinance would affect the use of the property. The notice shall:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

"This is to notify you that the City of Grants Pass has proposed a land use regulation that may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"On (date of public hearing), the City of Grants Pass will hold a public hearing regarding the adoption of Ordinance Number _____. The City of Grants Pass has determined that adoption of this ordinance may affect the permissible uses

of your property, and other properties in the affected zone, any may change the value of your property.

Ordinance Number _____ is available for inspection at the Grants Pass City Hall located at 101 NW 'A' Street. A copy of Ordinance Number _____ also is available for purchase at a cost of $_____.

For additional information concerning Ordinance Number _____, you may call the City of Grants Pass Planning Division at 474-6355."

(7) Notice Requirement for Adoption of Ordinance Amending Comprehensive Plan or Land Use Regulation for Periodic Review. At least 30 days prior to the adoption or amendment of a comprehensive plan or land use regulation by a city pursuant to the requirements of periodic review of the comprehensive plan under ORS 197.628, 197.633 and 197.636, the City shall cause a written individual notice of the land use change to be mailed to the owner of each lot or parcel that will be rezoned as a result of the adoption or enactment. The notice shall describe in detail how the ordinance or plan amendment may affect the use of property. The notice also shall:

(a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

"This is to notify you that the City of Grants Pass has proposed a land use regulation that may affect the permissible uses of your property and other properties."

(b) Contain substantially the following language in the body of the notice:

"As a result of an order of the Land Conservation and Development Commission, the City of Grants Pass has proposed Ordinance Number _____. The City of Grants Pass has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

Ordinance Number _____ will become effective on (date).

Ordinance Number _____ is available for inspection at the Grants Pass City Hall located at 101 NW 'A' Street. A copy of Ordinance Number _____ also is available for purchase at a cost of _____.

For additional information concerning Ordinance Number _____, you may call the City of Grants Pass Planning Division at 474-6355.

(8) Combined Mailing Option. Notice provided under this Section may be included with the tax statement required under ORS 311.250.

(9) Method of Mailing. Notwithstanding Subsection (8) of this Section, a city may provide notice of a hearing at any time provided notice is mailed by first class mail or bulk mail to all persons for whom notice is required under Subsections (4) and (5) of this Section.

(10) Relationship to Section 2.090. The provisions of this Section do not apply to legislative acts of the City Council resulting from action of the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under Section 2.090 or resulting from an order of a court of competent jurisdiction.

(11) Notice Not Required to Duplicate Ownerships. The City Council is not required to provide more than one notice under this Section to a person who owns more than one lot or parcel affected by a change to the comprehensive plan or land use regulation.

(12) DLCD Reimbursement to City. The Department of Land Conservation and Development shall reimburse the City for all usual and reasonable costs to provide notice required under Subsection (7) of this Section.

REVISIONS

DATE	ORD #
10/7/92	4747
11/15/95	4843
9/4/02	5152
4/20/05	5285
1/18/16	5333
6/7/06	5359
4/16/08	5442
5/20/09	5489
3/5/14	5598
12/3/14	5632
2/17/16	5673

EXHIBIT 2

Article 10: Appeals 10-1

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10.015 Appeal Procedures and Hearing Types 10-1

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[1]Article 10: Appeals

10.010 Purpose

The purpose of this Article is to provide appeal procedures for the review of decisions on land use and development matters by the Director, Hearings Officer, Planning Commission, Historic Buildings and Sites Commission, and City Council.

[3]10.015 Appeal Procedures and Hearing Types

The appeal procedures are summarized in Schedule 10-1, 'Summary of Appeal Procedures.' The detailed procedural requirements for each appeal type are contained in the following Sections of this Article.

An appeal hearing shall be 'de novo,' 'limited to issues,' or 'on the record' as specified in this Article.

Each of the hearing types is summarized below.

(1) de novo: Anyone may testify. Issues are not limited to those raised in the appeal. New evidence and argument may be presented.

(2) limited to issues: Anyone may testify. Issues are limited to those raised in the appeal. New evidence and argument may be presented, but it must only be used to consider the issues raised in the appeal.

Rather than hold a de novo hearing to consider issues not raised in the appeal, the review body may hold a hearing to consider an expanded scope of issues. In this case, the review body may consider issues raised on appeal plus additional issues specified by the review body. Prior to, or at the outset of the hearing, the review body shall specify which additional issues can be considered. New evidence and argument may be presented, but it must only be used to consider the issues raised in the appeal and the additional issues specified by the review body.

(3) on the record:

(a) Anyone may testify. Issues are limited to those raised in the appeal. New evidence may not be presented. New argument may be presented.

(b) The Council may admit additional testimony and other evidence without holding a de novo hearing if it is satisfied that the testimony or other evidence could not have been presented at the initial hearing. In deciding such admission, the Council shall consider:

(i) Prejudice to parties

(ii) Convenience of locating the evidence at the time of initial hearing.

(iii) Surprise to opposing parties.

(iv) When notice was given to the other party as to the attempt to admit.

(v) The competency and relevancy of the proposed testimony.

(c) If additional evidence is admitted, then upon request, any other party may submit additional rebuttal evidence at that time, or for a period of 7 calendar days thereafter, and may also require that the decision of the review body be delayed for a period of not less than 14 calendar days to allow for consideration of the rebuttal evidence. The submission of additional evidence that results in a delay shall constitute a 30 day waiver of the 120 day decision making time frame, both by the party submitting the new evidence and by the party submitting the rebuttal evidence.

[4]SEE Section 10.036 for appeal procedures for Expedited Industrial Site Plan Review.

Schedule 10-1. Summary of Appeal Procedures

Type I-B	Type I-C	[4]Type I-D	Type II	Type III	Type IV & V
Initial Decision by Director (no hearing, no comment period, notice of decision is mailed) ↓	**Initial Decision by Director** (no hearing, comment period, notice of decision is mailed) ↓	**Initial Decision by Director** (no hearing, comment period, notice of decision is mailed) ↓	**Initial Decision by Hearings Officer** (de novo hearing)		
Director's Decision is Appealed to Planning Commission ***Who may appeal?*** Any person who is adversely affected or aggrieved or anyone entitled to written notice of decision ***What type of Planning Commission hearing?*** De novo hearing required ↓	**Director's Decision is Appealed to Planning Commission** ***Who may appeal?*** Any person who is adversely affected or aggrieved, anyone entitled to written notice of decision, or anyone who provided written comments during the comment period ***What type of Planning Commission hearing?*** De novo hearing required ↓	**Director's Decision is Appealed to Referee** ***Who may appeal?*** The Applicant or anyone who provided written comments during the comment period ***What type of Review?*** The referee appointed by the local government may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument **Cannot be appealed to LUBA**	**Hearings Officer's Decision is Appealed to Planning Commission** ***Who may appeal?*** Anyone who provided written or oral testimony in the record for the initial decision ***What type of Planning Commission hearing?*** De novo hearing, unless, at the outset of the hearing, the Commission specifies that it will be: -limited to issues, or -on the record ↓	**Initial Decision by Planning Commission** (de novo hearing) ↓	Type IV-A **(No Planning Commission Recommendation)** Type IV-B **Recommendation by Planning Commission** (de novo hearing) Type V **Recommendation by Planning Commission** (de novo hearing)
Planning Commission's Decision is Appealed to City Council ***Who may appeal the Planning Commission's decision to City Council?*** Anyone who previously provided written or oral testimony in the record, whether for the initial decision or for the Planning Commission hearing on appeal. ***What type of City Council hearing?*** De novo hearing, unless, at the outset of the hearing, the Council specifies that it will be: -limited to issues, or -on the record ↓					Type IV-A, IV-B **Initial Decision by City Council** (de novo hearing) Type V **Initial Decision by City Council and Board of County Commissioners** (de novo hearing) ↓
City Council's Decision is Appealed to LUBA, or **City Council/Board of County Commissioners Decision is Appealed to LUBA** In accordance with ORS 197.805-860.					

10.020 Appeal of Final Action by the Director on Type I-B Decision (without Public Comment Period).

10.021 Appeal. A final action of the Director on a Type I-B decision (without public comment period) may be appealed to the Planning Commission, provided that the procedures of this Section are followed.

10.022 Procedures.

[3](1) Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision may appeal the decision by filing a written appeal. The appeal must be filed with the Director within 12 calendar days from the date the written notice of decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Planning Commission, and the date of the decision.

(b) The name, address, and phone number of the appellant.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than 2 business days after receiving an appeal, the Director shall make a determination whether or not the appeal is and whether or not it has been filed on time. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Director's decision shall become final and is not subject to local appeal.

(3) Notice of the appeal hearing shall be mailed to the applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously mailed written notice of the decision. The manner and content of notice shall be as provided in Section 2.053.

(4) The appeal shall be reviewed by the Planning Commission under the Type III procedure as provided in Section 2.050.

[3]10.023 Planning Commission Action

(1) Review. The hearing shall be "de novo" as required by ORS 227.175(10)(a)(D). The de novo hearing shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. At the de novo hearing:

(a) The applicant and other parties shall have the same opportunity to present testimony, arguments, and evidence as they would have had in a hearing before the decision was issued.

(b) The presentation of testimony, arguments, and evidence shall not be limited to the issues raised in a notice of appeal; and

(2) The Planning Commission shall consider the record, all relevant testimony, arguments, and evidence that are accepted at the hearing.

(3) Commission Action. The Planning Commission may affirm, amend, or reverse the final action of the Director.

10.024 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.025 Appeal. Any appeal of the Planning Commission's decision on the appeal shall follow the procedures for appeal of a Type III decision.

10.030 Appeal of Final Action by the Director on Type I-C Decision (with Public Comment Period).

10.031 Appeal. A final action of the Director on a Type I-C decision (with public comment period) may be appealed to the Planning Commission, provided that the procedures of this Section are followed.

10.032 Procedures.

(1) Any person who is adversely affected or aggrieved, anyone who is entitled to written notice of the decision, or anyone who provided written comments during the comment period may appeal the decision by filing a written appeal. The appeal must be filed with the Director within 12 calendar days from the date the written notice of decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Planning Commission, and the date of the decision.

(b) The name, address, and phone number of the appellant.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than 2 business days after receiving an appeal, the Director shall make a determination whether or not the appeal is complete and whether or not it has been filed on time. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Director's decision shall become final and is not subject to local appeal.

(3) Notice of the appeal hearing shall be mailed to the applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Director's final action. The manner and content of notice shall be as provided in Section 2.053.

(4) The appeal shall be reviewed by the Planning Commission under the Type III procedure as provided in Section 2.050.

10.033 Planning Commission Action

(1) Review. The hearing shall be "de novo" as required by ORS 227.175(10)(a)(D). The de novo hearing shall be the initial evidentiary hearing required under ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. At the de novo hearing:

(a) The applicant and other parties shall have the same opportunity to present testimony, arguments, and evidence as they would have had in a hearing before the decision was issued.

(b) The presentation of testimony, arguments, and evidence shall not be limited to the issues raised in a notice of appeal; and

(2) The Planning Commission shall consider the record, all relevant testimony, arguments, and evidence that are accepted at the hearing.

(3) Commission Action. The Planning Commission may affirm, amend, or reverse the final action of the Director.

10.034 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.035 Appeal. Any appeal of the Planning Commission's decision on the appeal shall follow the procedures for appeal of a Type III decision.

[4]10.036 Appeal of Regionally Significant Industrial Area (RSIA) Review.

10.037 Appeal. A final action of the Director on a Type I-D decision (with public comment period) may be appealed to a local government appointed referee in accordance with the statutory procedures for an Expedited Industrial Site Plan Review (ORS 197.375) which are only available for application types authorized by statute (Expedited Industrial Site Plan Review). If the application for a land use permit does not meet the criteria for review under an Expedited Industrial Site Plan Review and is processed in accordance with ORS 197.724 (Review of land use permit within a Regionally Significant Industrial Area (RSIA)), then an appeal to a local government appointed referee for a land use permit shall follow the statutory procedures as outlined in ORS 197.726.

10.038 Procedures.

(1) The applicant or any person or organization who files written comments in the time period established under ORS 197.365 (Application for Expedited Land Division) or ORS 197.724 (Application for Land Use Permit within a Regionally Significant Industrial Area (RSIA)) may appeal the decision by filing a written appeal and paying the applicable deposit for costs. The appeal must be filed with the Director within 14 calendar days from the date the written notice of decision is mailed on a form provided by the Director. The appeal shall be based solely on allegations:

(a) Of violation of the substantive provisions of the applicable land use regulations;

(b) Of unconstitutionality of the decision;

(c) That the application is not eligible for review under ORS 197.360 (Expedited Land Division Defined) to 197.380 (Application fees for Expedited Land Division) and should be reviewed as a land use decision or limited land use decision; or

(d) That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.

(2) The local government shall appoint a referee to decide the appeal of a decision made under ORS 197.360 (Expedited Land Division Defined) and ORS 197.365 (Application for Expedited Land Division). The referee shall not be an employee or official of the local government. However, the local government which has a designated hearings officer under ORS 215.406 (Planning and Zoning Hearings Officers) or 227.165 (Planning and Zoning Hearings Officers) may designate the hearings officer as the referee for appeals of a decision made under ORS 197.360 (Expedited Land Division Defined) and ORS 197.365 (Application for Expedited Land Division).

(3) The referee shall, within seven (7) days of being appointed, notify the applicant, the local government, the appellant if other than the applicant, any person or organization entitled to notice under ORS 197.365 (2) (Application for Expedited Land Division) that provided written comments to the local government and all providers of public facilities and services entitled to notice under ORS 197.365 (2) (Application for Expedited Land Division) and advise them of the manner in which they may participate in the appeal. A person or organization who provided written comments but did not file an appeal may participate only with respect to the issues raised in the written comments submitted by that person or organization. The referee may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument. ORS 197.375(3). See ORS 197.726(2) for applications that do not meet the criteria for an expedited land use permit. The referee shall provide the local government an opportunity to explain its decision, but is not limited to reviewing the local government decision and may consider information not presented to the local government.

(4) (a) The referee shall apply substantive requirements of the local government's land use regulations and ORS 197.360 (Expedited Land Division Defined). If the referee determines the application does not qualify as an Expedited Land Division as described in ORS 197.360 (Expedited Land Division Defined), the referee shall remand the application for consideration as a land use decision or limited land use decision. In all other cases, the referee shall seek to identify means by which the application can satisfy the applicable requirements.

(b) The referee may not reduce the density of the land division application. The referee shall make a written decision approving or denying the application or approving it with conditions designed to ensure that the application satisfies the land use regulations within 42 days (ORS 197.375(4)(b)) or within 56 days (ORS 197.726(2)(c)) of the filing of the appeal. The referee may not remand the application to the local government for any reason other than as set forth in this subsection.

(5) Unless the governing body of the local government finds exigent circumstances, a referee who fails to issue a written decision with 42 days (ORS 197.375(5)) or within 56 days (ORS 197.726(2)(c)) of the filing of an appeal shall receive no compensation for services as referee in the appeal.

(6) Notwithstanding any other provision of law, the referee shall order the local government to refund the deposit for costs to an appellant who materially improves his or her position from the decision of the local government. The referee shall assess the cost of the appeal in excess of the deposit for costs, up to a maximum of $500, including the initial deposit, against an appellant who does not materially improve his or her position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the

compensation paid the referee and costs incurred by the local government, but not the costs of other parties.

(7) The Land Use Board of Appeals (LUBA) does not have jurisdiction to consider any decision, aspects of decisions or action made under ORS 197.360 (Expedited Land Division Defined) to 197.380 (Application fees for Expedited Land Division) or ORS 197.722 (Definitions for ORS 197.722 to 197.728) to ORS 197.728 (Rules).

(8) Any party to a proceeding before a referee under this Section may seek judicial review of the referee's decision in the manner provided for review of final orders of the Land Use Board of Appeals under ORS 197.850 (Judicial Review of Board Order) and 197.855 (Deadline for Final Court Order). The Court of Appeals shall review the decision of the referee in the same manner as provided for review of final orders of the Land Use Board of Appeals in those statutes. However, notwithstanding ORS 197.850 (Judicial Review of Board Order)(9) or any other provision of law, the court shall reverse or remand the decision only if the court finds:

(a) That the decision does not concern an expedited land division as described in ORS 197.360 (Expedited Land Division Defined) or ORS 197.722 (Definitions for ORS 197.722 to 197.728) and the appellant raised this issue in proceedings before the referee;

(b) That there is a basis to vacate the decision as described in ORS 36.705 (Vacating Award)(1)(a) to (d), or a basis for modification or correction of an award as described in ORS 36.710 (Modification or Correction of Award) (ORS 197.375(8)(b));

(c) That the referee's decision contains a clear, material error of fact based on the record, and the appellant raised the issue in proceedings before the referee (ORS 197.726(3)(b) – *use only for those applications for land use permit within Regionally Significant Industrial Area that do not meet the criteria in ORS 197.365 (Application for expedited land division))*;

(d) That the referee's decision contains a clear, material error of law, giving deference to any interpretations of law by the referee, and the appellant raised the issue in proceedings before the referee (ORS 197.726(3)(c) – *use only for those applications for land use permit within Regionally Significant Industrial Area that do not meet the criteria in ORS 197.365 (Application for expedited land division))*; **or**

(e) That the decision is unconstitutional.

10.040 Appeal of Final Action by the Hearings Officer on Type II Decision.

10.041 Appeal. A final action of the Hearings Officer on a Type II decision may be appealed to the Planning Commission, provided that the procedures of this Section are followed.

10.042 Procedures.

(1) Any adversely affected or aggrieved person who provided written or oral testimony in the record may appeal the decision by filing a written appeal.

The appeal must be filed with the Director within 12 calendar days from the date the written decision is mailed, on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Planning Commission, and the date of the decision.

(b) The name, address, and phone number of the appellant, and a statement showing that the appellant was a party to the proceedings.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than 2 business days after receiving an appeal, the Director shall make a determination whether or not the appeal is complete, whether or not it has been filed on time, and whether or not the appellant was a party to the proceedings. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Hearings Officer's decision shall become final and is not subject to local appeal.

(3) Notice of the appeal hearing shall be mailed to the applicant, the appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Hearings Officer's written decision. The manner and content of notice shall be as provided in Section 2.053.

(4) The appeal shall be reviewed by the Planning Commission under the Type III procedure as provided in Section 2.050.

[3]10.043 Planning Commission Action

(1) Review.

The hearing shall be "de novo", unless prior to or at the outset of the hearing, the Planning Commission specifies that the hearing will be a "limited to issues" hearing or an "on the record" hearing, as described in Section 10.015. This decision will govern who may testify, whether the hearing is limited to issues raised in the appeal, and whether new evidence will be permitted.

(2) The Planning Commission shall review the appeal and consider the record, all relevant evidence and arguments that are accepted at the hearing, or that are already in the record if the hearing is limited to the record.

(3) Commission Action. The Planning Commission may affirm, amend, or reverse the final action of the Hearings Officer.

10.044 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.045 Appeal. Any appeal of the Planning Commission's decision on the appeal shall follow the procedures for appeal of a Type III decision.

10.050 Appeal of Final Action by the Planning Commission on Type III Decision.

A final action of the Planning Commission on a Type III decision may be appealed to the City Council provided that the procedures of this section are followed.

[2]10.051 Procedures

(1) Filing an Appeal. Any adversely affected or aggrieved person who provided written or oral testimony in the record may appeal the decision by filing a written appeal.

The appeal must be filed with the Director within 12 calendar days from the date the written notice of decision is mailed on a form provided by the Director. The appeal shall contain:

(a) A reference to the application or matter sought to be appealed to the Council, and the date of the written decision.

(b) The name, address, and phone number of the appellant, and a statement showing that the appellant was a party to the proceedings.

(c) The specific grounds relied upon in the request for appeal, including a statement of the specific criteria the appellant contends have or have not been satisfied.

(d) The required appeal fee.

(2) Not later than 2 business days after receiving an appeal, the Director shall make a determination whether or not the appeal is complete, whether or not it has been filed on time, and whether or not the appellant was a party to the proceedings. A negative determination by the Director shall nullify the appeal. If no valid appeals have been received within the time frame given, the Planning Commission's decision shall become final and is not subject to local appeal.

(3) Notice. Notice of the appeal hearing shall be mailed to the applicant, appellant, any adversely affected or aggrieved party requesting notice in writing, and all persons previously noticed as part of the process leading to the Planning Commission's written decision. The manner and content of notice shall be as provided in Section 2.053.

(4) Procedure Type. The appeal shall be reviewed by the City Council using the "Action Hearing before City Council" portion of the Type IV procedure as provided in Section 2.060.

[3](5) Review Request by City Council.

Any final action of the Planning Commission may be reviewed by the City Council on its own motion, which motion shall be made no later than 12 calendar days from the Planning Commission's written decision.

City Council review of the Planning Commission's decision initiated by the City Council on its own motion shall be reviewed using the same notice and hearing procedures in Subsection (3) and (4) of this Section.

10.052 City Council Action.

(1) Review.

The Council shall hear the appeal "de novo," unless, prior to or at the commencement of the hearing, the Council specifies that the hearing will be a "limited to issues" hearing or an "on the record" hearing, as described in Section 10.015. This decision will govern who may testify, whether the hearing is limited to issues raised in the appeal, and whether new evidence will be permitted.

(2) The City Council shall review the appeal and consider the record, all relevant evidence and arguments that are accepted at the hearing, or that are already in the record if the hearing is limited to the record.

(3) City Council Action. The City Council may affirm, amend, or reverse the Planning Commission's decision under appeal.

10.053 Notice of Decision. Within 10 calendar days of the written decision, written notice of the decision shall be mailed to the applicant, appellant, and all parties who appeared, either orally or in writing, before the hearing or provided oral or written testimony in the record leading up to the appeal hearing who requested such notice in writing. The notice of decision shall state the right of appeal of the decision as provided in this Code.

10.054 Appeal. Any appeal shall follow the procedures for appeal of a Type IV decision.

10.060 Appeal of Final Action on Type IV Decision or Type V Decision

A final action of the City Council on a Type IV decision or a final action of the City Council and Board of Commissioners on a Type V decision may be appealed to the Oregon Land Use Board of Appeals within 21 days of the written decision as provided in ORS 197.830.

10.070 Waiver of Right to Appeal

If all parties to a decision waive in writing their right to appeal, the appeal period shall terminate immediately and the written decision of the review body shall be the City's final decision.

[3]10.080. County Automatic Party Status.

The County shall be deemed to have automatic party status for quasi-judicial proceedings within the Urbanizing Area and for legislative proceedings, as specified in the 1998 Intergovernmental Agreement. The County may appeal a decision in accordance with the appeal provisions of this Article.

10.090. City Council Initiation of Review.

Prior to expiration of the appeal period of a Type I or Type II decision, the City Council on its own motion may require that the Planning Commission review the decision of the previous review body. The motion initiating review of the decision does not include a statement of grounds for appeal, but shall summarize the general reasons for sending the decision to the Planning Commission for review. The review shall be processed in accordance with a Type III procedure.

This authority shall have the same purpose as the City Council review of a Planning Commission decision provided in Section 10.051(6) of this Code, but shall allow for a decision of a lower review body to be considered by the Planning Commission first, rather than directly by the City Council. The City Council then has the opportunity to review the decision of the Planning Commission in accordance with Section 10.051(6). The City Council shall not initiate said review on behalf of a party to the proceedings who has standing to file an appeal, but shall reserve this authority for situations where

further review may be necessary to ensure a decision adequately represents the public interest.

[3]10.100. Final Action Following LUBA Remand.

(1) Final Action Required Within 90 Days. Pursuant to a final order of the Land Use Board of Appeals under ORS 197.830 remanding a decision to a city, the City Council shall take final action on an application within 90 days of the effective date of the final order issued by the board. For purposes of this subsection, the effective date of the final order is the last day for filing a petition for judicial review of a final order of the board under ORS 197.850(3). If judicial review of a final order of the board is sought under ORS 197.830, the 90-day period established under this subsection shall not begin until final resolution of the judicial review.

(2) 90-day Period Begins upon Written Request by Applicant. In addition to the requirements of subsection (1) of this section, the 90-day period established under subsection (1) of this section shall not begin until the applicant requests in writing that the city proceed with the application on remand.

The 90-day period may be extended for a reasonable period of time at the request of the applicant.

(3) The 90-day period established under subsection (1) of this section applies only to decisions wholly within the authority and control of the City Council.

(4) Subsection (1) of this section does not apply to a remand proceeding concerning an amendment to an acknowledged comprehensive plan or land use regulation or the adoption of a new land use regulation that was forwarded to the Director of the Department of Land Conservation and Development under ORS 197.610.

(5) Procedures.

(a) The City Council may use any procedure permitted by law to consider the issues on remand. Where LUBA's remand does not require an evidentiary hearing, the City Council is not required to conduct an evidentiary hearing, but may choose to do so.

(b) Absent instructions from LUBA, the City Council may limit the scope of the remand proceedings to correcting the deficiencies that were the basis for LUBA's remand, although it may also choose to expand the scope of remand proceedings beyond the scope of LUBA's remand.

If the City Council chooses to limit the scope of the remand proceedings to correcting the deficiencies that were the basis for LUBA's remand, the Council may also limit testimony to those parties

who participated in the LUBA proceedings, including the petitioner, respondent, their authorized agents, and intervenors who spoke on behalf of a party to the LUBA proceedings.

(c) The City Council shall provide notice consistent with the nature of the proceeding. If the City Council provides an evidentiary hearing, prior to or at the outset of the hearing, the City Council shall specify the scope of issues to be considered and the parties who will be permitted to provide testimony.

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[1] Revised 2-16-94
[2] Revised 11-15-95
[3] Revised 4-20-05
[4] Revised 12/3/14, Ordinance 5632

EXHIBIT 3

Article 19: Site Plan Review 19-1

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Article 19: Site Plan Review

19.010 Purpose

The purpose of this article is to establish a review process ensuring that new development complies with the provisions of this Code and is therefore compatible with existing and future development. The review process will include procedures, submittal requirements, criteria, and decision authority.

19.020 Applicability

The provisions of this article apply to all new construction, expansion of commercial, industrial, and multiple family residential uses (if not part of a previously approved site plan), change of use, and other development requests covered by this Code. For development requests involving partitions, subdivisions, and Planned Unit Developments, refer to Articles 17 and 18 of this Code.

19.021 Concept

(1) The site plan review process provides the basic means of implementing the policies of Comprehensive Plan and the standards of this Code. For routine, smaller projects requiring Administrative Review, a minor site plan review process is established. The function of the minor site plan review is to ensure conformity with the Base Development Standards of this Code. For larger, more complex projects requiring discretionary review, a major site plan review is established. The function of the major site plan review is to ensure conformity with the Base Development Standards, Special Development Standards, and other development standards that may be required as part of a Special Purpose District classification, Area Plan, or other Code provisions.

(2) In addition to determining compliance with development standards of this Code, another major function of site plan review is to identify potential land use conflicts resulting from the proposed development, and mitigating those conflicts through specific conditions of development.

[12]19.022 Site Plan Review Committee. The Site Plan Review Committee is hereby established to review major site plan applications. The Site Plan Committee shall consist of the following, or their designee:

(a) Director, of Community Development, Chair

(b) City Engineer

(c) City Building Official

(d) Senior Planner

(e) Director, Public Safety

(f) Director, Field Operations

(g) Director, Utilities

19.030 Procedures

Prior to the issuance of a development permit, the applicant shall secure site plan approval in accordance with this Article, following the procedure type specified in Article 12, Schedule 12-2 or 12-3 as applicable.

[15]NOTE: SEE Section 12.029 – Applicant can request Expedited Industrial Site Plan Review Procedure for property located within a Regionally Significant Industrial Area (RSIA) Overlay.

19.031 Pre-application Conference. Prior to submitting an application for review, the applicant shall request a pre-application conference with the Director as provided in Section 3.041 of this Code.

[1]19.032 Minor and Major Site Plans.

(1) Minor Site Plans are:

(a) Residential: Request for development permit for one or two family dwellings on lot of record.

(b) For Commercial and Industrial, involving only Change of Use, and minor expansions less than 25% of existing square footage of building.

(2) Major Site Plans are all other Land Use requests.

19.033 Appeals. The Final Action of the review body may be appealed as provided in Article 10 of this Code.

[12]19.034 Expiration. The land use decision shall expire in accordance with the provisions of Section 3.075 of this Code. The development permit shall expire in accordance with the provisions of Section 3.092 of this Code.

19.040 Minor Site Plan Review

19.041 Complete Submittal. Prior to review of the request, a complete application shall be prepared, submitted to the Director in accordance with the minimum submittal requirements contained in Section 19.072 of this Code.

19.042 Criteria for Approval. The Director shall approve, approve with conditions, or deny the request based upon the following criteria:

(1) Complies with applicable Base Development Standards of the Zoning District or standards as previously approved under the provisions of an optional development plan or other approved permit.

(2) Complies with adopted public utility and access plans, policies, and standards.

(3) Adequate basic urban services are available or can be made available by the applicant as part of a proposed development, or are scheduled by the City Capital Improvement Plan.

(4) Complies with all other applicable provisions of this Code, including off-street parking, landscaping, signage, and Special Purpose District requirements.

(5) Potential land use conflicts have been mitigated through specific conditions of development as required by this Code.

[10](6) Internal circulation is accommodated in commercial, institutional and office park uses with walkways and bikeways as provided in Article 27.

[11](7) If the property contains existing nonconforming use or development to remain, the application and the Review Body's decision shall also be consistent with the provisions of Article 15, including any additional standards, relief from the Code, or conditions imposed.

[2]19.043 Conditions Which May be Attached to Site Plan. Where it has been determined that potential land use conflicts will result from the proposed development, specific conditions of development may be required as follows:

(1) Require screening and/or buffering to minimize intrusion of privacy from parking and driveway areas.

(2) Require specific window placement to minimize intrusion of privacy impact from new two story construction to existing adjacent single story residential.

(3) Modify parking design to ensure safe maneuvering of vehicles and pedestrians.

(4) To preserve significant landform, waterways, vegetation, and property rights, require additional setbacks, and allow variances to base standards.

(5) Extension of public utilities, street improvements, and sidewalks may be required in accordance with Article 27 of this Code.

[10](6) Where not already required by provisions of this code, require that uses, buildings, and/or building entrances be located close to each other, to public rights-of-way, to pedestrian ways, and/or to bikeways as needed to allow for pedestrian and bicycle circulation.

[10](7) Where not already required by provisions of this code, require construction and maintenance of private pedestrian ways between uses or buildings on a site, between a use or building and a public right-of-way, pedestrian way, or bikeway, or between a use or building and a current or potential use or building on an abutting parcel.

19.045 Filing of Approved Minor Site Plan Map. As a result of site plan review, a Final map shall be prepared, including all required modifications and conditions, and must be filed with the Director prior to issuance of a development permit, or the development permit land use decision shall expire as provided in Article 3.

19.047 Development Agreement. If conditions of approval are attached to the approved Map, the applicant shall enter into a Development Agreement as provided in Section 19.057 of this Code. If no conditions are attached, the approved Final Map shall constitute the legal binding conditions of site development.

19.050 Major Site Plan Review

19.051 Complete Submittal. Prior to review of the proposed request, a complete application shall be prepared and submitted to the Director in accordance with the submittal requirements contained in Section 19.072 of this Code.

[3]19.052 Criteria for Approval. The Review Body shall approve, conditionally approve, or deny the request based upon the following criteria:

(1) Complies with applicable development standards: Base Standards of Zoning District, Special Development Standards, Residential Development Standards, or standards as previously approved under the provisions of an optional development plan or other approved permit.

(2) Complies with applicable elements of the Comprehensive Plan, including: Traffic Plan, Water Plan, Sewer Plan, Storm Drainage Plan, Bicycle Plan, and Park Plan.

(3) Complies with all other applicable provisions of this Code, including off-street parking, landscaping, buffering and screening, signage, environmental standards, and Special Purpose District standards.

(4) Potential land use conflicts have been mitigated through specific conditions of development.

(5) Adequate basic urban services are available, or can be made available by the applicant as part of a proposed development, or are scheduled by the City Capital Improvement Plan.

(6) Provision of public facilities and services to the site will not cause service delivery shortages to existing development.

(7) To the extent possible, identified significant resources, such as intermittent and perennial creeks, stands of pine, fir and oak trees, wildlife habitats, historic sites, and prominent land features have been preserved and designed into the project. Alternatives shall be considered and the proposal shall represent the most effective design to preserve these resources.

(8) The characteristics of existing adjacent development have been determined and considered in the development of the site plan. At a minimum, special design consideration shall be given to:

(a) Areas of land use conflicts, such as more restrictive use adjacent or across street from proposal. Mitigate by orienting business operations away from use, additional setbacks, screening/buffering, landscaping, direct traffic away from use.

(b) Setbacks. Where existing buildings are setback deeper than required by Code, new setbacks to be compatible.

(c) [14]Transitions between existing development and new development. New development should be consistent with the purpose statement of the base zone but also recognize compatibility with existing, adjacent development.

(d) Signs. New signs shall not block primary view to existing signs, and shall be sized consistent with Code or existing signs, whichever is less.

(e) Lighting. Exterior lighting shall not impact adjacent development or traveling motorist.

(9) Traffic conflicts and hazards are minimized on-site and off-site, as provided in Article 27.

(10) If phased development, each phase contains adequate provisions of services, facilities, access, off-street parking, and landscaping.

(11) There are adequate provisions for maintenance of open space and other common areas.

[10](12) Internal circulation is accommodated for commercial, institutional and office park uses with walkways and bikeways as provided in Article 27.

[11](13) If the property contains existing nonconforming use or development to remain, the application and the Review Body's decision shall also be consistent with the provisions of Article 15, including any additional standards, relief from the Code, or conditions imposed.

[4]19.053 Conditions Which May Be Attached to Site Plan Approval. To the extent necessary to satisfy the criteria for site plan review, and to mitigate potential impacts to existing surrounding development, the site plan committee may impose any of the following

as conditions of development; however, any conditions applied under this provision shall not unreasonably reduce housing densities, unreasonably increase costs, or otherwise be used to exclude needed housing types.

(1) Require dedication of public right-of-way or easements for:

(a) Streets

(b) Sidewalks

[5](c) Pedestrian Connector Routes or other appropriate pedestrian ways.

(d) Utility easements

[6](e) Bikeways

(2) Mitigating land use conflict requires:

(a) Site obscuring fence, or

(b) Additional setback, or

(c) Vegetative screen/buffer, or

(d) Orient traffic flow away from use, or

(e) Relocate structure openings (doors, windows), or

(f) Require noise attenuating barrier, or sound baffle or other device, or

(g) Limit hours of operation, or

(h) Any combination of the above.

(3) When public facilities and services are near capacity, require phased development to match availability of services.

(4) Require extension of facilities (water, sewer, storm drains, fire hydrant) consistent with adopted public facility plans and Article 28 of this Code.

(5) Require construction of street frontage improvements, including sub-base, base, paving transition, curb, gutter, and sidewalks consistent with Article 27 of this Code.

(6) When extension or construction of facilities and services is not feasible, require security guarantee consistent with City policy.

(7) As a means to satisfy future obligation for public improvements, require participation in a future improvement district, without remonstrance.

(8) Require vision clearance area to be free of structures, signs, or other material having potential to obstruct vision.

(9) Underground all on-site utilities.

[10](10) Ensure traffic congestion and hazards are avoided through limiting the number and strategically locating driveways, and requiring traffic control and other access management measures such as median barriers, access to the road network via a lower street classification, or reciprocal or cross access easements between adjoining properties.

(11) For residential uses require a common drive to serve two or more lots which access onto a collector or arterial street.

(12) To ensure open space requirements comply with the standards of Article 22, require clustering of units, two story construction, or elimination of units, as needed.

(13) Require submittal of specific landscape plans, prepared in accordance with Article 23.

[10](14) Where not already required by provisions of this code, require that uses, buildings, and/or building entrances be located close to each other, to public rights-of-way, to pedestrian ways, and/or to bikeways as needed to allow for pedestrian and bicycle circulation.

[10](15) Where not already required by provisions of this code, require construction and maintenance of private pedestrian ways between uses or buildings on a site, between a use or building and a public right-of-way, pedestrian way, or bikeway, or between a use or building and a current or potential use or building on an abutting parcel.

[10](16) Require improvements necessary to mitigate any off-site, frontage, and off-site impacts identified in a submitted traffic impact analysis report.

[10](17) Require off-site road improvements in rough proportion to the impact created by a development, including those transportation system management techniques outlined in the Master Transportation Plan. Where such improvements are required, they shall include facilities accommodating convenient pedestrian and bicycle travel, including bikeways along arterials and major collectors.

[10](18)Require transportation demand management-related facilities such as carpool/vanpool spaces.

19.054 Filing an Approved Major Site Plan Map. As a result of site plan review, a Final Map shall be prepared, including all modifications and conditions, and filed with the

Department of Community Development prior to the issuance of a development permit, or the land use decision shall expire as provided in Article 3.

19.055 Development Agreement. To finalize the site plan process, a development agreement shall be effected between the applicant and the City of Grants Pass. The agreement contains the terms, conditions and approved Final Map. The purpose of the agreement is to ensure that the terms and conditions of Site Plan Approval are understood and that they are binding upon the applicant to implement and fulfill prior to use and occupancy. Upon satisfactory completion of site development, the City will provide public facilities and services.

19.056 Modification to Approved Plans. The applicant may petition for modification of a previously approved site plan. The petition shall include reasons for modifying the plan standards of this Code. If, at time of building permit request, the approved site plan has been modified, issuance of a building permit will be postponed until the revised map has been processed in accordance with the provisions of this section.

(1) Major Modification. When modification to an approved plan is determined to be a Major Modification, the plan shall be resubmitted, with fee, to the Site Plan Committee for review and decision. A major modification constitutes one or more of the following:

(a) Increase in number of dwelling units.

(b) Increase in gross floor area exceeding 10% of previously approved building size, or to the extent requiring an additional parking space, whichever is less.

(c) Decrease in amount of open space or landscaping exceeding 10% of previously approved area, provided decrease doesn't drop below minimum standards as required by this Code.

(d) Relocation of vehicle access points and parking areas where the change will potentially affect the safety of off-site and on-site traffic circulation.

(e) Reduction or elimination of any project amenities such as recreational facilities, significant natural resources (streams, creeks, landform), fencing and other screening material.

(f) Modification to facilities and utilities which do not conform to adopted facility plans.

(g) Modification of any other component of the plan which does not conform to standards of this Code.

(2) Minor Modification. A minor modification to an approved plan or conditionally approved plan may be made by the Director provided the

Director determines that the modification does not constitute a major modification.

19.060 Security and Assurances.

All required improvements shall be constructed and completed prior to use and occupancy of the site. Where weather conditions preclude certain improvements from occurring at time of construction, use and occupancy may occur provided security is given in accordance with City policy. Security may be posted for the following types of improvements:

(1) Areas required to have asphaltic concrete, such as parking lots, drives, streets. Postponement allowed due to winter time closure of paving plants.

(2) Landscaping, except that erosion control vegetation shall be installed.

(3) As approved by the City Engineer, certain public facilities if not needed to implement the development nor practical to be installed at time of construction.

(4) Improvements which are deferred due to inclement weather conditions, shall be installed and completed during the next construction season, as soon as weather and site conditions permit.

19.070 Submittal Requirements.

Applications for site plan review shall be prepared in accordance with the following requirements.

19.071 Application. The Department of Community Development shall make available applications for site plan review. The applicant shall complete the application and submit it with the site plan map.

19.072 Site Plan Map.

(1) Minor Site Plan Map.

(a) Scale, north arrow, date of preparation.

(b) Location: street address and assessor's map page number and tax lot number.

(c) Dimension of parcel (feet) and size of parcel (acres).

[8](d) Location and size of existing utilities and required utilities on and adjoining the site, including all storm drains and other drainage ways; sanitary sewer mains, laterals, septic tank and leach fields, or other facilities; water mains, laterals, wells, or other facilities, power, gas, telephone, cable T.V., and other pertinent utilities.

(e) Proposed and existing buildings: location, dimension, size setbacks to property lines, distance between buildings, height.

(f) Percent lot coverage of structures.

(g) Vehicular access point, off-street parking area.

[9](h) A landscape plan prepared in accordance to Section 23.042 shall be required at time of application submittal unless no additional landscaping is required.

Exception: Applicant may opt for the Concept Plan option described in Section 23.043 of the Development Code if approval is granted by the Director of the Community Development Department prior to submittal of the site plan application.

[9](i) An irrigation plan as described in Section 23.042 shall be required if additional landscaping is required, or if an irrigation system was required as a condition of a previous land use approval.

(2) Major Site Plan Map.

(a) Eight copies of the map to be drawn on a sheet not less than 8 1/2" x 14".

(b) Scale: An engineering scale appropriate to the area involved and sufficient to show detail of the plan and related data, such as 1 inch : 10 feet, 1 inch : 20 feet, 1 inch : 50 feet, or less.

(c) North arrow, date map prepared, preparer's name.

(d) Proposed name of project.

(e) Location: Street address, assessor's map, township, range, section, and tax lot number, size, (acres or square feet), and dimension (feet) of parcel.

(f) Location, size, height and dimensions of existing and proposed building and structures, including distances between buildings.

(g) Percentage of lot covered by structures, driveways, sidewalks, patios and other impervious material.

(h) If residential, number of dwelling units and density, and percent open space both recreational and pervious.

(i) Points of vehicular entry and exit, driveway width dimension and general circulation pattern (arrows).

(j) Location and layout of off-street parking and loading requirements, including number of spaces, dimension both typical and compact, aisle width, type of surface material, and number of handicap spaces, bumper rails, striping and directional signage. See Article 27.

(k) Location of existing and proposed streets (public and private) including right-of-way and paving dimensions, ownership and maintenance status, other uses of the street (i.e., parking, bike or pedestrian route). See Article 27.

(l) Locations, dimensions and reasons for all easements on and abutting the property. See Article 28.

(m) Drainage, storm water detention and erosion control plan. See Article 28.

[8](n) Location and size of existing utilities and required utilities on and adjoining the site, including all storm drains and other drainageways; sanitary sewer mains, laterals, septic tank and leach fields, or other facilities; water mains, laterals, wells, or other facilities, power, gas, telephone, cable T.V., and other pertinent utilities.

(o) Location and construction material of existing and proposed fences and walls.

(p) Location, size, height and building material of all proposed signs. See Article 26.

(q) As applicable, general grading plan to indicate land-form relationships before and after site grading and preparation. Contour map to be provided at 2 foot contours for slopes exceeding 15% (light shading) and 35% (heavy shading). Identify and graphically depict cut and fill areas.

(r) Indicate adjoining zoning and land uses, including approximate distances to adjacent structures.

(s) Exterior lighting plan, including type, height, direction and area covered by illumination.

[9](t) Submit a Landscape Plan and Irrigation Plan prepared in conformance with Article 23.

Exception: Applicant may opt for the Concept Plan option described in Section 23.043 of the Development Code if approval is granted by the Director of the Community Development Department prior to submittal of the site plan application.

(u) Flood Areas: location of 100 year Floodway and 100-year Floodway Fringe, and all other areas subject to seasonal ponding. See Article 13.

(v) Pedestrian Ways: location, width and construction material of all proposed sidewalks and pedestrian access ways.

(w) Natural Features: location of perennial and seasonal streams, creeks, drainage ways, and significant vegetation (trees over 8 inches in diameter when measured 3 feet above the ground).

(x) Areas of trash and garbage disposal.

(y) Area and dimensions of all property to be conveyed, dedicated or reserved for common open spaces, recreational areas, and other similar public and semi-public uses.

(z) If phased development, show boundary limits of each proposed phase.

[13](3) Elevation Drawings.

(a) Eight copies of the exterior elevations of all sides of all buildings proposed for the site. Prototypical or "typical" elevations will not be accepted. Elevations shall identify the material, color, texture, shape of materials, and other design features of the building, including all mechanical devices.

(b) Scale: A standard architectural or engineering scale sufficient to show detail of the elevations, not less than 1 inch : 10 feet.

(c) One reduced copy of the elevation drawings to fit on one or more sheets not smaller than 8-1/2 inches x 11 inches.

(d) For developments over 30,000 square feet, samples of all materials, colors, and textures to be used on the building elevations.

(e) Elevations and proposed locations of all signs to be attached to the building. (NOTE: Sign permit applications will be submitted and processed separately in accordance with the sign code).

(4) Supplemental Information.

(a) Proposed deed restrictions and maintenance responsibility.

(b) Land Use Tabulation. Total area, percent dedicated for public use, percent landscaped, and percent impervious surface (streets, structures, walks, and other areas not allowing direct soil percolation of water).

(c) Proposed use of site.

(d) Total floor area (if applicable, subtotal by stories).

(e) If staged development, demonstration that each state is self-contained relative to utilities, parking, open space, landscaping, and recreation amenities.

[10](f) 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).

[13](g) Other supporting information or documentation required by the Director, as needed to demonstrate the development complies with the provisions of this Code.

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[1] Revised 3-6-96
[2] Revised 5-24-93
[3] Revised 1-3-96
[4] Revised 5-24-93
[5] Added 5-25-93 by Ordinance 4768
[6] Added 5-25-93 by Ordinance 4768
[7] Revised 3-6-96
[8] Revised 5-31-01 by Ordinance 5063
[9] Revised 5-31-01 by Ordinance 5061
[10] Revised 9-4-02
[11] Revised 12-17-03 by Ordinance 5205
[12] Revised 4-20-05 by Ordinance 5285
[13] Revised 1-18-06 by Ordinance 5333
[14] Revised 11/12/14 Ordinance 5630
[15] Revised 12/3/14 Ordinance 5632

Item: Resolution authorizing the City Manager to create an Accounts Payable Specialist position in the Finance Department and amend the Classification Plan.

Date: September 21, 2016

SUBJECT AND SUMMARY:

This resolution creates the position of Accounts Payable Specialist in the Finance Department and amends the Classification Plan.

RELATIONSHIP TO COUNCIL GOALS:

This supports Council's goal of **LEADERSHIP** by ensuring efficiency and effectiveness in City operations through appropriate staffing.

CALL TO ACTION SCHEDULE:

Call to action schedule: September 21, 2016.

BACKGROUND:

The Finance Department requested a review of the Accounting Technician position responsible for handling the accounts payables as the responsibilities did not match that of the other Accounting Technicians in the Finance Department. The Human Resources Department evaluated the responsibilities, decision making, training, and duties of the position and determined that the position was not classified properly. The Human Resources Department reviewed the existing classifications and did not find a match for the duties performed by the incumbent in handling Accounts Payables and purchasing.

The Finance Department anticipated that a staffing change may be needed in this area and presented the FY'17 Budget showing this position classified as a Lead Accounting Technician. The current staffing change does not require an increase in Full Time Employees (FTE) and does not adjust the personnel budget in Finance. The Accounts Payable Specialist is recommended to have the same salary range as the Lead Accounting Technician and this new position will simply replace the Lead Accounting Technician shown in the budget.

Staff Report (continued):

COST IMPLICATION:

Revenue Source: Finance Department personnel budget (Administrative Services Fund Revenues).

The newly created Accounts Payable Specialist position would be placed on the Grants Pass Employee Association salary schedule at range B20. During the budget process, the Finance Department budgeted for a Lead Accounting Technician expecting a position change would be required. The Lead Accounting Technician is in the same salary range. Therefore, there will not be an impact to the budget.

ALTERNATIVES:

Council can choose to approve the creation of the Accounts Payable Specialist; or Council can choose to not approve the new job description.

RECOMMENDED ACTION:

Staff recommends the Council approve the creation of the Accounts Payable Specialist position and amend the Classification Plan.

POTENTIAL MOTION:

I move to authorize the City Manager to approve the creation of the Accounts Payable Specialist position and amend the Classification Plan.

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AUTHORIZING THE CITY MANAGER TO CREATE AN ACCOUNTS PAYABLE SPECIALIST POSITION IN THE FINANCE DEPARTMENT AND AMEND THE CLASSIFICATION PLAN.

WHEREAS:

1. The City of Grants Pass has a Classification Plan defining duties, responsibilities and knowledge of a person holding that position; and

2. The evaluation of job descriptions, the scope of duties, responsibilities and defined experience and education for each, is prompted by many situations, one of which is a department's request for review; and

3. The creation of an Accounts Payable Specialist in the Finance Department will positively impact our organization by properly classifying the position and defining the job expectations accurately.

4. The creation of the Accounts Payable Specialist eliminates an Accounting Technician position in the Finance Department which maintains the same number of full time employees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to create an Accounts Payable Specialist position, which is attached hereto as Exhibit 'A' and amend the Classification Plan.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day of September, 2016.

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon this _____ day of September, 2016 to be effective on the date indicated as adopted by the City Council.

_____
Darin Fowler, Mayor

ATTEST:

_____
Karen Frerk, City Recorder

Date submitted to Mayor _____

Approved as to Form, Mark Bartholomew, City Attorney _____

EXHIBIT A

CITY OF GRANTS PASS, OREGON
CLASS SPECIFICATION

ACCOUNTS PAYABLE SPECIALIST

FLSA Status: Non-Exempt
Bargaining Unit: GPEA
Salary Grade: B20

CLASS SUMMARY:
The Accounts Payable Specialist is the second level in the six level Accounting Series. Incumbents are responsible for purchasing processes including troubleshooting technical issues for requisitions, purchase orders, contracts, invoice entry and check processing, overseeing City issued VISA cards, review and correcting entries, recommending changes in procedures to improve processes and efficiencies, training new employees in the accounts payable processes, and ensuring department deadlines for processing accounts payable are met.

The Accounts Payable Specialist is distinguished from the Accounting Technician by its focus on the specialized and technical purchasing process functions. The Accounts Payable Specialist is distinguished from the Finance Support Specialist which is responsible for journey level conduct of complex accounting, budgeting and customer services duties.

TYPICAL CLASS ESSENTIAL DUTIES: These duties are a representative sample; position assignments may vary.

- Performs purchasing functions including review of all City requisitions for compliance with purchasing policies, converting requisitions to purchase orders, entering and maintaining contracts, data entry of invoices and check runs according to purchasing policies, generally accepted accounting principles, and department deadlines.
- Acts as primary contact within the Finance Department for requisitions and purchase orders, including reviewing requisitions and invoices for accuracy and compliance with City policies.
- Coordinates and monitors the data entry of all accounts payable entries for all City departments, provides training and serves as a resource for staff regarding proper entry procedures, audits work to ensure work quality and compliance, and provides professional customer service.
- Trains employees in accounts payable invoice data entry, purchase order, requisition, and payment/approval processes with a focus on following purchasing policies and generally accepted accounting principles.
- Reviews and reconciles monthly vendor statements by matching payments to amounts due, verifies accuracy of vendor statements, and researches and resolves outstanding invoices with a focus on protecting the City's interests while maintaining positive working relationships with vendors.
- Maintains vendor W-9 forms and produces and files 1099 forms in accordance with IRS regulations.
- Researches and recommends changes to procedures for accounts payable processes.
- Monitors and reviews outstanding checks and processes as required for reissuance, voiding or processing in compliance with State laws.

- Prepares for annual audit by preparing assigned reports or providing documentations.
- Performs data entry, data verification and data reconciliation.
- Sets up contract payments, change orders and retainage in computerized financial system.
- Sets up credit card accounts; processes, monitors and ensures payment of monthly statements; reviews statements for compliance with City VISA card purchasing policies.

Training and Experience (positions in this class require):
A high school diploma or equivalent, and three years of experience in accounts payable, finance records management or computerized accounting systems are required; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job such as those listed above.

An Associate's degree in Accounting or a related field is preferred.

Licensing Requirements (positions in this class require):
- None

Knowledge (positions in this class require):
Knowledge of:
- Accounting principles and practices;
- Accounting and related software programs
- Personal computers and related software programs;
- Technical knowledge of accounts payable processes and industry practices;
- Applicable City policies and ordinances; and
- Applicable Federal, State, and local laws, rules and regulations.

Skills (positions in this class require):
Skill in:
- Exercising independent judgement on questions and information;
- Performing basic mathematical calculations accurately;
- Establishing and maintaining effective working relationships with the public and employees;
- Developing, training and implementing written desk procedures and training other employees;
- Organizing work load and meeting deadlines;
- Multitasking in order to perform data entry while responding to inquiries;
- Problem solving accounts payable issues;
- Using a computer and related software applications; and
- Communication and interpersonal skills as applied to interaction with coworkers, supervisor, the general public, etc. sufficient to exchange or convey information and to receive work direction.

Physical Requirements:
Positions in this class typically require: grasping, fingering, feeling, talking, hearing, seeing, repetitive motions, reaching, standing, walking, pushing, and pulling.

Sedentary Work: Exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects, including the human body. Sedentary work involves sitting most of the time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

Positions in this class require regular attendance and punctual employee presence. Incumbents may be required to work overtime.

Note:
The above job description is intended to represent only the key areas of responsibilities; specific position assignments will vary depending on the business needs of the department. When job duties and responsibilities change and develop, this job description will be reviewed and is subject to change based on business needs of the City.

Classification History:
Adopted by Council _____, Resolution No. _____

Item: Resolution authorizing the closure of "D" Street between 6th and 7th Streets for the River Valley Fall Family Festival.

Date: September 21, 2016

SUBJECT AND SUMMARY:

On October 31, 2016 from 2-10 pm, River Valley Community Church is providing a fun, safe opportunity to experience an old fashioned harvest celebration, offering free cider, donuts, pony rides, cake walk, plus lots of game booths giving out free candy.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council's goal to encourage **ECONOMIC OPPORTUNITIES** by supporting downtown community celebrations.

CALL TO ACTION SCHEDULE:

The event is scheduled for October 31, 2016. Call to action schedule: September 21, 2016.

BACKGROUND:

River Valley Community Church is again asking the City Council to authorize the closure of "D" Street for their annual Fall Family Festival on October 31, 2016. The City Council has authorized this closure for a number of years. The details of the event are identified in the Special Event application (Exhibit 'A').

COST IMPLICATION:

The City will incur incidental cost for the delivery of barricades and incidental Public Safety costs associated with traffic control.

ALTERNATIVES:

1. The Council may choose to grant approval for this street closure; or
2. The Council may choose to disapprove this street closure.

RECOMMENDED ACTION:

It is recommended the Council authorize the street closure.

POTENTIAL MOTION:

I move to authorize the closure of "D" Street between 6th and 7th Streets for River Valley Fall Family Festival.

ITEM: 3.b. RESOLUTION AUTHORIZING THE CLOSURE OF "D" STREET BETWEEN 6TH AND 7TH STREETS FOR THE RIVER VALLEY FALL FAMILY FESTIVAL.

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AUTHORIZING THE CITY MANAGER TO CLOSE "D" STREET BETWEEN 6TH AND 7TH STREETS FOR THE RIVER VALLEY FALL FAMILY FESTIVAL.

WHEREAS:

1. The River Valley Community Church will be hosting its 23rd annual Fall Family Festival on Monday, October 31, 2016; and

2. The family-oriented festival has become a community wide event; and

3. The adjoining property owners are supportive of the street closure.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to allow a street closure of "D" Street between 6th and 7th Streets.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day of September, 2016.

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon, this_____ day of September 2016.

_____
Darin Fowler, Mayor

ATTEST:

_____
Karen Frerk, City Recorder

Date submitted to Mayor: _____

Approved as to Form, Mark Bartholomew, City Attorney _____

SUMMARY OF EVENT DESCRIPTION

EXHIBIT A

Event Title Fall Family Festival

Detailed description of your event, including a timeline:
On Oct. 31 from 5 to 8 pm we endeavor to provide a fun safe opportunity to experience an old fashioned harvest celebration offering free cider, donuts, pony rides, cake walk, plus lots of game booths giving out free candy.

Received
AUG 30 2016

Will there be an admission charge? ☐ Yes ☒ No

If yes, what will the admission charge be? _____

Location (be specific, park name and location, street name, etc.):
Church parking lot between 'C' and 'D' streets, the gravel & paved lots behind the Powderhorn Restaurant 'D' Street between 6th & 7th streets

Event Category (Check all that apply)

☐ Art Show	☐ Cultural	☒ Festival/Celebration	
☐ Athletic/Recreation	☐ Dance	☐ Flea Market	
☐ Block Party	☐ Educational	☒ Live Animals	
☐ Carnival	☐ Exhibits/Misc.	☐ Museum Special Attraction	
☐ Circus	☐ Fair	☐ Parade/Procession/March	
☐ Concert/Performance	☐ Farmer/Outdoor Market	☐ Sidewalk event	☐ Other (be specific) _____

Participants Estimated Total 3,000 Per Day 1

DATE/TIME

Event Starts Date 10-31-16 Time 5 pm Day of Week Monday
Event Ends Date ___ Time 8 pm Day of Week ___

CONTACTS

Host Organization: River Valley Community Church
Contact Name (Required): Chuck Kostrna
Second Contact + Allison Bolen
Telephone: 541-476-7761 chuck x118 Rose x127 **Cell Phone** Allison
Web Address:
E-mail address: ckostrna@rivervalleycc.org or abolen@rivervalleycc.org

Yes ☒ No ☐ Is this an annual event?
Yes ☒ No ☐ Do you anticipate this to be an annual event?
How many years have you been holding this event? 15 yrs
Previous Location(s) Same
Contact Number: Same

ORGANIZATION STATUS/PROCEEDS/REPORTING

Yes ☐ No ☒ Is the Host Organization a commercial entity?

Yes ☐ No ☐ Is the Host Organization a bona fide tax exempt, nonprofit entity? If yes, you must attach a copy of your IRS 501(C) tax exemption letter providing proof and certifying your current tax exempt, nonprofit status to your application.

Yes ☐ No ☒ Will there be vendors at the event?
If yes, what fees will you charge the vendors? N/A

You will be required to provide a list with the name of each vendor and contact information for the vendor no later than 48 hours prior to the start of the event. This information shall be provided to Utility Customer Service.

Vendors who will be serving food or beverages will be required to provide Certificates of Insurance naming the City as an additional named insured. Likewise, vendors providing activity items such as bounce houses, climbing walls and similar activities are also required to provide the City with a Certificate of Insurance.

You are encouraged to provide the vendor list and required Certificates of Insurance as early as possible. You can update the list up to 48 hours prior to the start of your event.

APPLICANT AND HOST ORGANIZATION INFORMATION

A written communication from the Chief Officer of the Host Organization authorizing the applicant and/or professional event organizer to apply for this Special Event Permit on their behalf must be submitted with your permit application.

Host Organization
River Valley Community Church
Chief Officer of Host Organization
Chuck Kostrna
Applicant Name: Allison Bolen
Address 405 NE 6th St.
City Grants Pass State OR Zip 97526
Telephone Day 541-476-7761 x127 Evening _____ Fax _____ Cell _____

SAFETY AND SECURITY PLAN:

The safety and security of event participants, spectators and others is your paramount concern. Please provide a safety and security plan which shall address the items described below. The plan should include specifics as to numbers and location of security personnel and traffic control.

STREET CLOSURE INFORMATION

Will your event require closing a public street or public parking lot? Yes ☒ No ☐
If yes, is this a parking lot? Yes ☐ No ☒ Private Lot
Is this a public street? Yes ☒ No ☐

SITE PLAN/ROUTE MAP

Your **attached** event site plan/route map should include the information requested below. If an item does not apply to your event, please indicate so.

Yes ☒ **No** ☐ An outline of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. If the event involves a moving route of any kind, indicate the direction of travel and all street or lane closures.

Yes ☒ **No** ☐ The location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access. If available, the Streets Department will loan out barricades. Pick up and drop off times should be arranged at least 1 week prior to your event. Contact Steve Scrivner, Streets Department, at 541-450-6125.

Yes ☒ **No** ☐ **Adequate number of garbage cans, recycle containers, parking, restroom/porti-toilet facilities, and waste stations. Indicate a legend for the above items, how many and where they are to be placed. Also indicate adequate parking provisions and provisions for the clean up and removal of the above items.**

Yes ☐ **No** ☐ Other related event components not listed above.

ENTERTAINMENT AND RELATED ACTIVITIES

As an event organizer, you must be certain that all event related activities comply with the local laws applicable to noise abatement. Please be aware that loud and unreasonable noise (including music) is a violation of law www.grantspassoregon.gov. Banners, pennants, flags, signs, streamers, inflatable displays and similar devices are also regulated by local ordinance.

The City reserves the right to impose reasonable conditions and restrictions upon events using sound amplification equipment, horns, sirens, or similar noise making equipment or devices, including without limitation, conditions and restrictions relating to noise levels, time of day, duration, and location relative to residential zones, hospitals, schools, churches, or assisted living facilities.

Yes ☐ **No** ☒ Are there any musical entertainment features related to your event?
If yes, provide an attachment listing all bands/performers, type of music, sound check and performance schedule.

Yes ☒ **No** ☐ Will sound amplification be used?
If yes, start time 5 pm Finish time 8 pm

What is the approximate distance between the amplified sound source and nearby residences?
3 Blocks

Yes ☐ **No** ☒ Do you plan to have a dance component to either live or recorded music at your event?
If yes, please describe: _____

Please describe the sound equipment that will be used for your event
Stereo & Speakers

Yes ☒ **No** ☐ Will inflatables, hot air balloons, bounce houses, climbing walls or similar devices be used at your event? If yes, please describe
2 Inflatable bounce houses

Certificates of insurance may be required for bounce houses, climbing walls, hot air balloons and similar activities.

Yes ☒ **No** ☐ Will your event be held during the evening hours.

ENTERTAINMENT AND RELATED ACTIVITIES (cont).

Yes ☒ No ☐ Is lighting necessary? Yes ☒ No ☐ Is lighting provided?

Yes ☒ No ☐ Will you require electricity or water? If yes, describe your needs and sources for electrical power and water. On site sources

Yes ☐ No ☒ Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

If yes, please describe
Please be aware that the use of these items must be under the supervision of a licensed pyrotechnic and require a permit or approval from the Oregon State Fire Marshall. For more information, contact Fire Prevention at 541-450-6200.

Yes ☒ No ☐ Will your event include the use of any signs, banners, decorations, or lighting?
If yes, please describe Renting 3 light towers
Please be aware that the use of any of these items may require additional permits.

SANITATION, TRASH REMOVAL AND HYGIENE PLAN.

Please describe your plan for providing that adequate bathroom facilities, hand washing stations, and trash collection and removal will be provided during your event. Renting Porta Potties - provide hand sanitation stations - trash collection and removal by on site sources

Yes ☐ No ☒ Do your event plans include any casino games, bingo games, drawings or lottery opportunities? If yes, please describe

MARKETING AND PUBLIC RELATIONS

Please ensure that you have conditional approval of your event before you begin to promote market or advertise the event. If you plan to include radio, television or other product promotions within your event venue, it is important that you limit the placement and/or distribution of signs, stickers and other promotional items. Items of particular concern are those that may damage public and private property, violate city sign code ordinances, or which may be difficult to clean or remove from the venue.

Yes ☒ No ☐ Is this event marketed, promoted, or advertised in any manner?
If yes, please describe Radio, Chamber of Commerce, Church posters + flyers

Yes ☐ No ☒ Will there be live media coverage during the event?
If yes, please describe

Yes ☐ No ☒ Will media vehicles be parked within the event venue?
If yes, please describe safety plan

Yes ☒ No ☐ Do you have a plan to control or limit the placement and/or distribution of promotional signage, stickers, and other items?
If yes, please describe
Church members pass out invitations to friends + family

ALCOHOL

If you plan to sell or furnish alcoholic beverages at your event you will be required to obtain a permit from the State and City. Alcohol is permitted only under limited circumstances in City Parks. For more information regarding alcohol in City Parks contact: Parks and Recreation Department, 198 SW 6th Street, Grants Pass, OR 97526, 541-471-6435. For more information regarding alcohol permits and licenses, contact: City Finance Department at 541-450-6020.

Yes ☐ No ☒ Does your event involve the use of alcoholic beverages?

If yes, please check all that apply:

- ☐ Free/Host Alcohol
- ☐ Alcohol Sales
- ☐ Host and Sale Alcohol
- ☐ Beer
- ☐ Beer and Wine
- ☐ Beer, Wine and Distilled Spirits

Certificates of insurance will be required from all alcohol vendors.
Please describe your safety and security plan to ensure the safe sale or distribution of alcohol at your event.

FOOD CONCESSIONS OR PREPARATION

Food facilities and handling must meet state, county, and city laws and regulations. Food handler permits are provided by the county. For information regarding food handler permits, contact the Health Department at 541-474-5325.

Yes ☒ No ☐ Does your event include food concession and/or preparation areas?
If yes, please describe how food will be served and/or prepared.
Prepared in church kitchen & appropriate equipment ie. cotton candy machine, caramel corn machine - served by volunteers w/professional oversight.

Yes ☒ No ☐ Do you intend to cook food in the event area?

If yes, please specify method:

- ☒ Gas
- ☒ Electric
- ☐ Charcoal
- ☐ Other (specify)

Certificates of insurance will be required from all food vendors.

MITIGATION OF IMPACT

As an event organizer, you are required to develop mitigating measures to accommodate the negative impact your event may have on park landscapes, pedestrian and vehicular traffic, other users, adjoining property owners and neighbors that may be affected by your activities. Your plan should identify all mitigating measures which you intend to utilize to avoid or minimize the impacts your event will generate and which will provide a safe and secure environment.

The City requires that adjoining property owner, residents and businesses be notified at least one week prior to your event. – Attached
Off pavement driving is prohibited without prior written permission. Organizers will be liable for all damages caused by the event.

Yes ☒ No ☐ Have you met with the residents, businesses, places of worship, schools and other entities that may be directly impacted by your event? If yes, please attach a complete list of these entities. This list shall be provided prior to the issuance of your permit. If no, please explain Powderhorn Cafe + OK Barber Shop Note: Have worked agreeably for 15 yrs. See attached notices to be put in car windows + handed out by both businesses.

Yes ☒ No ☐ Do you have a sample of any notice that you propose to distribute at least one week prior to your event?
If yes, please attach. If no, please explain – Attached

NEIGHBORHOOD BLOCK PARTY

Applications shall be accompanied by the signed consents of 75 percent of the neighbors located adjacent to any portion of the roadway to be closed.

HOLD HARMLESS

Applicant agrees to defend, pay, save and hold harmless the City, its officers and employees, from any and all claims or lawsuits for personal injury or property damage arising from or in any way connected to the special event, except any claims arising solely out of the negligent acts of the City, its officers and employees.

INSURANCE REQUIREMENTS

Most special events will be required to provide evidence of insurance coverage. Please note insurance requirements depend upon the risk level of the event. If your event will include alcohol, liquor liability coverage must be included on your certificate of insurance.

Before final permit approval, you will need commercial general liability insurance that names as Additional Insured, the "City of Grants Pass, its officers, employees, and agents" and any other public entities (e.g. County, etc.) impacted by your event. Insurance coverage must be maintained for the duration of the event including setup and dismantle dates.

An original Certificate of Insurance in the amount satisfactory to the City must be received by the City of Grants Pass prior to the issuance of your Special Event Permit. Mail to: City of Grants Pass, 101 N.W. A Street, Grants Pass, Oregon 97526. Certificates of insurance from food and beverage concessionaires/vendors and vendors providing such things as bounce houses, climbing walls and similar activities will also be required.

Name of Insurance Agency: Ministry Ins. Associates, LLC
Address: 106 NW 'F' St. # 986
City Grants Pass State OR Zip 97526

AFFIDAVIT OF APPLICANT

The applicant and, if applicable, the professional event organizer, must complete, sign and date this application before submitting it to:

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understand and agree to abide by the rules and regulations governing the proposed Special Event under the Grants Pass Municipal Code and I understand that this application is made subject to the rules and regulations established by the City Council and/or the City Manager or the City Manager's designee. Applicant agrees to comply will all other requirements of the city, county, state, federal government and any other applicable entity which may pertain to the use of the Event venue and the conduct of the Event. I agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am also authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event to the City of Grants Pass.

Organization: River Valley Church

Print Name of Applicant/Host: Allison Bolen

Applicant Title: Director of Children's Ministry

Applicant Signature: _____ Date: 8/30/16

Print Name of Professional Event Organizer: _____ Title: _____

Event Organizer Signature: _____ Date: _____

River Valley Church is sponsoring an alternative to traditional Halloween through the annual Fall Family Festival, located here in our parking lots on D Street and on C & 6th Streets. All cars will need to be off the lots by 2pm on Sunday, October 30 and all day on Monday, October 31 for the set-up, operation, and tear down of this event.

NO PARKING ON THIS LOT

AFTER 2PM SUNDAY, OCTOBER 30

&ALL DAY MONDAY, OCTOBER 31

Thank you for your understanding and support of this community event.
Please bring your family and enjoy a safe night of fun!

FALL FAMILY FESTIVAL
MONDAY, OCTOBER 31
5PM-8PM

FREE!!! Game booths, prizes, candy, bounce houses, pre-K maze, face painting, balloons, petting zoo, refreshments (including free popcorn, donuts, cider, and cotton candy), and much more!

Family-friendly costumes are encouraged.

Souvenir photos and dinner items will be available for purchase.

river valley CHURCH

River Valley Church is sponsoring an alternative to traditional Halloween through the annual Fall Family Festival, located here in our parking lots on D Street and on C & 6th Streets. All cars will need to be off this lot by 3pm on Monday, October 31 for the set-up, operation, and tear down of this event.

NO PARKING ON THIS LOT

AFTER 3PM

MONDAY, OCTOBER 31

Thank you for your understanding and support of this community event.
Please bring your family and enjoy a safe night of fun!

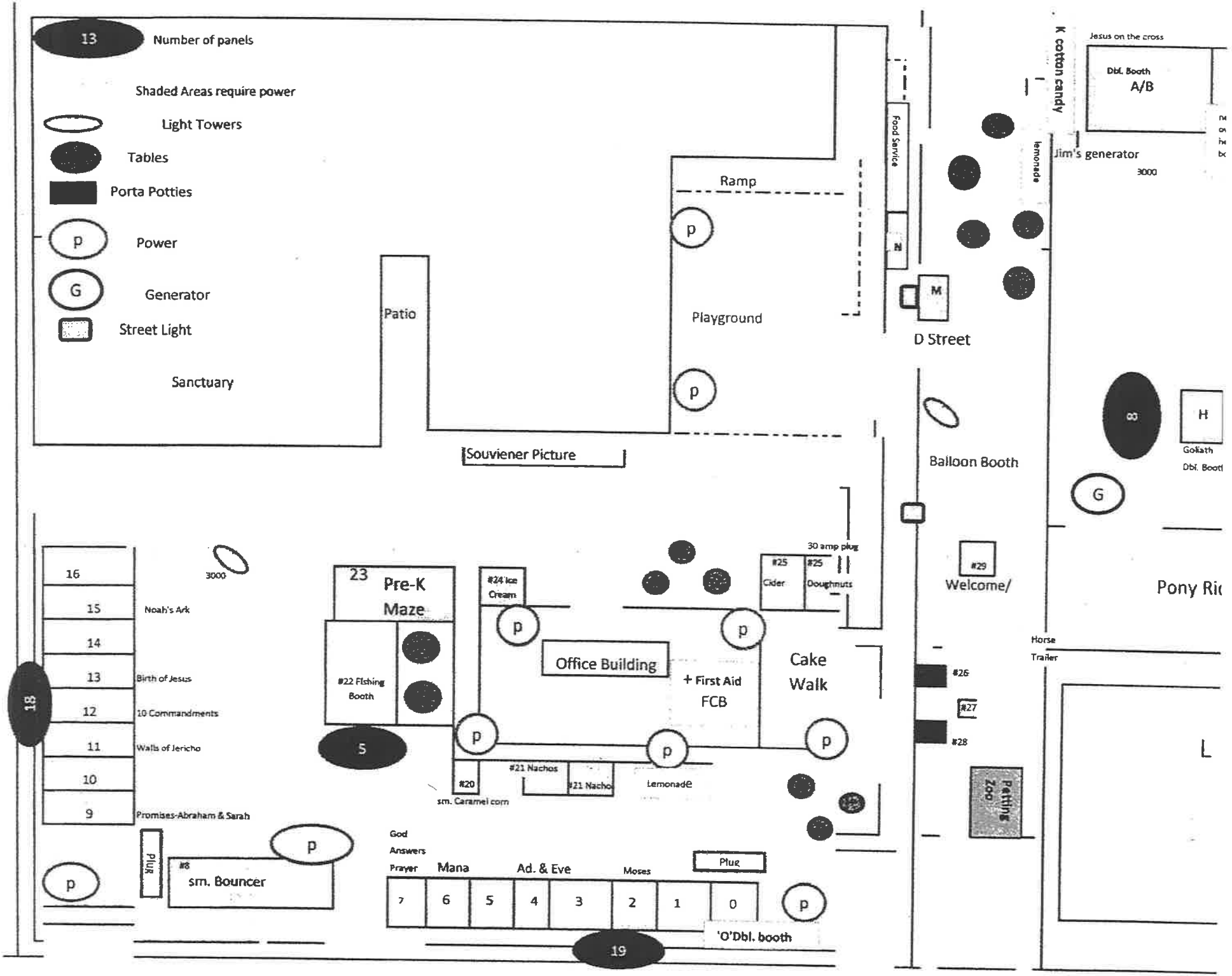
FALL FAMILY FESTIVAL
MONDAY, OCTOBER 31
5PM-8PM

FREE!!! Game booths, prizes, candy, bounce houses, pre-K maze, face painting, balloons, petting zoo, refreshments (including free popcorn, donuts, cider, and cotton candy), and much more!

Family-friendly costumes are encouraged.

Souvenir photos and dinner items will be available for purchase.

river valley CHURCH


13
Number of panels
Shaded Areas require power
Light Towers
Tables
Porta Potties
P
Power
G
Generator
Street Light
Sanctuary
Patio
Ramp
Playground
Souviener Picture
Food Service
N
M
D Street
K cotton candy
Jesus on the cross
Dbl. Booth
A/B
Jim's generator
3000
Lemonade
Balloon Booth
8
H
Goliath
Dbl. Booth
G
Pony Ri
#29
Welcome/
30 amp plug
#25
Cider
#25
Doughnuts
#24 Ice Cream
23
Pre-K
Maze
#22 Fishing Booth
5
Office Building
+ First Aid
FCB
Cake
Walk
#26
#27
#28
Petting Zoo
Horse
Trailer
L
16
15
Noah's Ark
14
13
Birth of Jesus
12
10 Commandments
11
Walls of Jericho
10
9
Promises-Abraham & Sarah
18
3000
#20
sm. Caramel corn
#21 Nachos
#21 Nacho
Lemonade
Plug
#8
sm. Bouncer
God
Answers
Prayer
Mana
Ad. & Eve
Moses
Plug
7
6
5
4
3
2
1
0
'O'Dbl. booth
19

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 08/25/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
Ministry Insurance Associates LLC 106 NW F Street #986 Grants Pass OR 97526	PHONE (A/C, No, Ext): 800.604.8019	FAX (A/C, No): 877.314.5382
	E-MAIL ADDRESS:	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Brotherhood Mutual Insurance Company	13528
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
First Baptist Church
DBA River Valley Community Church
405 NE 6th Street
Grants Pass OR 97526

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:			36M334599	03/01/2016	03/01/2017	EACH OCCURRENCE	$ 1,000,000.00
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000.00
							MED EXP (Any one person)	$ 10,000.00
							PERSONAL & ADV INJURY	$ 1,000,000.00
							GENERAL AGGREGATE	$ 3,000,000.00
							PRODUCTS - COMP/OP AGG	$ 3,000,000.00
								$
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Coverage under the policy referenced above applies to the church event on October 29, 2016.

CERTIFICATE HOLDER

City of Grants Pass
101 NW A Street
Grants Pass OR

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Street Closure
Petitioner Form

SIGNATURES AND ADDRESSES OF ALL PETITIONERS

The attached map shows the street(s), day and time of the street(s) we would like to close for our event. Please sign below and check either YES or NO. YES would indicate that you are willing to close the street for the day. NO would indicate that you are opposed to this idea.

One Signature per Business/Household from 75% of Business/Residents on the Street is Required for Approval.

(Use Additional Sheets if Necessary)

PLEASE REVIEW DATES ON FRONT OF APPLICATION BEFORE SIGNING THE PETITION

Number of Businesses or Houses on Street	Number of Vacant Businesses/Houses on Street	Number of Signatures
1	Ø	1

PLEASE PRINT AND SIGN LEGIBLY WHEN COMPLETING INFORMATION BELOW

Name	Signature	Address	Yes	No
~~1. Tina Gotchall~~		~~321 NE D~~	X	
2. Justin Schweck		103 NE D st	X	
3.				
4.				
5.				
6.				
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river valley CHURCH

August 23, 2016

City of Grants Pass
101 NW 'A' St.
Grants Pass, OR 97526

Attention: City Manager,

River Valley Church is hosting its 22nd annual Fall Family Festival on Monday, October 31, 2016. As you know, the Festival has become a community wide event which presents an alternative to normal Halloween activities. The Festival is family-oriented. We offer cotton candy, a cake walk, hot cider, on-site fresh donuts, a large number of fun games, bounce houses, a petting zoo and, of course, a TON of candy – ALL FREE!

The Festival is not only fun and exciting for children, but more importantly, offers a safe environment for everyone to enjoy themselves. Last year we entertained at least 2,000 people (big and small) and anticipate even more this fall. We would again like to request that you authorize the closing of 'D' street, between 6th and 7th streets on Monday, October 31st between the hours of 2 PM and 9 PM. This would enable us to ensure the safety of our set-up and break-down teams, as well as the participants, as they enjoy the activities we provide on our "C" & "D" street parking lots. Last year the Dept. of Public Works dropped off the barriers in the morning and we set them up and removed them at the designated times. If this set-up arrangement is more convenient for you, it worked extremely well for us and relieves the 2 o'clock time pressure for your set-up crew.

Your on-going cooperation each year has enabled us to bring this wholesome family event to our growing city of Grants Pass. Please accept this letter as our formal request for approval of the street closure and for provision of street closure barriers. Thank you for your consideration; we look forward to hearing from you.

Sincerely,

Allison Bolen
Children's Ministry Director
River Valley Church
(541) 476-7761 ext.127

Item: Resolution authorizing the City Manager to enter into a contract for the Hefley Street Storm Drain, a local government improvement project; Project No. TR1050.

Date: September 21, 2016

SUBJECT AND SUMMARY:

This project will reroute flows currently in a storm drain/irrigation line that currently goes under a residence and redirect flows down the street and connect to another storm drain/irrigation line that does not go under a residence.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council's goals to maintain, operate, and expand our **INFRASTRUCTURE** to meet community needs, **SUSTAINABLE, MANAGEABLE GROWTH** and **KEEP CITIZENS SAFE** by eliminating a hazardous condition.

CALL TO ACTION SCHEDULE:

A notice of intent to award letter was issued by the Engineering Division on September 2, 2016. City Council has 30 days to award the bid. Call to action schedule: September 21, 2016.

BACKGROUND:

The project will consist of rerouting the existing storm drain/irrigation flows into a system to be installed in Hefley Street. Years ago, a home was built over the existing pipe.

Bids for the work were advertised on the City's website, in the Grants Pass Daily Courier, and in the Daily Journal of Commerce. The bid opening for this project was September 1, 2016. Seven bids were received, ranging from $144,738.75 to $237,532.65. (One bid was deemed non-responsive.)

The lowest responsible bidder is ROBCO, Inc. at $144,738.75. This bid is below the Engineers Estimate of $154,323.00 and Staff recommends awarding the bid to ROBCO, Inc.

ITEM: 3.c. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE HEFLEY STREET STORM DRAIN, A LOCAL GOVERNMENT IMPROVEMENT PROJECT; PROJECT NO. TR1050.

Staff Report (continued):

COST IMPLICATION:

Revenue Source: This project is budgeted and funded under Project No. TR1050 in the Transportation Capital Construction Fund.

ALTERNATIVES:

Two options are available:

1) Make the improvements to the storm drain system in Hefley Street as proposed and award the contract to the lowest bidder; or
2) Reject all bids and delay the improvements to the storm drain system in Hefley Street until a future date.

RECOMMENDED ACTION:

It is recommended the contract for the Hefley Street Storm Drain, Project No. TR1050, be awarded to the lowest responsible bidder, ROBCO, Inc.

POTENTIAL MOTION:

I move to adopt the resolution authorizing the award of the contract to ROBCO, Inc. for the Hefley Street Storm Drain.

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE HEFLEY STREET STORM DRAIN, A LOCAL GOVERNMENT IMPROVEMENT PROJECT; PROJECT NO. TR1050.

WHEREAS:

1. The City of Grants Pass advertised and received 7 bids (one deemed non-responsive) for construction of the Hefley Street Storm Drain; and

2. The bid from ROBCO, Inc. has been determined to be the lowest responsible bid; its bid is complete and responsive; and

3. The City of Grants Pass has sufficient funds for the project within the Transportation Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to contract with ROBCO, Inc. for a local government improvement project, the work as described in the contract documents entitled, "Hefley Street Storm Drain; Project No. TR1050" in the amount of $144,738.75 which the bid tab is attached to and incorporated herein as Exhibit 'A'.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day of September, 2016.

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon, this _____ day of September, 2016 to be effective on the date indicated as adopted by the City Council.

_____
Darin Fowler, Mayor

ATTEST:

_____
Karen Frerk, City Recorder

Date submitted to Mayor: _____

Approved as to Form, Mark Bartholomew, City Attorney _____

EXHIBIT A

Hefley Street Storm Drain
City of Grants Pass

Project No. TR1050

BID SUMMARY

				Bidder	City of Grants Pass (Engineers Estimate)		ROBCO, Inc.		Timber Mountain Construction, Inc.		Pair-A-Dice Contracting, LLC		KOGAP Enterprises, Inc.		Copeland Paving, Inc.		Emery & Sons Construction Group		Moser Paving, Inc.[1]	
				Address	101 NW "A" Street		PO Box 1570		PO Box 930		PO Box 446		PO Box 1608		PO Box 220		PO Box 4109		650 Redwood Highway	
				CSZ	Grants Pass, OR 97526		Grants Pass, OR 97528		Rogue River, OR 97537		Jacksonville, OR 97530		Medford, OR 97501		Murphy, OR 97533		Salem, OR 97302		Grants Pass, OR 97527	
				Phone	(541) 450-6060		(541) 476-2132		(541) 956-8700		(541) 660-1471		(541) 776-6527		(541) 862-2390		(503) 588-7576		(541) 479-2424	
				Addenda Acknowledged (No. 1)	NA		1 NA		2 NA		3 NA		4 NA		5 NA		6 NA		NA	
				Bid Security	NA		10%		10%		10%		10%		10%		10%		10%	
Item No.	Description of Item	Quantity	Unit		Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	1	LS		$15,000.00	$15,000.00	$10,800.00	$10,800.00	$13,800.00	$13,800.00	$14,000.00	$14,000.00	$28,000.00	$28,000.00	$30,000.00	$30,000.00	$38,000.00	$38,000.00	$21,500.00	$21,500.00
2	Work Zone Traffic Control, includes TCD, TCM and TCP	1	LS		$4,000.00	$4,000.00	$1,700.00	$1,700.00	$2,000.00	$2,000.00	$1,900.00	$1,900.00	$1,000.00	$1,000.00	$2,500.00	$2,500.00	$7,500.00	$7,500.00	$2,000.00	$2,000.00
3	Erosion & Sediment Control	1	LS		$500.00	$500.00	$200.00	$200.00	$350.00	$350.00	$300.00	$300.00	$200.00	$200.00	$1,500.00	$1,500.00	$2,000.00	$2,000.00	$200.00	$200.00
4	Asphalt Pavement Cutting for "T" Patch	1477	LF		$2.00	$2,954.00	$4.25	$6,277.25	$3.50	$5,169.50	$0.10	$147.70	$2.00	$2,954.00	$2.50	$3,692.50	$3.45	$5,095.65	$1.50	$2,215.50
5	General Excavation	7	EA		$500.00	$3,500.00	$1,100.00	$7,700.00	$1,100.00	$7,700.00	$2,100.00	$14,700.00	$1,030.00	$7,210.00	$1,000.00	$7,000.00	$1,650.00	$11,550.00	$340.00	$2,380.00
6	Cold Plane Pavement Removal	12070	SF		$0.45	$5,431.50	$0.40	$4,828.00	$0.40	$4,828.00	$0.50	$6,035.00	$0.70	$8,449.00	$0.25	$3,017.50	$0.60	$7,242.00	$0.25	$3,017.50
7	Removal of Structures and Obstructions	1	LS		$15,000.00	$15,000.00	$9,100.00	$9,100.00	$4,550.00	$4,550.00	$4,350.00	$4,350.00	$3,100.00	$3,100.00	$2,500.00	$2,500.00	$3,000.00	$3,000.00	$2,950.00	$2,950.00
8	Connect to existing Concrete Structure	1	EA		$900.00	$900.00	$775.00	$775.00	$750.00	$750.00	$450.00	$450.00	$800.00	$800.00	$2,000.00	$2,000.00	$2,500.00	$2,500.00	$550.00	$550.00
9	4" Sanitary Sewer Lateral Adjustment	3	EA		$2,500.00	$7,500.00	$1,700.00	$5,100.00	$2,250.00	$6,750.00	$2,100.00	$6,300.00	$1,650.00	$4,950.00	$2,750.00	$8,250.00	$1,900.00	$5,700.00	$1,100.00	$3,300.00
10	Std. 48" Storm Sewer Manhole	4	EA		$3,000.00	$12,000.00	$2,200.00	$8,800.00	$3,550.00	$14,200.00	$2,550.00	$10,200.00	$2,840.00	$11,360.00	$3,200.00	$12,800.00	$5,000.00	$20,000.00	$2,950.00	$11,800.00
11	Install 24" Storm Drain Pipe, PVC 3034	603	LF		$75.00	$45,225.00	$84.00	$50,652.00	$77.00	$46,431.00	$85.00	$51,255.00	$82.00	$49,446.00	$112.00	$67,536.00	$140.00	$84,420.00	$121.00	$72,963.00
12	Install 12" Storm Drain Pipe, Class V Concrete	32	LF		$85.00	$2,720.00	$96.00	$3,072.00	$100.00	$3,200.00	$75.00	$2,400.00	$86.00	$2,752.00	$100.00	$3,200.00	$165.00	$5,280.00	$75.00	$2,400.00
13	Install 24" Storm Drain Pipe, Class V Concrete	41	LF		$100.00	$4,100.00	$113.00	$4,633.00	$120.00	$4,920.00	$100.00	$4,100.00	$126.00	$5,166.00	$145.00	$5,945.00	$150.00	$6,150.00	$131.00	$5,371.00
14	Concrete Inlet, Type "B"	2	EA		$2,000.00	$4,000.00	$2,080.00	$4,160.00	$2,150.00	$4,300.00	$1,150.00	$2,300.00	$1,675.00	$3,350.00	$1,400.00	$2,800.00	$2,400.00	$4,800.00	$1,300.00	$2,600.00
15	Concrete Inlet, Type "D"	1	EA		$2,000.00	$2,000.00	$1,800.00	$1,800.00	$2,100.00	$2,100.00	$1,200.00	$1,200.00	$1,675.00	$1,675.00	$1,300.00	$1,300.00	$2,600.00	$2,600.00	$1,700.00	$1,700.00
16	Loose Riprap Class 50	5	CY		$20.00	$100.00	$88.00	$440.00	$140.00	$700.00	$75.00	$375.00	$60.00	$300.00	$200.00	$1,000.00	$75.00	$375.00	$80.00	$400.00
17	Asphalt Concrete Pavement, Trench Patch	107	TN		$125.00	$13,375.00	$98.00	$10,486.00	$110.00	$11,770.00	$140.00	$14,980.00	$126.00	$13,482.00	$91.00	$9,737.00	$120.00	$12,840.00	$130.00	$13,910.00
18	Asphalt Concrete Pavement, Inlay	118	TN		$110.00	$12,980.00	$86.00	$10,148.00	$99.00	$11,682.00	$120.00	$14,160.00	$90.00	$10,620.00	$81.00	$9,558.00	$110.00	$12,980.00	$100.00	$11,800.00
19	Concrete Curb & Gutter, Type "A" (Match Existing)	50	LF		$25.00	$1,250.00	$35.00	$1,750.00	$37.00	$1,850.00	$35.00	$1,750.00	$37.00	$1,850.00	$24.00	$1,200.00	$60.00	$3,000.00	$25.00	$1,250.00
20	Concrete Sidewalk (Match Existing)	175	SF		$8.50	$1,487.50	$10.50	$1,837.50	$8.50	$1,487.50	$5.25	$918.75	$13.00	$2,275.00	$6.00	$1,050.00	$10.00	$1,750.00	$7.00	$1,225.00
21	Install Multiple Mailbox Supports and Mailboxes	1	EA		$300.00	$300.00	$480.00	$480.00	$800.00	$800.00	$300.00	$300.00	$490.00	$490.00	$700.00	$700.00	$750.00	$750.00	$400.00	$400.00
TOTAL (BID ITEMS 1-21)						$154,323.00		$144,738.75		$149,338.00		$152,121.45		$159,429.00		$177,286.00		$237,532.65		$163,932.00

BIDS WERE OPENED ON 09/01/16 AT 3:05 PM IN THE CITY OF GRANTS PASS CITY MANAGERS CONFERENCE ROOM.

[1] Bid Submitted by Moser Paving, Inc. has been Deemed Non-Responsive due to Incomplete First-Tier Subcontractor Disclosure Form.

Item: Resolution authorizing the City Manager to execute Amendment 01 to an existing traffic signal maintenance agreement. Date: September 21, 2016

SUBJECT AND SUMMARY:

In November 2015, the City entered into a Traffic Signal Maintenance Agreement No. 31006 with the Oregon Department of Transportation (ODOT). The existing agreement provided maintenance for 12 traffic signals. Amendment 01 will add one additional traffic signal for maintenance.

RELATIONSHIP TO COUNCIL GOALS:

This supports Council's goals of **LEADERSHIP** and **INFRASTRUCTURE** by providing ongoing maintenance of our transportation facilities in the most efficient and effective manner.

CALL TO ACTION SCHEDULE:

The existing traffic signal maintenance agreement is for 12 signals. The amendment will add one additional traffic signal for maintenance. Call to action schedule: September 21, 2016.

BACKGROUND:

The City has 12 traffic signals for which we are responsible for the maintenance and operation. The City does not have any employees with the expertise to maintain traffic signals and has historically contracted with ODOT for this service. The current agreement with ODOT is for 12 traffic signals.

A new traffic signal at Redwood Avenue and Allen Creek Road is to be installed soon. Amendment 01 will increase the number of traffic signals covered by the ODOT agreement from 12 to 13.

COST IMPLICATION:

Revenue Source: Funds are budgeted within the Street Maintenance budget for this function. The additional impact due to this amendment approval is to be less than $4,000/year.

ITEM: 3.d. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT 01 TO AN EXISTING TRAFFIC SIGNAL MAINTENANCE AGREEMENT.

Staff Report (continued):

ALTERNATIVES:

1. Council can authorize the City Manager to execute Amendment 01 to the existing agreement.
2. Council could decide not to execute Amendment 01 to the existing agreement.

RECOMMENDED ACTION:

It is recommended that Council approve the resolution authorizing the City Manager to execute Amendment 01 to an existing traffic signal maintenance agreement.

POTENTIAL MOTION:

I move to adopt the resolution authorizing the City Manager to execute amendment 01 to the existing traffic signal maintenance Agreement No. 31006.

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT 01 TO AN EXISTING TRAFFIC SIGNAL MAINTENANCE AGREEMENT.

WHEREAS:

1. The City of Grants Pass has an existing traffic signal maintenance agreement with the Oregon Department of Transportation (ODOT) for twelve traffic signals; and

2. One new traffic signal is being installed at the intersection of Redwood Avenue and Allen Creek Road; and

3. This amendment will increase the number of traffic signals in the maintenance agreement to thirteen.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to execute Amendment 01 to the Traffic Signal Maintenance Agreement 31006 with ODOT, a copy of Amendment 01 is attached hereto and incorporated herein as Exhibit 'A'.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day of September, 2016.

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon, this ____ day of September, 2016 to be effective on the date indicated as adopted by the City Council.

_____
Darin Fowler, Mayor

ATTEST:

_____
Karen Frerk, City Recorder

Date submitted to Mayor: _____

Approved as to Form, Mark Bartholomew, City Attorney _____

EXHIBIT A

Misc. Contracts and Agreements
No. 31006

AMENDMENT NUMBER 01
TRAFFIC SIGNAL MAINTENANCE AGREEMENT
CITY OF GRANTS PASS

This is Amendment No. 01 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as "State," and the **City of Grants Pass**, acting by and through its elected officials, hereinafter referred to as "Agency," entered into an Agreement on November 30, 2015.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to update Exhibit A, contacts and language.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.

2. **Amendment to Agreement.**

   a. **Exhibit A shall be deleted in its entirety and replaced with the attached Revised Exhibit A. All references to "Exhibit A" shall hereinafter be referred to as "Revised Exhibit A."**

   b. **TERMS OF AGREEMENT, Paragraph 3, Page 2, which reads:**

   3. The total cost of the maintenance and timing shall not exceed $2,000 per signal, per calendar year. The total cost of the electrical energy costs shall not exceed $2,000 per signal, per calendar year. Said costs are subject to review for inflation and any changes shall be by an amendment signed by both Parties. Maintenance does not include repairs performed on an emergency basis or as a result of a construction project and are not included under this Agreement.

Shall be deleted in its entirety and replaced with the following:

   3. The total cost of the maintenance and timing shall not exceed $2,000 per signal, per calendar year. The total cost of the electrical energy costs shall not exceed $2,000 per signal, per calendar year. The total not to exceed amount for all signals during the term of this Agreement is $1,040,000. Said costs are subject to review for inflation and any changes shall be by an amendment signed by both Parties. Maintenance does not include repairs performed on an emergency basis or as a result of a construction project and are not included under this Agreement.

3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

Signature Page to Follow

THE CITY OF GRANTS PASS, by and through its elected officials

By _____
City Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
Counsel

Date _____

Agency Contact:
Jason Canady, Public Works Director
101 NW A St.
Grants Pass, OR 97526
541-450-6110
jcanady@grantspassoregon.gov

State Contact:
Chris Hunter, Electrical Manager
3500 NW Stewart Parkway
Roseburg, OR 97470
541-957-3689
Chris.hunter@odot.state.or.us

STATE OF OREGON, by and through its Department of Transportation

By _____
Highway Division Administrator

Date _____

APPROVAL RECOMMENDED

By _____
State Traffic Engineer

Date _____

By _____
Region 3 Manager

Date _____

By _____
Region 3 Electrical Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
Assistant Attorney General

Date _____

REVISED EXHIBIT A

The traffic signals listed in the table below are part of the city street system under the jurisdiction and control of the Agency, and under the jurisdiction of Agency. State shall perform maintenance, repair and timing on all Signals and Signal Illumination at the Intersections listed below.

Agency-owned Traffic Signals and Signal Illuminations.

LOCATION
1. "F" Street @ 9th Street
2. "E" Street @ 4th Street
3. "F" Street @ 4th Street
4. "G" Street @ 4th Street
5. "F" Street @ Fire Mountain Way
6. Parkdale Drive @ Rogue River Highway
7. Allen Creek Road @ Shopping Center
8. Redwood Avenue @ Dowell Road
9. Redwood Avenue @ Willow
10. Redwood Avenue @ Allen Creek Road
11. "M" Street @ Mill Street
12. "E" Street @ Mill Street
13. "F" Street @ Mill Street

Item: Resolution authorizing the City Manager to adjust the salary schedules for non-bargaining employees. Date: September 21, 2016

SUBJECT AND SUMMARY:

City Manager's request to Council for authorization to increase non-bargaining wages 2% and apply market adjustments for classifications under market to provide a competitive salary structure for non-bargaining positions.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council's goal of provide cooperative shared **LEADERSHIP** involving council, staff and community by "recruiting and retaining quality staff".

CALL TO ACTION SCHEDULE:

Call to action schedule: To meet the implementation schedule of October 30, 2016; Council action is required by the October 19, 2016 Council meeting.

BACKGROUND:

For the four bargaining groups in the City, negotiations are opened to determine contract language and wages. This process occurs at the end of each contract period and affords the employees the opportunity to have dialogue with the City on their wages and working conditions. This process does not occur for non-bargaining employees, as these are mostly exempt employees in management or supervisory positions. There is no contract; they follow the Personnel Rules, Regulations and Policies, which does not provide a process for receiving salary adjustments. Since the compensation study conducted in 2013 that resulted in implementation of new salary schedules in November 2014, the non-bargaining schedules have not been adjusted. Comparable cities and bargaining groups have adjusted, and non-bargaining has not kept pace.

To determine the competitive market range, the City reviewed wage data of three larger and three smaller cities that are near in size and within a comparable geographic location based on the same Oregon minimum wage tier, which is Tier 2 for Josephine County. The information collected was evaluated and it was determined that the current non-bargaining salary structures were below the average of comparable cities wages. To bring wages up to or near average of the competitive market range, 2% was applied across-the-board with additional adjustments being applied to classifications that remained below the competitive market range. The impact to the current fiscal year budget to implement the updated salary schedules is $38,324.

Staff Report (continued):

In order to maintain the competitive market range for the non-bargaining positions, an additional adjustment of 1% to 1.5% based on the November '15 to October '16 CPI-U average is recommended effective July 1, 2017. During presentation to Council in executive session it was estimated that the increase to the FY'18 budget would be approximately $72,296 to $94,684. At the request of Council, these numbers were reviewed for accuracy and it was discovered that a calculation error had occurred which over-estimated the increase and miscalculated the difference of 1% and 1.5%. The estimated increase is corrected to be $48,651 to $72,977.

COST IMPLICATION:

Revenue Source: Various department budgets in the amount of approximately $38,324 for FY'17

A July 1, 2017 increase of 1% for all non-bargaining employees is estimated at $48,651 with a maximum up to 1.5% at $72,977.

ALTERNATIVES:

1. Authorize the City Manager to implement the wage adjustments to the non-bargaining salary schedules.
2. Do not authorize the City Manager to implement the adjustments to the non-bargaining salary schedules.

RECOMMENDED ACTION:

The City Manager, in keeping with the philosophy of market competitive salaries based on comparators near in population and like in geographic location, recommends Council approve the authorization to adjust the salary schedules for the non-bargaining employees.

POTENTIAL MOTION:

I move to authorize the City Manager to adjust the salary schedules for the non-bargaining employees.

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AUTHORIZING THE CITY MANAGER TO ADJUST THE SALARY SCHEDULES FOR NON-BARGAINING EMPLOYEES.

WHEREAS:

1. The City goals require the recruitment and retention of qualified employees and a market competitive salary schedule is an important element in reaching this goal; and

2. Through the review of like positions in cities near in size and within a comparable geographic location the City is able to evaluate market competiveness; and

3. The adjustments to the non-bargaining salary schedules will bring non-bargaining positions into a market competitive salary range; and

4. The adjustments to the non-bargaining salary schedules on July 1, 2017, will maintain the market competitive salary range.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to adjust the salary schedules for the non-bargaining employees, attached as Exhibit 'A' and 'B' for the non-bargaining employees, exempt employees in management, supervisory and confidential positions, which will be effective October 30, 2016.

Adjustments of 1% to 1.5% based on the November '15 to October '16 CPI-U average will be applied to the salary schedules on July 1, 2017.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 21st day of September, 2016.

SUBMITTED to and _____ by the Mayor of the City of Grants Pass, Oregon, this ____ day of September, 2016, to be effective on the date indicated as adopted by the City Council.

_____
Darin Fowler, Mayor

ATTEST:

_____
Karen Frerk, City Recorder

Date submitted to Mayor: _____

Approved as to Form, Mark Bartholomew, City Attorney _____

EXHIBIT A

City of Grants Pass
Management, Supervisory & Confidential Employees
Salary Schedule Effective October 30, 2016

	Position:	1	2	3	4	5	6	7
UA1	Personnel Assistant	$35,097	$36,501	$37,961	$39,479	$41,059	$42,701	$44,409
		2924.76	3041.75	3163.42	3289.95	3421.55	3558.41	3700.75
		1349.89	1403.88	1460.04	1518.44	1579.18	1642.34	1708.04
		16.8736	17.5485	18.2505	18.9805	19.7397	20.5293	21.3505
UB1	Personnel Technician	$45,083	$46,886	$48,762	$50,712	$52,740	$54,850	$57,044
		3756.90	3907.18	4063.46	4226.00	4395.04	4570.84	4753.68
		1733.95	1803.31	1875.44	1950.46	2028.48	2109.62	2194.00
		21.6744	22.5414	23.4431	24.3808	25.3560	26.3702	27.4251
UC3	Accountant	$50,172	$52,179	$54,266	$56,436	$58,694	$61,042	$63,483
		4180.98	4348.22	4522.15	4703.03	4891.16	5086.80	5290.27
		1929.68	2006.87	2087.15	2170.63	2257.46	2347.75	2441.66
		24.1210	25.0859	26.0893	27.1329	28.2182	29.3469	30.5208
UC4	Business Advocate	$52,681	$54,788	$56,980	$59,259	$61,629	$64,094	$66,658
	HR Analyst	4390.08	4565.68	4748.31	4938.24	5135.77	5341.20	5554.85
	Mechanic Lead	2026.19	2107.24	2191.53	2279.19	2370.36	2465.17	2563.78
		25.3274	26.3405	27.3941	28.4899	29.6295	30.8146	32.0472
UC41	Property Mgmnt Coordinator	$53,208	$55,336	$57,550	$59,852	$62,246	$64,735	$67,325
		4433.98	4611.34	4795.79	4987.63	5187.13	5394.62	5610.40
		2046.45	2128.31	2213.44	2301.98	2394.06	2489.82	2589.42
		25.5807	26.6039	27.6680	28.7748	29.9258	31.1228	32.3677
UC5	Business Operations Supervisor	$55,315	$57,527	$59,828	$62,221	$64,710	$67,299	$69,991
	City Recorder	4609.55	4793.93	4985.69	5185.12	5392.52	5608.22	5832.55
	Engineering Project Supervisor	2127.48	2212.58	2301.09	2393.13	2488.86	2588.41	2691.95
		26.5936	27.6573	28.7636	29.9141	31.1107	32.3551	33.6493
UC6	Customer Service Supervisor	$58,662	$61,008	$63,448	$65,986	$68,626	$71,371	$74,226
		4888.47	5084.01	5287.37	5498.86	5718.82	5947.57	6185.47
		2256.22	2346.47	2440.32	2537.94	2639.46	2745.03	2854.83
		28.2027	29.3308	30.5041	31.7242	32.9932	34.3129	35.6854
UC7	Streets Superintendent	$60,985	$63,424	$65,961	$68,600	$71,344	$74,197	$77,165
	Parks Superintendent	5082.07	5285.35	5496.76	5716.63	5945.30	6183.11	6430.43
	Senior Planner	2345.57	2439.39	2536.97	2638.45	2743.98	2853.74	2967.89
		29.3196	30.4924	31.7121	32.9806	34.2998	35.6718	37.0987
UC71	Accounting Services Supervisor	$62,814	$65,327	$67,940	$70,657	$73,483	$76,423	$79,480
		5234.50	5443.88	5661.64	5888.10	6123.62	6368.57	6623.31
		2415.92	2512.56	2613.06	2717.58	2826.29	2939.34	3056.91
		30.1990	31.4070	32.6633	33.9698	35.3286	36.7417	38.2114
UC8	D&C Superintendent	$64,674	$67,261	$69,951	$72,749	$75,659	$78,686	$81,833
	Wastewater Superintendent	5389.49	5605.07	5829.27	6062.44	6304.94	6557.14	6819.43
	Water Superintendent	2487.46	2586.96	2690.43	2798.05	2909.97	3026.37	3147.43
		31.0932	32.3369	33.6304	34.9756	36.3747	37.8297	39.3428

City of Grants Pass
Management, Supervisory & Confidential Employees
Salary Schedule Effective October 30, 2016

	Position:	1	2	3	4	5	6	7
UD2	IT Manager	$73,741	$76,691	$79,758	$82,948	$86,266	$89,717	$93,306
	Principal Planner	6145.08	6390.88	6646.51	6912.37	7188.87	7476.42	7775.48
		2836.19	2949.64	3067.62	3190.33	3317.94	3450.66	3588.68
		35.4524	36.8705	38.3453	39.8791	41.4742	43.1332	44.8585
UD3	Building Official	$75,584	$78,607	$81,752	$85,022	$88,423	$91,960	$95,638
		6298.67	6550.62	6812.64	7085.15	7368.55	7663.30	7969.83
		2907.08	3023.36	3144.30	3270.07	3400.87	3536.91	3678.38
		36.3385	37.7920	39.3037	40.8758	42.5109	44.2113	45.9798
UD4	Assistant Finance Director	$77,474	$80,573	$83,796	$87,148	$90,634	$94,259	$98,029
		6456.18	6714.42	6983.00	7262.32	7552.81	7854.92	8169.12
		2979.77	3098.96	3222.92	3351.84	3485.91	3625.35	3770.36
		37.2472	38.7371	40.2865	41.8980	43.5739	45.3169	47.1295
UD5	Assistant PCD Director	$79,411	$82,588	$85,891	$89,327	$92,900	$96,616	$100,480
		6617.59	6882.29	7157.59	7443.89	7741.64	8051.31	8373.36
		3054.27	3176.44	3303.50	3435.64	3573.07	3715.99	3864.63
		38.1784	39.7055	41.2938	42.9455	44.6633	46.4499	48.3079
UD6	City Engineer	$80,999	$84,239	$87,609	$91,113	$94,757	$98,548	$102,490
		6749.92	7019.91	7300.71	7592.74	7896.45	8212.31	8540.80
		3115.35	3239.96	3369.56	3504.34	3644.51	3790.29	3941.91
		38.9418	40.4995	42.1195	43.8043	45.5564	47.3787	49.2738
UE1	Human Resources Director	$85,764	$89,194	$92,762	$96,472	$100,331	$104,345	$108,518
		7146.97	7432.85	7730.16	8039.37	8360.94	8695.38	9043.20
		3298.60	3430.55	3567.77	3710.48	3858.90	4013.25	4173.78
		41.2325	42.8818	44.5971	46.3810	48.2362	50.1657	52.1723
UE2	Finance Director	$93,182	$96,909	$100,786	$104,817	$109,010	$113,370	$117,905
		7765.18	8075.79	8398.82	8734.77	9084.16	9447.53	9825.43
		3583.93	3727.29	3876.38	4031.43	4192.69	4360.40	4534.81
		44.7991	46.5911	48.4547	50.3929	52.4086	54.5050	56.6852
		88338						
UE3	*Unused range*	$95,046	$98,848	$102,802	$106,914	$111,190	$115,638	$120,263
		7920.48	8237.30	8566.79	8909.47	9265.84	9636.48	10021.94
		3655.61	3801.83	3953.90	4112.06	4276.54	4447.60	4625.51
		45.6951	47.5229	49.4238	51.4008	53.4568	55.5951	57.8189
UE4	Parks & CD Director	$96,706	$100,574	$104,597	$108,781	$113,132	$117,657	$122,364
		8058.81	8381.17	8716.41	9065.07	9427.67	9804.78	10196.97
		3719.45	3868.23	4022.96	4183.88	4351.23	4525.28	4706.29
		46.4932	48.3529	50.2870	52.2985	54.3904	56.5660	58.8287
UE5	Public Works Director	$97,721	$101,629	$105,695	$109,922	$114,319	$118,892	$123,648
		8143.39	8469.12	8807.89	9160.20	9526.61	9907.68	10303.98
		3758.49	3908.83	4065.18	4227.79	4396.90	4572.77	4755.68
		46.9811	48.8603	50.8147	52.8473	54.9612	57.1597	59.4461

City of Grants Pass
Management, Supervisory & Confidential Employees
Salary Schedule Effective October 30, 2016

	Position:	1	2	3	4	5	6	7
UF2	Assistant City Manager	$101,601	$105,665	$109,892	$114,288	$118,859	$123,613	$128,558
		8466.77	8805.44	9157.65	9523.96	9904.92	10301.11	10713.16
		3907.74	4064.05	4226.61	4395.67	4571.50	4754.36	4944.53
		48.8467	50.8006	52.8326	54.9459	57.1438	59.4295	61.8067
UF3	City Attorney	$103,633	$107,778	$112,089	$116,573	$121,236	$126,085	$131,129
		8636.08	8981.53	9340.79	9714.42	10103.00	10507.12	10927.40
		3985.88	4145.32	4311.13	4483.58	4662.92	4849.44	5043.42
		49.8236	51.8165	53.8892	56.0447	58.2865	60.6180	63.0427

EXHIBIT B

CITY OF GRANTS PASS
Public Safety Management, Supervisory & Confidential Employees
Salary Schedule October 30, 2016

	Position:		1	2	3	4	5	6	7
PB1	Public Safety Exec Assistant		$41,782	$43,454	$45,192	$46,999	$48,879	$50,835	$52,868
			3481.86	3621.14	3765.98	3916.62	4073.29	4236.22	4405.67
			1607.01	1671.29	1738.15	1807.67	1879.98	1955.18	2033.39
			20.0877	20.8912	21.7268	22.5959	23.4997	24.4397	25.4173
PC1	Records Supervisor		$52,518	$54,619	$56,804	$59,076	$61,439	$63,897	$66,453
			4376.54	4551.60	4733.66	4923.01	5119.93	5324.73	5537.72
			2019.94	2100.74	2184.77	2272.16	2363.04	2457.57	2555.87
			25.2493	26.2592	27.3096	28.4020	29.5381	30.7196	31.9484
PC5	Communication Supervisor		$60,479	$62,898	$65,414	$68,030	$70,752	$73,582	$76,525
			5039.91	5241.50	5451.16	5669.21	5895.98	6131.82	6377.09
			2326.11	2419.15	2515.92	2616.56	2721.22	2830.07	2943.27
			29.0764	30.2394	31.4490	32.7070	34.0152	35.3759	36.7909
PD1	Sergeant		$70,712	$73,540	$76,482	$79,541	$82,723	$86,032	$89,473
	Battalion Chief		5892.66	6128.36	6373.50	6628.44	6893.58	7169.32	7456.09
	Fire Marshal		2719.69	2828.48	2941.61	3059.28	3181.65	3308.92	3441.27
		40 hr	33.9961	35.3559	36.7702	38.2410	39.7706	41.3615	43.0159
		56 hr	24.2829	25.2542	26.2644	27.3150	28.4076	29.5439	30.7257
PE1	Lieutenant		$80,514	$83,734	$87,084	$90,567	$94,190	$97,957	$101,876
			6709.48	6977.85	7256.97	7547.25	7849.14	8163.10	8489.63
			3096.68	3220.55	3349.37	3483.34	3622.68	3767.59	3918.29
			38.7085	40.2569	41.8671	43.5418	45.2835	47.0948	48.9786
PE2	Deputy Chief		$89,596	$93,180	$96,907	$100,784	$104,815	$109,008	$113,368
			7466.35	7765.01	8075.61	8398.63	8734.58	9083.96	9447.32
			3446.01	3583.85	3727.20	3876.29	4031.34	4192.60	4360.30
			43.0751	44.7981	46.5900	48.4536	50.3918	52.4075	54.5038
PF1	Department Director (PS)		$102,540	$106,642	$110,907	$115,344	$119,957	$124,756	$129,746
			8545.01	8886.81	9242.28	9611.98	9996.46	10396.31	10812.17
			3943.85	4101.61	4265.67	4436.30	4613.75	4798.30	4990.23
			49.2981	51.2701	53.3209	55.4537	57.6719	59.9787	62.3779

City Council Meeting
September 7, 2016
6:00 pm
City Council Chambers

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, Hannum, Lindsay, Lovelace, Riker, Roler. Also present and representing the City were City Manager Cubic, Assistant City Manager Reeves, Finance Director Meredith, Public Safety Director Landis, Parks Superintendent Nelson, Public Works Director Canady, City Attorney Mark Bartholomew, and City Recorder Frerk. Absent: Parks & Community Development Director Glover.

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

Swear-in Historical Buildings and Sites Commission member Kathy Marshbank.

1. PUBLIC COMMENT:

2. PUBLIC HEARINGS

Quasi-judicial

a. Ordinance vacating the common property line between tax lots 2000 & 2300 of map number 36-05-20-CA .

ORDINANCE NO. 16-5695

Councilor Lovelace 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, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The ordinance is read.

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

Councilor Riker 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, Hannum – yes, Lindsay – yes, Lovelace – yes, Riker – yes, Roler – yes. The ordinance was adopted.

3. CONSENT AGENDA:

a. Resolution authorizing the City Manager to enter into a contract for the Rogue River Avenue Sidewalk Infill, a local government improvement project; Project

No. TR6118.

Councilor Hannum moved and Councilor Riker seconded to remove this item from the Consent Agenda and move it to a workshop and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

b. Resolution authorizing the closure of Foundry Street between 'G' and Booth streets for Reaching Our Community – ROC Food Pantry Fall Festival.

RESOLUTION NO. 16-6462

Councilor DeYoung moved and Councilor Lindsay seconded that Resolution 16-6462 be adopted and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The resolution is adopted.

c. Resolution approving the street closure on Hawthorne Avenue for the Saturday Parkways Community Event.

RESOLUTION NO. 16-6463

Councilor DeYoung moved and Councilor Lindsay seconded that Resolution 16-6463 be adopted and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The resolution is adopted.

d. Motion approving the Stutzman – Dowell Road Comprehensive Plan Map Amendment, Zoning Map Amendment Findings of Fact.

Councilor DeYoung moved and Councilor Lindsay seconded to approve the Stutzman – Dowell Road Comprehensive Plan Map Amendment, Zoning Map Amendment Findings of Fact and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

e. Motion approving the minutes of the City Council meeting of August 3, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the City Council meeting of August 3, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

f. Motion acknowledging the minutes of the Bikeways and Walkways Committee meeting of May 10, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Bikeways and Walkways Committee meeting of May 10, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler.

"Nays": None. Abstain: None. Absent: None. The motion passed.

g. Motion acknowledging the minutes of the Bikeways and Walkways Committee meeting of July 12, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Bikeways and Walkways Committee meeting of July 12, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

h. Motion acknowledging the minutes of the Parks Advisory Board meeting of June 9, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Parks Advisory Board meeting of June 9, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

i. Motion acknowledging the minutes of the Committee on Public Art meeting of July 12, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Committee on Public Art meeting of July 12, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

j. Motion acknowledging the minutes of the Tourism Advisory Committee meeting of July 12, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Tourism Advisory Committee meeting of July 12, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

k. Motion acknowledging the minutes of the Urban Tree Advisory Committee meeting of July 11, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Urban Tree Advisory Committee meeting of July 11, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

l. Motion acknowledging the minutes of the Urban Area Planning Commission meeting of July 27, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Urban Area Planning Commission meeting of July 27, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

m. Motion acknowledging the minutes of the Urban Area Planning Commission meeting of August 10, 2016.

Councilor DeYoung moved and Councilor Lindsay seconded that the minutes of the Urban Area Planning Commission meeting of August 10, 2016 be approved and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The motion passed.

4. COUNCIL ACTION:

a. Resolution adopting the Storm Water Master Plan.

RESOLUTION NO. 16-6464

Councilor DeYoung moved and Councilor Riker seconded that Resolution 16-6464 be adopted and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The resolution is adopted.

5. ADJOURN THE CITY COUNCIL MEETING AND CONVENE THE LOCAL CONTRACTING REVIEW BOARD.

a. Resolution accepting the Findings of Fact document and exempting the City from competitive bidding.

RESOLUTION NO. 16-0001

Councilor Lindsay moved and Councilor Riker seconded that Resolution 16-0001 be adopted and the vote resulted as follows: "Ayes": DeYoung, Hannum, Lindsay, Lovelace, Riker and Roler. "Nays": None. Abstain: None. Absent: None. The resolution is adopted.

6. ADJOURN THE LOCAL CONTRACTING REVIEW BOARD AND RECONVENE THE CITY COUNCIL MEETING.

7. MATTERS FROM MAYOR, COUNCIL AND STAFF:

a. Review Mayor/Council emails.

None.

b. Committee Liaison reports.

c. Committee Motions.

Parks Advisory Board
June 9, 2016 meeting:

1. Motion to recommend to the City Council that the projects being

developed for Riverside Park, the stage area for concerts in the park and the community center, will need two separate locations as there is not a location that will be mutually beneficial.

2. Motion to recommend to the City Council that the projects being developed for Riverside Park, the stage area for concerts in the park and the community center, will need two separate locations and two separate request of proposals as there is not a location that will be mutually beneficial.

Council reviewed the motions and requested they be scheduled for a future workshop.

Parks Advisory Board
August 11, 2016 meeting:

1. Motion to authorize staff to check into the Gilbert Creek property for a future soccer complex.

Council requested assurance that District 7 was on board with this plan.

Tourism Advisory Committee
August 9, 2016 meeting:

1. Motion to recommend to City Council, funding assistance for the Herb Shop Mural on 4th and G.

Council reviewed this recommendation at its September 12, 2016 workshop and will consider a resolution on community art guidelines at is October 5 meeting.

8. EXECUTIVE SESSION: None

9. ADJOURN:

There being no further business to come before the Council, Mayor Fowler adjourned the meeting at 7:57 p.m.

The ordinances, resolutions and motions contained herein and the accompanying votes have been verified by:

_____
City Recorder

HISTORICAL BUILDINGS AND SITES COMMISSION
MEETING MINUTES
May 19, 2016 – 6:00 P.M.
Courtyard Conference Room

A. ROLL CALL:

The Historical Buildings and Sites Commission met in regular session on the above date with Chair Ward Warren presiding. Vice Chair Dan McBerty and Commissioners Arden McConnell, Virginia Ford, Shirley Holzinger, and Don Hendricks were present. Also present was City Council Liaison Dennis Roler and representing the City staff was Parks & Community Development (hereafter: PCD) Director Lora Glover and PCD Planner Justin Gindlesperger.

B. Update on Historic Inventory – George Kramer

- The original Historic inventory was done 24 years ago, in 1992, and it was a formal architectural history of the City.
- George and Jill took photos, created maps, and documented the history of 175 buildings within the core area.
- 26 were considered "primary contributing" and 5 were already on the national registry.
- 15% of the inventory were listed as primary contributing and 8% were listed as secondary (don't use this verbiage anymore). The rest were still historic properties and they either didn't know enough about the history of the building or otherwise didn't meet the standards used in 1992.
- 32% of the area was contributing.
- Each potential property needs to be at least 50 years of age or older. When we do the new survey there will be a considerable amount of buildings that weren't considered contributing in 1992 that will fall under the guidelines now in 2016.
- Grants Pass was one of the first cities in the valley to do a historic inventory and with the exception of Jacksonville, Grants Pass was the first to be nationally registered.
- George was asked to reevaluate all of the resources within the existing boundary, and evaluate the expanded border.

- With the buildings that didn't meet age requirements in 1992 added we went from 32% to 61% contributing.
- The inventory will need to be redone in 2040.
- Everything is on a computer data base now and can be adjusted as time goes by and buildings change.
- State preservation office will add this to their inventory.
- Commissioner Warren let George know that the historic district was expanded from E Street to J Street and from 4th Street to 7th Street.
- The commission asked if there any benefits aside from getting a CLG designation. George let the commission know that the reason this was done was partly due to the expansion and the data is 24 years out of date but the main desire would be for the designations.
- It was mentioned that when the commission updates the landmark list this inventory will be an asset.
- The commission asked how they could go about designating state owned properties as a local landmark (ie. Caveman Bridge) and how they could go about removing landmarks from the list that no longer exist/qualify. Justin let the commission know that a landmark can be removed through a recommendation from the HBSC, the process would mirror the process to recommend adding a landmark and Council would approve the recommendation. George let the commission know that any local government can designate a landmark, however contacting ODOT would be advised. He recommended contacting Jerry with the regional office for ODOT in Roseburg and let him know what you want to do with the Caveman Bridge.
- Councilor Roler asked if the inventory is submitted as our new expanded historic district to the City. George said that this is just an inventory mainly for the state to be aware of locations that could be considered historic.
- The commission asked how they could correct inaccuracies. George requested that they submit inaccuracies to him before June 1st and he will have them corrected. After that they can be updated at any time as the inventory is computerized. One of the examples of an error that was brought up was that the inventory says that the old Mormon Church has a spire made of sheet metal, the spire is actually made of copper.

C. APPROVAL OF MINUTES:

- **April 21, 2016** **Pg. 1-6**

MOTION/VOTE

Commissioner Hendricks moved and Commissioner Holzinger seconded the motion to approve the minutes from April 21, 2016 as amended. The vote resulted as follows: "AYES": Chair Warren, Vice Chair McBerty, and Commissioners McConnell, Holzinger, Ford, and Hendricks. "NAYS": None. Abstain: None. Absent: None. The motion passed.

D. Public Hearings

- **303-00100-16 Oakley H Street Historic Review** **Pg. 7-16**
- Justin gave the staff report.
- Commissioner McConnell asked what the height of the fence would be. The fence will be approximately between 3' and 3 ½'.
- There was a recommendation to not put tips on the iron fence as they tend to go missing. The Oakley's do not plan on putting tips on the fence.
- There was a clarification that the 120 days is a timeframe that the City needs to approve or deny the requests. The 120 days is not a deadline to complete construction of the project.
- Justin clarified that the 3 feet is consistent with the design guidelines in the development code and would be acceptable.
- The staff report has built in a limit of a four foot fence. If the commission would like to limit that to a 3 foot fence they would need to make a motion with clarification on that front.

MOTION/VOTE

Commissioner McConnell moved and Commissioner Ford seconded the motion to approve application 303-00100-16. The vote resulted as follows: "AYES": Chair Warren, Vice Chair McBerty, and Commissioners McConnell, Holzinger, Ford, and Hendricks. "NAYS": None. Abstain: None. Absent: None. The motion passed.

- **303-00101-16 Garden Valley Mural Historic Review** **Pg. 17-29**
- Justin gave the staff report.

- Justin clarified that the color change in the staff report is for the trim on the building.
- The commission asked how much the final project can vary from the sketch in the staff report. Justin said that it would pretty much be what they proposed. Any deviations would need to be approved as a modification to the staff report.
- Council Roler asked about the growers market sign due to the limitation on having advertisements. It was explained that they are allowed to keep the sign in the mural but it is not allowed to have any of the specific business names listed due to them being classified as advertisements.
- Judy Davidson (the artist along with Valente and Claudia Ornelas) presented the propsed mural to the commission.
- Judy went over her sketch and explained the feeling they were trying to give with the layout of the mural. They plan to frame the whole mural in the "coffee shop" color with the intention of giving the feeling of a courtyard type setting.
- To test how they worked together Judy and Val donated a 10' by 10' mural to the food bank. Judy showed this mural to the commission to indicate the style of the artists working on the mural.
- Commissioner Warren asked if the example mural would be indicative of the colors the artists would be using on the herb shop mural. Judy let the commission know that they planned to go with more muted tones to go with the general feel in the downtown area. They do not plan to use any colors that are too primary and the brightest tones would be the sunflower colors.
- Commissioner Warren asked if they knew how tall the herb shop building is. Judy believes that the building is 24 feet tall and 99 feet long. The mural is mostly under the 8 foot mark. This will allow most of the work to be done from the ground and will allow them to complete the mural this summer.
- Commissioner Warren asked if there is any completion date set by the City. Justin confirmed that if the application is approved the applicant would then have 18 months to complete the conditions listed on page 20, but there is no set date to complete the project.
- Judy clarified that the "coffee shop" or brown color is going to trim the building and the windows.

- Commissioner McConnell asked if the bottom windows will also be outlined in the coffee shop color. Judy let her know that they will be. It should end up looking like a building that has a courtyard. You'll be looking in to a courtyard in between the windows. The tree and the sunflowers should appear to be coming out of the courtyard and the other items will look like they're within the courtyard.
- Judy let the commission know that there will be a protective coating over the art. Bob Eddy gave recommendations on paint and the protective coating.
- Dennis Dreher - COPA – Dennis let the commission know that he thinks the mural will be a terrific change. The building, as is, is not the prettiest building. The concept to bring the colors around and add the art is a huge enhancement to the area and building. He thinks the application process is great and wants to congratulate the commission on a good job. He has been out to see the sample mural at Raptor Creek Farm and is very pleased with it. He asked if there is a distinction between posting a donor on the mural vs. posting a business as an advertisement.
- Justin let the artist know that they can submit a new rendering of how they want to show donor support in the mural and staff can weigh in on that at a later time. The Chamber of Commerce will be fine but staff will need to investigate if adding local business sponsorship would fall under advertisement or not.
- Judy was asked if "Garden Valley" was a business name. Judy let the commission know that "Garden Valley" was a project name that they picked to put on the application. However they would like to change that to "Garden Mural at 4th and G". This project name will be featured on a funding website. They have already secured a domain name. gardenmuralproject.com/org
- The Herb Shop has already donated $1,000 and there is a tentative donation from the growers market of $500.
- Commissioner Warren expressed that he is pleased and thinks the murals will be a great enhancement to the downtown area. He is excited to see murals included in the historic district and he is excited to be working with COPA on adding art to the historic district.
- Commissioner McConnell asked if the commission will be seeing revised plans. Justin said that they will not unless the artists want to push for

advertisements in the mural. The conditions stated that they aren't to have the advertisements, if they wanted to try to have donor names they would need to present the application again.

MOTION/VOTE

Commissioner Warren moved and Commissioner Hendricks seconded the motion to approve application 303-00101-16 with the conditions as given by staff and with the indication that the colors will be chosen from the historic palette. The vote resulted as follows: "AYES": Chair Warren, Vice Chair McBerty, and Commissioners McConnell, Holzinger, Ford, and Hendricks. "NAYS": None. Abstain: None. Absent: None. The motion passed.

- Councilor Roler let it be known that the Council would like to see HBSC and COPA work together on the applications for murals within the Historic District. This will make things easier for the applicants, the HBSC and COPA, and City staff.
- Judy asked if they will receive some kind of written approval from the City. Justin would like to have a special meeting to get a written approval. Justin confirmed that Judy will get something in writing.

E. Items from Staff

- Justin asked for a special meeting with the HBSC.
- Council would like some further direction from HBSC on what the redwood empire sign should say. Justin showed the options to the commission.
- The commission suggested adding "Oregon Coast" and removing "Golden Gate Bridge"
- Justin put down that the commission suggested to have the wording be "Keep right for Redwood Empire, Oregon Caves, Oregon Coast" and will bring the suggestion to Lora.
- Commissioner Warren spoke with Jon Bowen about the map and Jon is working on a much larger map that will be the entire city, not just the historic district. The map will be online and you can zoom in on any specific part you're interested in similar to google maps. There will also be a printed map.

- The commission let it be known that they would like there to be a distinctive color for the historic district on the map so it stands out from the rest of downtown. There also needs to be a boarder in case it's printed in black and white.
- Commissioner Warren said that there will likely be an image of the tower at 5th and G in the center of the historic district map and it will say Grants Pass Historic District.
- There will be a legend on the side of the map that will show important things to take note of in the historic district. The legend will have numbers that correspond to buildings and there will be room to include about 30 listings. The commission will need to choose the most significant locations from the inventory. The legend would then have the number, the historic name, the date it was built, and the current business in the building. The website would list all of the buildings in the expanded district.
- Jon and Commissioner Warren also discussed including at least 3 important landmarks that weren't included in the district. Climate City, the Court House, and the Methodist Church.
- Commissioner Warren is going to get in touch with Jon and let him know the results of this meeting. He is going to get a mockup to present at the special meeting. Jon said he can have it ready in about two weeks.
- The commission had a discussion of what the map should look like, color, suggested one side of the map be the whole city and the other side be the historic district. Commissioner Warren will report back to Jon with the requests.
- There will be a Special meeting June 2nd at 4:00pm – this meeting will include the findings of fact for the mural and fence and a meeting with Jon about walking map.
- Commissioner McConnell would like to see the language on the qualifications for fence standards within the historic district. She would like to see that standardized so that there aren't different sized fences right next to each other within the district. Justin let the commission know that to standardize the fence heights would require a text amendment.
- Commissioner Warren requested that be put on a future agenda for further discussion.

F. Items from Public

- None.

G. Items from Commissioners

- Commissioner Holzinger let the rest of the commission know that her son, Michael, has been going out and taking photos of the entry signs.
- The commission would like the COPA subcommittee and the HBSC subcommittee to meet to discuss mural guidelines.
- Commissioner Warren asked if Commissioner Ford and Commissioner McConnell had a report on their subcommittee. They let the rest of the commission know that they have been sick but they are planning to get together as soon as they are well. Commissioner McConnell asked where Commissioner Holzinger had left off. Commissioner Holzinger let them know she still was wrapping up what she had been working on for the catalog and that she would love to see the subcommittee indicate which buildings they would like to see get the landmark status.
- The commission asked how to report blatant code violations. Justin let them know that there is a form that can be taken to Code Enforcement with Public Safety to remain anonymous.
- Councilor Roler let the commission know that the council reappointed Commissioner Warren. Since Commissioner Hendricks did not reapply, there will be two openings. Councilor Roler urged the commission to encourage people to apply, one of the applicants needs to be a business owner. There is a possibility that there could be a seventh member. Justin will look into this and get back to the commission if there is a seventh opening and if so what the qualifications are.

H. Adjournment

Next meeting: June 16, 2016

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.

City of Grants Pass

BUDGET COMMITTEE MEETING MINUTES

May 3, 2016 – 6:00 P.M.

City Council Chambers

The Grants Pass City Council met in joint session with the Budget Committee on the above date with Budget Committee Chair Tom Brandes presiding over the meeting. City Councilors Dan DeYoung, Roy Lindsay, Valerie Lovelace, Rick Riker, Dennis Roler, Shonna Bouteller, and Jim Goodwin were present. City Councilor Ken Hannum was absent. Budget Committee Members Curt Collins, Tom Brandes, Shaun Curry, Ferris Simpson, Gordon Langenbeck, John Rall, and Lisa Fogelquist were present. Budget Committee Member James DeHoog was absent. Also present and representing the City was Mayor Darin Fowler, City Manager Aaron Cubic, Assistant City Manager David Reeves, Finance Director Jay Meredith, Parks & Community Development (hereafter: PCD) Director Lora Glover, Parks Superintendant Jeff Nelson, Public Safety Director Chief Bill Landis, Public Works Director Jason Canady, Human Resources Director Diana Mejia, and City Recorder Karen Frerk.

I. Budget Officer Convene Committee

a. Nominations for Budget Chair and Vice Chair

MOTION/VOTE

Councilor Lindsay moved and Councilor Roler seconded the motion to appoint Tom Brandes as Chair. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor Hannum and Committee Member DeHoog. The motion passed.

b. Election of Budget Chair and Vice Chair

MOTION/VOTE

Councilor Goodwin moved and Councilor Lindsay seconded the motion to appoint Ferris Simpson as Vice Chair. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor Hannum and Committee Member DeHoog. The motion passed.

II. Adopt Budget Committee ground rules

- Chair Brandes read over the Budget Committee ground rules.

MOTION/VOTE

Committee Member Simpson moved and Councilor Lindsay seconded the motion to adopt the rules as stated. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor Hannum and Committee Member DeHoog. The motion passed.

III. Delivery of Budget Message and receive the Budget Document

- City Manager Cubic spoke to the committee about the budget process and parameters.
- City Manager Cubic discussed previous year's budgets and how the City had met them.
- City Manager Cubic discussed general budget numbers that will be explained in more depth in later meetings.
- City Manager Cubic shared budget accomplishments and savings that were made in previous years.
- City Manager Cubic discussed upcoming challenges and possible options to address them.

IV. Overview of Strategic Plan and related Capital Projects – Lands and Buildings Capital Projects presentation

- City Manager Cubic outlined the Strategic Plan goals and discussed how it drives the budget process.
- City Manager Cubic out over some of the new proposed projects with the Budget Committee.

V. Ratification of Budget Hearing Schedule

- Tuesday, May 10, 2016
- Thursday, May 12, 2016
- Tuesday, May 17, 2016

MOTION/VOTE

Councilor Lindsay moved and Councilor Riker seconded the motion to approve the schedule. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor Hannum and Committee Member DeHoog. The motion passed.

VI. Receive public comment and/or questions

- None.

VII. Discuss any general questions or information requests from Committee

- Committee member Simpson would like to plant the seed with Council and City staff to look at the trailer park adjacent to Riverside Park as a potential real estate opportunity for the future.
- Councilor Roler would like to know if any thought was given to the spending calendar in regards to law enforcement restraints within the County. City Manager Cubic let the committee know that there are strong contingencies put in place to allow council to react in emergency situations.
- Councilor DeYoung would like to see a line item list with exactly where the money from the transient room tax is going to be allocated.

MOTION/VOTE

Councilor DeYoung moved and Committee Member Simpson seconded the motion to request a itemized list of where the transient room tax dollars are being allocated. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor Hannum and Committee Member DeHoog. The motion passed.

VIII. Continue Hearing to Tuesday, May 10, 2016

The meeting was adjourned by Chair Brandes at 9:26 P.M.

The motions contained herein and the accompanying votes have been verified by:

City Recorder

Date

City of Grants Pass

BUDGET COMMITTEE MEETING MINUTES

May 10, 2016 – 6:00 P.M.

City Council Chambers

The Grants Pass City Council met in joint session with the Budget Committee on the above date with Budget Committee Chair Tom Brandes presiding over the meeting. City Councilors Dan DeYoung, Roy Lindsay, Valerie Lovelace, Rick Riker, Dennis Roler, Shonna Bouteller, and Jim Goodwin were present. City Councilor Ken Hannum was absent. Budget Committee Members Curt Collins, Tom Brandes, Shaun Curry, Ferris Simpson, Gordon Langenbeck, John Rall, James DeHoog, and Lisa Fogelquist were present. Also present and representing the City was Mayor Darin Fowler, City Manager Aaron Cubic, Assistant City Manager David Reeves, Finance Director Jay Meredith, Parks & Community Development (hereafter: PCD) Director Lora Glover, Parks Superintendant Jeff Nelson, Public Safety Director Chief Bill Landis, Public Works Director Jason Canady, Human Resources Director Diana Mejia, and City Recorder Karen Frerk.

I. Budget Chair Convene Committee

- Chair Brandes convened the meeting.
- City staff provided updates and the requested allocation of the transient room tax from the May 3, 2016 meeting.

II. Public Safety Department Budget presentations

- Chief Landis gave a presentation on the services that Public Safety offers, the services that they would like to provide in the future, and what they will need in order to provide those services.
- The committee asked Chief Landis general questions concerning public safety and law enforcement within the City and County. The committee also had an opportunity to ask questions on the new Public Safety projects City staff were planning to implement.

III. Parks & Community Development Department Budget presentations

- PCD Director Glover spoke about what the Parks and Community Development department is responsible for, the projects they would like to continue, and the new projects they would like to accomplish.
- The committee had an opportunity to ask Director Glover general questions and make comments on the budget staff has outlined.
- The committee had several questions about the audit Director Glover referenced, it was clarified that the audit is scheduled for fiscal year 2017 and will be handled through PAVE.

IV. Receive public comment and/or questions

- None.

V. Discuss any general questions or information requests from the Committee

- None.

VI. Vote for tentative Budget approval of programs discussed (if applicable)

MOTION/VOTE

Committee Member Simpson moved and Councilor Lindsay seconded the motion to tentatively approve the budget programs discussed during the May 10, 2016 meeting. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, DeHoog, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor Hannum and Committee Member Curry. The motion passed.

VII. Continue Hearing to Thursday, May 12, 2016

The meeting was adjourned by Chair Brandes at 8:21 P.M.

The motions contained herein and the accompanying votes have been verified by:

_____ _____

City Recorder Date

City of Grants Pass

BUDGET COMMITTEE MEETING MINUTES

May 12, 2016 – 6:00 P.M.

City Council Chambers

The Grants Pass City Council met in joint session with the Budget Committee on the above date with Budget Committee Chair Tom Brandes presiding over the meeting. City Councilors Dan DeYoung, Roy Lindsay, Valerie Lovelace, Rick Riker, Dennis Roler, and Shonna Bouteller were present. City Councilor Ken Hannum and Jim Goodwin were absent. Budget Committee Members Curt Collins, Tom Brandes, Shaun Curry, Ferris Simpson, Gordon Langenbeck, John Rall, and Lisa Fogelquist were present. Committee Member James DeHoog was absent. Also present and representing the City was Mayor Darin Fowler, City Manager Aaron Cubic, Assistant City Manager David Reeves, Finance Director Jay Meredith, Parks & Community Development (hereafter: PCD) Director Lora Glover, Parks Superintendant Jeff Nelson, Public Safety Director Chief Bill Landis, Public Works Director Jason Canady, Human Resources Director Diana Mejia, and City Recorder Karen Frerk.

I. Budget Chair Convene Committee

- Chair Brandes convened the meeting.

II. Public Works Department Budget presentation

- Public Works Director Canady discussed the Council goals and how they relate to Public Works.
- Director Canady gave an overview of the Transportation and Storm Water Program.
- It was asked when the utility rate study would be done as a majority of the plan rests on the results. Director Canady let the committee know that it is projected to be done by October 2016.
- Director Canady discussed the Water Treatment plan.
- Director Canady discussed the Wastewater plan.
- Director Canady gave an overview of the Solid Waste plan.

III. Receive public comment and/or questions

- None.

IV. Discuss any general questions or information requests from the Committee

- None.

V. Vote for tentative Budget approval of programs discussed (if applicable)

MOTION/VOTE

Committee Member Simpson moved and Councilor Lindsay seconded the motion to tentatively approve the budget programs discussed during the May 12, 2016 meeting. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, and Bouteller and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, Curry, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilors Hannum and Goodwin and Committee Member DeHoog. The motion passed.

VI. Continue Hearing to Tuesday, May 17, 2016

The meeting was adjourned by Chair Brandes at 8:04 P.M.

The motions contained herein and the accompanying votes have been verified by:

City Recorder _____ Date _____

City of Grants Pass

BUDGET COMMITTEE MEETING MINUTES

May 17, 2016 – 6:00 P.M.

City Council Chambers

The Grants Pass City Council met in joint session with the Budget Committee on the above date with Budget Committee Chair Tom Brandes presiding over the meeting. City Councilors Dan DeYoung, Roy Lindsay, Valerie Lovelace, Rick Riker, Dennis Roler, Ken Hannum, Jim Goodwin, and Shonna Bouteller were present. Budget Committee Members Curt Collins, Tom Brandes, Shaun Curry, Ferris Simpson, Gordon Langenbeck, James DeHoog, and Lisa Fogelquist were present. Committee Member John Rall was absent. Also present and representing the City was Mayor Darin Fowler, City Manager Aaron Cubic, Assistant City Manager David Reeves, Finance Director Jay Meredith, Parks & Community Development (hereafter: PCD) Director Lora Glover, Parks Superintendant Jeff Nelson, Public Safety Director Chief Bill Landis, Public Works Director Jason Canady, Human Resources Director Diana Mejia, and City Recorder Karen Frerk.

I. Budget Chair Convene Committee

- Chair Brandes convened the meeting.

II. Administration Department Budget presentation

- Assistant City Manager Reeves presented on Mayor/Council, policy legislation, economic development as it concerns to the Downtown area and tourism, management services, legal services, administrative general services, property management, information technology, and general insurance.
- Human Resources Director Mejia presented on the Human Resources budget.
- Assistant City Manager Reeves presented on in house efficiencies.

III. Finance Department Budget presentation

- Finance Director Meredith gave a presentation on the Finance and Fleet budgets.
- Director Meredith gave a presentation on Special Revenue Funds.

IV. Receive public comment and/or questions

- None.

V. Discuss any general questions or information requests from the Committee

- None.

VI. Vote for tentative Budget approval of programs discussed (if applicable)

MOTION/VOTE

Councilor Lindsay moved and Committee Member DeHoog seconded the motion to approve the budget for the 2016/2017 fiscal year in the amount of $128,678,568.00. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, DeHoog, Curry, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor DeYoung and Committee Members Curry and Rall. The motion passed.

VII. Vote for approval of Property Tax Rate and complete City Budget

MOTION/VOTE

Councilor Riker moved and Councilor Lindsay seconded the motion to approve the Property Tax rate for the 2016/2017 fiscal year for three items; the rate of 4.1335 per thousand assessed value, $1.79 for public safety, and 1,163,102.00 for public safety bond to debt. The vote resulted as follows: "AYES": Councilors DeYoung, Lindsay, Lovelace, Riker, Roler, Bouteller, and Goodwin and Committee Members Collins, Brandes, Curry, Simpson, Langenbeck, Rall, DeHoog, Curry, and Fogelquist. "NAYS": None. Abstain: None. Absent: Councilor DeYoung and Committee Members Curry and Rall. The motion passed.

The meeting was adjourned by Chair Brandes at 8:47 P.M.

The motions contained herein and the accompanying votes have been verified by:

City Recorder

Date

GRANTS PASS URBAN TREE ADVISORY COMMITTEE
Meeting Minutes – August 8, 2016 at 7:00 PM
Courtyard Conference Room

Committee Members:
Dave Russell (Chair)
James Love (Vice Chair)
Stormy Ballenger - absent
Dan McBerty
William Reinert
Clifford Ostermeier - absent
Michael Holzinger
Willow Burnett-DePew

City/Staff/Council Liaisons:
Jeff Nelson (City Liaison) – absent
Ken Garrison
Dan DeYoung (City Council)

Guests:

I. Business – Continuing

A. Approval of Minutes from June 13, 2016.

MOTION/VOTE
Committee Member Love moved and Committee Member Reinert seconded the motion to approve the minutes from the July 11, 2016 meeting as presented. The vote resulted as follows: "AYES": Committee Members Russell, Love, Reinert, Holzinger, and Burnett-DePew. "NAYS": None. Abstain: McBerty. Absent: Ostermeier and Ballenger. The motion passed.

II. Business - New

A. Announcements

- Councilor DeYoung gave an update that there were little to no issues at Back to the Fifties and that everything went very well.
- The committee brought up concerns about quite a few dead trees on the parkway near Winco. This would be an ODOT responsibility if they are truly on the parkway, however the trees could be on Winco property.
- The committee asked about the tree that had been removed for the triangle. Ken wasn't sure of why they were removed but the triangle recently moved from property management responsibility to Parks responsibility. The trees may or may not be replaced.
- Ken believes that the dead trees the committee referenced are Winco trees. They should have a warranty.
- Ken let the committee know that Parks will likely need to contract out the right of way work that they inherited from property management.
- The committee had a discussion about the desire to add additional trees to the sparse triangle area between E Street and F Street. The committee discussed possibly planting three trees for Arbor Day in that area. They were cautioned that they would need to be careful to not block Human Bean.
- It was asked if there is budget set aside for the care of trees. Ken said that the budget is mostly handled by Jeff and it would be better to ask him during next meeting.

- The committee brought up how sparse the triangle looks again, Councilor DeYoung suggested coming up with a proposal.
- The committee agreed to see what Jeff's thoughts are as they just received the right of way areas and move from there. They will put this item on the next agenda.

B. Event Calendar Review

- The committee would like to explore having a booth at the Growers Market next fall prior to tree walk.
- Councilor DeYoung suggested getting something together for Fair booth for next year. It would already be manned and wouldn't require a tree committee member to be present.
- The committee can check with Donna for next year's fair booth and possibly look into having brochures for this year if they are able to get something together last minute.

C. **Updates**

- Jeff was supposed to give an update for a possible Facebook page. Ask for next meeting.
- A Parks employee retired and they are looking at getting a new municipal services worker.
- Oak tree came down at Riverside

D. Comments

- A committee member had a question about downtown lighting – Councilor DeYoung let the committee know to contact Dave Reeves with any concerns about the lighting.
- The committee had a discussion about wanting to possibly change the code to increase canopy requirements within the city.
- Councilor DeYoung will talk during his next meeting about getting it on the agenda for a council workshop.
- The committee will need to put together a proposal for the workshop with the discussions they have had and what they would like to see the requirements changed to.

MOTION/VOTE

Committee Member Love moved and Committee Member Holzinger seconded the motion to adjourn the meeting. The vote resulted as follows: "AYES": Committee Members Russell, Love, Reinert, Holzinger, and Burnett-DePew. "NAYS": None. Abstain: McBerty. Absent: Ostermeier and Ballenger. The motion passed.

Next Meeting: September 12, 2016

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.

GRANTS PASS PARKS ADVISORY BOARD
Meeting Minutes – August 11, 2016 at 3:30 PM
Courtyard Conference Room

Members in Attendance:
Dick Matti (Chair)
Cliff Kuhlman (Vice Chair)
Jan Battersby – arrived late
Gary Still
Marian Szewc - absent
Robert Cartmell
Rick Chapman
Bill Reinert

City/Staff/Council Liaisons:
Valerie Lovelace (City Council) – arrived late
Lora Glover (PCD Director)
Jeff Nelson (Parks Superintendent)

Guests:
Julie Imhof

I. Business – Continuing:

A. Approval of Minutes: June 9, 2016 meeting

MOTION/VOTE
Board Member Cartmell moved and Board Member Kuhlman seconded to approve the minutes as presented from the June 9, 2016 meeting. The vote resulted as follows: "AYES": Board Members Matti, Kuhlman, Still, Cartmell, Reinert, and Chapman. "NAYS": None. Abstain: None. Absent: Board members Battersby and Szewc. The motion passed.

II. Business – New:

A. Renaming Venues – Discussion

1. Lora brought up to the committee that they may want to consider the idea of changing some of the venue names at the various parks. Some of the companies that they were named for either no longer exist or are no longer operating in the area.
2. The committee had a discussion on what would be appropriate to do. Lora stated that she didn't want to change names after people passed away but to consider changing names for business that are no longer in the valley.
3. The committee discussed the possibility of "selling" the slots to the new/replacement business. Possibly for the cost of the plaque in addition to a donation to the Parks Department.
4. It was mentioned that the money should go towards funding additional staff.
5. Lora stated that in the next month they will begin talk about goals for strategic planning in January. Additional staffing would be a possible request.

A motion to request a list of venues and a general rule list for how to structure the name change process was started but was not seconded or voted on.

B. Soccer Complex – Discussion

1. It was determined that the Soccer complex will not be able to happen at Allen Creek
2. The school district however brought up the option of looking at Gilbert Creek and North Middle School and Highland.
3. Jeff drew up a quick draft of where the fields could go if this option is explored.

4. The committee discussed the feasibility of this location. The dog park would possibly need to be moved, the current baseball field may be available convert, and the drainage in the area would need to be addressed.
5. The current drawings are very preliminary but there could be a possibility of five fields.
6. The committee is nervous about placing the on school property and the logistics of availability during school hours. They would prefer dedicated park land.
7. An IGA would need to be put in place before any plans could be made. In the IGA a schedule could be put in place to help alleviate some of the committee's concerns.

MOTION/VOTE

Board Member Chapman moved and Board Member Still seconded to authorize staff to check into the Gilbert Creek property for a future soccer complex. The vote resulted as follows: "AYES": Board Members Matti, Kuhlman, Still, Cartmell, Reinert, Battersby, and Chapman. "NAYS": None. Abstain: None. Absent: Board member Szewc.

The motion passed.

C. Riverside Master Plan

1. The Rotary plans to meet on September 14th to talk about projects for Riverside Park. Rob, Colene, and the City will be there to present. If the committee has any input please speak up.
2. Lora brought a concept plan to the committee to review before she takes it to Council. The plan outlines splitting the project into three portions and concerns with the flood way and the sewer line.
3. The committee had a discussion of the feasibility of a temporary structure vs. a permanent structure for the Active Club.
4. The committee discussed the Active Club's desires. They have a possibility of being directly involved if they were to win the RFP for the project. They would however need a licensed general contractor as part of their team. Engineering would oversee the project and it would need to meet all of the inspections like any other contractor.
5. The committee asked Lora how the $500,000 would be used; she let the committee know that it would be a Council decision.
6. Lora's biggest concern is flood way.
7. The committee asked if they should make a motion. Lora would prefer if they had an opportunity to review the plan. This will go to Council in a few weeks and the committee will email Lora.

D. Other Business

1. Lora let the committee know that Stephen Covey is coming to present on Sept 16th from 6-9pm at the preforming arts center. She purchased tickets and if any committee members would like to attend please let her know.
2. The committee asked how the work at the All Sports Park is going. They were told that it is moving along but it will likely be a 6 month project.
3. The pump and valve has been ordered for fresh water.
4. Recreation NW had one "movies in the park" night already. Another will be held tomorrow at Reinhart and last will be at Riverside. They took a drone photo of the first night and there were approximately 300 people in attendance.

5. A pump track was brought in for a demonstration and there was a significant amount of interest. The City is looking at possibly putting one in at Hillcrest. The cost would be approximately $60,000-$70,000.
6. Board member Matti will be out for the next two months for soccer.

III. Next meeting: September 8, 2016

These minutes were prepared by Carlie Appling, Administration Department, City of Grants Pass.

4.a. Appointments to the Urban Tree Advisory Committee

There are four openings on this Committee. Four candidates have applied and they are listed in alphabetical order:

Michelle Keip
Dan McBerty – re-applying
William Reinert – re-applying
Jeff Soash

Received
AUG 12 2016

City of Grants Pass
City Committee/Commission Appointment Application

Name: Michelle Kaip
Address: [redacted]
Mailing Address: (if different) [redacted]

Home Phone: [redacted] Business Phone: [redacted] Yrs as City Resident: 1.5
E-mail Address: [redacted]

Occupation and Employer: self May we contact you at work? _____

I am interested in serving on the following committee(s):

☐	Bikeways/Walkways	☐	Parks Advisory Board
☐	Budget	☐	PAVE
☐	CoPA	☐	Historic Buildings & Sites
☐	Tourism Advisory	☐	Industrial Dev. Loan Review
☐	Micro Enterprise Loan Review Board	☐	Urban Area Planning Commission
☒	Urban Tree Advisory	☐	City Council

☐ I am interested in being on a waiting list if there are no current vacancies.

Education Background

High School: ☒ Graduated ☒ GED
College: ☒ Some College ☒ Bachelor Degree ☐ Advanced Degree

Have you ever been convicted of a felony? ☐ Yes ☒ No

Relevant Job History: worked as RN/health educator to 1996. Teacher of self protection skills for children and adults 1991 to current

Previous Volunteer/Committee Experience: (Involvement with City or other government committees, boards, projects, etc.) Organizer & Local Steward of Piner Creek Stewardship in Santa Rosa, CA 2005-2015
Awarded Star Volunteer by City of Santa Rosa

Community Involvement: See above plus currently on "Sustainable Rogue Valley" team which recently designed & installed 6 sustainable gardens at GP Fairgrounds.

AUTHORIZATION WAIVER

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I may be subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Grants Pass may decline my volunteer application or volunteer services at any time.

Applicant's Signature _____ Date 8/12/16

Please return completed application: City Manager's Office - 101 NW "A" Street - Grants Pass, Oregon 97526 (541) 450-6000

City of Grants Pass
City Committee/Commission Questionnaire

Statement of your reasons for desiring to serve: Please write a brief narrative describing your interest, qualifications and what you hope to accomplish in this position. Please include your skills, experience, and knowledge that you would contribute in this position. (Please feel free to use an additional sheet of paper or attach a cover letter, resume, or other helpful information).

I have a long term commitment to environmental restoration and community organizing for healthy living. As an RN and personal safety educator for children & adults, I have expertise, experience and passion for promoting health & well being for all people. Current research shows that a beautiful natural environment anchored by trees has great benefits for human health and happiness. We have known for a long time that trees naturally clean our air by converting CO_2 to O_2. I would like to see children involved in the planting & care of trees in Grants Pass so they can watch the trees grow along with them and point to the contribution they have made to community & to the environment.

Plus I would enjoy working with the Urban Tree Advisory as a way to contribute to my new home community of Grants Pass.

Statement of any relevant concerns or goals to be achieved while serving on this position:

working with current short & long term goals of Urban Tree Advisory.
Serving as an ear and a voice for the community regarding trees in Grants Pass.
Growing community involvement in Tree projects in GP.

What do you think are the most critical issues facing this local government in the next three years? balancing short term goals with long term goals
educating, involving, inspiring youth to participate in city concerns

Are there some things about the City of Grants Pass that you have a special interest in?

increasing youth involvement

Responsibilities of Volunteers

As a volunteer with the City of Grants Pass, you are covered by the City of Grants Pass for liability and personal injury. Please read the following and sign.

What if I am accused of doing something wrong?

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1. You limit your actions to only the duties assigned in your job description, or assigned by an authorized supervisor.

2. You perform your assigned duties in good faith, and do not act in a manner that is reckless or with intention to cause harm to others.

You are personally responsible when:

1. Your actions are contrary to the duties assigned in your job description, or assigned by an authorized supervisor.

2. You act maliciously, with the intent to cause unlawful damage or injury, or with gross recklessness.

3. You are accused of a crime.

4. You fail to cooperate with Risk Management or the City Attorney; or you act in such a way as to harm the City's defense against the claim.

The limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260 through 30.300.

What if I have an accident while driving a City vehicle?

The City of Grants Pass will pay and defend claims against you for injury to people or property caused while operating a City owned vehicle to perform assigned duties. We refer to this coverage as "Vehicle Liability". The City will also pay for damages to the City vehicle.

Your insurance company will be responsible for the defense & payment of claims against you for injury to people or property caused while operating your personal vehicle.

The coverage is subject to the following conditions:

1. You report an accident that happens on City business to your supervisor immediately.

2. You cooperate fully with Risk Management and the City Attorney.

3. You have a valid driver's license, and follow all laws and rules while operating the vehicle.

You are not covered for an accident while driving when:

1. You operate your personally owned vehicle to perform City business. The City does not provide any protection for your vehicle. You are expected to have liability insurance, comprehensive & collision insurance for any personally owned vehicle that you use on City business. It is up to you to carry insurance on your vehicle.

2. You use a City vehicle or any other vehicle for personal use. The City does not provide any coverage if you drive a City vehicle or any other vehicle contrary to your job description or the directions of your supervisor.

The limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260 through 30.300.

What if I get hurt?

The City does not provide Workers' Compensation benefits for Registered Volunteers. The City provides an accident insurance policy for Registered Volunteers. It is limited only to injuries due to an accident while performing assigned volunteer duties. The coverage is subject to the following conditions:

1. Coverage pays after any other available insurance which may apply to the same injury.

2. If you are injured in a private vehicle, the vehicle owner's insurance is responsible for your medical bills.

3. The amount of Insurance applicable per Registered Volunteer is as follows:

   a. Principal Sum - $2,500
   b. Capital Sum - $2,500
   c. Medical Indemnity - $25,000

Reporting an Accident:

Any time you are involved in an accident, or have knowledge about a potential liability situation while performing assigned duties, you must notify your supervisor immediately.

I have read and understand the above insurance limitations.

8/12/16

Signature of Volunteer Date

Karen Frerk

From: noreply@civicplus.com
Sent: Monday, August 29, 2016 1:39 PM
To: Karen Frerk
Subject: Online Form Submittal: City Committee / Commission Appointment Application

City Committee / Commission Appointment Application

Step 1

Select the Board, Commission, or Committee applying for	Urban Tree Advisory Committee
Wait List	*Field not completed.*
Personal Information	
First Name	Daniel
Last Name	McBerty
Address	
Mailing Address (if different)	
Home Phone Number	
Business Phone Number	
Years as City Resident	10
Email Address	
Occupation and Employer	Realtor Century 21
May we contact you at work?	Yes
Educational Background	
High School	Graduated
College	*Field not completed.*
Trade or Business School	Century 21 JC Jones

Have you ever been convicted of a felony?	No
Relevant Job History	none, just a passion for trees...
Previous Volunteer/Committee Experience	Member of HBSC and currently member of Tree committee
Community Involvement	Trying to save the world.....

Authorization Waiver

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I maybe subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Grants Pass may decline my volunteer application or volunteer services at any time.

Verification	I verify the information in my application.
Applicant's Name	Dan McBerty
Date	12/19/1957 7:00 PM

Step 2

City Committee / Commission Appointment Questionnaire

Statement of your reasons for desiring to serve:	I have not completed what I have set out to do. That is to revise some of this towns language that addresses the tree canopy necessary for the businesses that keep finding homes here in Tree CityUSA. Walmart, Home Depot, Winco, Albertsons, etc. These builders are building and landscaping to the letter of the code. (no more, no less) We will have more building in the future, we need to require more trees and the support they need to grow into trees. We need to address the code. The builders will not bark or complain... "welcome to Tree City"
Statement of any relevant concerns or goals to be achieved while serving in this position:	See above.... Tree canopy
What do you think are the most critical issues facing this local government in the next three years?	Money, safety, growth
Are there some things about the City of Grants Pass that you have a	Restoration and preservation of our downtown area....

special interest in?

Additional Information *Field not completed.*

Step 3

Responsibilities of Volunteers
As a volunteer with the City of Grants Pass, you are covered by the City of Grants Pass for liability and personal injury. Please read the following and sign:

What if I am accused of doing something wrong?
The city provides you with protection from liability for bodily injury or property damage you cause to someone else. We refer to this coverage as "Tort Liability." The coverage is subject to the following conditions:

1. You limit your actions to only the duties assigned in your job description, or assigned by an authorized supervisor.

2. You perform your assigned duties in good faith, and do not act in a manner that is reckless or with intention to cause harm to others.

You are personally responsible when:
1. Your actions are contrary to the duties assigned in your job description, or assigned by an authorized supervisor.

2. You act maliciously, with the intent to cause unlawful damage or injury, or with gross recklessness.

3. You are accused of a crime.

4. You fail to cooperate with Risk Management or the City Attorney; or you act in such a way as to harm the City's defense against the claim.

The limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260 through 30.300.

What if I have an accident while driving a City vehicle?
The City of Grants Pass will pay and defend claims against you for injury to people or property caused while operating a City owned vehicle to perform assigned duties. We refer to this coverage as "Vehicle Liability." The City will also pay for damages to the City vehicle.

Your insurance company will be responsible for the defense and payment of claims against you for injury to people or property caused while operating your personal vehicle.

The coverage is subject to the following conditions:

1. You report an accident that happens on City business to your supervisor immediately.

2. You cooperate fully with Risk Management and the City Attorney.

3. You have a valid driver's license, and follow all laws and rules while operating the vehicle.

You are not covered for an accident while driving when:
1. You operate your personally owned vehicle to perform City business. The City does not provide any protection for your vehicle. You are expected to have liability insurance, comprehensive & collision insurance for any personally owned vehicle that you use on City business. It is up to you to carry insurance on your vehicle.

2. You use a City vehicle or any other vehicle for personal use. The City does not provide any coverage if you drive a City vehicle or any other vehicle contrary to your job description or the directions of your supervisor.

The limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260 through 30.300.

What if I get hurt?
The City does not provide Workers' Compensation benefits for Registered Volunteers. The City provides an accident insurance policy for Registered Volunteers. It is limited only to injuries due to an accident while performing assigned volunteer duties. The coverage is subject to the following conditions:

1. Coverage pays after any available insurance which may apply to the same injury.

2. If your are injured in a private vehicle, the vehicle owner's insurance is responsible for your medical bills.

3. The amount of Insurance applicable per Registered Volunteer is as follows:
a. Principal Sum - $2,500
b. Capital Sum - $2,500
c. Medical Indemnity - $25,000

Reporting an Accident
Any time you are involved in an accident, or have knowledge about a potential liability situation while performing assigned duties, you must notify your supervisor immediately.

Verification	I have read and understood the insurance limitations.
Volunteer's Signature	Daniel R McBerty
Date	8/29/2016 1:30 AM

Email not displaying correctly? View it in your browser.

Received

AUG 25 2016

City of Grants Pass
City Committee/Commission Appointment Application

Name: WILLIAM REINERT
Address: _____
Mailing Address: (if different) _____
Home Phone: _____ Business Phone: _____ Yrs as City Resident: 12 YRS
E-mail Address: _____

Occupation and Employer: _____ May we contact you at work? _____

I am interested in serving on the following committee(s):

☐	Bikeways/Walkways	☑	Parks Advisory Board
☐	Budget	☐	PAVE
☐	CoPA	☐	Historic Buildings & Sites
☐	Tourism Advisory	☐	Industrial Dev. Loan Review
☐	Micro Enterprise Loan Review Board	☐	Urban Area Planning Commission
☑	Urban Tree Advisory	☐	City Council

☐ I am interested in being on a waiting list if there are no current vacancies.

Education Background

High School: ☑ Graduated ☐ GED
College: ☐ Some College ☑ Bachelor Degree UCLA ☐ Advanced Degree

Have you ever been convicted of a felony? ☐ Yes ☒ No

Relevant Job History: SET DECORATOR FILM IND 30 YRS

Previous Volunteer/Committee Experience: (Involvement with City or other government committees, boards, projects, etc.)

Community Involvement: PAINT YOUR HEART OUT 4 YRS

AUTHORIZATION WAIVER

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I may be subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Grants Pass may decline my volunteer application or volunteer services at any time.

Applicant's Signature

AUG 25-2016
Date

City of Grants Pass
City Committee/Commission Questionnaire

Statement of your reasons for desiring to serve: Please write a brief narrative describing your interest, qualifications and what you hope to accomplish in this position. Please include your skills, experience, and knowledge that you would contribute in this position. (Please feel free to use an additional sheet of paper or attach a cover letter, resume, or other helpful information).

HAVEING ASSISED IN MAKE NEW RULES FOR THE PAST ~~4YRS~~ 4YRS IT GIVES ME PRIDE KNOWING THINGS ARE WORKING WELL.

Statement of any relevant concerns or goals to be achieved while serving on this position:

GOAL I LIGHTING UP SIXTH ST WITH LED LIGHTING BOTH SIDS OF THE ST.

What do you think are the most critical issues facing this local government in the next three years?

Are there some things about the City of Grants Pass that you have a special interest in?

NOT AT THIS TIME

(3)

Responsibilities of Volunteers

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What if I am accused of doing something wrong?

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3. You are accused of a crime.

4. You fail to cooperate with Risk Management or the City Attorney; or you act in such a way as to harm the City's defense against the claim.

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What if I have an accident while driving a City vehicle?

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The coverage is subject to the following conditions:

1. You report an accident that happens on City business to your supervisor immediately.

2. You cooperate fully with Risk Management and the City Attorney.

3. You have a valid driver's license, and follow all laws and rules while operating the vehicle.

(4)

You are not covered for an accident while driving when:

1. You operate your personally owned vehicle to perform City business. The City does not provide any protection for your vehicle. You are expected to have liability insurance, comprehensive & collision insurance for any personally owned vehicle that you use on City business. It is up to you to carry insurance on your vehicle.

2. You use a City vehicle or any other vehicle for personal use. The City does not provide any coverage if you drive a City vehicle or any other vehicle contrary to your job description or the directions of your supervisor.

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What if I get hurt?

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2. If you are injured in a private vehicle, the vehicle owner's insurance is responsible for your medical bills.

3. The amount of Insurance applicable per Registered Volunteer is as follows:

   a. Principal Sum - $2,500
   b. Capital Sum - $2,500
   c. Medical Indemnity - $25,000

Reporting an Accident:

Any time you are involved in an accident, or have knowledge about a potential liability situation while performing assigned duties, you must notify your supervisor immediately.

I have read and understand the above insurance limitations.

AUG-25-19-2016

Signature of Volunteer Date

Received
SEP 7 2016

City of Grants Pass
City Committee/Commission Appointment Application

Name: Jeff Soash
Address: [redacted]
Mailing Address: (if different) [redacted]
Home Phone: 541- [redacted] usiness Phone: [redacted] Yrs as City Resident: 4
E-mail Address: [redacted]
Occupation and Employer: TRN at Options for Southern Oregon May we contact you at work? Y

I am interested in serving on the following committee(s):

☐	Bikeways/Walkways	☐	Parks Advisory Board
☐	Budget	☐	PAVE
☐	CoPA	☐	Historic Buildings & Sites
☐	Tourism Advisory	☐	Industrial Dev. Loan Review
☐	Micro Enterprise Loan Review Board	☐	Urban Area Planning Commission
☒	Urban Tree Advisory	☐	City Council

☐ I am interested in being on a waiting list if there are no current vacancies.

Education Background

High School: ☐ Graduated ☐ GED
College: ☒ Some College ☐ Bachelor Degree ☐ Advanced Degree

Have you ever been convicted of a felony? ☐ Yes ☒ No

Relevant Job History:
None

Previous Volunteer/Committee Experience: (Involvement with City or other government committees, boards, projects, etc.)
None

Community Involvement:
Library Volunteer; Support Group Chairperson
Blood Donor

AUTHORIZATION WAIVER

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I may be subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Grants Pass may decline my volunteer application or volunteer services at any time.

Applicant's Signature

9-6-16
Date

City of Grants Pass
City Committee/Commission Questionnaire

Statement of your reasons for desiring to serve: Please write a brief narrative describing your interest, qualifications and what you hope to accomplish in this position. Please include your skills, experience, and knowledge that you would contribute in this position. (Please feel free to use an additional sheet of paper or attach a cover letter, resume, or other helpful information).

I have an interest in environmental science and one of my hobbies is growing trees from seed. These two interests can be applied to improving not just the appearance and livability of Grants Pass, but also to integrating our local area with the regional environment. For example, trees can be planted that help sustain local animal and bee populations or that help to sustain migrating birds.

Statement of any relevant concerns or goals to be achieved while serving on this position:

1. Encourage local planting of fruit and nut trees.
2. Re-establishment of a Grants Pass Redwood Grove
3. Close partnership with the Master Gardeners to create a Hummingbird and Butterfly garden, adding tourism value to G.P.

What do you think are the most critical issues facing this local government in the next three years? Environment (Drought), Economy (Homelessness), ~~Infrastructure~~ Infrastructure (Roads & Traffic)

Are there some things about the City of Grants Pass that you have a special interest in?
We might want to consider strategic tree planting to help mitigate future Earthquake Damage due to slides and liquifaction.

Responsibilities of Volunteers

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What if I am accused of doing something wrong?

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2. You act maliciously, with the intent to cause unlawful damage or injury, or with gross recklessness.

3. You are accused of a crime.

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3. The amount of Insurance applicable per Registered Volunteer is as follows:

   a. Principal Sum - $2,500
   b. Capital Sum - $2,500
   c. Medical Indemnity - $25,000

Reporting an Accident:

Any time you are involved in an accident, or have knowledge about a potential liability situation while performing assigned duties, you must notify your supervisor immediately.

I have read and understand the above insurance limitations.

9-8-16

Signature of Volunteer Date

Item 5.c.

Parks Advisory Board
September 8, 2016 meeting:

1. Board Member Still moved and Board Member Chapman seconded to not consider 188 SE Grandview Avenue property (.4 acres) for a future park. The vote resulted as follows: "AYES": Board Members, Battersby, Szewc, Cartmell, Kuhlman, Still, Reinert and Chapman. "NAYS": None. Abstain: None. Absent: Matti. The motion passed.

Item — Motion allowing the sale and consumption of alcohol in association with the Art Along the Rogue event. — Date: September 21, 2016.

SUBJECT AND SUMMARY:

This is a request by Jon Bowen, Travel, Tourism contractor to allow the sale and consumption of alcohol in association with the Art Along the Rogue event.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council's goals to encourage **ECONOMIC OPPORTUNITIES** by supporting Art Along the Rogue and downtown community celebrations.

CALL TO ACTION SCHEDULE:

The event is scheduled for October 8 -9, 2016. Call to action schedule: September 21, 2016.

BACKGROUND:

Art Along the Rogue has become a premier event in the City of Grants Pass. This year will be its 14th anniversary. The event has had many goals over the years. Tourism's shoulder months promote Grants Pass's art community. In addition, the location of the event is key to help promote the downtown and the businesses.

Each year, the event has been expanding in size and attendance, and we look for ways to increase the interest and create broader appeal. For the past five years, food, beer and wine have been served by an adjacent restaurant on SW 5th Street, along with other neighboring restaurants. These establishments utilize the sidewalk to assist in accommodating the demands of the event. However, there is still a high demand for to provide food and refreshments to the visitors of the event.

As the organizers of the event, we would like to designate an area to offer a variety of items that would help promote the industries that support tourism; craft breweries, wineries and related agri-businesses like cheeses and food products. This would be an area set aside on H and/or 5th Street as a culinary area.

To cover the City's liability, City County Insurance would require that food and alcohol vendors provide the City with proper permits from the OLCC, food handlers' license and a certificate of insurance with a minimum liability limit of $2,000,000.

ITEM: 6.a. MOTION ALLOWING THE SALE AND CONSUMPTION OF ALCOHOL IN ASSOCIATION WITH THE ART ALONG THE ROGUE EVENT.

Staff Report (continued):

The question becomes, does the Council approve of beer and wine being served as part of Art Along the Rogue, by licensed and insured operators on public property?

COST IMPLICATION:

None.

ALTERNATIVES:

Council can approve, through a motion, the sales and consumption of alcohol in association with the Art Along the Rogue event; or

Council can deny the request.

RECOMMENDED ACTION:

This action is at Council's discretion.

POTENTIAL MOTION:

I move to allow the sale and consumption of alcohol on public property in association with the Art Along the Rogue event.