

EXHIBIT G TO RESOLUTION

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ELEMENT 13. LAND USE

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13. LAND USE

• Goal

To provide a vision of the future through maps and policies that shall guide and inform the land use decisions of the present, in such a manner that:

- (a) identifies rural lands and separates these lands from urbanizable lands,
- (b) provides for an orderly economic and efficient transition from rural to urban land use,
- (c) does not exceed the carrying capacity of the area's air, land and water resource,
- (d) is responsive to the wishes of the citizens and property owners of the planning area, and
- (e) provides adequate amounts of industrial, commercial and residential lands to meet growth needs over the planning period.

• Policies

13.1 Purpose and Intent

13.1.1 Data Base Purpose

The Data Base of the Comprehensive Plan depicts the geologic, geographic, physical, historical, economic and social patterns and relationships of the Grants Pass area. The goals and policies of the Comprehensive Plan represent the conscious choices of the Grants Pass community for the future growth and evolution of the area, based upon these patterns and relationships.

13.1.2 Findings, Goals and Policies Purpose:

The adopted Comprehensive Plan is the official statement of the City of Grants Pass which sets forth its policies concerning the future development of the community.

- (a) The "Goals" are broad statements of philosophy that describe the desires of the people of the community for the future of the community. The Goals are the ends towards which land use activity is to be directed, and to which policies give operating principles, plans and courses of action.
- (b) The "Policies" are plans or definite course of action selected from among all alternatives to guide and determine present and future decisions. Policies are intended to be mandatory and directional, to carry out the Goals, and to serve

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as the basis for specific implementation measure, including land use ordinances, resolutions, and permits.

- (c) "Findings" tie the goals and policies to the Data Base in a clear, demonstrative and rational manner.
- (d) The Comprehensive Plan is the controlling land use instrument for the City; all development regulations and related actions by the City shall conform to the Comprehensive Plan.

13.1.3 Land Use Map Purpose:

The Comprehensive Plan Land Use Map is a key tool of the Comprehensive Plan, designating the most appropriate use for all real property within the Urban Growth Boundary. The designated land uses are based upon the goals, policies, findings and data base of the Comprehensive Plan.

13.2 Land Use Map

13.2.1 Comprehensive Plan Land Use Map:

The City and County shall adopt a Land use Map as part of this Comprehensive Plan. The Comprehensive Plan Land Use Map shall:

- (a) designate the highest and best land use for all portions of the Urban Growth Boundary area, on a parcel-by-parcel basis.
- (b) guide and direct changes to the Zoning Map.
- (c) meet the demonstrated need during the planning period for residential, commercial, industrial, and public lands as determined by the Comprehensive Plan.

13.2.2 Comprehensive Plan Land Use Designations:

The Land Use Map shall include the following land uses, whose designation are summarized below:

- Low Density Residential: maximum densities of up to 5.5 dwelling units per acre. (Allows Zoning Map Designations of R-1-12, R-1-10, R-1-8)

- Moderate Density Residential: maximum densities of up to 10.5 dwelling units per acre. (Allows Zoning Designations of R-1-6, R-2)

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- High Density Residential: maximum densities of up to 17.5 dwelling units per acre. Location limited to immediate proximity of Downtown, or the shopping centers in East Grants Pass and the Redwood Interchange. (Allows Zoning Map Designation of R-3)

- High Rise Density Residential: maximum densities of up to 35.5 dwelling units per acre. Location limited to immediate proximity of Downtown, shopping centers in East Grants Pass and the Redwood Interchange, and other areas adjacent to nodes of existing or planned supporting commercial use; employment centers, community and recreation facilities, arterial and collector streets, and/or transit centers to support higher densities while reducing travel demand and maximizing opportunities for alternate modes of transportation. (Allows Zoning Map Designation of R-4)

Unless a separate professional office designation is created, areas which are suitable for professional uses, but not for higher residential densities, may also be considered for this designation. However, at the time of designation, the review body should consider some restrictions of higher density residential development until adequate adjacent supporting uses and facilities are planned or provided. Options for establishing restrictions may include, but are not limited to, the use of a Development Agreement restricting use or intensity of use.

- Neighborhood Commercial: provides for small retail and service businesses in residential areas. Limited to maximum area of 20,000 square feet of contiguous land. (Allows Zoning Map Designation of NC, Neighborhood Commercial)

- General Commercial: provides for all commercial and professional uses, excepting those requiring on-site manufacture or assembly. Development standards according to adjacent uses and development. (Allows Zoning Map Designation of GC, General Commercial)

- Central Business District: mixed use District, provides the retail, professional office, and high rise residential core for the City and urbanizing area, and encourages concentrated development. (Allows Zoning Map Designation of CBD, Central Business District)

- Business Park: mixed used District, provides for light industrial and commercial uses, allows retail sales as accessory use to light industrial and wholesale uses. (Allows Zoning Map Designation of BP, Business Park)

- Industrial Park: Industrial Park in campus-like setting, allowing only those industries meeting high performance standards. (Allowing Zoning Map Designation of IP, Industrial Park)

- Industrial: provides for those industrial uses with heavier impacts upon their surroundings and need for outdoor functions. Performance standards required, with graduated buffering requirements keyed to adjacent uses. This district shall not

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graduated buffering requirements keyed to adjacent uses. This district shall not include retail commercial (other than service commercial) or other uses incompatible with heavy industry. (Allows Zoning Map Designation of I, Industrial)

~~Urban Reserve: maximum density of up to and including 1 dwelling unit per acre. To be used on the Zoning Map only, provides a "holding zone" for the future residential, uses designated on the Land Use Map, allowing and protecting interim rural residential uses.~~

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13.2.3 Plan Map/Zoning Map

The land use designation on the Comprehensive Plan Land Use Map shall be deemed to encompass the Zoning Districts of the Development Code according to the following schedule:

<u>Comprehensive Plan Land Use Designation</u>	<u>Urban Area Zoning Ordinance Designation</u>
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Residential Designation:

Allows:

Low Density
Moderate Density
High Density
High Rise Density

~~UR R-1-12, R-21-2010, R-1-8~~
~~UR R-1-6, R-12~~
~~UR R-3~~
~~UR R-4~~

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Commercial Designation:

Allows:

Neighborhood Commercial
General Commercial
Central Business District

~~C-2NC~~
GC
CBD

Industrial Designation:

Allows:

Business Park
Industrial Park
Industrial

BP
IP
I

13.2.4 Other Maps

The Development ~~code~~ Code shall include a Zoning Map, that shall include Special Purpose District Maps and Utility Maps, which maps and their criteria and standards shall meet the following basic functions:

- (a) The Zoning Map shall show currently permitted land uses on a parcel-by-parcel basis, and shall serve as a basis for determining the taxable value of any given parcel. The Zoning Map may show a less intensive land use than

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- (b) The Special Purpose District Maps and Standards shall determine which special development standards and review procedures, if any, apply to any given development proposal.
- (c) The Utility Maps, together with the Development Standards, shall determine the existing and future location of basic services, (water, sewer, streets, storm drainage, and parks), and shall determine which special development standards, if any, apply to any given development proposal.

13.2.5 Special Purpose Districts

Special Purpose Districts shall be adopted to include the following:

- (a) Slope Hazard: delineating areas of slope hazard due to combinations of steep topography and unstable soil, whose primary function is to allocate densities and development standards appropriate to the degree of hazard.
- (b) Flood Hazard: delineating areas of flood hazard, whose primary function is to determine location and standards of development appropriate to the degree of hazard.
- (c) Historic: delineating areas of historic value to the community, whose primary function is to encourage viable and economic use of historic areas while conserving and enhancing the area's historic resources.
- (d) Manufactured Housing District: delineating areas where manufactured housing is permitted outright in appropriate locations throughout the Urban Growth Boundary Area.

13.2.6 Development Code and Map Criteria

The Development Code shall set forth the criteria, standards and procedures for inclusion within and development of real property of a given Land Use District, Zone, Major Classification district, and Special Purpose District.

13.3 Areas of Mutual Concern

13.3.1 Identification:

As appropriate, the City and County shall identify any "areas and items of mutual concern" which may extend beyond the Urban Growth Boundary.

13.3.2 Procedures for Review:

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When so designated, the City and County shall establish procedures for notification and review for those areas and items of mutual concern identified.

13.4 Development Procedures

13.4.1 Procedure Types:

The Development Code shall separate land use procedures from land use criteria and development standards. Land use procedures shall be stratified according to the degree of discretionary judgment required, and the magnitude of the impacts of the proposal on the adjacent properties and the community as a whole, as follows:

13.4.2 Expedite Minor Review:

The Development code shall establish procedures for the development review process which expedite minor development proposals through administrative review, with provisions for public review upon appeal.

13.4.3 Streamline Review Process:

The Development Code procedures shall act to streamline the land development process and eliminate unnecessary delays, and shall contain standards and procedures for land-use actions that are clear, objective and non-arbitrary.

13.5 Comprehensive Plan Amendments

13.5.1 Provision for Amendments:

The Comprehensive Plan is not an inflexible document. It is intended to be responsive to changes in community condition and the attitude. In order to permit such flexibility, and at the same time maintain the integrity of the Comprehensive Plan, it is necessary to amend the Plan from time to time without frustrating its basic purpose.

- (a) In order to maintain the validity of community decision-making, the Data Base must be continuously updated, and the implications for decision-making that result from changing data and changing community attitudes should be widely disseminated and discussed.
- (b) Goals, Policies, and Findings will require changing over time, as the community changes. Linkage must be maintained between policy and the data base, all land use maps, and the implementing ordinances.
- (c) From time to time, the Land Use Map may need to be amended, and yet still maintain the correct linkages to the goals, policies, findings and data base, as well as retaining internal consistency.

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13.5.2 Minor and Major Amendments:

The City and County shall mutually revise the Comprehensive Plan from time to time, making both minor and major amendments.

- (a) Data Base: Revisions to the Data Base shall be Minor Amendments and shall proceed administratively as follows:
 - 1. Upon special update and analysis requested by the City Manager or City Council;
 - 2. Upon receipt of area or regional data, studies and analyses by other public or semi-public agencies;
 - 3. Upon verification of site specific or area specific studies and analyses performed by the private sector;
 - 4. Continuously as initiated by the Director; and
 - 5. As a part of the City Manager's Annual Development Report.
- (b) Findings, Goals and Policies: Amendments to Findings, Goals and Policies shall be either minor or major amendments as follows:
 - 1. Minor amendments, involving minor changes to findings and policies only, at one year intervals upon receipt of the City Manager's Annual Development Report for that year.
 - 2. Major amendments, involving major changes to findings, goal and policies at five year intervals, two years after the decennial census and quintennial counts taken by the US Census Bureau, upon receipt of the City Manager's Annual Development Report for that year.
- (c) Land Use Map: Amendments to the Comprehensive Plan land Use Map shall be either minor or major amendments, as follows:
 - 1. Minor amendments, consisting of quasi-judicial review of land use for one parcel or a group of parcels, shall be considered at any time, using the City Manger's Annual Development Report as a guide to the need for and appropriateness of such minor amendments.
 - 2. Major amendments, consisting of legislative review of overall patterns of land use within a neighborhood, subarea, or area, or within the City or Urban Growth Boundary as a whole, scheduled at five year intervals, two years following the decennial census and

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quintennial counts taken by the US Bureau of the Census, using new Census data as a guide to the need and appropriateness of such major amendments.

- (d) Notwithstanding (b) and (c) above, minor or major amendments, may be considered at any time upon the mutual consent of the City Council and Board of County Commissioners, using the latest Annual Development Report and revisions to the data base as a guide to the need and appropriateness of such revisions.

13.5.3 Initiating Amendments.

Comprehensive Plan amendments may be initiated as follows:

- (a) A petition submitted by residents or property owners within the Urban Growth Boundary.
- (b) The Planning Commission.
- (c) The City Council.
- (d) The Board of County Commissioners.

13.5.4 Criteria for the Amendment:

For amending the findings, goals, policies and Land Use Map of the Comprehensive Plan, the City Council and Board of county commissioners shall base their conclusions upon, and adopt findings in consideration of, all the following criteria:

- (a) consistency with other findings, goals and policies in the Comprehensive Plan.
- (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.
- (c) Applicable planning goals and guidelines of the State of Oregon.
- (d) Citizen review and comment.
- (e) Review and comment from affected governmental units and other agencies.
- (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

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a part of the requested Comprehensive Plan amendment.

- (g) Additional information as required by the review body.
- (h) In lieu of item (b) above, demonstration that the Plan as originally adopted was in error.

13.5.5 Joint Review.

Amendments to the Findings, Goals, Policies, and Land Use Maps of the Comprehensive Plan shall be made either jointly by the City Council and Board of County Commissioners, or after mutual review of proposed revisions and assurance of compatibility by both the Council and Board. The procedure for joint review shall be provided in Policy 13.89.

13.6 Urban Growth Boundary Amendments

13.6.1 Urban Growth Boundary Purpose and Intent:

The Urban Growth Boundary of the City and County, as adopted and amended, shall:

- (a) identify and separate urbanizable land from rural land;
- (b) provide for an orderly and efficient transition from rural land uses to urban land uses;
- (c) allow for the orderly and economic provision of public facilities and services as needed to accommodate urban development;
- (d) contain future urban development within the geographical limits of the Boundary; and
- (e) be considered as part of one body with the policies of the Comprehensive Plan, and acted upon in the manner provided for in the Comprehensive Plan.

13.6.2 Boundary Amendments:

The City and County shall mutually amend the Urban Growth Boundary from time to time, making both minor and major amendments.

- (a) Minor amendments, involving only the inclusion or exclusion of lands, shall be considered annually, using the City Manger's Annual Development Report as a guide to the need for and appropriateness of such minor amendments.
- (b) Major amendments, involving major changes in the data base, goals and policies, in addition to the inclusion and exclusion of lands, shall be

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considered at five year intervals, two years following the decennial census and quintennial counts taken by the U.S. Bureau of the Census, using new Census data as a guide to the need and appropriateness of such major amendments.

- (c) Notwithstanding (a) and (b) above, either minor or major amendments may be considered at any time upon the mutual consent of the City Council and Board of County Commissioners using the latest Annual Development Report and revisions to the data base as a guide to the need and appropriateness of such amendments.

13.6.3 Criteria for Inclusion

For including real property within the Urban Growth Boundary, the City Council and Board of County Commissioners shall base their conclusion upon and adopt findings in consideration of the following criteria, as relevant to each inclusion:

~~(a)~~ ~~(a)~~—The proposed inclusion meets applicable planning goals and guidelines, Statutes, and Administrative Rules of the State of Oregon.

~~(b)~~ Inclusion of lands within the Urban Growth Boundary (UGB) shall be consistent with the review process and land priority inclusion criteria specified in state law (ORS 197.298, OAR 660-024-0060, and OAR 660-21-0060). When Urban Reserves have been adopted, lands within adopted Urban Reserves shall be the first priority for inclusion within the UGB, consistent with state law.

When lands within adopted Urban Reserves are proposed for inclusion in the UGB, the land use shall be consistent with any adopted land use plans and policies for the Urban Reserve areas, and there shall be demonstrated need to include the lands in the UGB, consistent with state law and the Comprehensive Plan.

~~(bc)~~ The proposed inclusion is consistent with the goals and policies of the Comprehensive Plan.

~~(ed)~~ The applicant has demonstrated need to meet population growth requirement:

1. as defined by residential, commercial, industrial, public, and semi-public land requirements determined by the Comprehensive Plan, as best met by the proposal versus other available alternatives; or
2. as defined by a need to meet the land use requirements of a given area, sub-area or neighborhood of the Boundary, consistent with the Comprehensive Plan policies for that area, sub-area, or neighborhood.

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- (de) The applicant has demonstrated that the proposed inclusion recognized the development patterns endorsed by the Comprehensive Plan.
- (ef) ~~The proposed inclusions are not agricultural lands supporting a commercial agricultural enterprise.~~ Formatted: Strikethrough
- (f) ~~Except for lands included within an Urban Reserve in accordance with the provisions of Section 13.7 and applicable state law, lands proposed for inclusion in the UGB shall not have farm resource zoning, whether Exclusive Farm Use (EFU), Farm Resource (FR), or equivalent, unless:~~
 - 1. ~~The lands are necessary for industrial use, and will be designated only for traded-sector industrial uses, and~~
 - 2. ~~The inclusion is consistent with the priority requirements of ORS 197.298 and OAR 660-024-0060, and~~
 - 3. ~~In addition to the above priorities in statute and administrative rule, if lands with either EFU or FR zoning designations on the Josephine County Zoning Map could meet the need, priority shall be given to lands in the FR zone over those in the EFU zone.~~
- (fg) The proposed inclusions are contiguous to the Urban Growth Boundary.
- (gh) The proposed inclusion can be provided with the full range of basic urban services in an economical manner.
- (hi) Allow for citizen review and comment.
- (ji) Allow for review and comment by affected governmental units and other agencies.
- (jk) If properties included within the Boundary, the zoning of the included property shall be consistent with the Comprehensive Plan Land Use Map for the Urban Growth Boundary.

13.6.4 Criteria for Exclusion (Removal):

For excluding ~~(removing)~~ real property from the Urban Growth Boundary previously included, the City Council and Board of County Commissioners shall base their conclusions upon, and adopt findings in consideration of, the following criteria, as relevant to each exclusion:

- (a) The proposed exclusion is consistent with the Planning Goals and Guidelines of the State of Oregon.

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- (b) The proposed exclusion is consistent with the Goals and Policies of the Comprehensive Plan.
- (c) The applicant has demonstrated that the need for residential, commercial, industrial, public and semi-public lands, as determined by the Comprehensive Plan, will not be significantly affected by the exclusion.
- (d) The proposed exclusion is not partitioned or developed to urban levels. Urban levels are evidenced by partitioning or residential development of more than one dwelling unit per acre; by basic urban services of sanitary sewer and/or water systems available to the area; by developed industrial, commercial and institutional uses, or lands designated for those uses; and by the availability of sanitary sewer service or public water service to the area.
- (e) The proposed exclusion is agricultural land capable of supporting a commercial agricultural enterprise.
- (f) The proposed exclusion is contiguous to the Boundary, and will not leave islands within the Urban Growth Boundary; also, the exclusion area represents a reasonable geographical exclusion in shape, does not preclude services to other lands within the Urban Growth Boundary, and does not constitute a disruption to a neighborhood.
- (g) The proposed exclusion cannot be provided with a full range of urban services in an economical manner.
- (h) Allow for citizen review and comment.
- (i) Allow for review and comment by affected governmental units and other agencies.
- (j) If property is excluded from the Boundary, the zoning of the excluded property shall be consistent with the County Comprehensive Plan Land Use Map, except that where sanitary sewer service and/or public water service is available to the property, the zoning of the excluded property shall be Suburban Residential. Urban level zones shall be contained within the Urban Growth Boundary.

13.6.5 Initiation of Revision:

- (a) Revisions to the Urban Growth Boundary may be initiated by:
 - 1. A petition submitted by property owners or their authorized agents.
 - 2. The Planning Commission.

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3. The City Council.
4. The Board of County Commissioners.

(b) Signed Petition shall included either:

A petition signed by all property owners requesting inclusion or exclusion, or a petition signed by property owners requesting inclusion or exclusion within a designated area shown on an assessors map, such that the signatures represent more than half the property owners of more than half the property with more than half the assessed value of the total property shown within the designated area.

13.6.6 Joint Review:

Inclusions or exclusions of real property to the Urban Growth Boundary shall be made jointly by the City Council and Board of County Commissioners. The procedure for joint review shall be as provided in Policy 13.89.

13.7. Urban Reserves

13.7.1. Urban Reserves

Urban Reserves may be adopted or amended jointly by the City Council and Board of County Commissioners in accordance with the criteria and procedures specified in Oregon Revised Statutes (ORS 195.137-195.145) and Oregon Administrative Rules (OAR 660 Division 21)

The review shall be a Type V procedure with a joint decision by the City Council and Josephine County Board of Commissioners as specified in Section 2.070 of the Development Code and Section 13.9 below. However, any action which requires review "In the Manner of Periodic Review" rather than as a "Post-Acknowledgment Plan Amendment" as specified in Oregon Revised Statutes and Oregon Administrative Rules shall be subject to the jurisdiction and review of the Land Conservation and Development Commission in accordance with the provisions specified in the applicable statues and administrative rules. As specified in the applicable law, these decisions are not appealable to the Land Use Board of Appeals, and the noticing shall reflect the applicable procedures and requirements rather than those specified in the Development Code that reference appeals to the Land Use Board of Appeals.

~~13.7—8~~ Urban Area Planning Commission

~~13.78.1~~ Urban Area Planning Commission.

A single Planning Commission, designated the "Urban Area Planning Commission",

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shall be appointed to serve the Grants Pass Urban Growth Boundary area, both inside and outside the City limits.

Provisions governing the Urban Area Planning Commission shall be specified in Article 7 of the Development Code.

13.8—9 City/County Joint Review Procedure

13.89.1 Joint Review. Except as otherwise provided by Intergovernmental Agreement, Joint review as provided in this section by the City Council and Board of County Commissioners shall be required for amendment and revision to the following items:

- (a) Comprehensive Plan Data Base.
- (b) Comprehensive Plan Findings, Goals and Policies.
- (c) Comp Plan Land Use Map.
- (d) Urban Growth Boundary.
- (e) Urban Reserves.
- (ef) Mutually adopted Service and Utility Plans.

13.89.2 Data Base Joint Review.

- (a) All administrative revisions to the Data Base shall be summarized annually, and placed in both the City Manager's and the County Planning Department's annual Development Reports, together with implication for policy making that may result from the Data Base revisions, including proposed changes to the Comprehensive Plan and Development Code.
- (b) Revisions to the Data Base occurring during the year prior to the Annual Development Report that are significant enough to warrant reconsideration of Comprehensive Plan and Development Code policies, requirements and maps shall be forwarded to the City Manager for City Council consideration and to the Board Chairman for Board of County Commissioners consideration.
- (c) The City Council and Board of County Commissioners shall review all Data Base revisions in an administrative action at a public meeting, and shall determine at the time of such review whether to initiate an amendment to the Comprehensive Plan or the Development Code as a result of the revisions to the Data Base. The procedure for amendment action so initiated shall be as provided in this Element.

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- (d) Governing Body Review may be joint, or may be separate. In either case, the revisions to the Data Base must be found to be consistent by both Council and Board.

13.89.3

Finding/Goal/Policy, Land Use Map, UGB, Urban Reserves, Other Joint Review.

- (a) Request for Review. ~~when~~ When amending the Comprehensive Plan Findings, Goals, Policies and Land Use Map, the Urban Growth Boundary, the Urban Reserves, ~~and~~ or jointly adopted service or utility plans, the jurisdiction initiating action shall notify the other jurisdiction at least 45 days prior to the initial hearing on the matter before the Urban Area Planning Commission, Utility Commission or governing body, as appropriate.
- (b) Reply and Comment. At least 10 days prior to the initial hearing, the noticed jurisdiction shall reply, as follows:
1. no comment.
 2. comment, with request that the originating jurisdiction conclude the matter.
 3. comment, with request for a joint hearing on the matter.
- (c) Notice. Notice for the joint hearing shall be as provided in the ordinances of the initiating jurisdiction as follows:
1. For Council initiated items, as provided in the Development code, Section 2.060, Type IV Procedure.
 2. For Board initiated items, as provided in the appropriate implementing ordinance.
- (d) Hearing Procedure. Hearing procedure shall be as provided in the ordinances of the initiating jurisdiction as follows:
1. for Council initiated items, as provided in the Development Code, Section 9, Legislative Hearing Guidelines.
 2. for Board initiated items, as provided in the Land Use Hearing Rules.
- (e) Governing Body Review. Following recommendation by the Urban Area Planning Commission, and joint workshops and hearings as appropriate by the governing bodies, the Council and Board shall take joint action on the amendment, as follows:
1. Concur in the amendment action, which for Data Base inclusions,

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Land Use Map, Urban Growth Boundary, Urban Reserves, ~~and or~~ Service and Utility Plan Maps shall mean identical material adopted by both jurisdictions, and for Data Base Supplemental Material, Findings, Goals, and Policies, and Service and Utility Plan Policies, shall mean consistent material adopted by both jurisdictions. Upon concurrence, the amendment shall go forward.

2. Do not concur and call for a rehearing within 45 days. Such rehearing shall be noticed and conducted as provided in Sections 13.89.3(c) and 13.89.3(d) above.
3. Do not concur, and call for a mediated resolution of the matter within 45 days. A mediator acceptable to both parties shall be named within 10 days, and the costs of mediation, if any, shall be shared equally by the Council and Board. The Urban Area Planning Commission may serve as mediator. The mediated proposal shall be presented jointly to Board and Council in a noticed public meeting as provided in Sections 13.89.3(c) and 13.89.3(d) above.
4. Should the governing bodies fail to concur, as defined in Section 13.89.3(e) (1), at the conclusion of the rehearing or upon presentation of the mediated proposal, the Amendment shall not go forward.

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Type I Procedure

Objective decisions.

Little, if any, discretion required.

Because of minimal or no effect on others, public participation is provided simply by noticing nearby property owners and reviewing their submitted written testimony.

No public hearing held.

Director of Community Development, or his designee, takes action.

Appeal by Type III procedure.

Type II Procedure

Objective decisions.

Moderate discretion required.

Application of the standards may require knowing of some effect upon others.

Nearby property owners invited to respond to a tentative decision.

Director of Community Development holds meeting, takes action.

Lack of agreement escalates process to Type III procedure.

Type III Procedure

Complex or subjective decisions.

Discretion required. Delegated quasi-judicial actions required.

Possible significant effect on some persons or broad effect on a number of persons.

In addition to applicant, others affected are invited to hearing to present initial information.

Hearings Officer or Planning Commission holds public hearing, takes action.

Appeal by Type IV procedure.

Type IV Procedure

Complex or subjective decisions.

Great deal of discretion required. Quasi-judicial or legislative actions required.

Possible significant effect on some persons or broad effect on a number of persons.

In addition to applicant, others affected are invited to hearing to present initial information.

Planning Commission holds public hearing and makes recommendation, City Council or Board of County Commissioners, or both acting jointly, holds public hearing, takes action.

Appeal to LCDC or LUBA