



Planning Commission

Agenda

Study Session

October 26, 2015

Noon

**Lausmann Annex — Room 151-157
200 S. Ivy Street, Medford, Oregon**

Subject:

- 1. DCA-15-088. Article II reorganization.**

4. Remove Section 10.146, the referral agency distribution table. The reason for the change: This section adds two-and-a-half pages to Article II. Also, if there are any changes to the table it requires a code amendment to update the table. It would be easier to maintain and update the table if it is done administratively, when necessary, by staff.
5. Under each application type there is a section that lists the application submittal requirements. Staff is proposing to remove these from the code. The reason for the change: anytime there is a change to the number of copies we need, or there is an additional submittal requirement to add it requires a code amendment. It would be easier to maintain and update our applications if it is done administratively, when necessary, by staff.
6. Currently, land partitions are a Class C quasi-judicial procedure and the approving authority is the Planning Commission. Staff proposes to change land partitions to a Type II, Planning Director decision with notice to adjacent property owners. The reason for the change: land partitions are straight-forward and merely require analysis to ensure that the resultant lot(s) meet Code requirements for the underlying zoning district. By making these a Type II Planning Director decision with notice it removes an unnecessary local regulation and streamlines the partition process.

SECTIONS FROM OTHER ARTICLES BEING MOVED TO ARTICLE II:

- 10.051 – 10.056 Appeals (being moved to Type III application section).
- 10.223 Reports (being moved to Approving Authorities and Referral Agencies section).
- 10.021 Development Permit Required (being moved to Overview of Planning Process...section).
- 10.031 Exemptions from Development Permit Requirement (being moved to Overview of Planning Process...section).
- 10.221 Application, General being renamed Completeness Review (being moved to Overview of Planning Process...section).
- 10.458 Street Renaming, Public and Private (Public Street Renaming is being moved to Type IV Applications section, and Private Street Renaming is being moved to Type II Applications section).
- 10.840(D)(6) Portable Storage Containers (being moved to Type II Applications section).

**OUTLINE OF MAIN SECTIONS OF RE-ORGANIZED ARTICLE II
DCA-15-088**

Purpose of Article II

Land Use Review Procedure Types

Type IV

Type III

Type II

Type I

Table - Land Use Applications & Procedure Types

APPROVING AUTHORITIES AND REFERRAL AGENCIES

Designation of Approving Authorities

Duties of the Approving Authorities

Authority of the City Council

Authority of the Planning Commission

Authority of the Site Plan and Architectural Commission

Authority of the Landmarks and Historic Preservation Commission

Authority of the Planning Director

Referral Agencies

Referral Agency Action and Decision Time

Referral Agency Reports

**OVERVIEW OF PLANNING PROCESS, LAND USE APPLICATIONS & REVIEW PROCESS,
COMPLETENESS REVIEW & THE DEVELOPMENT PERMIT**

Planning Process

Land Use Applications

Land Use Review

Completeness Review

Development Permit Required

Exemptions from Development Permit Requirement

DUE PROCESS

Due Process

Notification General

Notification, Publication and On-Site Posting

On-Site Posting

Notification, Affected Property Owners

Disclosure

Public Hearing

Nature of Hearing

Authority of Presiding Officer

Challenge or Reversal of Presiding Officer's Ruling

Conduct of Participants

Order of Procedure

Commencement

Abstentions, Conflict of Interest and Challenges

Planning Director's Report

Applicant's Case

Opponent's Case

Questioning of Witnesses

Applicant's Rebuttal if Reserved

Staff Summary and Recommendations

Final Discussion

Standing

Cross Examination

Action, Decision Time, Notice of Decision

Findings

Records

TYPE IV APPLICATIONS

Type IV Land Use Actions

Type IV Action and Decision Time

Initiation of Type IV Actions

Type IV Approval Criteria

Major Comprehensive Plan Amendments

Major General Land Use Plan Map Amendments

Land Development Code Amendments

Major Zoning Map Amendments

Appeal of Type IV Decisions

Annexation, Type IV

Minor Comprehensive Plan Amendments, Minor General Land Use Plan Map Amendments, and Minor Urban Growth Boundary Amendments, Type IV

Renaming of Public Streets, Type IV

Transportation Facility Development, Type IV

Vacation of Public Right-of-Way, Type IV

TYPE III APPLICATIONS

Type III Land Use Actions

Type III Action and Decision Time

Initiation of Type III Actions

Resubmission of Type III Application

Effective Date of a Type III Application

Appeals of Type III Decisions
Appeals
Notice of Appeal
Scope of Appeal Review
City Council Appeal Decision

Conditional Use Permit, Type III

Exception, Type III

Historic Review, Type III

Planned Unit Development, Type III

Site Plan and Architectural Review, Type III

Land Division, Tentative Plat, Type III

Zone Change, Type III

TYPE II APPLICATIONS

Type II Land Use Actions

Type II Action and Decision Time

Land Partitions, Tentative Plat, Type II

Portable Storage Containers, Type II

Street Renaming, Private Streets, Type II

TYPE I APPLICATIONS

Type 1 Land Use Actions

Final Plat, Type I

Minor Historic Review, Type I

Minor Modification of a Conditional Use Permit, Type I

Minor Modification of Site Plan and Architectural Review Approval, Type I

Preapplication Conference, Type I

Property Line Adjustments, Type I

Table 10.XXX-1. Land Use Application & Procedure Types					
Application	Applicable Comprehensive Plan or Development Code Section(s)	Land Use Procedure Type			
		Type I	Type II	Type III	Type IV
Land Development Code Amendment (Major)	10.184(2)				✓
Comprehensive Plan Text Amendment (Major)	Review & Amendment				✓
General Land Use Plan Map Amendment (Major)	GLUP, Review & Amendment				✓
Urban Growth Boundary Amendment (Major)	Urbanization				✓
Zoning Map Amendment (Major)	Review & Amendment 10.184(3)				✓
Annexation	Urbanization 10.195-199				✓
Minor Comprehensive Plan Text Amendment	Review & Amendment 10.190-192				✓
Minor General Land Use Plan Map Amendment	GLUP, Review & Amendment				✓
Minor Urban Growth Boundary Amendment	Urbanization				✓
Street Renaming, Public Street(s)	10.XXX				✓
Transportation Facility Development	10.205-208				✓
Vacation of Public Right-of-Way	10.200-202				✓
Appeal of Type III Decisions	10.XXX			✓	
Conditional Use Permit	10.246-250			✓	
Exception	10.251-254			✓	
Historic Review	10.256-263			✓	
Major Modification to a Conditional Use Permit	10.XXX			✓	
Major Modification to a Site Plan & Architectural Review	10.XXX			✓	
Preliminary PUD Plan	10.230-235			✓	
PUD Plan Revision(s)	10.XXX			✓	
PUD Plan Termination	10.XXX			✓	
Site Plan and Architectural Review	10.285-296			✓	
Subdivision/Partition Tentative Plat	10.265-270			✓	
Zone Change (Minor)	10.225-228			✓	

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		Type I	Type II	Type III	Type IV
Administrative Decisions: Appeal of Type II Decisions	10.XXX		✓		
Land Partition, Tentative Plat	10.XXX		✓		
Portable Storage Containers	10.840(D)(6)		✓		
Street Renaming, Private Street(s)	10.458		✓		
Ministerial Decisions: a. Building Permit b. Business License c. New Fencing in Riparian Corridor d. Outdoor Sale Permit e. Sidewalk Café Permit f. Sign Permit	c. 10.924(C). d. 10.831. e. 10.358(1)(c) f. 10.1000-10.1810.	✓			
De Minimis Revision(s) to an Approved PUD Plan	10.xxx	✓			
Final Plat	10.273-10.280	✓			
Final PUD Plan	10.240-241	✓			
Minor Historic Review	10.258(3)	✓			
Minor Modification(s) to a Conditional Use Permit	10.XXX	✓			
Minor Modification(s) to a Site Plan and Architectural Review	10.xxx	✓			
Noise Standards for Commercial and Industrial Sources – Additional Standards & Compliance	10.752(D) & (E)	✓			
Nursery School, Day or Child Care (Centers) Facilities – Reduction in Outdoor Play Area	10.811	✓			
Off-Street Loading & Off-Street Parking for Uses Not Specifically Mentioned & for Concurrent Uses	10.742(3) & (4) & 10.743(1)	✓			
Pre-Application	10.176	✓			
Property Line Adjustment	10.297	✓			
Riparian Corridor Boundaries - Reduction/Deviation	10.927	✓			
Sidewalk Café in Central Business Overlay	10.358	✓			
Small Food Vendors	10.823	✓			
Wireless Telecommunication Facility - Abandonment	10.824(G)	✓			