

ARTICLE 1 ADMINISTRATION AND PROCEDURES

No changes are proposed to Sections 1.000 to 1.202.

- 1.203 Neighborhood Meeting. The purpose of a neighborhood meeting is to ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the neighborhood. The meeting is not intended to produce complete consensus on all applications. It is intended to encourage applicants to be good neighbors. City staff will attend the neighborhood meeting in an advisory capacity to answer questions.

The applicant shall hold a neighborhood meeting prior to submittal of the following types of applications:

- (1) Multifamily development that abuts a single-family zoning district.
- (2) Commercial and industrial development that abuts any residential zoning district.
- (3) Manufactured home park.
- (4) Subdivision with more than 10 lots.
- (5) Any subdivision that is an infill development.

(6) Cluster development of any size.

For other applications that may have a neighborhood impact, the City recommends that the applicant have a neighborhood meeting. [Ord.5445, 4/12/00]

No changes are proposed to Sections 1.207 to 1.300.

- 1.310 Examples. Examples of applications which result in limited land use decisions include, but are not limited to--Type I-L historic review, partitions, site plan review, and subdivisions with fewer than 20 lots.

No changes are proposed to Section 1.320.

- 1.330 Type I-L Procedure.

- (1) The purpose of the Type I-L procedure is to provide for land use review of ~~subdivisions and partitions~~ subdivisions with fewer than 20 lots, and applications involving discretionary standards for design or site review of uses permitted outright.
- (2) In making a limited land use decision, the City will follow the applicable procedures contained within its acknowledged comprehensive plan and land use regulations and other applicable legal requirements.
- (3) For limited land use decisions, the City will provide written notice to owners of property within 100 feet of the entire contiguous site for which the application is made, except that written notice will be provided to owners of property within 300 feet of property on which applications are received for development of subdivisions, manufactured home parks, and multi-family development. The list will be compiled from the most recent property tax assessment roll. For purposes of review, this requirement shall be deemed met when the City can provide an affidavit

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or other certification that such notice was given. Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.

- (4) The notice and procedures used by the City will:
- (a) Provide a 14-day period for submission of written comments prior to the decision;
 - (b) State that issues which may provide the basis for an appeal to the Land Use Board of Appeals 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;
 - (c) List, by commonly used citation, the applicable criteria for the decision;
 - (d) Set forth the street address or other easily understood geographical reference to the subject property;
 - (e) State the place, date and time that comments are due;
 - (f) State that copies of all evidence relied upon by the applicant are available for review, and that copies can be obtained at cost;
 - (g) Include the name and phone number of a local government contact person;
 - (h) Provide notice of the decision to the applicant and any person who submits comments under subparagraph (a) of this paragraph. The notice of decision must include an explanation of appeal rights;
 - (i) Briefly summarize the local decision making process for the limited land use decision being made, and
 - (j) Include such other information as the Director deems appropriate.
- (5) Decisions and Appeals. Standing to appeal a limited land use decision shall be limited to the applicant and/or any person who has provided written comments pursuant to Section 1.330 or who spoke at the public hearing, if one were held.
- (a) For application types for which a neighborhood meeting is not required in Section 1.203, a limited land use decision made by the Director may be appealed to the Land Use Board of Appeals when a person with standing files a Notice of Intent to Appeal with LUBA not later than 21 days after the Director's notice of decision is mailed.
 - (b) For application types for which a neighborhood meeting is required in Section 1.203, a limited land use decision by the Director may be appealed to the Planning Commission when a person with standing files a Notice of Appeal with the City not later than 10 days after the Director's notice of decision is mailed.
 - (c) At the Director's discretion, a limited land use decision may be referred to the Planning Commission for the local decision.
 - (d) A limited land use decision made by the Planning Commission may be appealed to the Land Use Board of Appeals when a person with standing files a Notice of Intent to Appeal with LUBA not later than 21 days after the Planning Commission notice of decision is mailed. [Ord. 5338, 1/28/98; Ord. 5445, 4/12/00]

1.340 Examples. Examples of applications which result in limited land use decisions include, but are not limited to--Type I-L historic review, partitions, site plan review, and subdivisions with fewer than 20 lots.

No changes are proposed to Section 1.350.

1.360 Type III Procedure.

- (1) The purpose of the Type III procedure is to provide for the review of certain applications within the City by the Planning Commission, Hearings Board, or the Landmarks Advisory Commission at a public hearing. Such actions may be complex in nature, requiring the interpretation of Plan policies and the requirements of this Code.

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- (2) Under the Type III procedure, an application is scheduled for public hearing at the Director's discretion before either the Hearings Board, the Planning Commission or the Landmarks Advisory Commission. If the request is quasi-judicial in nature, the Director shall notify all property owners within 100 feet of the subject property (or 300 feet if the application is for a subdivision, manufactured home park or multi-family development). The applicant shall supply a list of the names and addresses of the owners of property to receive the notice. The mailing list must be certified by the applicant and complete as found on the most recent property tax assessment roll where the subject property is located. The Director may require the applicant to post notices as set forth in Section 1.410.
- (3) The review body shall review the request and any written comments and testimony; adopt findings based on the established criteria, and make a decision by approving, conditionally approving, or denying the application. Conditions and/or restrictions may be applied to the approval of any land use application granted under a Type III procedure in accordance with the relevant provisions of this Code.
- (4) Examples of applications processed through a Type III procedure include, but are not limited to-- Interim planned unit development plans, future street plans, Type III Planned Industrial Developments, some Code interpretations, Conditional Uses, ~~and~~ historic review of demolitions/moving, cluster development, and subdivisions with 20 or more lots. [Ord. 5446, 5/10/00]

No changes are proposed to Sections 1.370 to 1.660.

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