

LAND USE: IT'S A PROCESS

TYPE 2 PROCESS GUIDE

This process is for land use applications that do not initially require a public hearing. This includes partitions, subdivisions, adjustments, and Class 3 site plan reviews, among other applications.

1. LAND USE APPLICATION SUBMISSION

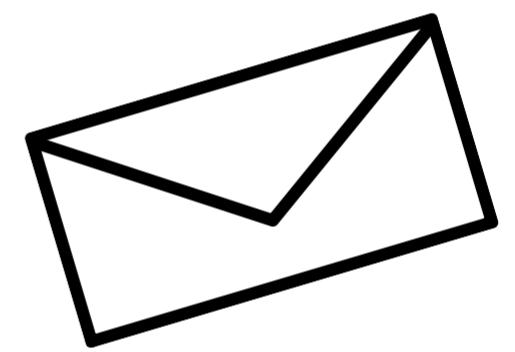
2. REVIEW FOR COMPLETENESS



When an applicant submits a land use application to the City, staff reviews the materials to determine if everything required by City regulations has been included. Staff conducts this review within 30 days of receiving the application. If the application is not complete, staff notifies the applicant in writing of what is missing. The applicant has 180 days to provide the missing information.

3. PUBLIC NOTICE

When an application is deemed complete, staff mails notice of the proposed project to property owners within 250 feet of the project site, public agencies, and affected neighborhood associations (those whose boundaries include or are next to the site). For some projects like subdivisions, signs may also be posted on the property.



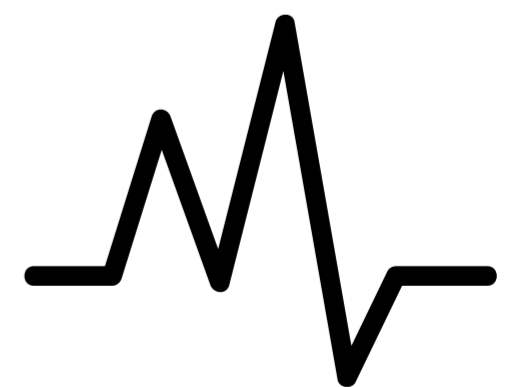
4. PUBLIC COMMENTS



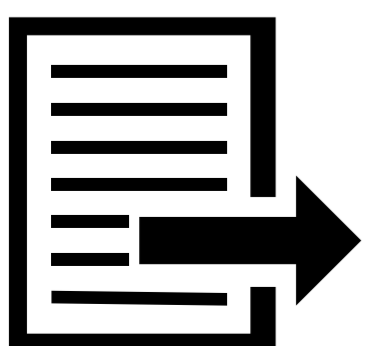
The public has 14 days from the date the notice is mailed to provide written comments on the proposed project. Comments can be mailed, emailed, or dropped off in person at City Hall. To be considered, comments must be received by the City by the end of the 14-day comment period. It is recommended that comments be emailed or hand delivered to ensure they are received in time.

5. ANALYSIS

Staff analyzes the application based on specific approval criteria in the City's regulations. During this analysis, staff considers the written comments received during the public comment period. Staff prepares a staff report that includes a decision on the application. The decision can be to approve, approve with conditions, or deny the application.



6. NOTICE OF DECISION



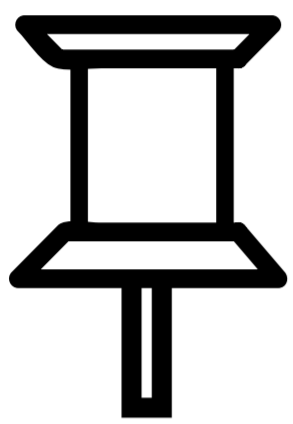
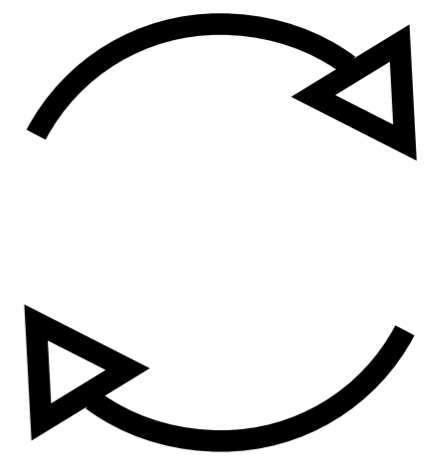
Staff mails notice of the decision to the applicant, affected neighborhood associations, property owners within 250 feet of the project site, public agencies, and anyone who submitted written comments during the public comment period.

7. DECISION EFFECTIVE OR APPEAL

The applicant, affected neighborhood associations, anyone who provided written comments, and anyone who was mailed notice of the decision can appeal the decision.

For some types of applications, the City Council can choose to “call up” the decision to review the application whether or not an appeal is filed.

If the City Council does not call up the decision and there is no appeal, the decision becomes effective the day after the 15-day appeal period expires.



8. NOTICE OF APPEAL

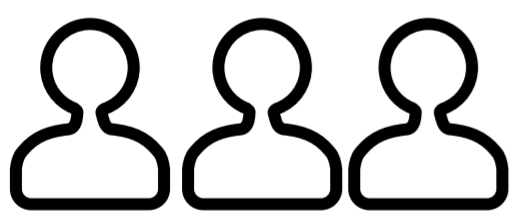
If there is an appeal, staff will mail a notice of a public hearing on the appeal to the applicant, affected neighborhood associations, anyone who provided written comments during the initial public comment period, and anyone who was mailed notice of the decision. Staff will also post notice of the public hearing on the project site.

9. STAFF REPORT

Staff will prepare a staff report that includes a recommendation to the Hearings Officer, Planning Commission, or City Council, whichever appeal body will hold the public hearing based on the City’s regulations. The staff report will be available to the public at least seven days before the hearing.



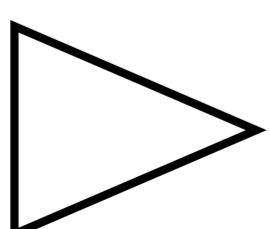
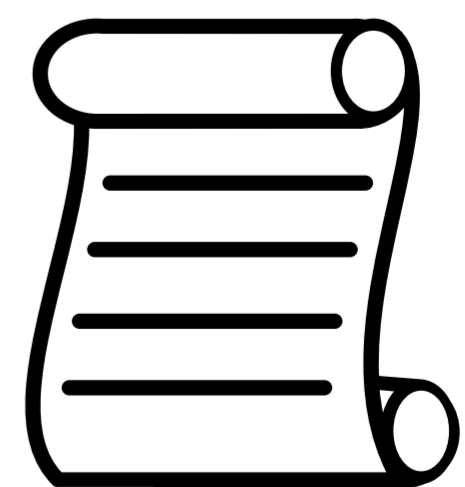
10. PUBLIC HEARING



The appeal body will hold a public hearing, and anyone can testify or provide written comments. The appeal body can make a decision after the hearing is closed or can continue the hearing to another date.

11. NOTICE OF APPEAL DECISION

Staff will mail notice of the appeal decision, a written order, to the person that appealed, the applicant and property owner, affected neighborhood associations, anyone who testified or provided written comments, and anyone who asked to receive notice of the decision. The decision becomes final on the date the notice is mailed.



12. APPEAL

Any additional appeal will be to the Oregon Land Use Board of Appeals.