

Process Sheet: Type III Action Summary

City Council Decision

A Type III action is a quasi-judicial review in which the City Council applies objective and subjective standards that allow considerable discretion. The Planning Commission provides a recommendation to the City Council. Public notice is provided for the Planning Commission and City Council public hearings.

Application Submittal

The applicant submits an application that includes the following:

- Cover page,
- Any required written responses, and
- Any required or supplemental drawings or maps.

Application Review

Although the City tries to take less than the allowed time, City staff has 30 days to review the application to determine its completeness.

Incomplete Application

If the application is deemed incomplete, the City contacts the applicant regarding the missing information. The incomplete letter explains the process and timing to submit the additional details.

Application Deemed Complete

When the application is deemed complete, the City schedules a public hearing before the Planning Commission at their next available meeting date. The Commission meets on the first Tuesday of every month. The City also schedules another public hearing before the City Council. Council's regular meeting date is the second Thursday of the each month.

Public Notice

The City publishes a newspaper notice, and mails a written notice of the hearings to property owners within 100 feet of the subject property at least 10 days prior to the Commission hearing and at least 20 days prior to the Council hearing.

Timing of Application Submittal

It is advisable to submit an application a minimum of 30 days prior to Commission hearing dates to allow time for its review and the preparation of required public notices. If an application is incomplete, the City schedules a hearing based upon submittal of the additional information.

Decision

The Planning Commission makes a recommendation to the City Council. City Council usually makes an oral decision after conducting and then closing the public hearing. Based on the oral decision a written resolution is prepared and passed at the next meeting, or an ordinance is prepared and passed by the Council at their next two (2) meetings. A notice of the decision is mailed to the applicant and those parties who participated in the public hearing process. The process allows a 21-day period to submit a Notice of Intent to Appeal to the Oregon Land Use Board of Appeals (LUBA). If no Notice of Intent to Appeal is submitted, the decision is final on the 22nd day.