

DIVISION VII.
ADMINISTRATIVE
PROCEDURES

Chapter 17.90

GENERAL PROVISIONS

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An "administrative action" means a proceeding in which the legal rights, duties or privileges of specific parties under general rules or policies provided under ORS 215.010 to 215.233 and 215.402 to 215.422 or any ordinance, rule or regulation adopted pursuant thereto, are required to be determined only after a hearing

at which specific parties are entitled to appear and be heard; or designated as an administrative action by rule or order of the City Council.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (pan), 1990.

17.90.020 Initiation of administrative action.

(1) An administrative action, unless otherwise specifically provided for by this title, may only be initiated by the following:

(a) Order of the City Council; or

(b) A majority of the whole Planning Commission; or

(c) Request of the City Administrator or his designee; or

(d) Petition of the owner, contract purchaser, option holder or agent of the owner of the property in question.

(2) Actions initiated under subsection (1)(d) of this section shall be filed with the city and shall contain such information as the city deems necessary to indicate the nature of the action applied for. If initiated by an agent or option holder, the written consent of the owner of the property shall accompany the application.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1264 §1,1998; Ord. 1323 §1 (part), 2002.

17.90.030 Pre-application conference.

(1) With respect to actions initiated by a property owner, contract purchaser, option holder or agent of the owner, the applicant or his authorized representative shall meet and confer with the City Administrator or designee in a pre-application conference, at which time views may be exchanged as to the requisites for formal application and the feasibility of approval may be discussed.

(2) The City Administrator or designee may waive the requirement for a pre-application conference.

(3) Any opinion expressed by the City Administrator or designee during a pre-application conference is advisory in nature, and is subject to change upon official review of the application.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.90.040 Administration.

The City Administrator or designee shall administer the provisions of this title.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1179 §17,1993;Ord. 1323 §1 (part), 2002.

17.90.050 Conformance required for issuance of permit.

No permit shall be approved by the City Administrator or designee for the construction, reconstruction, alteration or change of use of a structure or lot that does not conform to the requirements of this title.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.90.060 Forms of petitions, applications and appeals.

(1) City Form Required. Petitions, applications and appeals provided for in this title shall be made on forms prescribed by the city.

(2) Submittal Requirements. Applications shall be accompanied by plans and specifications drawn to scale, showing:

(a) the actual shape and dimensions of the lot to be built upon;

(b) the sizes and locations on the lot of all existing and proposed structures;

(c) the intended use of each structure, the number of families, if any, to accommodate thereon;

(d) the relationship of the property to the surrounding area; and

(e) such other information as is needed to determine conformance with this title; and

(f) a narrative description addressing the appropriate criteria.

(3) An application shall be deemed incomplete unless all required information is submitted with the application.

(4) The City Administrator or designee may require additional information to aid in reviewing the application.

(5) The City Administrator or designee may waive any requirement for information if it is deemed not necessary or not applicable.

(6) An applicant may apply at one time for all administrative actions pertaining to a

development, to the extent allowed by state law.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.90.070 **History:** Ord. 1131 §2(part), 1990; Repealed by Ord. 1323 §1 (part), 2002.

17.90.080 Application fees.

Applications shall be accompanied by the required fees as set by the City Council.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990.

17.90.090 Investigations and reports.

Investigations and reports may be furnished by appropriate city staff and coordinated through the City Administrator or designee prior to the issuance of a decision on an application.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.90.100 **History:** Ord. 1131 §2(part), 1990; Repealed by Ord. 1323§1 (part), 2002.

17.90.110**History:** Ord. 1131 §2(part), 1990; Repealed by Ord. 1289§1 (part), 2000.

17.90.120 Changes to an approval.

Changes to the substance of an approval or the substance of conditions of approval shall be processed as a new application.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.90.130 Denial—Resubmittal.

If an application is denied, the same or substantially similar application may not be resubmitted within one (1) year of the date of the final decision unless there has been a substantial change in the facts, standards or laws surrounding the application.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.90.140 Conditions of Approval.

Approval of an administrative action may be subject to such conditions as are reasonably necessary to protect the public health, safety or general welfare from potentially deleterious effects

of the proposed use, or to fulfill public service demands created by the proposed use.

Statutory Reference: ORS Ch. 197 and 227

History: Ord. 1323 §1 (part), 2002.