



**BEFORE THE TALENT PLANNING COMMISSION  
STATE OF OREGON, CITY OF TALENT**

IN THE MATTER OF PLANNING COMMISSION FILE NO. CUP 2022- )  
003 LOCATED AT 100 W VALLEY VIEW ROAD AND 109 TALENT ) ORDER  
AVENUE [MAP NO. 38-1W-23DC TAXLOT 1800 & 1900], THE CITY OF )  
TALENT PLANNING COMMISSION FINDS THE FOLLOWING: )

1. The Planning Commission held a properly noticed public hearing on this matter on June 28, 2022;
2. The Planning Commission asked Community Development staff to present a Staff Report and a Final Order with findings and recommendations at the June 28, 2022 public hearing;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Commission found that the proposed use was allowed and consistent with the intent of the Central Business District (CBD) zoning district and with the Conditional Use Permit standards outlined in chapter 18.155 of the Talent Zoning Code;

**The Talent Planning Commission approves the Conditional Use Permit (CUP 2022-003) with the following conditions of approval:**

**PRIOR TO ISSUANCE OF BUILDING PERMITS:**

1. The applicant shall provide supplementary documentation to Community Development verifying the proposed parking lot lighting will reflect away from all abutting residential properties.
2. The applicant shall provide RVSS with site and architectural drawings, obtain a sewer connection permit, pay all related fees, and comply with any additional RVSS requirements described in the findings below.
3. In accordance with conditions provided by Jackson County Fire District #5, applicant shall:
  - a) Install a Knox box at the main entrance to the building. Knox applications are available at Fire District 5 headquarters.
  - b) If it is determined that the building will require fire sprinklers, the fire department connection (FDC) shall be off the building, with a post indicator valve and located within 100 feet of a hydrant. Any FDC must be labeled with the building address and function.

- c) Provide funding to enhance Fire District 5 emergency pre-planning capabilities in the amount of \$2,000.
- 4. The applicant shall provide evidence that all additional SDCs have been paid in full.

**PRIOR TO CERTIFICATE OF OCCUPANCY:**

- 5. The applicant shall:
  - a) install landscaping to meet the 15% landscaped area required in the CBD
  - b) install street trees in the parkway strip on W. Valley View Road
  - c) provide landscape maintenance and irrigation to the landscape to ensure viability

**GENERAL CONDITIONS OF APPROVAL:**

- 6. Adequate screening shall be provided for all mechanical equipment, garbage collection areas and other site equipment and utilities.
- 7. All proposed fencing shall be installed per 18.105 TMC and will require a fence permit. Any proposed signs shall be in conformance with 18.120 TMC and will require a sign permit.

**IT IS HEREBY ORDERED THAT the Talent Planning Commission approves with conditions the requested conditional use permit to operate creative/technical “maker-space” facility based on the information presented in the Staff Report and Findings of Fact below:**

In the following, any text quoted directly from City codes appears in *italics*; staff findings appear in regular typeface.

***18.50.050 BUILDINGS AND USES SUBJECT TO CONDITIONAL USE REVIEW***

*The planning commission may grant or deny a conditional use permit in accordance with the procedure and provisions set forth in Chapter 18.155 TMC.*

*C. Commercial or trade schools:*

**FINDING:** The proposed creative/learning facility is to be located in the Central Business District, which allows commercial or trade schools under a conditional use permit. **The provisions and requirements of the conditional use permit can be met subject to the conditions in the findings below.**

***18.50.060 YARD REGULATIONS***

*A. Front Yard.*

- 1. Minimum: zero feet.*
- 2. Maximum: 10 feet for no more than 50 percent of the ground-floor width.*

3. *Parking lots: 10 feet, which shall be landscaped to provide screening.*

B. Side Yard.

1. *Minimum: zero feet.*

2. *Maximum: 10 feet for no more than 50 percent of the ground-floor width on street-facing sides; 10 feet on alley-facing sides.*

3. *Parking lots: 10 feet, which shall be landscaped to provide screening.*

C. Rear Yard. *No rear yard is required between commercially zoned properties.*

**FINDING:** The project is located in the Old Town District overlay and is subject to the front and side setbacks detailed in TMC 18.140.030. As proposed, the building meets all Old-Town setback requirements with exceptions provided for plazas and courtyards. No rear yard setback is required, as the property on the rear boundary is also commercially zoned. **The provisions of this section have been met.**

**18.50.090            PARKING AND LOADING REQUIREMENTS**

*A. Off-street loading spaces shall be provided as prescribed in Chapter 18.110 TMC. Off-street parking spaces adequate to serve commercial establishments shall be made available, but may be provided on a district-wide or joint use basis rather than adjacent to each commercial use. If adequate public or commercial parking areas are not available, the individual business shall be responsible for providing adequate off-street parking in conformance with the requirements of Chapter 18.110 TMC.*

**FINDING:** The subject parcels are zoned Central Business District and are therefore exempt from off-street parking requirements. However, per 18.50.090, if adequate public or commercial parking areas are not available, the individual business shall be responsible for providing adequate off-street parking in conformance with the requirements of Chapter 18.110 TMC. There are five angled street parking spaces located directly in front of the proposed maker-space facility on W. Valley View Road that will adequately serve the proposed use. **The provisions of this section have been met.**

**18.50.100            LANDSCAPING, FENCES, WALLS AND SIGNS**

*All required landscaped areas shall be installed in accordance with Chapter 18.105 TMC. Fences, walls, hedges and screen plantings shall be permitted in accordance with Chapter 18.105 TMC. In all cases, and at all times, they shall not exceed four feet in height within front and street-side yards. Signs shall be permitted in accordance with Chapter 18.120 TMC. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.295, 2006.]*

**18.50.110            BUFFERING**

*When a development or use is proposed on property within the CBD zone which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer in accordance with TMC 18.105.050. The planning commission may waive buffering that would otherwise be required by TMC 18.105.050(B) if it finds that the need to fulfill the intent of the CBD zone outweighs the need for buffering. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.296, 2006.]*

**FINDING:** The project is surrounded by commercially zoned properties, therefore there is not a requirement to buffer this use. **The provisions of this section have been met.**

**18.105.020 MINIMUM LANDSCAPED AREA**

- A. *The minimum percentage of required landscaping is as follows:*
2. *Central Business District (CBD) and Commercial Neighborhood (CN) Zones. Fifteen percent of the site.*

**18.105.030 MINIMUM VEGETATION AND GROUND COVER**

- A. *Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:*
1. *One tree, minimum 2" caliper.*
  2. *Four 5-gallon shrubs or accent plants.*
- B. *Minimum percentage Ground Cover. All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material as defined in subsection (C) below, shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy unless a xeriscape plan is approved.*
- C. *Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically three (3) or more years after planting. The landscape materials below may be modified as part of an approved xeriscape plan.*

**18.105.050 BUFFER AND SCREENING**

- A. *General Requirements.*
1. *The property owner is responsible for the installation and maintenance of required buffers and screens including compliance with TMC 18.135.060(A).*
  2. *The community development director may waive the buffering/ screening requirements of this section where the required buffer/ screen has been installed on the adjacent property in accordance with this chapter.*
  3. *Where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required.*
- B. *Buffer Location. A buffer consists of an area within a required setback adjacent to a property line. It has a depth equal to the amount specified in Table 18.105.050-1 and contains a length equal to the length of the property line of the abutting use(s).*
- C. *Buffer Requirements.*
1. *At least one row of trees. These trees will not be less than 10 feet tall at the time of planting and not spaced more than 30 feet apart and five feet tall at the time of planting for evergreen trees and spaced not more than 15 feet apart. This requirement may be waived by the community development director when it can be demonstrated that such trees would conflict with other provisions of this code (e.g., solar access).*
  2. *At least five five-gallon shrubs or 10 one-gallon shrubs for each 1,000 square feet of required buffer area.*
  3. *The remaining buffer area shall be planted in accordance with TMC 18.105.030(C).*

D. *Screening.* Where screening is required or provided, at least one of the following techniques shall be provided in addition to the buffering requirements above:

1. *One row of evergreen shrubs that will grow to form a continuous hedge at least six feet tall within two years of planting; or*
2. *A fence or masonry wall at least six feet in height to provide a uniform sight-obscuring screen; or*
3. *An earthen berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least six feet tall within two years of installation.*

E. *Clear Vision.* Buffering and screening provisions are superseded by the clear vision requirements of TMC 18.105.055.

F. *Landscaping within the buffer shall count towards minimum landscaped area and vegetation required by TMC 18.105.020 and 18.105.030.*

**FINDING:** The subject parcel totals approximately 16,117 square feet which requires 2,417 square feet of landscaping. As shown on the proposed site plan, the development includes approximately 2,666 square feet of landscaped area, meeting the requirement.

As a condition of approval, prior to the issuance of certificate of occupancy, the applicant shall install trees, shrubs, and ground cover in accordance with 18.105.030. **The provisions of this section can be met subject to conditions of approval.**

#### **18.105.055 CLEAR VISION AT INTERSECTIONS**

D. *The clear vision area for all street intersections and all street and railroad intersections shall be that area described in the most recent edition of the “AASHTO Policy on Geometric Design of Highways and Streets.” The clear vision area for all corner lots shall be that area within a 30-foot radius from where the lot line and the edge of a street intersect. The clear vision area for all driveways shall be that area within a 10-foot radius from where the driveway and the edge of a street intersect.*

**FINDING:** The proposed landscaping and structures allow a clear vision area exceeding the required 30-foot radius from where the lot line intersects with W. Valley View Road and Talent Avenue, and 10-foot radius where the driveway meets the edge of W. Valley View Road. **The provisions of this section have been met.**

#### **18.105.070 LANDSCAPE MAINTENANCE**

*It shall be the responsibility of the property owner to maintain landscaping on their property. All landscaping and trees shall be provided with irrigation or other facilities for the continuing care of the vegetation.*

B. *Commercial Areas*

*In commercial zones, areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities shall be maintained. Fences, walls, hedges and screen plantings shall be permitted in conformance with the requirements of TMC 18.105.020 and 18.105.030.*

**FINDING:** The proposed landscaping shall be properly maintained and provided with irrigation. **The provisions of this section can be met subject to conditions of approval.**

## 18.110.060 NUMBER OF PARKING SPACES REQUIRED

C. *The following uses shall be subject to limited application of this chapter:*

2. *All uses in the central business district zone (CBD) are exempt from providing off-street parking consistent with this chapter, except that residential uses shall provide off-street parking consistent with this chapter at a ratio of 50 percent of the spaces otherwise required in TMC 18.110.060. [Ord. 966 § 2 (Exh. B), 2021; Ord. 817 § 8-3].530, 2006.]*

**FINDING:** The subject parcels are zoned Central Business District and are therefore exempt from off-street parking requirements. However, per 18.50.090, if adequate public or commercial parking areas are not available, the individual business shall be responsible for providing adequate off-street parking in conformance with the requirements of Chapter 18.110 TMC. There are five angled street parking spaces located directly in front of the proposed maker-space facility that will adequately serve the proposed use. **The provisions of this section have been met.**

## 18.110.100 BICYCLE PARKING FACILITIES

A. *Number of Bicycle Parking Spaces. A minimum of two bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:*

5. *Downtown District. Within the CBD, bicycle parking for customers shall be provided along the street at a rate of at least one space per use. Individual uses may provide their own parking, or spaces may be clustered to serve up to six bicycles. Bicycle parking spaces shall be located in front of the stores along the street, either on the sidewalks or in specially constructed or designated areas such as pedestrian curb extensions. Inverted "U" style racks are recommended and creative designs are strongly encouraged. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions. Customer spaces may or may not be sheltered. When provided, sheltered parking (within a building, or under an eave, overhang, or similar structure) shall be provided at a rate of one space per 10 employees, with a minimum of one space per store.*

C. *Location and Design. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided, unless demonstrated otherwise by the applicant. Street furniture includes benches, streetlights, planters, and other pedestrian amenities. Creative designs are strongly encouraged.*

**FINDING:** The proposed site plan provides the minimum required bike parking space, located in the plaza area adjacent to W. Valley View Road, no further than the closest parking space, well-lit by street lights, and outside of the path of pedestrian travel. Per the applicant's findings, the intention is to provide a more creative rack design but, depending on fabricating and design time, Talent Maker City will install either a creative design or a standard upside-down U rack. **The provisions of this section have been met.**

## 18.115.030 PEDESTRIAN ACCESS AND CIRCULATION

*To ensure safe, direct, and convenient pedestrian circulation, all developments, except residential development of four or fewer units on a single lot, shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicyclists.) The system of pathways shall be designed based on the standards in subsections (A) through (E) of this section:*

*B. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*

*3. For commercial, industrial, mixed use, as well as public and institutional buildings, the primary entrance is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.*

**FINDING:** An existing 7-foot-wide public sidewalk surrounds the proposed development along both street frontages, providing safe, direct and convenient pedestrian access to the site. The primary entrance to the maker-space facility is on Talent Avenue shall be the main public entrance. **The provisions of this section have been met.**

#### **18.115.040 STREET TREES**

- A. Purpose. This section is intended to improve the comfort, safety and appearance of streets through the appropriate use of street trees. The standards in this section supplement, but do not replace, the provisions of Chapters 18.105 and 18.135 TMC.*
- B. Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to land division or site design review, except that street trees may be planted in planter wells as provided in subsection (E) of this section. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in TMC 18.105.030. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.*
- E. Spacing and Location. If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.*

**FINDING:** Applicant's submittal shows three street trees located in sidewalk tree wells adjacent to Talent Avenue. All other proposed trees are inside the property boundary. To meet the requirements of 18.115.040(E), applicant will need to install street trees in the planters provided on W. Valley View Road (existing trees are sufficient if they are in good health). **The provisions of this section can be met subject to conditions of approval.**

#### **18.115.060 VEHICULAR ACCESS AND CIRCULATION**

*3. Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/ developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access point and spacing standards in subsections (G) and (H) of this section.*

G. *Access Spacing.* Driveway access shall be separated from other driveways and public and private street intersections in accordance with the following standards and procedures:

1. *Local Streets.* A minimum of 10 feet of separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials), except as provided in subsection (G)(3) of this section.

H. *Road Access Points.* For single-family (detached and attached), duplex, triplex and quadplex housing types, one street access point is permitted per lot. Alley access is strongly encouraged before other access points are considered; except that two access points may be permitted for duplexes, triplexes and quadplexes on corner lots (i.e., no more than one access per street), and subject to the access spacing standards in subsection (G) of this section. The number of street access points for multiple-family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared driveways may be required, in conformance with subsection (I) of this section, in order to maintain the required access spacing, and minimize the number of access points.

Standards for the number and location of road access points are as follows. Variations from these standards shall satisfy and be subject to the requirements of Chapter 18.160 TMC, Variance.

2. *Collector and Local Streets.* All uses: road access permit required as set forth in subsection (B) of this section, subject to general considerations for safety and transportation mobility; curb cuts and driveways. A minimum of 10 feet for local streets and 30 feet separation for collectors (as measured from the sides of the driveway/street) from street intersections.

J. *Driveway Openings/Curb Cuts.* Driveway openings or curb cuts shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

4. *Commercial and industrial uses:* maximum curb cuts and driveway approaches are the following according to property frontage:

Property Frontage	One Two-Way Driveway	Two or More Two-Way Driveways
Under 30 feet	60% of frontage	-
30 - 50 feet	18 feet	-
50 - 80 feet	29 feet	-
80 feet or more	33 feet	28 feet

Note: One-way driveways can be a maximum of 50 percent of the two-way maximum driveway standards.

5. In no case shall a driveway or curb cut exceed 60 percent of property frontage.

N. *Construction.* The following construction standards shall apply to all driveways and private streets:



1. *Surface Options.* Driveways, parking areas, aisles, and turnarounds shall be paved with asphalt, concrete or comparable surfacing, or a durable nonpaving material that will support emergency vehicles may be used to reduce surface water runoff and protect water quality.

2. *Surface Water Management.* When a paved surface is used, all driveways, parking areas, aisles and turnarounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.

3. *Driveway Aprons.* When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See also subsection (J)(7) of this section.)

**FINDING:** An existing, approved 20-foot-wide concrete driveway opening is located on W. Valley View Road, which meets the minimum and maximum access width standards for commercial uses. No changes to access have been proposed. There are no other driveways within ten feet of this access. **The provisions of this section have been met.**

### **18.115.100      *STORM DRAINAGE AND SURFACE WATER MANAGEMENT***

A. *General Provisions.* The city shall issue a development permit only where adequate provisions for storm water and surface water runoff have been made pursuant to Resolution 517, Storm Drainage Design Standards.

**FINDING:** RVSS has provided the following comments, which shall be incorporated into the conditions of approval:

**Prior to the start of construction:**

1. Applicant must obtain a sewer service connection permit from RVSS and pay all related fees.
2. Applicant must submit a site specific erosion and sediment control plan to RVSS if the total ground disturbance is more than 7,000sf.
3. Applicant must submit proposed site plans to RVSS that show all areas of proposed impervious surface. If the proposed impervious surface is above 2,500 sf when compared to the pre-fire impervious surface footprint, the development must demonstrate compliance with the Rogue Valley Stormwater Quality Design Manual.

**During Construction:**

4. Sewer and stormwater facilities must be constructed per RVSS standards.
- Prior to final acceptance of project:
5. All new sewer and stormwater facilities must be, inspected, and accepted per RVSS standards.

**The provisions of this section can be met through conditions of approval.**

### **18.115.110      *UTILITIES***

A. *Underground Utilities.* All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground and shall provide for future expansion of services, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed aboveground, temporary utility service facilities during construction, and high capacity electric lines

operating at 50,000 volts or higher. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. All aboveground equipment shall not obstruct vision clearance areas for vehicular traffic per TMC [18.105.055](#);
2. The city reserves the right to approve the location of all surface mounted facilities;
3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets;
4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made; and
5. Adequate capacity for communications services shall be provided. Underground conduit for communications lines, or oversized conduit for phone or other compatible utilities, shall be installed whether or not provision of such services is planned at the time of development.

**FINDING:** All utility connections shall be underground as indicated by the Applicant. Final design and connections shall be approved by Public Works prior to installation as a condition of approval. **The provisions of this section can be met subject to conditions of approval.**

#### **18.155.060 GENERAL CRITERIA FOR APPROVAL**

*In judging whether or not a conditional use permit shall be approved or denied, the planning commission shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable. A conditional use may be granted only if:*

- A. *The proposed use is consistent with the city of Talent comprehensive plan.*

**FINDING:** Per the applicant's findings, the property has a Comprehensive Plan (Comp Plan) designation of Public Facilities –Civic (pc). The use as a maker space compliments the Element D Transportation planning, specifically locating this type of use surrounded by pedestrian connectivity. This project also favorably related to several parts of Comp Plan Element E – Economic Development. In Element 4.3(a), the Talent Comprehensive Plan specifically encourages a maker space, such as being proposed. Further, the Applicant is an existing, thriving business which brings community members together. Element 4.2 outlines that part of the goals is to support and retain existing dynamic local businesses. This project does not conflict with any of the Comp Plan goals or strategies. This project is consistent with the goals and implementation strategies of the Comp Plan. **The provisions of this section have been met.**

- B. *The proposed use is consistent with the purpose of the zoning district.*

**FINDING:** Per the applicant's findings, the proposed use is a maker space and, as stated above, the mission focuses on education and community. 18.50.010 states, "The central business district (CBD) zone shall serve as the hub of government, public services and social activities; shall permit retail trade, personal and business services; and shall include residential uses to strengthen and

enliven the community core. The CBD shall be pedestrian oriented and shall highlight and incorporate historic places and structures, parks and public transit facilities and opportunities.” The TMC current location is one block from the proposed site and has demonstrated that it is a positive force in the community with very few adverse impacts. As a non-profit, TMC is a hub of service and social activity. The new facility will provide even more opportunities to bring people together to learn and create. As a draw, it will play a significant role in bringing people to the downtown core and will provide a different use from the traditional restaurant and retail uses. **The provisions of this section have been met.**

*C. The proposed use and development are found to meet the required findings of TMC 18.150.050, Required findings for approval of plan, set forth for approval of a site development plan review.*

**FINDING:** The proposed use is consistent with the intent of the uses allowed on a property with Public Facilities Comprehensive Plan Designation. **The provisions of this section have been met.**

*D. The proposed use will not adversely affect the livability, value, and appropriate development of abutting properties and the surrounding area, compared to the impact of uses that are permitted outright. Testimony of owners of property located within 250 feet of the boundaries of the property in question shall be considered in making this finding.*

**FINDING:** Per the applicant’s findings, the existing TMC operations are currently located at 304 E. Main St., Talent Oregon and the use will be similar (but even more dynamic) at the new facility. The exiting operations are approximately half a block from the proposed site. As the current operations demonstrate, there are no adverse impacts which would be detrimental to livability, value of surrounding properties or appropriate development around it. The use creates a vibrant environment, bringing people to the downtown core. It is specifically called out as something to be supported as part of the Economic Element of the Comprehensive Plan. The proposed use is a mix of creative and educational spaces and will incorporate outdoor plaza space for even more community engagement. As an educational and creative use, the by-product of what is produced at this site will not be any sort of significant noise, dust or traffic. **The provisions of this section have been met.**

*E. All required public facilities have adequate capacity to serve the proposal. System development charges will be assessed at the time a building permit is issued. Additional SDCs will be assessed for changes in use that are more intense than a preexisting use.*

**FINDING:** Per the applicant’s findings, public utilities will serve the project as described on the Site Plan. All utilities can be accessed without violating the ‘no-cut’ moratorium currently in place for Talent Avenue. Public Works has indicated to the applicant’s design team that adequate services can be connected to this project, subject to final review of the design by City Public Works and RVSS. The Site Plan indicates the location of connection to all public utilities and services. **The provisions of this section have been met.**

*F. The conditional use must include mitigation for any decrease in level of service exceeding city standard or operational safety of the transportation system if the proposal generates more than 500 daily vehicle trips or an additional 50 peak hour trips, per Chapter 18.185 TMC, Traffic Impact Study.*

**FINDING:** Applicant has provided a letter from its design and engineering firm, Ausland Group, in which Kelsy Ausland, P.E. confirms that the traffic which will be generated by the proposed uses in total (including future phased expansion of an outdoor cooking / teaching facility) will not generate either 500 new daily vehicular trips nor 50 peak hour trips. No further evaluation of mitigation is required. **The provisions of this section have been met.**

*G. The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impacts; and health, safety or general welfare concerns.*

**FINDING:** Per the applicant's findings, the proposed development will primarily serve the greater Talent community. As a resource for innovation and learning, it is expected that it will draw users from around the Rogue Valley. Off-street parking is not required within the CBD and it is not expected that the facility will generate traffic on the scale of many of the permitted (Type II) uses such as eating establishments, retail or office use. The topography of the subject property is flat and poses no challenges to full development. The building and future expansion will still leave suitable space for a potential garden use, loading, and trash facility. Access to the property for loading and service will be from W. Valley View; this is a unique roadway that while built, it is currently planned to primarily pedestrian uses and parking. The Applicant has oriented the building to utilize W. Valley View for community events / classes. The proposal includes a 6' fence, as indicated on the Site Plan, to provide security for the TMC users and materials. **The provisions of this section have been met.**

*H. The city of Talent has adequate firefighting equipment to protect the structure, as verified by the Talent fire chief, or arrangements have been or will be made by the developer to ensure that adequate equipment will be available before the occupancy of the building for any use. [Ord. 911 § 2 (Exh. A), 2016; Ord. 817 § 8-3L.244, 2006.]*

**FINDING:** Per applicant's findings, Jackson County Fire District 5 reviewed this project for the pre-application conference. That request was for a very similar total square footage (initially proposed to be 8,250 sq ft; the current proposal is for an initial 6,000 sq ft of building with a potential expansion of 2,000 sq ft of covered work and storage areas). The Fire District required three conditions of approval be included for this project:

1. Install a Knox box at the main entrance to the building. Knox applications are available at Fire District 5 headquarters.
2. If it is determined that the building will require fire sprinklers, the fire department connection (FDC) shall be off the building, with a post indicator valve and located within 100 feet of a hydrant. Any FDC must be labeled with the building address and function.
3. Provide funding to enhance Fire District 5 emergency pre-planning capabilities in the amount of \$2,000.

**The provisions of this section can be met subject to conditions of approval.**

**18.150.050 REQUIRED FINDINGS FOR APPROVAL OF TYPE III MAJOR SITE DEVELOPMENT PLAN**

*After an examination of the site, the planning commission shall approve, or approve with conditions, the major site development plan if all of the following findings are made:*

- A. All provisions of this chapter and other applicable city ordinances and agreements are complied with;*
- B. The proposed development will be in conformance with the intent and objectives of the zone in which it will be located;*

**FINDING:** The proposed development complies with the provisions of the Talent Zoning Code and meets the objectives of the zone subject to conditions of approval. **The provisions of this section can be met subject to conditions of approval.**

- C. All applicable portions of the city comprehensive plan or other adopted plan are complied with;*

**FINDING:** The proposed development is consistent with the intent of the uses allowed on a property with a Public Facilities Comprehensive Plan Designation. **The provisions of this section have been met.**

- D. The proposed development will be compatible with or adequately buffered from other existing or contemplated uses of land in the surrounding area;*

**FINDING:** The proposed maker-space development is adjacent to commercially zoned property and does not require buffering. **The provisions of this section can be met subject to conditions of approval.**

- E. That no wastes, other than normal water runoff, will be conducted into city storm and wastewater facilities;*

**FINDING:** The proposed maker space does not conduct any waste other than normal water runoff into the City storm and wastewater facilities. **The provisions of this section have been met.**

- F. The following are arranged so that traffic congestion is avoided, pedestrian and vehicular safety, solar access, historic sites, and the public welfare and safety are protected, and there will be no adverse effect on surrounding property:*

- 1. Buildings, structures, and improvements;*
- 2. Vehicular and pedestrian ingress and egress, and internal circulation;*
- 3. Parking and loading facilities;*
- 4. Setbacks and views from structures;*
- 5. Walls, fences, landscaping and street and shade trees;*
- 6. Lighting and signs; and*

7. *Noise generation facilities and trash or garbage depositories;*

**FINDING:** Vehicular and pedestrian access and circulation have been adequately addressed.

As a general condition of approval, any outdoor lighting shall be downward facing so as not to project light onto adjacent properties. **The provisions of this section can be met subject to conditions of approval.**

G. *The applicant has made any required street and other needed public facility and service improvements in conformance with the standards and improvements set forth in this title and the applicable portions of TMC Title 17, or has provided for required security arrangement with the city to ensure that such improvements will be made. [Ord. 966 § 2 (Exh. B), 2021; Ord. 817 § 8-3L.150, 2006.]*

**FINDING:** The applicant's proposal does not include construction of a public pedestrian sidewalk or alteration to the existing access driveway. **The provisions of this section have been met.**

**18.185.020 APPLICABILITY**

A. *A transportation impact study (TIS) shall be required if any of the following actions exist:*

2. *A development proposal is projected to generate 50 or more net peak hour trips on an arterial or collector segment or intersection.*

**FINDING:** Applicant has provided a letter from its design and engineering firm, Ausland Group, in which Kelsy Ausland, P.E. confirms that the traffic which will be generated by the proposed uses in total (including future phased expansion of an outdoor cooking / teaching facility) will not generate either 500 new daily vehicular trips nor 50 peak hour trips. **The provisions of this section have been met.**

**ORD #725 SYSTEM DEVELOPMENT CHARGES**

*Section 8. COLLECTION OF CHARGES*

A. *The System Development Charge is payable upon, and as a condition of, issuance of:*

1. *A building permit*
2. *A development permit and/or a development permit for development not requiring the issuance of a building permit;*
3. *A permit or approval to connect to the water or storm drainage system, or sewer system;*
4. *A right-of-way permit.*

**FINDING:** The proposed development includes the addition of a maker space facility. System Development Charges (SDCs) will be assessed for each new use in accordance with Ordinance #725 adopted October 5, 2005. Credit for SDCs assessed for land uses in place prior to the Alameda Drive Fire will be applied. In addition, the applicant will be required to provide evidence that all other SDCs from other jurisdictions have been paid in full. As a condition of approval, prior to the issuance of building permits, the applicant shall provide evidence that any additional SDCs have

been paid in full. **The provisions of this section can be met subject to conditions of approval.**

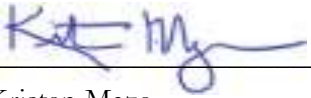
**This approval shall become final 14 days from the date this decision and supporting findings of fact are signed by the Chair of the Talent Planning Commission, below. A Planning Commission decision may be appealed to the Hearing's Officer within 14 days after the final order has been signed and mailed. An appeal of the Hearing's Officer decision must be submitted to the Land Use Board of Appeals within 21 days of the Hearing Officer's decision becoming final.**

**Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.**

\_\_\_\_\_  
Felicia Hazel, Planning Commission Chair

\_\_\_\_\_  
Date

ATTEST

  
\_\_\_\_\_  
Kristen Maze  
Community Development Director

June 28, 2022  
Date