



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

IN THE MATTER OF PLANNING COMMISSION FILE NO. DCA)
2017-001, AMENDMENTS TO THE TALENT ZONING ADDING)
TITLE 8, CHAPTER 3, DIVISION J, ARTICLE 11,)
SUPPLEMENTARY PROVISIONS INCLUDING STANDARDS FOR) ORDER
TEMPORARY USES, BACKYARD CHICKENS AND DUCKS AND)
MARIJUANA CULTIVATION, THE CITY OF TALENT PLANNING)
COMMISSION FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on March 23, 2017 and continued the noticed public hearing to April 27, 2017;
2. The Planning Commission requested that the Community Development Director present a staff report and a proposed final order with code language, findings and recommendations;
3. The proposed text amendments are consistent with the Talent Comprehensive Plan.
4. At the public hearing evidence was presented by the Community Development Director and the public was given an opportunity to comment;

IT IS HEREBY ORDERED THAT based on the information presented in the Staff report and the following findings of fact, the Talent Planning Commission recommends approval of the amendments to the Talent Zoning adding Title 8, Chapter 3, Division J, Article 11, Supplementary Provisions.

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

TALENT ZONING CODE

8-3M.160(G) Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

1. *The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197 (for Comprehensive Plan amendments only);*

FINDING: Not applicable as this is not a Comprehensive Plan amendment. A development code amendment is presumed to enact policies in the Comprehensive Plan; the findings validating that presumption are outlined below. **The provisions of this section are not applicable.**

2. *Comments from any applicable federal or state agencies regarding applicable statutes or regulations;*

FINDING: The City sent the full text of the proposed amendment to the Department of Land Conservation and Development (DLCD), which has exclusive oversight of code amendments to ensure compatibility with State Goals, Statutes and Administrative Rules. Staff would note that the proposed amendments are consistent with or more restrictive than State laws and contends that not only are these amendments consistent with the applicable State regulations, but they provide an extra level of review and education for the general public. **The provisions of this section have been met.**

3. *Any applicable intergovernmental agreements; and*

FINDING: No intergovernmental agreements were found to be applicable to the proposed ordinance amendments. **The provisions of this section are not applicable.**

4. *Any applicable Comprehensive Plan policies and provisions of the Talent Zoning Code that implement the Comprehensive Plan. Compliance with Section 160 of this Article shall be required for Comprehensive Plan Amendments, Zoning Map, and Text Amendments.*

FINDING: All applicable Comprehensive Plan policies and provisions of the Talent Zoning Code have been addressed. **The provisions of this section have been met.**

TALENT COMPREHENSIVE PLAN

ELEMENT A: HISTORY

POLICY 4: Historic Preservation is Important to the Local Economy. It is the policy of the City to capitalize upon local historic resources to create a positive business climate.

IMPLEMENTATION STRATEGIES:

1. *Encourage business by creating an aesthetically pleasing, pedestrian friendly downtown that respects the scale, design and site characteristics of existing historic*
2. *Encourage a variety of functions including public, residential and commercial uses in the downtown core area that serve local needs and that create a safe, neighborly environment around the clock.*

FINDING: The proposed Special Use Standards section of the Talent Zoning Code provides regulations for temporary uses, marijuana cultivation and backyard chickens. The temporary use section specifically provides regulations for uses that sometimes need to start on a smaller, more temporary scale. The allowance of temporary uses as proposed in the draft amendments will help to create a positive business climate, by allowing small business

ELEMENT D: TRANSPORTATION

LAND USE

Goal: *Encourage land uses that reduce reliance on single-occupancy automobiles.*

POLICY 1: *The City shall consider changes to the Zoning Code that will more effectively implement Comprehensive Plan goals that encourage transit-oriented, mixed-use and high-density development near the city center to reduce private vehicle trips by increasing access to transportation alternatives in conformity with the Oregon Transportation Planning Rule (TPR).*

FINDING: The establishment of temporary use standards for small scale uses in the core downtown attempts to encourage transit-oriented, mixed use developments and could encourage the reduction of private vehicle trips from the downtown area. Allowing a range of temporary uses, specifically those that are food related, provides the citizens and work force within Talent an opportunity to use alternate modes of transportation to access needed services. The proposed amendments provide a simple process for those looking to establish a business in Talent which in turn can provide a variety of necessary services to a populated area. Creating opportunities for commerce within the City can reduce vehicle trip generation, consistent with the Oregon Transportation Planning Rule. **The provision of this section has been met.**

PEDESTRIANS

Goal: *Provide a comprehensive system of connecting sidewalks and walkways that will encourage and increase safe pedestrian travel.*

Objective 2: *Support mixed-use development that encourages pedestrian travel by including housing close to commercial and institutional activities.*

POLICY 2: *Zoning shall be developed to allow for mixed land uses that promote pedestrian travel.*

FINDING: The inclusion of temporary uses as a means promote economic development in the downtown core has an impact on promoting pedestrian travel. The costs to establish a “brick and mortar” business far exceeds that of a temporary use. Allowing uses on a temporary basis provides those looking to establish a business in Talent an affordable option. Additional commerce, temporary or permanent, in the downtown provides the citizens of Talent local access to needed services, reducing vehicular trip generation and encouraging pedestrian travel. **The provisions of this section have been met.**

ELEMENT E: ECONOMY

POLICY 4: Existing Business Support and Assistance: *The City will support, and encourage retention and expansion of existing business that align with Talent’s other community development goals.*

Objective 4.1: *Retain and encourage growth of existing businesses in Talent.*

FINDING: The inclusion of temporary uses as a means promote economic development in the downtown core has an impact on promoting pedestrian travel. The costs to establish a “brick and mortar” business far exceeds that of a temporary use. Allowing uses on a temporary basis provides those looking to establish a business in Talent an affordable option that will likely attract businesses to the downtown core and provide the economic vitality necessary to retain and encourage growth of existing businesses. **The provisions of this section have been met.**

POLICY 5: Business Development: *The City will plan for and nurture a favorable environment to attract and maintain new businesses.*

Objective 5.4: *Ensure that the City’s building permitting and land use entitlement processes support business growth.*

Implementation Strategy 5.4a: *Identify changes to Talent’s Zoning Code or entitlement process to simplify the development process.*

Implementation Steps: *City will compare building permit and land use processes with other cities and work to establish an expedited process for commercial and industrial developments in key areas within the City.*

FINDING: The current process for granting permission for a temporary use is through Site Development Plan Review. This is an administrative process that requires notice to the neighbors and can take up to 60 days for approval. The addition of the temporary use standards provides a standard based approval process that can be approved ministerially by Staff. The ability to ministerially approve these types of standards based applications can decrease the review time by nearly 90 percent (or about a week). This difference in approval time could be the difference between a potential business locating to Talent or choosing a site elsewhere. Expediting the process will help to nurture a favorable environment to attract and maintain new businesses. **The provisions of this section have been met.**

Felicia Hazel
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date