



BEFORE THE TALENT CITY COUNCIL

STATE OF OREGON, CITY OF TALENT

IN THE MATTER OF PLANNING FILE NO. REZ 2020-001 AND LO-)
CATED ON WEST VALLEY VIEW ROAD [MAP NO. 38-1W-23D) ORDER
TAXLOT 1900], THE TALENT PLANNING COMMISSION FINDS)
THE FOLLOWING:)

1. The Planning Commission finds that the applicant participated in a pre-application meeting, as required under TMC 18.190.080(C), on November 13, 2019 as evidenced in the record and on the land use application.
2. The Planning Commission finds the proposed Zoning Map amendment is consistent with the City's Comprehensive Plan and Oregon's Statewide Planning Goals.
3. The Planning Commission finds the proposed Zoning Map Designation provides additional high-density residential land needed by the city for future residential development.
4. The Planning Commission finds that proposed Zoning Map amendment application was duly noticed in the Mail Tribune and to property owners within 250 feet on January 12, 2021.
5. The Planning Commission is considering this application in conjunction with file CPA 2020-001. A recommendation on file REZ 2020-001 can be made only subsequent to a recommendation on file CPA 2020-001.
6. The Planning Commission finds that during the public hearing, evidence was presented, and the public was given an opportunity to comment.

The Planning Commission recommends City Council approval of REZ 2020-001, a Zoning Map change from Commercial Highway (CH) to Multiple-Family – High Density (RM-HD). This Planning Commission recommendation of approval of the Zoning Map change from Commercial Highway (CH) to Multiple-Family – High Density (RM-HD) is based on the information presented in the Staff Reports and Findings of Fact below:

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

OREGON ADMINISTRATIVE RULES

OAR 660-012-0060, Plan and Land Use Regulation Amendments

1. *If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).*
 - b) *Change standards implementing a functional classification system, or*
 - c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of the evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

FINDING: Goal 12, OAR 660-12-0060(1) requires that a local government ensure that an amendment to a functional plan and acknowledged comprehensive plan or a land use regulation does not significantly affect transportation.

According to the Traffic Assessment completed by Southern Oregon Transportation Engineering, LLC. on June 17, 2020, the proposed change will not generate levels of traffic over the existing commercial designation. Therefore, there is no change in the functional

classification of the existing or planned transportation facility. No comments were provided by ODOT to refute this analysis.

The analysis further concludes that the proposed change will not increase traffic levels or cause patterns that would change the standards implementing a functional classification system or that would degrade the performance of the transportation facilities.

As demonstrated in the letter from the applicant's Traffic Engineer, the proposed map change will generate less vehicle trips than the commercial designation, meeting Transportation Planning Rule (TPR) requirements. Additionally, the Planning Commission can find that the conceptual residential development will not generate more than 500 average daily trips or 50 peak hour trips. Traffic generation will be verified again at the time a Site Development Plan is submitted. **The provisions of this section have been met.**

OREGON STATEWIDE PLANNING GOALS

STATEWIDE PLANNING GOAL 1 – CITIZEN INVOLVEMENT

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

FINDING: A public hearing before the Planning Commission and the City Council provides the required communication between the City and all interested parties. The public is notified of the public hearings through direct mailings, publication in the Mail Tribune and notification on the subject property. Additionally, the City has posted the pending application on the City's website and online web map. **The provisions of this Section have been met.**

STATEWIDE PLANNING GOAL 2 – LAND USE PLANNING

2. Minor Changes Minor changes, i.e., those which do not have significant effect beyond the immediate area of the change, should be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change should be established. Minor changes should not be made more frequently than once a year, if at all possible.

FINDING: The proposed map change demonstrates compliance with the City of Talent Comprehensive Plan Goals and Policies and does not have a significant effect beyond the immediate area of change.

A change in designation or zone from commercial to high-density residential is consistent with Goal 10 and with the City's Housing Element which suggests the conversion of surplus commercial and industrial lands to residential or the intensification of existing residential land provided the change doesn't create a deficit of land. The proposed map change will provide an opportunity, when converted to a high-density residential to minimize the

shortage of available residential land. Residential land shortages negatively affect the affordability of housing of all housing types and densities within the City. Included in this proposal is a request to change the zone from Commercial Highway (CH) to Multiple-Family High-Density (RM-HD). Subsequent to this review and approval, the change in zoning designation can be approved. **The provisions of this Section have been met.**

STATEWIDE PLANNING GOAL 9 – ECONOMY

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: The proposed map change will not have a negative impact on the surplus of commercially zoned land in the City. The Economic Opportunities Analysis (EOA) demonstrates the City of Talent has a demand of 17 acres of Commercial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of commercial and industrial land currently within the UGB. The City currently has a 62-acre supply of Commercially zoned land, a surplus of approximately 44 acres. A request to remove 2.01 acres of land from the commercial inventory will continue to provide a 43-acre surplus of commercial land and will not have a negative impact on potential commercial development. **The provisions of this Section have been met.**

STATEWIDE PLANNING GOAL 10 – HOUSING

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

FINDING: As proposed, this application would convert 2.01 acres of commercial land to high-density residential land, providing an opportunity for more multi-family housing types.

The Housing Needs Analysis demonstrates Talent currently has a capacity of 630 residential dwelling units. Based on the projected population growth in the next 20 years adopted into the Housing Element, Talent will have a need of 1,272 dwelling units. The City has a deficit of 642 dwelling units in the next 20 years.

The proposed map change will provide an opportunity, when converted to a high-density residential, to minimize the shortage of available residential land. Residential land shortages negatively affect the affordability of housing of all housing types and densities within the City. Solutions for the housing deficit require intensification of existing residential land and the conversion of land currently designated or zoned commercial or industrial to residential.

STATEWIDE PLANNING GOAL 12 – TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system. A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

FINDING: The findings addressing Comprehensive Plan Element D, Transportation demonstrate compliance with Goal 12. The proposed map change provides adequate transportation for vehicles, bicycles and pedestrians. Additional findings are supporting Goal 12 are also provided in OAR 660-012-0060 above. **The provisions of this section have been met.**

TALENT COMPREHENSIVE PLAN POLICIES, GOALS AND OBJECTIVES

ELEMENT A – CITIZEN INVOLVEMENT

POLICY 2: Communication: Assure effective two-way communications between the City (elected and appointed city officials, as well as staff) and citizens.

FINDING: A public hearing before the Planning Commission and the City Council provides the required communication between the City and all interested parties. The public is notified of the public hearings through direct mailings, publication in the Mail Tribune and notification on the subject property. Additionally, the City has posted the pending application on the City's website and online web map. **The provisions of this Section have been met.**

ELEMENT B – PARKS AND RECREATION

POLICY 3: Recreation: It is the policy of the City of Talent to provide recreational opportunities that balances the needs of all ages and users.

FINDING: The Comprehensive Plan has recognized the value of parks and open space in urban settings. The subject property is near an existing city park (Newbry Park) and the

Bear Creek Greenway. Additionally, any approved site plan for the multi-family or attached single family units will be subject to the development of a private open space area for use by the tenants. **The provisions of this section have been met.**

ELEMENT C – NATURAL HAZARDS

GOAL 1: The City of Talent will manage land use in a way that prevents loss of life and reduces risks to property in the event of a natural hazard.

FINDING: The entire site is located within a map flood hazard area and will be subject to Floodplain Review regulations at the time of Site Development Plan Review. A small area of the property is deemed undevelopable due to its location within the floodway, however approximately 0.8 acres of buildable land remains to accommodate the future residential development.

Future development will be subject to the prevailing building code at the time of submittal. The State Building Codes include reasonable measures to accommodate development within the floodplain and other hazards associated with earthquakes and other potential natural hazards in the area. **The provisions of this section have been met.**

ELEMENT D – TRANSPORTATION

GOAL: Provide a safe and efficient transportation system that reduces energy requirements, regional air contaminants, and public costs and provides for the needs of those not able or wishing to drive automobiles.

FINDING: The City has an adopted Transportation System Plan (TSP) in compliance with State requirements. The TSP is a component of the Comprehensive Plan, it addresses all modes of transportation and provides design standards for all new streets. The Talent Zoning Ordinance implements the goals and policies of the TSP.

The Oregon Transportation Planning Rule (TPR, addressed above) assures all land use decisions will consider review of multi-modal forms of transportation in the decision process.

The subject property fronts a collector street. Sidewalks fronting the parcel are improved to city standards and are consistent with the City's TSP. Additionally, RVTD has bus stop facilities along Oregon 99, less than a ¼ mile from the subject site to encourage use of the transit system.

A completed traffic analysis determined that the number of vehicle trips generated by re-mapping the commercial property to high-density residential will be reduced. As proposed, the change from commercial to high-density residential will not cause any of the intersections in the vicinity to operate at or below the required level of service. Primary access to the proposed high-density residential land will be from Mountain View Drive, a private street. The private street provides granted access to the subject parcel and is a legal means of access to the property. **The provisions of this section have been met.**

ELEMENT E – ECONOMY

The “Economic Element” of the Comprehensive Plan is intended to guide city policy and land use decisions related to commercial and industrial development within the city limits and urban growth boundary of Talent.

This element addresses State Economic Development Goal 9, "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

POLICY 1: *Land Availability: The City will plan for a 20-year supply of suitable commercial and industrial land on sites with a variety of characteristics (e.g., site sizes, locations, visibility, and other characteristics).*

FINDING: The Comprehensive Plan includes an Economic Opportunities Analysis (EOA) that was updated in October 2016. The EOA demonstrates the City of Talent has a demand of 17 acres of Commercial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of commercial land currently within the UGB. The City currently has nearly a 62-acre supply of commercially designated/zoned land, a surplus of approximately 44 acres. A request to remove 2.01 acres of land from the commercial inventory will continue to provide a 43-acre surplus of commercial land and will not have a negative impact on potential commercial development or create a deficit of commercial land. **The provisions of this section have been met.**

ELEMENT F – PUBLIC FACILITIES

The purpose of this element is to plan for the provision of economical and efficient public facilities and services to meet the needs of current residents, and to serve new development in a manner that minimizes adverse financial, environmental, and social impacts on the citizens of Talent. This element establishes a long-range plan for compliance with statewide planning Goal 11, Public Facilities and Services.

FINDING: The subject property is vacant. Adjacent properties are currently developed and served by all necessary public facilities. The development of the subject property is infill development and can efficiently use the existing infrastructure.

Rogue Valley Sewer Service (RVSS) provides sanitary sewer facilities through a sanitary sewer line to Mountain View Estates. Storm water facilities are available in the West Valley View Road right of way and the systems have adequate capacity for the purposes of the proposed map change. Future development on the site will be required to comply with the standards in effect at the time of development.

ELEMENT G – HOUSING

POLICY 1: Plan to provide for a 20-year supply of suitable land for Talent’s housing needs within the existing urban growth boundary to the extent possible.

FINDING: As proposed, this application would convert 2.01 acres of commercial land to high-density residential land, providing an opportunity for more multi-family housing types.

The Housing Needs Analysis demonstrates Talent currently has a capacity of 630 residential dwelling units. Based on the projected population growth in the next 20 years adopted into the Housing Element, Talent will have a need of 1,272 dwelling units. The City has a deficit of 642 dwelling units in the next 20 years.

The proposed map change will provide an opportunity, when converted to a high-density residential, to minimize the shortage of available residential land. Residential land shortages negatively affect the affordability of housing of all housing types and densities within the City. Solutions for the housing deficit require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses to residential. **The provisions of this section have been met.**

Objective 4.1: Provide a variety of housing types in Talent, especially in the downtown area, at densities that support maintaining a compact town form.

The proposed high-density residential designation/zone with a plan for multi-family development provides an efficient use of land on an infill property with adequate infrastructure. The proposed comprehensive plan map change and subsequent zone change will allow for the future development of additional multi-family or single-family attached dwellings. The minimum density for the high-density designation is 13.8 units per acre. If approved, the high-density designation required would provide a density that is greater than the target 6.6 units per acre required by the Regional Plan, aiding in the increased overall density of the City. The additional density in this location is appropriate considering the adjacent residential developments and its proximity to public services such as transit and parks.

The proposed map change would provide some relief to the short-term supply of needed housing for the next 12 months. The conversion of commercial land to high-density residential land is an intensification of suitable property within the current UGB. The approval of this application expedites a solution of both the short-term housing needs and the conversion of the surplus of commercial lands within the City. **The provisions of this section have been met.**

ELEMENT H – REGIONAL PLAN

The Greater Bear Creek Valley Regional Plan (Regional Plan) is the product of a comprehensive regional land-use planning effort undertaken by the cities of Ashland, Central Point, Eagle Point, Medford, Phoenix, Talent, and Jackson County to address longterm urbanization needs of the region, including the establishment of goals and policies.

The most significant product of the Regional Plan is the establishment of requirements which affect the form and function of future urban-level development and the

creation of an Urban Reserve (UR) for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

The purpose of this comprehensive plan element is to acknowledge by reference the entire Greater Bear Greek Valley Regional Plan (Regional Plan) 1, and to incorporate those sections of the Regional Plan that are applicable to the City of Talent, and in so doing commence implementation of the Regional Plan.

FINDING: The City has identified multiple future growth areas for the expansion of the UGB through the adoption of the RPS Plan. However, the expansion of the UGB is a long-term process and the City has an immediate need for additional land suitable for residential development. With an identified surplus of commercial land and a deficit of available residential land in both the short term and long term, converting the subject property from commercial land to high-density residential land has a beneficial impact to the City.

As proposed, the density is greater than the target 6.6 units per acre required by the Regional Plan, aiding in the increased overall density of the City. The additional density in this location is appropriate considering the adjacent high density developments and its proximity to public services such as transit and parks and can meet the short-term demand for housing until a time the Regional Plan can be amended to accommodate additional residential land. **The provisions of this section have been met.**

TALENT ZONING CODE

18.10.030 Establishment of Zones by Map

A. The location and boundaries of the zones designated in TMC [18.10.020](#) are hereby established as shown on the map entitled “The Zoning Map of the City of Talent,” bearing the number of the ordinance codified in this title and authenticated by the signature of the mayor and city recorder endorsed thereon at the time of the passage of the ordinance codified in this title. The map shall be hereinafter referred to as the “zoning map.” An updated zoning map was adopted by Ordinance No. [817](#) (November 1, 2006) along with the reorganization of the zoning code.

FINDING: The applicant provided both an existing and proposed comprehensive plan and zoning map demonstrating the area of proposed change. If approved, the comprehensive plan and zoning maps will be updated to illustrate the change as proposed, including the adjusted property line. **The provisions of this section have been met.**

18.10.040 Boundaries of Zones

Where uncertainty exists as to the boundaries of any zone as shown on the zoning map, the following rules shall apply:

D. Areas of dedicated streets or alleys and railroad rights-of-way which are not designated on the zoning map as being classified in one of the zones provided in this title shall be deemed to be unclassified and, in the case of railroad rights-of-way, shall be permitted to be used solely for the purpose of accommodating tracks, signals, other operative devices and the movement of rolling stock. [Ord. 817 § 8-3A.240, 2006.]

FINDING: There are no areas of dedicated streets of alleys or railroad rights-of-way on the subject properties. **The provisions of this section are not applicable.**

18.10.050 Zoning of Annexed Areas

Zoning regulations in effect in an area prior to annexation to the city shall continue to apply and shall be enforced by the city until such time as a zone change has been adopted or a new zone created by the city for the annexed area. Newly created zoning districts shall conform to the city's comprehensive plan.

FINDING: The land area proposed for Comprehensive Plan Map re-designation to Residential – High Density (RH) is presently designated as Commercial (C) on the Comprehensive Plan Map. The zoning of the area designated for Commercial is Highway Commercial (CH). The zone does not allow for the development of residential housing without a commercial component. The land area of proposed change from commercial to high-density residential is consistent with the city's comprehensive plan. **The provisions of this section have been met.**

18.40. Residential Zone – Multiple Family – High-Density (RM-HD)

18.40.010 Description and Purpose:

The residential – multiple-family – high-density (RM-HD) zone is intended to provide a healthful and livable residential environment, together with the full range of urban services, for housing units at densities higher than provided for in other residential zones. This zone is also intended to accommodate housing alternatives to conventional housing and an area where small economic enterprises, such as home occupations and neighborhood commercial activity, can occur indistinguishably or compatibly with the residential character. It is generally intended that high-density residential zones will be situated in close proximity to activity centers and major streets. [Ord. 952 § 1 (Exh. A), 2019; Ord. 951 § 1 (Exh. A), 2019; Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.410, 2006.]

FINDING: The proposal is to increase the area within the City of Talent that is primarily designated and zoned for high-density, multiple-family, residential development. The proposed map change is in an area with convenient access to a full range of urban services including pedestrian and bicycle facilities, transit, urban level infrastructure including adequate potable water, sewer, storm drainage and electricity. The proposed area for the high-density residential designation and zone is adjacent to other residentially designated property. The property is accessed by vehicles, pedestrian and bicycles from Mountain View Drive, a private road with direct access to W. Valley View Road.

As proposed, the requested map change would allow, at a minimum, 14 new residential dwelling units. The applicant has provided a conceptual site plan demonstrating the area of the property proposed for rezoning, and the potential for residential development. The conceptual plan identifies 10 new residential units, a number less than the minimum. Any proposed residential development of the site shall meet the minimum density of 13.8 units per acre. The conceptual site plan and all future development of the property will be required to conform to the process, procedures and development standards for Multiple Family developments as required by the Talent Municipal Code. **The provisions of this section have been met.**

Felicia Hazel
Planning Commission Chair

Date

ATTEST

Zac Moody
Community Development Director

Date