



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

IN THE MATTER OF PLANNING COMMISSION FILE NO. CPA)
2018-003, ADDING ELEMENT J, CLEAN ENERGY TO THE)
TALENT COMPREHENSIVE PLAN, THE CITY OF TALENT) ORDER
PLANNING COMMISSION FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on September 26, 2019;
2. The City properly published notice of public hearing in the Medford Mail Tribune on September 15, 2019;
3. The City established a subcommittee to prepare a draft element and multiple study sessions with the Planning Commission were held to further refine the policy;
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 the Talent Planning Commission recommends the City Council adopt Element J, Clean Energy as proposed in Exhibit A and based on the information presented in the staff report and the following findings of fact:

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

TALENT ZONING CODE

18.190.060(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: The proposal includes changes to the City’s Comprehensive Plan and this standard is therefore applicable. The Comprehensive Plan is a high level planning document that can be modified if the proposed changes are consistent with the Statewide Planning Goals and Guidelines adopted under ORS 197. All applicable Statewide Planning Goals are addressed below, under the heading: Statewide Planning Goals. **The provisions of this section have been met.**

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

FINDING: The Energy Element Citizen Advisory Committee drafted the initial element and presented the policy document to the Planning Commission during two study sessions. All comments received from the Planning Commission study sessions have been incorporated into the Clean Energy Element, Element J. **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 amendment. **The provisions of this section have been met.**

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: Although primarily a stand-alone document, the Clean Energy Element does implement other provisions of the City's Comprehensive Plan. Consistency with the applicable elements of the City's Comprehensive plan are addressed below. **The provisions of this section are addressed below.**

TALENT COMPREHENSIVE PLAN

ELEMENT G

POLICY 2: Opportunity for Development of a Range of Housing Types: *Provide opportunities for development of a range of housing types that are affordable to households at all income levels as described in the Talent Housing Needs Analysis. These housing types include (but are not limited to): single-family detached housing, accessory dwellings, cottage housing, manufactured housing, townhouses, duplexes, and apartments.*

Objective 2.1: *Provide opportunity for and support the development of housing affordable to low-income households, including government-assisted housing. HUD defines low-income households as households with less than 60% of MFI (about \$32,000 in 2016).*

Objective 2.2: *Provide opportunity for and support the development of housing affordable to moderate and higher-income households. HUD defines moderate and higher-income as households with incomes between 60% and 120% of MFI (about \$32,000 to \$64,000 in 2016).*

FINDING: There has been a continued need for affordable housing in Talent and across the region and with the advances in sustainable practices and products, it is now possible to do more for Talent residents and the environment at a lower cost. Talent residents have expressed interest in green homes or more energy-efficient homes and this interest will be likely to continue as energy costs soar. Sustainable design practices and energy-efficient materials and products can make green and long-term affordable housing possible with a reduction of monthly energy costs. Policy 2 of the Housing Element states the need for developing a range of housing types that are affordable to households at all income levels. While the addition of sustainable elements in new construction add upfront costs to the purchase of a home, the initial investment in solar or other sustainable measures can reduce the long-term costs of home ownership or costs to renters.

POLICY 4: Zoning Flexibility: *The City will support residential development through adopting a flexible zoning code that provides City Staff with flexibility to balance the need for housing and to provide consistency with the required density targets in the RPS (in urban reserves and areas within the urban growth boundary but outside of the city limits, develop at an average of 6.6 dwelling units per gross acre through 2035 and 7.6 dwelling units per gross acre between 2036 and 2060) while protecting scenic and natural resources and maintaining the quality of life of the residents of Talent.*

Objective 4.5: *Develop policies or regulations that incentivize the use of energy efficient or alternative building materials for affordable housing projects.*

Implementation Strategy 4.5: *Evaluate the use of density bonus regulations for projects that incorporate the use of energy efficient materials and techniques.*

FINDING: Setting energy efficiency goals and demonstrating commitment through municipal solar installations are both fundamental in setting the tone for sustainability in a community. Objective 4.5 of the Housing Element supports Objective 1.6 of the proposed Clean Energy Element encouraging the development of small-scale, affordable dwellings that utilize energy-efficient building materials. Objective 1.6 of the Energy Element and Objective 4.5 of the Housing Element contribute to land use development patterns that conserve energy. The establishment of zoning regulations that encourage small-scale sustainable housing projects are some of the most effective approaches for reducing long-term residential energy costs. Establishing zoning regulations also provides an opportunity to institutionalize a shared vision of a sustainable future, and strong policies ensure that progress towards implementation of these policies become embedded in all future city decisions.

STATEWIDE PLANNING GOALS

The local comprehensive plans must be consistent with the Statewide Planning Goals. When the state's Land Conservation and Development Commission (LCDC) officially approves a local government's plan, the plan is said to be acknowledged. It then becomes the controlling document for land use in the area covered by that plan. Oregon's planning laws strongly emphasize coordination—keeping plans and programs consistent with each other, with the statewide planning goals, and with acknowledged local plans. The following goals are most pertinent to the Clean Energy Element.

Goal 1 – Citizen Involvement (OAR 660, Division 4)

Goal 1, Citizen Involvement. To develop a citizen involvement program insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The basis of the proposed Energy Element of the Comprehensive Plan, known as the Clean Energy Action Plan, was created by citizens through a local nonprofit, Rogue Climate, then refined and made to fit City and land use policy through a Citizen Advisory Committee (CAC). The City Council sanctioned CAC has been in consultation with subject matter experts and public involvement has been invited from the very beginning of the draft process. This proposal has been noticed to the Department of Land Conservation and Development, City website, local newspaper (Mail Tribune) and posted to City Hall.

Goal 2 – Land Use Planning (OAR 660, Division 4)

Goal 2, Land Use Planning. To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions

FINDING: Specific planning processes, guidelines and implementation measures are provided in each policy of the Draft Energy Element and provide guidance for coordination with other agencies such as local schools, non-profits, governmental- and quasi-governmental agencies. Affected Governmental Units are clearly identified in the draft language and the source document CEAP involved over 1,000 hours of consultation with subject matter experts, other municipalities and background research.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces (OAR 660, Division 5)

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces. To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: The City has a Survey of Historic and Cultural Resources identifying key areas and the Draft Energy Element proactively addresses Historic District zoning limitations with regard to renewable energy and conservation. Open Spaces and Natural Resource, such as Riparian and Wetland areas have also been inventoried in the past, but are not proposed to change or otherwise be impacted based on proposals included in Draft Energy Element. Goal 5 encourages the efficient consumption of energy, the Draft Energy Element policies offer many paths leading to that destination and is expected to positively influence zoning code and building incentives in the realm of energy consumption. Proposed conservation and clean energy efforts could greatly benefit local air quality thereby improving the quality of natural resources and open space.

Goal 6 – Air, Water and Land Resources Quality (OAR 660, Division 6)

Goal 6, Air, Water and Land Resources Quality. To maintain and improve the quality of the air, water and land resources of the state.

FINDING: Policy 1 of the Draft Energy Element addresses energy conservation and efficiency, its supporting objectives and implementation strategies could greatly benefit local air quality by reducing the need to burn for heating in winter through positive influence on zoning and building requirements. Furthermore, the proposals should reduce collective impact on carbon emissions thereby driving down temperatures, drought and instances of wildfire – a major regional air quality polluter. Policy 4 encourages investing in the local economy to meet energy needs, in direct alignment with the implementation guideline of Goal 6. Policy 5, regarding transportation, incentivizes low/no emission vehicle and pedestrian/bicycle transit, which will also have tangible impacts on air quality.

Goal 9 – Economic Development (OAR 660, Division 9)

Goal 9, Economic Development. 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: Policy 4 of the Draft Energy Element strongly emphasizes growing the local economy by proposing an Energy Economic Opportunity Analysis, reaching out to local businesses about green energy opportunities and addressing power utility alternatives. Implementation Strategies found in Policy 1 propose to utilize land use controls and ordinances to grow this vision. Objective 4.7 in Policy 4 provides for assigning roles and responsibilities to carry out the goal as well.

Goal 10 – Housing (OAR 660, Division 10)

Goal 10, Housing. To provide for the housing needs of citizens of the state.

FINDING: The City has recently conducted a Buildable Land Inventory, and City housing needs are generally expected to increase. In assuming a greater future energy cost burden driven by scarcity and increased demand, the Draft Energy Element will facilitate housing needs for all income levels by providing greater levels of energy independence and resiliency as proposed in Policy 2 and 3 and enhance the local economy as proposed in Policy 4.

Goal 11– Public Facilities and Services (OAR 660, Division 11)

Goal 11, Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

FINDING: Policy 1 of the Draft Energy Element proposes enhancing public facilities by way of energy efficiency audits and upgrades. Reviewing efficiencies at existing sites will help ensure public facilities and services are provided at levels necessary and suitable for urban uses. Policy 2 of the Draft Energy Element encourages community solar project research to ensure that services are appropriate to the area prior to development.

Goal 12– Transportation (OAR 660, Division 4)

Goal 12, Transportation. To provide and encourage a safe, convenient and economic transportation system.

FINDING: Policy 5 of the Draft Energy Element proposes development of a citywide bike and pedestrian plan to ensure safe travel for no emission transportation options, benefitting the carrying capacity of land and air resources of the planning area. The policy also proposes to grow public transportation and car sharing programs. Homes developed with EV-ready wiring will reduce peak trips and provide a convenient and economic alternative to traditional fueling stations.

Goal 13– Energy Conservation (OAR 660, Division 4)

Goal 13, Energy Conservation. To conserve energy.

FINDING: Policy 1 of the Draft Energy Element proposes enhancing efficiency of existing residential, commercial and municipal buildings through education, retrofits and renovations. It also encourages development of small-scale affordable dwellings that utilize energy-efficient building materials and contribute to land use development patterns that conserve energy. This will minimize the depletion of non-renewable sources of energy. Policy 2 facilitates the use of renewable energy generation technologies in new residential and commercial developments. Policy 5 supports increasing access to public EV charging stations, thereby improving energy efficiency of existing lands.

Derek Volkart
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date