

ATTACHMENT "B"

*Ron and Lynn Laupheimer
146 Hilltop Road
Talent, Oregon 97540
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Email: ronald.laupheimer@gmail.com*

March 28, 2017

VIA EMAIL: melissa@cityoftalent.org

Mayor Darby Stricker
Members of the Talent City Council

Re: April 5, 2017 City Council Consideration of Revisions to Element G
(Housing) of the Talent Comprehensive Plan

The Talent City Council on April 5, 2017 will consider proposed revisions to Element G (Housing) of the City's Comprehensive Plan. It is likely we cannot be at that meeting to present our views in person. Thus, we put our views in this letter and thank you in advance for your consideration when you discuss and vote on them.

We recognize the City is mandated by law to establish a 20-year plan regarding its future housing needs. The proposed revisions, however, continue to emphasize development of the so-called "Railroad District" and the Belmont Road area, both areas west of the railroad tracks. This is ill advised.

Three of the undersigned live in the so-called "Railroad District," while one lives just outside of it on Hilltop Road. In addition to opposition to development of our own properties, we have contacted our Hilltop Road neighbors regarding development of their properties, which is suggested by the Element G Housing revisions and the so-called "Railroad District Master Plan" ("RDMP"). Not only do they have absolutely no intention of developing their own properties, they are uniformly against such development in the so-called "District".

As you must surely understand, we all purchased our properties precisely because they are rural residences, and we are strongly opposed to giving up this life for high density development. The Hilltop Road properties represent a significant percentage of the so-called "Railroad District," yet these same properties are already developed to the extent desired by their owners, so we fail to see how they can reasonably be included in your proposed plan. I also know our neighbors in the so-called "Urban Reserve" on the south side of Talent as being opposed and not willing to further develop their properties. What are you going to do---force us to subdivide to meet your housing numbers?

In addition, much of the land within the so-called "Railroad District" and Belmont Road area west of the railroad tracks ("Belmont area") is restricted by physical and access constraints and is not suited for housing. Thus, to meet or even come close to the

Mayor Darby Stricker
Members of the Talent City Council
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housing goals for these areas proposed by the Element G revisions, the density on the land that *might* be buildable would have to be enormously increased. Access to either the Belmont area or the so-called "Railroad District" is moreover severely limited by the railroad and the TID canal crossings, a fact that has properly thwarted development in the recent past. Because of those limitations and for the real safety concerns presented, the City is correctly committed to at least two access streets for any development there.

Yet how do the current Element G revisions deal with those access and safety issues? *By implying that a reduction to a single access/exit street for development in those areas would be acceptable in order to achieve the goals set forth in the revised Element G.*¹ The Council should recognize that, just for the safety concerns of its citizens alone, such a reduction makes absolutely no sense. The Council should neither support nor adopt Implementation Strategy 1.2b.

Finally, we ask the Council to seriously consider the consequences of the proposed Implementation Strategy 1.2c which asks the Council to pay for access infrastructure improvements at Belmont Road and make it a priority as part of the City's Capital Improvement Plan.

The simple-sounding words of this Strategy ignores the fact of the tremendous City costs and potential liability that will exist if the City moves forward regarding "upgrading" Belmont Road and pays for the cost of the railroad crossing there that will be required to handle the significant increased traffic necessitated by any proposed dense residential development west of the Belmont Road railroad crossing area.

Implementation Strategy 1.2c should likewise be immediately rejected by the Council to avoid even the possibility of the City being committed in the future for the tremendous costs and potential liability that will result from the ill-advised plans that are to be developed.

The Housing Needs Analysis stated it concisely: "If this area cannot be made ready for development, the City should consider ways to accommodate residential development

¹ See Implementation Strategy 1.2b of the Final Draft Element G (Housing) which states: "Develop a plan for infrastructure in the Railroad District Master Plan area including securing permission for necessary rail crossings to allow for infrastructure development by *working with affected property owners* and *evaluating the City's access and circulation standards in the zoning and subdivision codes that create a barrier to efficient infrastructure development.*" [Emphasis added.] By itself, the above bureaucratic verbiage sounds reasonable. However, the net result of any such "evaluation" would be the reduction of current access and circulation requirements down to a single access/exit street, with all of the patently obvious safety hazards and continuous problems for anyone entering or exiting these areas.

Mayor Darby Stricker
Members of the Talent City Council
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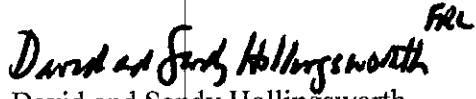
elsewhere in the City." (March 10, 2017 Version, page 69.) That is exactly what the Council should do now regarding the Belmont area and the so-called "Railroad District."

The City, to meet its 20-year housing goals, should focus its attention on flatter lands closer to the City core that could provide the services required for living and working. That is the sensible approach to follow rather than spending additional limited City time and resources "evaluating" areas completely ill-suited to the densities anticipated.


Thank you for your consideration of our views and those of other concerned citizens from Hilltop Road and the southern part of Talent. We hope you will examine more feasible areas for residential development that will continue to allow the City to grow without losing its "small town" feeling that attracted most of us to come here initially.

Very truly yours,


F. Ronald and Lynn Laupheimer

^{FRL}
David and Sandy Hollingsworth
294 Hilltop Road
Talent, OR 97540

^{FRL}
Helen and Michael MacFarlane
118 Hilltop Road
Talent, OR 97540

^{FRL}
David Heller and Elizabeth Rugg
502 Hilltop Road
Talent, OR 97540

Mayor Stricker and City Councilors,

My name is Evan Lasley and I live at 326 Talent Ave, Apt A. As a tenant in Talent, I pay 50 percent of my income towards rent.

Talent stands at a turning point in its economic development. It can go down one path, and become what Ashland is today — a place where low-income tenants can't afford to live where they work — or it can help lead the rest of the valley in working proactively to protect tenants from displacement and promote low to moderate income affordable housing development.

This development needs to be central to our plan, if we are going to follow a different path as a city — it needs to be integrated into the heart of our city, and connect to vital services like public transportation and downtown businesses.

Through an equity lens, I encourage you to center your thoughts and discussions of housing policy on those most burdened by the rental crisis — renters and households earning less than \$25,000 per year.

As a community, we have the ability to prioritize the tools we need to protect tenants from displacement, and to promote long-term affordable housing development. Right now, in Jackson County, tenants are being displaced — from city to city, away from their job, their home, and their school district.

This is the human impact of the housing crisis — our neighborhoods are destabilized and working families are thrown out of communities they have long called home.

Every family in Talent and across Southern Oregon deserves a stable home to live in. Element G contains several important tools for achieving this end. We need to use strategies like inclusionary zoning and rent stabilization, if the legislature acts on the rental crisis, to protect tenants from displacement.

Objective 2:

Tenants can't wait another 3 years. I strongly encourage you to move up the implementation timeline for these strategies in Element G — to make them immediate priorities. Additionally, I encourage the Council and Staff to devote time to studying the needed high densities in Talent — for us to achieve a higher average as the plan calls for.

Finally, we need to engage the wider community in how we respond to the rental crisis. We won't be able to address this crisis as a city on our own — we need to reach out to other cities across the state, learn from what they are doing, and open a dialogue across Southern Oregon on housing solutions.

here

We all love Talent — and want to see a city where people who work here can live and raise their families. Let's work together to make that happen. Thank you.

March 28, 2017

Talent City Council

The purpose of this letter is to address access issues related to the proposed amendments to the Talent Comprehensive Plan which will be discussed by Councilors April 5, 2017.

The proposed development of properties within the Railroad District Master Plan (RDMP) ignores issues that were raised approximately ten years ago related to the project known as the Pacific Stage Heights PUD. At that time, ODOT Rail made it clear that in order to access RDMP properties via Belmont Road a separated grade crossing would be necessary, i.e., a railroad overpass over Belmont Road.¹ Unless the City of Talent has recent communication from ODOT Rail, Crossing Safety Unit, indicating that a separated grade crossing would no longer be necessary, it must be assumed that the conditions specified in 2007 still apply. This would be a very expensive infrastructure cost, likely to be in the multi-millions of dollars, as it not only involves construction of the overpass/undercrossing, but significant modification of the TID canal as well. It is my understanding that the City of Talent would be picking up the cost of the rail crossing and associated infrastructure, which seems prohibitively expensive.

In the unlikely event that ODOT Rail were to approve an at-grade crossing, there is a serious safety issue involved if there is only a single access point for a medium to high density housing area, especially when that access point could be blocked by a train. Railroad crossing blockages are not unusual, and during the time the crossing is blocked residents do not have access to emergency services, including fire, medical, and police. A 10 minute crossing blockage may not seem like much, but could be the difference between life and death for a heart attack victim if EMTs cannot reach him/her. A small fire can grow to catastrophic proportions in the same time frame.

¹ Email from David Lanning to Vernon Davis, November 30, 2007.

From: "LANNING C David" <David.LANNING@odot.state.or.us>
Subject: RE: vjd55Citizen's Representative Office - Customer Entry
Date: November 30, 2007 at 3:35:27 PM PST
To: <vjd55@yahoo.com>
Cc: "JOHNSON John R" <John.R.JOHNSON@odot.state.or.us>, "Ask ODOT" <AskODOT@odot.state.or.us>

Mr. Davis,

I attempted to phone you today without success. Yes, ODOT will have to approve expanded use of the crossing(s) that are near the proposed housing development in Talent that you mentioned. ODOT has a file regarding the Belmont PUD (see attached file).

Legally, the existing crossings at Belmont Road and Hilltop Road are PRIVATE crossings under the control of Central Oregon & Pacific Railroad (CORP). There is a public grade crossing south and east of the proposed development. Since May 2007, ODOT has been working with CORP, City of Talent, and the developer on the proposed railroad crossing access issues.

All are aware that additional use of the existing private crossings cannot legally occur. All are aware that the ultimate solution for maximum safety crossing the railroad tracks is to construct a grade separated crossing, and close all existing at-grade crossings in the vicinity of the new crossing. The topography will accommodate construction of an undercrossing (city street under the track grade).

City of Talent officials should have current information about the progress they have made with the developer since July 07.

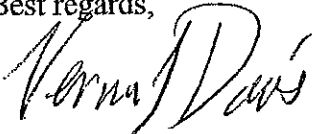
Feel free to contact me via phone or email.

David Lanning, Compliance Spec
Crossing Safety Section
Oregon DOT Rail Division
503.986.4267 (ph)
503.986.3183 (fax)

It is also important to understand that the 'public' crossing immediately to the south of Belmont Road – C-432.80/756227H – is not a viable access point to any of the Railroad District properties under any circumstances. In the first place, while the crossing itself may be public, there is no public access on the west side of the tracks. The CORP railroad right-of-way abuts private land; there is no public land or public access. The former county road was abandoned/vacated.² Even if there was public access, it would be prohibitively expensive to bring the crossing up to specifications. ODOT Rail considers the crossing to be hazardous, and increased use would require that the crossing be brought up to current standards. This would involve either raising Talent Avenue 5 feet in elevation or lowering the CORP railroad by the same amount.³ Use of crossing C-432.80/756227H beyond servicing the current four residences for any purpose is simply not feasible.

In summary, significant development in the area envisioned in the south section of the RDMP is not practical due to the expense of creating access across the railroad. The City of Talent would best serve its citizens by identifying properties better suited to meeting its housing needs.

Best regards,



Vernon J. Davis, TTE
The Rose Marie Davis Revocable Trust
1916 Talent Avenue

² *Verzeano v. Carpenter*, 108 Or App 258, 815 P2d 1275 (1992)

³ Email from David Lanning to attorney Sydnee Dreyer, 12/05/2007.

April 5th, 2017

Talent City Council
(hand-delivered at hearing)

Subject: Housing Needs Analysis; CPA 2016-002

Talent City Council and Honorable Mayor Stricker,

In short, I believe the HNA forecasting numbers are pretty conservative as they are based on trends from the past and thus the corresponding population and housing predictions follow suit. This is a perfectly acceptable by DLCDD and a defensible position that is actually the intent of the statute and Oregon's land use laws. However, I believe Talent is likely to realize a demand that is at least 5% to 10% greater than the numbers projected – primarily for two reasons:

1) Housing in Ashland is incredibly expensive and remains in strong demand for the foreseeable future. But, as the only participating City in the Rogue Valley's recently adopted Regional Problem Solving (RPS) process (*an incredibly capacious and legally binding effort*), the City of Ashland chose NOT to identify Urban Reserve areas and instead rely upon lands within their already tight UGB and City limits. This almost non-existent surplus, plus complex, expensive and unpredictable outcomes, will not only continue to drive Ashland's housing prices upward, but the housing type will have limited diversity. I could and would argue Ashland's decision to force a compact urban form is a good thing – for Ashland, but it's going to “turbo-boost” Talent's housing demand, increase prices and reduce affordability.

2) Talent's community leaders are exceptional and are driven to make Talent a better place to live, work and raise a family. I say this based on years of observation and experience. As most of you know, I was the City's Planning Director for roughly 5 years before Zac Moody and was a Planner for the City of Ashland for 13 years. I've been able to observe, at point blank, the differences between these two cities. But without criticizing one vs. the other, the reality is Talent's leadership is going to great lengths for its citizens beyond the typical norm. One doesn't have to look much further than the recent actions that have occurred surrounding the Gateway Project, TID, TURA Board, HYW 99 master plan, the Maker City efforts and the willingness to work with the private development community. The Talent's Council, Mayor Stricker, Tom Corrigan, Zac Moody and its citizens are "all" demanding a sense of place and identity and it's impressive to say the least.

These two primary factors – Ashland's housing issues coupled with Talent's desires to create livability and a sense of place will stimulate interest in the housing market beyond past population trends. As such, Talent needs to get ahead of the game and do it relatively quickly by adopting the HNA and implementing code language consistent with the HNA's policies.

In conclusion, I've read the HNA document a couple of times and I believe it's very accurate, thorough and will provide Talent's decision makers the basis to make accurate decisions in the near future while the City of Talent experiences inevitable change.

Sincerely,

Mark Knox
knox@mind.net
541-821-3752

April 5, 2017

Talent City Council and Mayor,

I write you today regarding the serious concerns I have regarding the recent handling of the Comprehensive Plan and the Charlie Hamilton/Tom Bradley William Way development process and approval.

City of Talent residents watched as city staff recruited Talent's primary developer (Charlie Hamilton of Suncrest Homes) to join the Citizen Advisory Committee. Zac Moody did not present CAC candidates to the Planning Commission for interviews, despite directions from both Tom Corrigan and Mayor Stricker to follow the policy for committee formation. Additionally, staff did not provide legal notification of CAC meetings and did not maintain minutes for those meetings. These public record law violations set the city up for a potential legal challenge.

Hamilton benefited from knowledge gained on the CAC by working on Element E, identifying lands that could become available for residential construction, allowing him to partner with Tom Bradley on the William Way project. Staff (Corrigan and/or Moody) reordered and elevated the William Way project to precede work on Element G allowing Hamilton to avoid any city scrutiny on affordable housing and then Hamilton utilized Element G to argue for density increases, effectively having it both ways, maximizing his profit - city vision and planning and affordable housing be damned. The Planning Commission overwhelmingly opposed the project, yet Councilors, without addressing the concerns of the Planning Commission, approved the project. It appears that for some Councilors, project approval was preordained despite claims of lack of bias.

I have questions for the Council and Mayor.

Why weren't CAC members interviewed, CAC meetings legally notified and CAC minutes maintained?

While I agree with Community Development Director Moody that we want experts to aid in city planning and direction, I would argue that we don't want committees filled with individuals with vested interests. That is the quickest path to graft as Hamilton and Bradley's William Way project demonstrates. Do you agree?

Why did Director Moody not act on his stated observation that CAC members had conflicts of interest?

Why were elements E and G not brought in jointly so as to prevent corruption and graft? Is it not obvious that an insider with vested interests in this process would benefit by the delayed implementation of these two elements?

Who reordered the Planning Commission agenda items, elevating the Williams Way project over elements of the Comprehensive Plan that will guide the city for decades?

Why did City Manager Tom Corrigan refuse to forward my ethics complaint to the Planning Commission when I sent it to Director Moody with that request?

Is it not logical to remove Hamilton and any other members, who according to Director Moody, "have conflicts of interest" from the CAC, in order to avoid prohibited financial benefits to those members?

Finally, is not voluntary accountability by the City a better remedy for the City of Talent's colossal failure in this process, as opposed to citizen litigation? What would that accountability look like?

Thank you for your attention to these matters.

Sincerely,

Derek Volkart
Talent, OR

4/5/17

Joi Riley
Comp Plan Element G

There are a couple points I want to make about Policy 4 and then the implementation schedule. Before that though I would like to touch on remarks made during the public hearing for the Williams Way Subdivision. Our Comp Plan element G came up in the application and testimony and is germane to your deliberations.

Applicant and supporters used the term "housing crisis" in defense of the project and it was echoed by members of the council. But we all know the difference between crisis and shortage and we all know that what feels like a crisis to one group may be just an inability to make as much money as possible as quickly as possible to someone else.

I agree there is an extreme shortage of affordable housing, but don't forget that affordable as defined by economists is quantified as housing needs that are about 30 percent of a median income, which is roughly housing that will cost most median income people in Talent \$600 a month.

The census bureau data shows income numbers for Talent that is more recent than the first version of this document. I have at least five versions of the HNA, so it's been difficult to track changes. One of the changes you should be aware of though is a change in the amount of developable land since the first version. The city planner told me that the way he counted developable land changed after CAC member Charlie Hamilton complained about it. I don't know if that was part of the CAC's work or happened privately because there is no CAC meeting record.

The applicant also called the Comprehensive Plan a "suggestion" not to be taken literally. But literally, the exact opposite is true. The Comprehensive Plan is not only our guide to creating zoning ordinances, if there is a conflict between a jurisdiction's Comprehensive Plan and its Zoning Ordinances, the Comp Plan wins because it **is the overarching authority** for local land use. The Policies you will adopt in this process will be our new zoning laws.

If you are interested in more information; Chapter 3 in the Introductory Guide to Oregon Land Use for Small Cities and Counties describes the relationship succinctly.

Applicant also said that when Talent had a Planned Unit Development ordinance there were design standards. Well I knew the PUD, I'm proud that I helped kill the PUD and believe me, it wasn't because there were design standards in it.

The PUD ordinance that the applicant, and the planning staff, refer to so lovingly was used as carte blanche permission for applicants to ignore zoning ordinance standards. It was rife with subjective standards and wishy washy language. Anything goes when there's a PUD, or so it seemed.

Originally the PUD applications were only accepted for parcels of five acres or more, but sometime along the way that restriction was lifted and from then on it became the only type of development application ever submitted. If you wonder how that worked out for us please take a walk around Clearview and picture it built out. Keep in mind the closest grocery store and park is across the

It shows too many efforts running parallel and the lack of beginning and end dates without benchmarks to meet along the way is a formula for failure.

I hope the council will set linear goals with the most important first, and then when that's finished move on the next....and so on.

12 March 2017

Mayor Darby Stricker
Members of the City Council

Thank you for the opportunity to address the Council on the proposed Housing Element G, an amendment to the Comprehensive Plan, slated for hearing on April 5, 2017, and express our gratitude to the Housing Advisory Committee and the City Planning Commission.

We suggest that the City Council take adequate time to review this proposal seriously rather than rush to approval. As a 20-year plan, the City is not required to immediately build housing for the potential population in 2037, but simply to have an orderly plan that allows it to evolve in a manner that serves both current and future residents.

Several proposed changes appear to be in conflict with City and Regional goals:

1. Unlike Talent's historic commitment to a safe transportation network of streets, roads and rails, this proposal disregards safety. Specifically,
 - a. While the City is rightly committed to at least two access streets for any development, this amendment proposes the reevaluation of access and circulation requirements, implying a reduction to a single access/exit street, a significant hazard and a never-ending problem for anyone entering, exiting, or passing by.¹
 - b. Housing strategies call for narrowing streets, allegedly to reduce speed, but more likely to allow greater density, as does reducing parking requirements.² Standard street widths, using other methods, can effectively reduce speed yet allow fire trucks full access, turnaround and exit.
2. The continuing focus on the so-called "Railroad District" as the solution for Talent's presumed growth is ill-advised. The problems are well-known, yet the City persists in pursuing development – dense development at that – in an area where it is infeasible:
 - a. Over 90% contains slopes of more than 5%, and 60% is on slopes of 10-25% or more, which are considered not buildable.³ The proposed solution would be to enormously increase the density on the land that might be buildable⁴.
 - b. We are aware of only one landowner, owning 2 parcels in the "District", who may have development interests, and landowners in the area to the south of the "District" have no interest in development at all.
 - c. Access to the "District" is limited by railroad and canal crossings, serious matters not likely to be resolved, as prior attempts to develop have shown. Even the two

¹ Implementation Strategy 1.2b of Final Draft Housing (Element G).

² Implementation Strategy 4.2a of Final Draft Housing (Element G)

³ Exhibit 7, proposed Housing Element

⁴ Housing Needs Analysis, March 10 Version, Page 69

parcels under consideration contain some of the finest orchard land in the area – the proposed use for dense development hardly seems in keeping with Oregon’s preferred land practices.

Even more alarming is the proposal for the City to pay for access infrastructure improvements at Belmont.⁵

3. Implementation Strategy 1.4b states that staff *SHOULD* work with affected landowners to understand their preferences⁶ – and goes on to say that staff will “*continue to include landowners in the process...*” – that has not been done. Affected landowners living in the “Railroad District” as well as those living on the west side of the railroad in the “urban reserve” or UGB have not been well-served or included in the City’s planning.

“If this area cannot be made ready for development, the City should consider ways to accommodate residential development elsewhere in the City.”⁷ Please do that now.

There is a serious social justice issue at risk in the proposed amendment. The focus on the “Railroad District” as a solution for the City’s expansion needs is misplaced. It would put high density, presumably affordable housing in an area completely removed from necessities such as bus, grocery stores, and other services. Further, as noted above, it would place this housing and its residents at risk, allowing congestion and very limited access. Affordable housing is a noble goal, but not when it becomes a recipe for disaster.

It would make the greatest sense to seek flatter lands closer to the City core and its services, that are supportive of safe street systems.

Thank you for your consideration. We hope you will require that Talent retain its safety standards, that it look to feasible areas for residential development, and that work with affected landowners will begin.

Mary and Ted Tsui
1918 Talent Avenue

⁵ Implementation Strategie 1.2b, Page 4, Final Draft Housing (Element G)

⁶ Implementation Strategy 1.4b, Page 5, Final Draft Housing (Element G)

⁷ Housing Needs Analysis, March 10 Version, Page 69

PUBLIC COMMENT

RECEIVED DURING WRITTEN RECORD EXTENSION

4/5/17-4/12/17

Zac Moody

Subject: FW: Adoption of Housing Element (G) and amendment to the Comprehensive Plan



From: Laurie Cuddy [<mailto:lecuddy@aol.com>]

Sent: Tuesday, April 11, 2017 5:50 PM

To: Mayor Stricker <Mayor@cityoftalent.org>; Councilor Baker <Councilor6@cityoftalent.org>; Councilor Berlant <Councilor2@cityoftalent.org>; Councilor Collins <Councilor3@cityoftalent.org>; Councilor Harrison <Councilor4@cityoftalent.org>; Councilor Pederson <Councilor5@cityoftalent.org>; Councilor Wise <Councilor1@cityoftalent.org>; Melissa Huhtala <melissa@cityoftalent.org>

Subject: Adoption of Housing Element (G) and amendment to the Comprehensive Plan

April 11, 2017

TO: Mayor Darby Stricker, Members of the City Council

RE: Adoption of Housing Element (G) and amendment to the Comprehensive Plan

As a landowner directly adjacent to properties in which the proposed Housing Element (G) envisions high density development, I would like to convey my alarm and concern for this inappropriate and damaging plan. I raise horses and grow hay and have an expectation of the continuation of my rural life.

Among my concerns are the following:

1. I have never been contacted by the City or County regarding the effect of this proposal upon me or my land use. This is in direct contradiction to the information you've been given in the proposed Housing Element – which states that staff “will continue” to work with adjacent property owners. I will tell you now, since I've never been asked, that it will have a detrimental effect upon me and my property, and those of my neighbors.

(2. I know of no one on the west side of the railroad, from the winery south through the Hilltop Road properties and into the so-called “Urban Reserve” at the south end who has any intention in developing, with the exception of the two parcels adjacent to my own. This effort failed several years ago; nothing has changed to make it more appropriate for high density use.

These two lots are accessible at best for single family farm or agricultural use. To suggest that many families could access this property through one road (Belmont) which crosses a railroad and irrigation canals is irresponsible. It goes against all common safety measures.

3. The City should look for locations that will provide safe access to future residents; it should also place them near the services required of higher density, such as transportation, schools, grocery stores, and so on. To introduce high density housing in the middle of a confirmed rural area is poor planning.

Please do not approve this plan without serious modifications which take into account the above concerns.

Thank you for your consideration.

Sincerely,

Laurie Cuddy

1910 Talent Avenue

Talent, OR 97540

City of Talent
PO Box 445
110 East Main St.
Talent, OR 97540

www.CityofTalent.org

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[Talent, Oregon](#)

*This is public input, for the record.
Please include in Council Packet(s) for all meeting(s) in which
Comprehensive Plan Element G is debated and/or adopted.*

April 5, 2017 Oral Testimony
Comprehensive Plan Element G Amendment
Planning Commissioner Joi Riley

There are a couple points I want to make about Policy 4 and then the implementation schedule. Before that though I would like to touch on remarks made during the public hearing for the Williams Way Subdivision. Our Comp Plan element G came up in the application and testimony and is germane to your deliberations.

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Originally the PUD applications were only accepted for parcels of five acres or more, but sometime along the way that restriction was lifted and from then on it became the only type of development application ever submitted. If you wonder how that worked out for us please take a walk around Clearview and picture it built out. Keep in mind the closest grocery store and park is across the highway. Also keep in mind that the housing being built is far inferior in materials and design than the pictures indicated in the application.

Policy Four, as recommended by staff, seeks to "provided staff with flexibility" and opens a door to allowing the subjective latitude enjoyed by developers when the PUD existed.

Policy Four's Objective one, and implementation strategy 4.1a is an important step toward efficient use of our developable land. It's also unworthy of taking up space in an far reaching and important document like our Comprehensive Plan.

The Planning Commissioners became aware of an anomaly in our setback requirements in October of 2015 when Charlie Hamilton applied for a variance on a flag lot. Our flag lot setbacks are 15 feet on all sides. My theory is that someone once typed 15 instead of five, the normal side yard setback in our residential zones. This setback requirement was clearly some kind of error and staff said the planning commission could review the ordinance in the near future. I asked about it a couple times but staff chose to ignore my requests. Fixing that ordinance could have taken no time at all and doesn't need to be delayed any longer by being buried in this document.

The fact that it is Implementation strategy A, with no B is proof that it's a stand alone item and could have been corrected a hundred times by now if the staff had chosen to do so.

The same is true for 4.3, 4.4 and 4.5. It is just embarrassing that we are looking at a document that cannot even meet basic rules of outline form. To me it does not just indicate that someone missed some part of their basic education. It means that the items are stand alone items and do not belong in a plan that is a twenty year visionary guide.

4.3 calls for a review of our permit process. Everyone knows it takes too long but that is a contract personell problem and our executive can solve it.

4.4 calls for streamlining site plan review. For what end? The site plan process involves the public and planning commission just like it's suppose to. Streamlining sounds like a euphemism for take it away from the public and give it to staff. State Goal One is still public involvement.

Open testimony 4/15/2017 (2) Joi Riley

4.5 asks for more density bonuses, which are determined by formula. So, handing them out like stickers to well behaved toddlers doesn't make sense, but the real head scratcher is why it's followed by strategy 4.2a which is about building materials.

4.2 at least has an A and a B. But it isn't indicated in the HNA data, that I can find, that there is a parking problem downtown.

There are reasons to question the source data, which were brushed away early on. But the differences between land inventory in the current Element G and this one are stunning.

The implementation schedule presented to the Planning Commission is not realistic for a staff the size of ours.

It shows too many efforts running parallel and the lack of beginning and end dates without benchmarks to meet along the way is a formula for failure.

I hope the council will set linear goals with the most important first, and then when that's finished move on the next....and so on.

Oral Testimony 4/5/17 (3) Lori Riley

*This is public input, for the record.
Please include in Council Packet(s) for all meeting(s) in which
Comprehensive Plan Element G is debated and/or adopted.*

To: Mayor and City Council
From: Planning Commissioner Riley
Re: Comprehensive Plan Element G - Housing

April 12, 2017

To insure this Element's effectiveness:

- Remove policies and strategies that are not part of a stated 20-year housing vision
- Remove policies and strategies that are not directly linked to data in HNA
- Remove policies and strategies that are not supported with correspondence from all affected agencies, jurisdictions, affected property owners and stakeholders
- Remove policies and strategies with no dedicated fund source in the city's budget

To insure this Element's success:

- Prioritize the policies that directly affect housing goals.
- Add a linear work flow chart without simultaneous tasks
- Require and review date specific benchmarks and end dates

Not all, but two effective ways to quickly increase land use efficiency that does not require comprehensive plan amendment:

- adopt minimum densities in all existing residential Zones
- adopt conventional setbacks on flag lots



April 10th, 2017

Talent City Council Members

Are City Council members aware that Staff is not presenting to you for approval the version recommended by the Planning Commission? As that body is is charged with taking public comment, reviewing, deliberating and recommending, I do not understand what happened.

In reviewing the City's Council Packet for the April 5th, 2017 meeting, I was surprised and very confused to find that there are in fact two versions – unacknowledged - of the proposed Housing Element G/Comprehensive Plan Amendment. I request clarification before any vote by Council on this matter.

The first version – the Planning Commission's recommendation to Council - begins on Page 6. Without any discussion, Council is being asked to approve the version that begins on Page 27, identified as Exhibit A. Is staff choosing to ignore public input? From where did these changes come? Following Planning Commission recommendations, were there Council discussions requesting the changes? If so, I am unaware of any public meeting at which these changes were discussed.

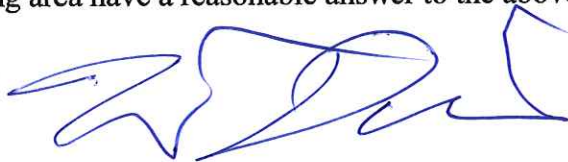
In addition to the unexplained differences, I am particularly concerned because the changes you are asked to approve involve my property. As with many others, I have never been approached about the effect of the proposals upon me or my property – despite claims to the contrary in this proposal.

Whereas the Planning Commission version generically addresses infrastructure improvements in the so-called "Railroad District", the version Council is asked to approve very specifically targets Belmont Road as a priority for development along with rail crossings – both of which would affect me negatively. Yet – despite staff claims to the contrary - I have never been noticed or approached about this topic.

For Council's convenience, I am attaching the two documents merged together, with the Council version printed in red. As you will note, the differences are many and significant. Again, I request clarification: why are the two documents different? Why is there no discussion of the differences? Who authorized or requested the additional language? Why has there been no public discussion of this topic and why is it not acknowledged?

I therefore request that your Council take no action until I and the other citizens of Talent and the surrounding area have a reasonable answer to the above.

Sincerely,



Forest Davis
370 Belmont Road

1 attachment
cc Mayor Stricker
City Manager Corrigan
Community Development



Housing Element Proposed Language
Black = Planning Commission Recommendation;
Red = Unexplained Language added for Council approval

Objective 1.2: Revise and implement the Talent Railroad District Master Plan to make this land available for development and address land use and subdivision regulations that create barriers to access in the master plan area. The Master Plan envisions development of housing, mixed-use residential, and public facilities such as streets necessary to service development of the District.

Implementation Strategy 1.2a: Revise the Master Plan to fit with Talent's revised housing policies and to ensure that development plans proposed in the Master Plan are both efficient and support development of infrastructure by the developers of the area.

Implementation Steps: Revise the Railroad District Master Plan based on Talent's current Comprehensive Plan Policies, with particular attention directed at the revised housing and economic policies.

When: within 1 to 3 years of the Element's adoption

Partners: City Staff and Planning Commission

Implementation Strategy 1.2b: Evaluate the City's access and circulation standards in the zoning and subdivision codes that create a barrier to efficient infrastructure development. and work with affected property owners to develop a Plan for infrastructure development in the Master Plan area by including securing permission to secure for necessary rail crossings to allow for infrastructure development.

Implementation Steps: Work with ODOT, private rail company, affected landowners, and other stakeholders to secure permission for a rail crossing at Belmont Rd.

Implementation Steps:

When: within 1 to 3 years of the Element's adoption

Partners: City staff, ODOT, private rail company and affected land owners

Implementation Strategy 1.2c: Develop plans for infrastructure in the Railroad District Master Plan area through public-private partnerships with landowners in the area and including the development of Belmont Rd. from Talent as a priority.

Implementation Steps: (1) Develop public-private partnerships and development agreements for the development of Belmont Rd. and (2) coordinate with the City's Capital Improvement and Transportation System Plan.

When: within 3 to 5 years of the Element's adoption

Partners: City Staff

Vernon J Davis, Trustee
The Rose Marie Davis Revocable Trust
1916 Talent Avenue
Talent, OR 97540
RMDavisTrust@gmail.com



April 11, 2017

Zac Moody
Community Development Director
PO Box 445
Talent, OR 97540

Dear Mr Moody,

I and other residents who wrote comments regarding the proposed Housing Element G and related Comprehensive Plan Amendment are gravely concerned that their correspondence was not included in the staff report for the City Council meeting on April 5, 2017. I have consulted with my attorney, and he has advised me to inform you that this is a violation of Oregon land use law. We seek remediation for the omission, believing that Council members have an interest in what their constituents and affected property owners have to say prior to their making a decision.

Specifically, OAR 661-010-0025 states the following:

Record

(1) Contents of Record: Unless the Board otherwise orders, or the parties otherwise agree in writing, the record shall include at least the following:

(b) All written testimony and all exhibits, maps, documents or other materials specifically incorporated into the record or placed before, and not rejected by, the final decision maker, during the course of the proceedings before the final decision maker.

Please defer any action by the City Council until this is corrected. Your failure to do so will be reported to the Oregon Attorney General's office and may expose the City of Talent to legal action.

Sincerely,

A handwritten signature in black ink that reads "Vernon J Davis". The signature is written in a cursive style.

Vernon J Davis

cc: Talent City Attorney
Tom Corrigan, City Manager
Darby Stricker, Mayor

Zac Moody



From: Michelle Glass <michelle@uniteoregon.org>
Sent: Wednesday, April 12, 2017 4:54 PM
To: Zac Moody
Cc: Councilor Wise; Councilor Berlant; Councilor Collins; Councilor Harrison; Councilor Pederson; Councilor Baker; Mayor Stricker
Subject: Public Comment re: Element G
Attachments: UniteOregonPublicCommentEleG.pdf

Hello Zac, Council Members, and Mayor,

Please see the attached letter on behalf of Unite Oregon submitted for the record regarding Talent's Draft Update to Comprehensive Plan, Element G.

Thank you,

Michelle Glass

Regional Director Rogue Valley
Michelle@UniteOregon.org
541-292-8201

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April 12, 2017

Re: Comprehensive Plan Element G

Dear Planning Director, City Council Members, and Mayor,

In January Unite Oregon submitted a letter to the city planner and planning commission expressing support for many of the strategies included in the updated Element G and suggested a few edits. We also provided testimony before the planning commission in support of prioritizing strategies such as inclusionary zoning which give the city maximum flexibility in decision-making to support the development of new workforce and affordable housing to meet Talent's needs.

We appreciate the many hours of work that the city staff, planning commission, and council members have spent on evaluating and editing the document, and are encouraged to see a strengthened Objective 2 and to see inclusionary zoning moved from Appendix B to an implementation strategy under 2.1e.

We ask that the council move up the timeline for implementation strategy 2.1e, Inclusionary Zoning, from the 3-5 year range to the 0-3 year range and then pass this important guiding document. Moving up the timeline is important to ensure that the city has access to this effective and flexible tool before our limited land supply is developed. We support immediate passage of the updated Comprehensive Plan Element G as a first step toward both 1) ensuring that city decisions are based on current data and updated strategies and 2) freeing up city staff, commission, and council time to moving forward on addressing the urgent need for affordable housing in our city.

As a community-based organization that has worked on housing issues in the Rogue Valley for over a decade, we share the council's concern about the impact of lack of workforce and affordable housing on Talent residents, families who are being displaced from Talent, and on the diversity and livability of our community. We understand that passing an updated Element G is only the first step in a long process of identifying and working for solutions. We remain committed to that work and will do all we can within the scope of our role as a stakeholder organization to be a partner with the city on affordable housing issues.

Thank you for your work to address the affordable housing needs of Talent on behalf of its residents.

Michelle Glass

A handwritten signature in black ink that reads "Michelle Glass".

Regional Director, Unite Oregon



From: Mayor Stricker
To: Zac Moody
Cc: Councilor Wise; Councilor Pederson; Tom Corrigan
Subject: Re: HNA question/suggestion
Date: Monday, April 10, 2017 7:28:54 AM

Hi all,

Once again Councilor, your work goes beyond the surface. I also remember 2 discussions about IZ. What I remember was the PC suggesting the reprioritized timeline twice but not taking a consensus on it.

I would also suggest edits, corrections and format review before this document is adopted. Some were pointed out during public hearing.

Councilor, while I appreciate where you are going with your suggestion to the IZ language, it appears to change the intention a little and maybe not in a desirable way.

Looking forward to a thoughtful review at the next meeting.

Sent from my iPhone

On Apr 9, 2017, at 10:07 PM, Zac Moody <ZMoody@cityoftalent.org> wrote:

Councilor Wise,

I will need to check the minutes about the timing on IS 2.1. I do remember it being discussed, but I don't remember any consensus. When I read back the requested changes this one was not discussed.

With that said, you can make that suggestion to the Council as this is your policy document.

Your other suggested changes seem reasonable as well and I would be glad to make these changes if the Council would like to do so.

Thanks for taking the time to look it over in more detail. It never hurts to have another set (or many) of eyes on such a complicated policy document.

Thanks,

Zac

Zac Moody
Community Development Director
City of Talent
110 E. Main Street
Talent, Oregon 97540

Office: 541-535-7401
www.cityoftalent.org

----- Original message -----

From: Councilor Wise <Councilor1@cityoftalent.org>

Date: 04/06/2017 11:27 AM (GMT-08:00)

To: Zac Moody <ZMoody@cityoftalent.org>

Cc: Mayor Stricker <Mayor@cityoftalent.org>, Councilor Pederson <Councilor5@cityoftalent.org>

Subject: HNA question/suggestion

Zac,

Policy 2, implementation step 2.1e regarding IZ lists a 3 to 5 year implementation. I recall this being a concern to the PC, and that they requested it be changed to a tighter time frame.

This seems like a fairly straightforward implementation step, and I know that Unite Oregon and other community members would quickly step to the fore in order to assist the process. Further, it makes sense that implementing IZ needs to come before or contemporaneously with other zoning map and overlay changes, not after. Otherwise, we might lose valuable land inventory before the overlay is developed.

Didn't the PC agree to changing that to 1-3 years, or was it 2-4?


Also, the wording for the implementation step is convoluted and unclear:

"Evaluate and determine the appropriate zoning designation(s) or area appropriate (if IZs are determined appropriate) for the use of Inclusionary Zoning and 2) if IZs are determined appropriate..."

It is redundant and confusing with the parentheses and too many repetitions of "appropriate."

Perhaps better wording would be:

"(1) Evaluate and determine whether Inclusionary Zoning (IZ) is appropriate in Talent, (2) if determined appropriate, identify locations where the use of IZ would be either voluntary or required, and (3) establish standards and incentives necessary to ensure the successful use of IZ."

Objective 4.4 reads, "...make it more clearer for Staff..." It might be more clearer to the reader if it read, "...make it more clear..." 

Daniel

Daniel Wise, M.A., M.B.A.

Councilor Seat 1

Councilor1@cityoftalent.org

(541) 535-1566

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<OutlookEmoji-.png>

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Talent, Oregon



From: Tom Lowell
To: Zac Moody
Subject: RE: Additional written comments to be added to the record of Ord. 17-925-O
Date: Monday, April 10, 2017 8:00:32 AM

I'm ready when you're ready it's hard for me to imagine the state would object since there's complete failure in meeting the housing needs in talent. Unless of course meeting the housing needs is not really the state's objective.

On Apr 10, 2017 7:57 AM, "Zac Moody" <ZMoody@cityoftalent.org> wrote:

Mr. Lowell,

I don't disagree with you at all. I believe that providing some land is better than none at all. The challenge is that your property is not in an Urban Reserve and therefore in the State's perspective is not a priority expansion area.

With that said, there is nothing preventing you from submitting an application for a UGB amendment for your parcel. If the city were to initiate the application, we would need to take all appropriate (and required) steps to prove to the State that it is necessary. We can all agree it would help, however the path for getting there is different if the city puts the application forward.

Again, we can set some time up to meet to discuss this in more detail if you would like, just let me know if you wish to do that.

Thanks,

Zac

Zac Moody
Community Development Director
City of Talent
110 E. Main Street
Talent, Oregon 97540

Office: [541-535-7401](tel:541-535-7401)
www.cityoftalent.org

----- Original message -----

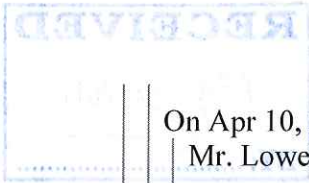
From: Tom Lowell <tomlowell1@gmail.com>
Date: 04/10/2017 7:28 AM (GMT-08:00)
To: Zac Moody <ZMoody@cityoftalent.org>
Subject: RE: Additional written comments to be added to the record of Ord. 17-925-O

I guarantee there would more more support for utilizing my 1 acre piece, than moving ahead with attempted development of the RDMP.

Basic strategy: don't let the perfect be the enemy of the good.

On Apr 10, 2017 7:24 AM, "Tom Lowell" <tomlowell1@gmail.com> wrote:

No, not TA-2, just my land. If you look, you will see it satisfies all the criteria I proposed, plus it meets all relevant land use objectives. Hiding in plan sight!



On Apr 10, 2017 7:18 AM, "Zac Moody" <ZMoody@cityoftalent.org> wrote:
Mr. Lowell,

I agree that expansion in that area could be a benefit with either high or medium density development.

The challenge is getting that land back in the UR. If you remember there was a lot of opposition of TA2. The policy document mentions many times the need to work with RPS to change Talent's UR to better suit the City's needs.

Once adopted, the Council can direct staff to begin the UGB study to identify exactly how much land we need to bring in to the UGB and what it needs to be zoned to best benefit our needs.

Hopefully this explanation helps and you can understand the parameters we are obligated to work within. I would be happy to set up some time to have a more detailed discussion if you would like.

Thanks,

Zac

Zac Moody
Community Development Director
City of Talent
110 E. Main Street
Talent, Oregon 97540

Office: [541-535-7401](tel:541-535-7401)
www.cityoftalent.org

----- Original message -----

From: Tom Lowell <tomlowell1@gmail.com>

Date: 04/10/2017 5:51 AM (GMT-08:00)

To: Zac Moody <ZMoody@cityoftalent.org>

Subject: RE: Additional written comments to be added to the record of Ord. 17-925-O

Thanks for that. Question: wouldn't adding my land to the city and zoning it for high density low income apartments give the biggest bang for the buck to the city meeting it's housing needs? Or is that to much common sense?

On Apr 9, 2017 9:56 PM, "Zac Moody" <ZMoody@cityoftalent.org> wrote:
Mr. Lowell,

I have added your comments to the record.

Thank you for taking time to provide us with your concerns.

Zac

1. Prior to planning on developing an area which requires cooperation among the property owners, poll the current owners to gauge their interest in development. Unless 75% of the property owners and 100% of the lynch pin property owners agree, remove all planning projections from that area.

2. **Move on**, and include in the UGB and reserve area, lands (unlike the RDMP) which **don't** have development constraints instead of continuing to throw good money after bad (RDMP).

3. Try being **honest** for a change: Don't change the comprehensive plan to accommodate the mapping, instead, change the mapping to accommodate the comprehensive plan.

I realize that perhaps none of you are remnants of previous councils or planning commissions, but the fact is as Santayana reminds us, "Those who do not remember the past are condemned to repeat it." Unfortunately, at this point, things don't look so good for you folks.

Sincerely yours,

Tom Lowell

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Talent, Oregon

Zac Moody
Community Development Director
City of Talent
110 E. Main Street
Talent, Oregon 97540

Office: [541-535-7401](tel:541-535-7401)
www.cityoftalent.org

----- Original message -----

From: Tom Lowell <tomlowell1@gmail.com>

Date: 04/07/2017 2:37 PM (GMT-08:00)

To: Mayor Stricker <Mayor@cityoftalent.org>, Councilor Baker
<Councilor6@cityoftalent.org>, Councilor Berlant <Councilor2@cityoftalent.org>,
Councilor Collins <Councilor3@cityoftalent.org>, Councilor Harrison
<Councilor4@cityoftalent.org>, Councilor Pederson <Councilor5@cityoftalent.org>,
Councilor Wise <Councilor1@cityoftalent.org>, Zac Moody
<ZMoody@cityoftalent.org>, Melissa Huhtala <melissa@cityoftalent.org>, Tom
Corrigan <TCorrigan@cityoftalent.org>

Subject: Additional written comments to be added to the record of Ord. 17-925-0

Dear Councilors:

I urge the council to reject the above referenced ordinance because it purports to fix problems inherent in the RDMP, which **can't** be fixed. For at least 20 (or more?) years, lands in the UGB west of the City have been available to be brought into the city and developed. But they haven't been. Why? Because they **can't** be. It's just not feasible. No more grade railroad crossings, and lack of interest in required property owners in allowing a road through their property for a required 2nd safety access. so it begs the question: why you would pander to the interests of one greedy developer and ignore the best interests of the citizens of Talent and surrounding areas? This is beyond my understanding of right and wrong! Because its easier? Just passing the buck to the Planning Dept? Not creative enough, or possessive enough of critical thinking skills to do any legitimate problem solving?

Einstein said: "Insanity is doing the same thing over and over again and expecting a different result."

Maybe its just my opinion, but when the target median price of a home in Talent is \$67,500 (according to your own report), and the actual median price is \$275,000 (according to your own report), and you keep "doing the same thing over and over again," that's proof to any rational person that the City Planning Dept and Council has been delusional in regard to housing needs planning. And I've been pointing this out for at least 5 years. I even appealed the RPS plan in 2012. Council and LCDC just ignored me. No doubt that will happen again because for some reason, most of the people in government don't have any **common sense**. Why is that? Because real problem solving skills are developed in private enterprise, not government, which typically is more concerned in acting in their own selfish interest than in the public interest!

Regardless, here are some common sense suggestions:



CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114
Mike@CSAplanning.net

April 12, 2017

Talent City Council
C/O Zac Moody, Director
City of Talent Community Development
110 West Main Street
Talent, Oregon 97540

RE: *Housing Element Update* / *ORDINANCE NO. 17-935-O*

Dear Talent City Council:

Please accept this letter of support for the proposed legislative update to the City of Talent Comprehensive Plan Housing Element and Buildable Lands Inventory (BLI) into the record. We have reviewed the City's proposed Housing Element and Buildable Lands Inventory updates as recommended by the Planning Commission and have participated in the adoption process in front of the Planning Commission and now the Council. We believe the proposed amendments are well conceived and will benefit the City from the standpoint of housing as the plan updates are implemented over time. Accordingly, we respectfully request the City Council approve the amendments as proposed.

Our client, Eric Artner owns land *within the City of Talent Municipal Limits*, situated within the Talent Railroad District Master Plan area (TRDMP), with access from Belmont Road. Our client purchased his property following the City adoption of the TRDMP. Shortly before the housing collapse, our client submitted an application to subdivide the property that was ultimately denied based upon a specific and narrow code interpretation.

Our client's project history and the City's Housing Element update process gave rise to our participation in the proceedings in front of the Planning Commission and ultimately to the development of the proposed Policy 1 and Objective 1.2 and related implementation language that appear in the Planning Commission's recommendation. The language of Objective 1.2 is important to our client because this policy charts a course for our client to work with the City to assure existing buildable land within the City limits is available to meet the housing needs identified in the Housing Element.

At the April 05, 2017 Council Hearing, concerns related to Policy Objective 1.2 were raised by three individuals: Planning Commissioner Joi Riley, her husband Geoffrey Riley (speaking on behalf of Mary Tsui), and Vernon Davis. Ms. Tsui owns lands outside the City of Talent Urban Growth Boundary to the east of our client's property. Mr. Vernon Davis' property similarly is situated outside the City of Talent Urban Growth Boundary. We will leave it to the Council to weigh the testimony from individuals who are not Talent residents on matters concerning the most appropriate policies for the City to pursue with respect to buildable land that is already within City limits.

The testimony from these three individuals suggested that the proposed Housing Element Policy Objective 1.2 and associated Implementation Strategies 1.2a, 1.2b, and

1.2c will obligate the City to do something unsafe and infeasible. Their testimony suggested that access to any of the railroad district properties under any circumstance is simply not viable; that a separated rail crossing would cost several millions of dollars; and that houses within the railroad district would create some level of serious social injustice. We would like to take this opportunity to respond to that testimony as follows:

- First, the City of Talent Railroad District Master Plan is already adopted into the City's Comprehensive Plan. The draft Housing Element correctly identifies the area as buildable. The TRDMP also provides reasonable transportation connectivity solutions that are also reflected in the Transportation System Plan. As noted above, our client's property is already within the City Limits and comprises considerable buildable land that is feasible to develop. While there are some undevelopable steep slopes at the upper (southerly) and furthest extent of the property, the vast majority of the lands consist of gentle to moderate slopes capable of accommodating development in a manner consistent with the RS-5 zoning that currently applies to the parcel.
- The railroad itself does present a challenge for development within the TRDMP area, but it's one that is feasible and reasonably affordable to overcome. The same railroad crosses through several cities throughout the region. It is not uncommon to work with the railroad to achieve safe and functional crossings amenable to all parties. In fact, when our client's prior project was denied, he had already secured approval from CORP and ODOT rail for a separated below grade crossing at Belmont that meets both the City's and the railroad's requirements. Claims of the crossing costing several millions of dollars are untrue. The construction cost estimates for the crossing obtained by our client as part of the previous subdivision request were well under \$1 million. Further, our client is willing to fully construct the crossing as part of an appropriate development on their property. From both an engineering and affordability standpoint - our client has already identified reasonable solutions and looks forward to working with the City on refining the appropriate criteria and standards for implementation. Moreover, the concerns expressed in opposition to the proposed policy cannot be reconciled with the City's housing plan obligations under applicable State regulations including Goal 10, OAR 660 Division 8 and ORS 197.307. There are 84 developable acres in the Railroad District Master Plan; it is not uncommon for infrastructure to be planned for extension of development areas of this size and scale. Even if the railroad crossing is ultimately expensive, it is being spread across 84 acres in a very desirable portion of the region where development can be expected to lay off costs making them ultimately very affordable on a per lot or household basis.
- With regard to safety, concerns were raised by Mr. Davis that an at-grade crossing would create an un-safe condition, describing unsubstantiated ways in which peoples' lives would be in danger should an at-grade crossing be utilized. Our clients agree that safety is and should be of significant public concern. Implementing Objective 1.2 will do exactly that by considering safety measures appropriate to the connectivity needs of the area and future traffic patterns. Nevertheless, the testimony is somewhat tangential because the prior proposal by our client was to construct a separated grade crossing.
- Additional testimony alleged social injustices that would occur should housing be provided within the already adopted railroad district. This line of testimony suggested that only multi-family housing that is immediately adjacent to stores and services would provide a socially just configuration. There simply is no evidence in the record to support this allegation. In fact Goal 10 and OAR 660 Division 08 require cities to provide a range of housing types to meet the range



of housing needs based on sound methodologies and adopted policies. Adoption of this rationale as a planning precept, would significantly impair the proposed Housing Element as well as many other sections of the Comprehensive Plan.

Ultimately, Page 22 of the record provides a relevant and appropriate response by the Planning Commission and staff related to proposed Policy Objective 1.2 as follows:

“Objective 1.2 - Riley mentioned concern over Planning Commission evaluating the City's access and circulation standards in the zoning and subdivision codes, as changes may lead to safety issues in future emergency situations. Moody explained that there are plenty of circumstances where subdivisions just end and there are no other connections. He added that it's important to look at the subdivision and zoning code and see what is required for those secondary accesses, and what would be the smart thing to do. Moody added this isn't only an issue at Belmont, it could also be an issue at TA-4 & 5. Milan explained the railroad access issue was important to the CAC and anything that permits evaluating what can be done there would be good. Hazel explained that "evaluating" could mean *improving* the safety. Pastizzo added, worst case scenario, access and circulation is evaluated and nothing would be changed. Never know if you don't take a look. Hazel added, she doesn't see anything wrong with the wording being included.”

Policy Objective 1.2 and its associated implementation strategies seek to find the best ways to implement the plan so that the City can meet its identified housing needs. Our client is willing to construct and pay their proportionate fair share toward all required needed infrastructure. Once the crossing is constructed, the remainder of the City's UGB lands within the TRDMP will be well situated to accommodate planned housing and employment.

Our firm has significant experience developing Comprehensive Plans throughout Oregon and agrees with the proposed Findings and Conclusions that the evidence in the whole record demonstrates the City's buildable lands inventory and needs are consistent with relevant Goals, statutes and rules. Based on that experience and the points presented in this letter, we respectfully request the City adopt the proposed plan amendments as recommended by the Planning Commission.

Very truly yours,

CSA Planning, Ltd.

A handwritten signature in blue ink, appearing to read 'Michael Savage', is written over the typed name.

Michael Savage
Associate

cc. File; Client



From: Carrie Prechtel
To: Zac Moody
Cc: Councilor Wise; Councilor Berlant; Councilor Collins; Councilor Harrison; Councilor Pederson; Councilor Baker; Mayor Stricker
Subject: Affordable Housing
Date: Sunday, April 09, 2017 6:52:14 PM

Dear City Council and Mayor,
Please prioritize inclusionary zoning and higher density requirements in the new Housing Strategy to be added to the Talent Comprehensive Plan.
Thank you,
Carrie Prechtel
149 Graham Way, Talent



From: Ron Laupheimer
To: Mayor Stricker; Tom Corrigan
Cc: Zac Moody; Melissa Huhtala
Subject: City Council Consideration of Amendments to Element G (Housing) of the Talent Comprehensive Plan
Date: Tuesday, April 11, 2017 12:33:15 PM
Attachments: Letter for Inclusion in April 5 2017 Talent City Council Agenda Packet.msg
Re Letter for Inclusion in April 5 2017 Talent City Council Agenda Packet.msg
Importance: High

Mayor Stricker and Mr. Corrigan---

I hereby request you defer any action on the proposed Element G and related City of Talent Comprehensive Plan amendments until proper recognition of the numerous public comment letters, timely received by the City of Talent but not included in the City Council Agenda Packet for the April 5, 2017 meeting, is made so that they may be adequately considered by the public and City Council members before any vote on the proposed amendments is taken. Failure to include such documents is a violation of Oregon's Goal 1 regarding public access and participation, as well as the Oregon land use laws.

As you surely know, it is accepted practice to place all the letters of public comment (and this includes emails) together in one section for easy access. That was certainly not done in this instance.

I was surprised and extremely disappointed to learn---after the April 5th Talent City Council Meeting---that the letter we and several of our Hilltop Road neighbors sent to you, as well as those timely sent by several other citizens opposing the adoption of the proposed Element G revisions, were not included in the Agenda Packet sent to the Mayor and the Talent City Council Members for review before the April 5, 2017 hearing.

In reviewing the packet, I found only two public documents (one of which was incomplete) related to the proposed Element G revisions, and they are separated by nearly 100 pages! There is no way either the City Council Members or the public could make any real sense out of what was done in the April 5th Agenda Packet.

As Ms. Huhtala will remember, I contacted her several times a few weeks before the April 5th hearing and asked exactly when a letter needed to be in her hands for inclusion in the Agenda Packet for that hearing. She assured me that if she received the letter by March 28th, it would be included for review by the Mayor/City Council Members before the April 5th meeting. I therefore emailed her a letter from several Hilltop Road property owners on March 28th regarding our opposition to the proposed Element G revisions to the City's Comprehensive Plan, and asked her to confirm that she received it in a timely manner for inclusion in the April 5th Agenda Packet. Accordingly, she confirmed it had been so received. (See my attached March 28, 2017 email and letter and the attached reply email acknowledging timely receipt of the letter.)

I was thus shocked to review the Packet and learn that our

letter and the letters from several other property owners opposing the proposed revisions were not included in the April 5th Agenda Packet, which means they could not be reviewed by the Mayor and City Council Members or the public! This occurred despite the statement in Mr. Moody's March 29th report to the Mayor & City Council Members on this issue that all public comment received "through 3/29/217[sic]" was included in the material the Mayor, City Council Members and the public was being asked to review. (See the bottom of page 4 of the April 5th Agenda Packet.) Not only did this non-inclusion violate the several assurances given me regarding our letter but it also represents inadequate and selective public notice.

To make matters even worse, as noted above, the only two documents by the public I found in the Agenda Packet regarding the proposed Element G revisions issue were virtually unreadable and therefore unusable by the City Council and the public. One letter was on pages 133-134 of the huge 237-page Packet next to the Community Development Director's Report. The only other document I found regarding the issue was the first page only of another letter by a member of the public (author unidentified) found at page 229 of the Packet that was included as part of a totally different issue up for the Council's consideration.

I have been told the City Council postponed action on the Element G revisions proposal on April 5th, putting the matter over to the April 19th meeting. I therefore request you include our attached March 28, 2017 letter in the Agenda Packet for that meeting along with this email and also include the full letters and comments received from the public regarding this issue in a separate and clearly-identified labeled section in the Packet right after the Community Development Director's Report for easy and understandable reading by the Mayor, City Council Members and all people who are interested in this issue. Please confirm immediately that this will be done now and in future packets. If you have any questions regarding this request, please contact me immediately.

Sincerely yours,

F. Ronald Laupheimer, Esq.

146 Hilltop Road

Talent, OR 97540

415.564.5555

ronald.laupheimer@gmail.com



From: Mayor Stricker
To: Zac Moody
Cc: Tom Corrigan; Councilor Wise; Councilor Pederson
Subject: Re: Element G letters
Date: Wednesday, April 12, 2017 8:41:26 PM

This is a good reply with good information. I appreciate that you are still moving forward with the invitation for an informative meeting.

Respectfully,

Mayor Darby Stricker

Sent from my iPhone

On Apr 12, 2017, at 4:36 PM, Zac Moody <ZMoody@cityoftalent.org> wrote:

Mayor,

I haven't yet seen Ms. Cuddy's letter but assume her concerns are similar to those shared by the others. The Housing Element does state that we will continue to work with neighboring property owners as we begin evaluating and implementing proposed policies in the Comprehensive Plan. These commitments to working with property owners are however specific to the policies that have yet to be adopted.

Throughout this process, we have provided a lot of opportunities to comment on the proposed changes, many of which haven't changed much since the open house in December. Everyone that attended the open house and provided the City with an email for notification was provided with reminders of the Planning Commission public hearing and invited to attend. This included some of the property owners in the RRDMP that attended the meeting.

With that said, I see no harm in extending an invitation to the neighbors adjacent to the UGB and the RRDMP. For some of these property owners, we will need to send a letter if we are unable to track down a phone number. I am having my staff work on that first thing tomorrow morning.

I will take a look at my calendar for next week and set a date and time that gives anyone that is mailed a letter time to make arrangements to attend.

Thanks,

Zac

Zac Moody
Community Development Director
City of Talent

110 E. Main Street
Talent, Oregon 97540

Office: 541-535-7401
www.cityoftalent.org

From: Mayor Stricker
Sent: Wednesday, April 12, 2017 3:48 PM
To: Zac Moody <ZMoody@cityoftalent.org>; Tom Corrigan <TCorrigan@cityoftalent.org>; Councilor Wise <Councilor1@cityoftalent.org>; Councilor Pederson <Councilor5@cityoftalent.org>
Subject: Re: Element G letters

Thank you,

The letter I referenced is from Laurie Cuddy. Melissa was CC'd.

Laurie Cuddy stated about not being contacted... "This is in direct contradiction to the information you've been given in the proposed Housing Element – which states that staff "will continue" to work with adjacent property owners."

Is it going too far to reach out to the "adjacent property owners." as well? I am really hoping to be able attempt to correct this before we deliberate. Again, I want to avoid a claim of preferential treatment for the developer.

Thank you,

Darby Stricker
Mayor
mayor@cityoftalent.org
541-535-1566

City of Talent
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Talent, Oregon

From: Zac Moody

Sent: Wednesday, April 12, 2017 3:27:42 PM

To: Mayor Stricker; Tom Corrigan; Councilor Wise; Councilor Pederson

Subject: RE: Element G letters

Mayor Stricker,

I made a call to Mr. Laupheimer this morning about setting up a meeting with him and the three others that signed his letter as well as Mr. Vernon Davis and Mr. and Mrs. Tsui. Mr. Laupheimer stated in our conversation that he would not be able to attend as he is in San Francisco until the end of the month, but that he would contact those that signed the letter including Mr. and Ms. Tsui (who also provided written comment) to see if they would be interested in meeting. He stated that he would have Mr. and Mrs. Tsui call me to set up a time that worked best for them. I told Mr. Laupheimer that we could conference him in as well so that he could participate.

Instead of waiting for Mr. and Mrs. Tsui to call, I would be glad to get in contact with them and the other property owners in the RRDMP to invite them to meet. After speaking with Tom, I don't believe that we would be in violation of statute if staff met with the owners of property in the master plan area. I will see what I can do to track down each of their phone numbers so that I can contact them directly.

Thanks,

Zac

Zac Moody

Community Development Director

City of Talent

110 E. Main Street

Talent, Oregon 97540

Office: 541-535-7401

www.cityoftalent.org

From: Mayor Stricker

Sent: Wednesday, April 12, 2017 2:20 PM

To: Tom Corrigan <TCorrigan@cityoftalent.org>; Zac Moody

<ZMoody@cityoftalent.org>; Councilor Wise <Councilor1@cityoftalent.org>; Councilor

Pederson <Councilor5@cityoftalent.org>

Subject: Element G letters

Hello All,

We have received so many letters regarding Element G in support of the affordable housing, mostly but also some concerns around the railroad district.

The one that comes to mind, is the letter that states the City staff never met with anyone to hear them, as this was being developed. This in light of the fact that staff has met with the developer multiple times I attended one of those meetings but not some or all of the others (if the letter is correct).

Would it be a violation to invite them to the table to meet with staff before next Wed? Maybe we can save ourselves some from concerns about claims of preferential treatment. Maybe we can alleviate stresses and find some solutions. Just putting that out there.

Darby Stricker
Mayor
mayor@cityoftalent.org
541-535-1566

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Talent, Oregon

City of Talent
PO Box 445
110 East Main St.
Talent, OR 97540



From: [Niria Garcia](#)
To: [Zac Moody](#)
Cc: [Councilor Wise](#); [Councilor Berlant](#); [Councilor Collins](#); [Councilor Harrison](#); [Councilor Pederson](#); [Councilor Baker](#); [Mayor Stricker](#)
Subject: Re:Public Input Housing Strategy Document
Date: Wednesday, April 12, 2017 2:29:36 PM

Hello,

I want to start by honoring the original first peoples of the land that is now known as Talent, and express my gratitude for their thousands of years of careful stewardship of the lands that were settled by the Talent family among other settlers in the late 1800's.

Secondly, I want to express my gratitude for all the work you are doing at the moment to improve our city of Talent for our current residents and with future residents in mind.

I recognition that our county has less than 2% vacancy, gentrification is a reality for many of us, especially low-income, under-served, and communities of color.

Being an Oregon native, born and raised, I have seen in the past 20 years closely how our town has developed. The fear that I'm pointing to is not just mine, but its a real concern for me, and my community.

I also want to express my frustration and offer you all some suggestions and my time to brainstorm **how we can make information even about these hearings and processes more accessible and inclusive of all those folks who don't speak English.** I only happened to hear about these hearing because I happened to be in the RAC when I was invited to a hearing that was happening later that day... too short notice for me to attend.

I want to be sure that our city will have policies, tools and guidelines to ensure that developers won't be able to just come in and do as they wish. Developers don't have the interests of communities in mind as much as they do for their own interests and assets.

With the way our global economy is going, climate change and the expected migrations of millions of people, **I think it's important to also look at long-term planning for permanently setting aside green-space where Talent residents can have access to land to grow their own food** and slowly begin to liberate themselves from corporations, economies, and markets that have prices that will fluctuate and have the potential of creating food insecurity for our community. One area I've dreamed of having be a community garden/green-space would be on Talent Ave, the old mobile home park that got shut down and hasn't gotten developed yet.

Please let me know if you have questions, feedback, or need support in these initiatives.

Thanks for your hard work,

--

Niria Alicia Garcia
 National Climate Campaign Field Organizer
[Our Children's Trust](#)

